tages the interests of the American consumer and indeed Nixon's anti-inflationary objectives themselves, in the sense that it deprives Americans of lower priced products and thereby insulates the U.S. economy from world prices.

In another sense, too, it seems that the President's program has unequally distributed the burdens of national sacrifice. While I would agree that it is important for the Federal Government to set an example in austerity, I do feel that the President's directive in extending the freeze for Federal employees and in requiring a 5-percent cut in Federal employment is decidedly unfair and can only serve to damage the morale of Federal workers and the attractiveness of Federal service itself.

Government workers have lagged behind organized labor in cost-of-living wage increases, and now it seems they are being asked to endure special sacrifices in order to help compensate for the Government's revenue loss from the investment tax credit, the repeal of the automobile excise tax, and the accelerated depreciation allowances. The 6-percent Federal raises granted by Congress in January 1970 cannot by themselves be considered a causal factor of wage-push inflation, for they were in fact recommended by the Bureau of Labor Statistics in order to restore wage comparability to Federal workers at that time—in January 1970. To deprive Federal workers of these raises by extending the freeze for them would certainly be an injustice which they cannot be expected to tolerate.

Furthermore, I would also recommend that some real mechanism of enforcement be created which could insure that those whose salaries are less visible than Government workers' salaries share equally in the burdens of the wage-price freeze.

On the matter of the freeze on rents, let me say that I wholeheartedly support Congressman RYAN's legislation to extend the rent freeze until April 30, 1972. The housing problem is one of the most serious this country has to face. If the rent freeze is not extended, tenants may well be presented with rent hikes so exorbitant as to make middle-income housing almost impossible to find.

SENATE—*Monday, October 4, 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:

Vouchsafe Thy blessing, O Lord, upon the Senate and upon all work undertaken in Thy fear and for Thy glory; and grant that all who serve Thee here—Senators, officers, staff, and attendants—may keep the spirit of service ever before them, remembering Him who said, "Whoever would be greatest among you, let him be the servant of all."

Grant Thy higher wisdom to the President and all who are set in authority that justice and righteousness may prevail at home and peace may be achieved abroad among the nations.

In the name of the Prince of Peace. Amen.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

S. 2613. An act to extend the Federal Water Pollution Control Act, as amended, for 1 month; and

H.R. 10538. An act to extend the authority for insuring loans under the Consolidated Farmers Home Administration Act of 1961.

The enrolled bills were subsequently signed by the President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, October 1, 1971, be dispensed with.

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

WAIVER OF THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, 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.

PRIVILEGE OF THE SENATE FLOOR FOR THE CHAPLAIN OF THE HOUSE OF REPRESENTATIVES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 368, Senate Resolution 171.

The PRESIDENT pro tempore. The resolution will be stated by title.

The assistant legislative clerk read as follows:

S. Res. 171, relative to extending the privilege of the Senate floor to the Chaplain of the House of Representatives.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to, as follows:

SENATE RESOLUTION 171

Resolved, That, rule XXXIII of the Senate be amended to insert a new line following "The Architect of the Capitol", as follows: "The Chaplain of the House of Representatives."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 364), explaining the purposes of the measure.

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

Senate Resolution 171 would amend rule XXXIII of the Standing Rules of the Senate by adding the Chaplain of the House of Representatives to the list of persons who may be admitted to the floor of the Senate while the Senate is in session.

This action has been taken by the Committee on Rules and Administration as an expression of comity with the House of Representatives, which customarily has admitted the Chaplain of the Senate to the House floor while the House has been in session.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination in the U.S. Coast Guard.

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

The PRESIDENT pro tempore. The nomination in the U.S. Coast Guard on the executive calendar will be stated.

U.S. COAST GUARD

The second assistant legislative clerk read the nomination of William M. Benkert, to be a rear admiral.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed; and, without objection, the President will be immediately notified of the confirmation of this nomination.

LEGISLATIVE SESSION

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

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

ORDER OF BUSINESS

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

QUORUM CALL

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

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

The second assistant legislative clerk proceeded to call the roll.

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

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the transaction of routine morning business for a period not to exceed 15 minutes, with each Senator limited to 3 minutes.

The Senator from Illinois is recognized.

THE UNCONTESTED SOUTH VIETNAMESE ELECTION

Mr. STEVENSON. Mr. President, the curtain has come down on the latest act in the South Vietnamese political puppet show. By some final legerdemain Mr. Thieu's vote in the uncontested and boycotted presidential election was held to less than 100 percent.

There are those who patronizingly say that democracy was irrelevant anyway and that nothing is lost. Others had only hoped that the unpopular Thieu regime might acquire a veneer of legitimacy in elections. For them, too, little is lost.

But for those of us who believe in the universality of the principles of self-government first declared by our political forefathers and have seen a weary South Vietnamese people in village elections and in Senate and Assembly elections striving, and at times succeeding, to govern their own affairs it is a bitter, bitter moment.

An ugly war is now stripped of its one decent purpose. A war for self-determination is now clearly a war for the self-perpetuation of a corrupt and autocratic regime in South Vietnam.

The people of South Vietnam have sought to govern their own affairs. And they have received precious little help from an administration that preaches the ideal of the American revolution and aids and abets the genocide of Yahya Khan in East Pakistan and the tyranny of Mr. Thieu in South Vietnam.

But, Mr. President, the history books are not yet written. Some day it may still be said that the Americans in the final hour had the good sense to leave and that the South Vietnamese resolved their own differences and made peace. It may still be said that after many mistakes the Americans left the Vietnamese to work out their differences and negotiated the withdrawal of their troops and the return of their men held hostage in the North.

It may still be written that the North, deprived of an enemy, and the South, deprived of the prospect of endless American support for war, made peace.

The Senator from New Mexico (Mr. MONTOYA) foresaw the events which have now taken place in South Vietnam, but his amendment to declare a 4-month deadline unless the President certifies a fair election comes too late. The elections are already passed and the Senate has already declared that the United States will withdraw within 6 months, provided our prisoners are released, with or without a fair election. The only way now to help ourselves and the long-suffering people of South Vietnam is to come home.

We may yet succeed in our misguided efforts at self-determination if we distinguish in this late hour between the interests of a people yearning to be free and the interests of a regime yearning to be in power. Some good could still come of our sacrifices in South Vietnam if the Congress now recognized that a war for self-determination has, indeed, become a war for the self-perpetuation of a corrupt and autocratic regime. We have done all we can and now is the time, if it has not passed, to withdraw all military support from the Thieu regime.

I have often wondered, Mr. President, why we did not seek to Vietnamize the politics and the economics of South Vietnam instead of a senseless war. But perhaps some good will come of this last act in the Vietnam tragedy. The Congress could write the sequel. It could adopt the Mansfield amendment and the President could, as in other things, sustain one day what he opposed the day before.

The PRESIDENT pro tempore. Is there further morning business?

QUORUM CALL

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON WEDNESDAY, OCTOBER 6, 1971

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, after the prayer by the Chaplain, the recognition of the majority leader and minority leader, if they desire recognition, and any special orders which may be entered into in the meantime, there be one-half hour on Wednesday next for the transaction of routine morning business with a time limitation of 3 minutes attached thereto.

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

ORDER FOR RECOGNITION OF SENATOR PERCY ON TUESDAY, OCTOBER 5, 1971

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from Illinois (Mr. PERCY) be recognized after the leadership recognition tomorrow morning for not to exceed 15 minutes.

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

PROPOSED AMENDMENT OF TITLE 10, UNITED STATES CODE

A letter from the Assistant Secretary of the Air Force, Manpower and Reserve Affairs, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize, with respect to certain officers of the Army Reserve or Air Force Reserve their employment as, and retention in an active status beyond 28 or 30 years if they are, Army Reserve or Air Reserve technicians, and for other purposes with an accompanying paper); to the Committee on Armed Services.

REPORT UNDER TITLE II OF LEGISLATIVE REORGANIZATION ACT OF 1970

A letter from the Comptroller General of the United States, reporting, pursuant to law, on progress made under title II of the Legislative Reorganization Act of 1970; to the Committee on Government Operations.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Improvements Needed in Leasing Federal Lands for Agricultural Purposes", Corps of Engineers (Civil Functions), Department of the Army, dated October 1, 1971 (with an accompanying report); to the Committee on Government Operations.

REPORT ON FEDERAL LAW ENFORCEMENT AND CRIMINAL JUSTICE ASSISTANCE ACTIVITIES

A letter from the Attorney General, transmitting, pursuant to law, a report on Federal law enforcement and criminal justice assistance activities, dated October 1, 1971 (with an accompanying report); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, reports relative to suspension of deportation of certain aliens (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF A CERTAIN ALIEN

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, reporting, pursuant to law, on the suspension of deportation in the case of Wong Tai, also known as Wong Sup (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports on temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORTS RELATING TO THIRD PREFERENCE AND SIXTH PREFERENCE FOR CERTAIN ALIENS

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

REPORT RELATING TO BONDING OF CERTAIN OFFICERS AND EMPLOYEES

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report of operations by Federal departments and establishments in connection with the bonding of officers and employees, for the fiscal year ended June 30, 1971 (with an accompanying report); to the Committee on Post Office and Civil Service.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Common Council of the City of Madison, Wis., praying for the enactment of the national health security program; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CURTIS, from the Committee on Agriculture and Forestry, without amendment:

H.R. 9634. An act to change the name of the "Nebraska National Forest," Niobrara division, to the "Samuel R. McKelvie National Forest" (Rept. No. 92-385).

By Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, without amendment:

H.R. 6915. An act to amend the tobacco marketing quota provisions of the Agriculture Adjustment Act of 1938, as amended (Rept. No. 92-387).

By Mr. ALLEN, from the Committee on Agriculture and Forestry, without amendment:

S. 2395. A bill to amend the act of February 28, 1947, as amended, to authorize the Secretary of Agriculture to cooperate with the Republic of Mexico in the control and/or eradication of any communicable disease of animals in order to protect the livestock and poultry industries of the United States (Rept. No. 92-388); and

S. 2396. A bill to amend the act of July 6, 1968, to authorize the Secretary of Agriculture to cooperate with Central American countries in the control and/or eradication of any communicable disease of animals in order to protect the livestock and poultry industries of the United States (Rept. No. 92-389).

By Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, with an amendment:

S. 1838. A bill to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities (Rept. 92-386).

EXECUTIVE REPORTS OF COMMITTEES

Mr. MAGNUSON. Mr. President, as in executive session, I report favorably sundry nominations in the U.S. Coast Guard which have previously appeared in the CONGRESSIONAL RECORD and, to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they may lie on the Secretary's desk for the information of Senators.

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

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

Klaus Addie, and sundry other officers, for promotion in the Coast Guard.

H.R. 8629 AND H.R. 8630—APPOINTMENT OF SENATOR TAFT AS CONFEREE

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from New Jersey (Mr. WILLIAMS), I ask unanimous consent that the Senator from Ohio (Mr. TAFT) be appointed as a conferee of the committee of conferees on the disagreeing votes of the two Houses on the amendments of the Senate to H.R. 8629 and H.R. 8630, in lieu of the late Senator Prouty.

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

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. INOUYE:

S. 2638. A bill for the relief of Dr. Corazon Cadiz. Referred to the Committee on the Judiciary.

By Mr. PACKWOOD:

S. 2639. A bill to protect marine mammals; to establish a Marine Mammal Commission; and for other purposes. Referred to the Committee on Commerce.

By Mr. PEARSON:

S. 2640. A bill for the relief of Farouk Brahimi. Referred to the Committee on the Judiciary.

By Mr. FONG:

S. 2641. A bill for the relief of Chu York Lui (also known as Cheu Wah Lui); and

S. 2642. A bill for the relief of Felipe Cardinas Mejia. Referred to the Committee on the Judiciary.

By Mr. INOUYE:

S. 2643. A bill for the relief of Terence John Peet. Referred to the Committee on the Judiciary.

By Mr. MONDALE:

S. 2644. A bill for the relief of Miss Maxine Shillam. Referred to the Committee on the Judiciary.

By Mr. BURDICK:

S. 2645. A bill to amend the Internal Revenue Code of 1954 to exempt certain farm vehicles from the highway use tax, and to require that evidence of payment of such tax be shown on highway motor vehicles subject to tax. Referred to the Committee on Finance.

By Mr. HUMPHREY (for himself, Mr. EAGLETON, and Mr. INOUYE):

S. 2646. A bill relating to transportation and other public accommodations and services involving blind persons accompanied by a dog guide in the District of Columbia. Referred to the Committee on the District of Columbia.

By Mr. MOSS:

S. 2647. A bill relating to comparability adjustments in pay rates of the Federal statutory pay systems based on the 1971 Bureau of Labor Statistics survey. Referred to the Committee on Post Office and Civil Service

By Mr. HUMPHREY (for himself and Mr. MONDALE):

S. 2648. A bill to authorize the establishment and maintenance of reserve supplies of soybeans, corn, grain sorghum, barley, oats, and wheat for national security and to protect domestic consumers against an inadequate supply of such commodities; to maintain and promote foreign trade; to protect producers of such commodities against an unfair loss of income resulting from the establishment of a reserve supply; to assist in marketing such commodities; to assure the availability of commodities to promote world peace and understanding; and for other purposes. Referred to the Committee on Agriculture and Forestry.

By Mr. MANSFIELD (for Mr. JACKSON and Mr. ALLOTT) (by request):

S. 2649. A bill to declare that certain federally owned land is held by the United States in trust for the Lac du Flambeau Band of Lake Superior Chippewa Indians. Referred to the Committee on Interior and Insular Affairs.

By Mr. MANSFIELD (for Mr. JACKSON and Mr. ALLOTT) (by request):

S. 2650. A bill to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PACKWOOD:

S. 2639. A bill to protect marine mammals; to establish a Marine Mammal Commission; and for other purposes. Referred to the Committee on Commerce.

Mr. PACKWOOD. Mr. President, I am introducing today in the Senate a bill entitled the "Marine Mammal Protection Act of 1971." A similar proposal, H.R. 10420, was introduced on the House side by Congressman ANDERSON of California, for himself, and Congressmen PELLY, DON H. CLAUSEN, KARTH, LEGGETT, MAILLIARD, OBEY, PICKLE, SAYLOR, and FRASER. It is one of the proposals on which the House Committee on Merchant Marine and Fisheries has held hearings.

The language of this bill has evolved from a great deal of research which was stipulated by the nationwide public furor over the question of taking and/or harvesting of marine mammals. There are several bills pending before this Congress which deal with protection of some or all species of marine mammals. Some provide research authority only; some deal with only certain types of marine mammals; some are directed at the humane or inhumane methods of taking—such as S. 685, which I introduced at the beginning of this Congress; and one bill would impose an absolute ban upon the taking of all such mammals. The bill today is an aternative which would impose such a ban, but would permit the Secretary of the Interior to issue permits for taking of marine mammals, after full public review. This proposal was drafted to provide comprehensive authority in the Secretary of the Interior to manage the taking of all marine mammals within the jurisdiction of the United States. The bill covers all marine mammals, including seals, whales, polar bears, walruses, and other mammals which spend all or a good part of their lives at sea.

The bill creates an absolute prohibition upon the taking of these animals, but softens this by providing the Secretary of the Interior with authority to issue permits for the taking of marine mammals. Before doing so, he is required to make an annual determination of quotas to be taken, subject to review by the public and an independent Marine Mammal Commission. Criminal and civil penalties are provided for violation of the law, as well as forfeiture of the animals.

There is an exception to the act for Indians, Aleuts, and Eskimos, who may take marine mammals within their cultural tradition, if not for sale or resale. The Secretary is encouraged to develop cooperative arrangements with the Governors of coastal States to cover the taking of mammals within territorial waters.

The bill also established an independent three-man Marine Mammal Commission, charged with an overview of the entire program, and authorized to review and to report on the progress of activities under the act on an annual basis. The commission is to be assisted in its responsibilities by a committee of expert scientific advisers. The activities of the Commission, its scientific advisory committee, and of the Secretary of the Interior are all to be matters open to public inspection and review.

Mr. President, since the introduction of S. 685—which would amend the Fur Seal

Act of 1966 by prohibiting the clubbing of seals after July 1, 1972, the taking of seal pups, and the taking of female seals on the Pribilof Islands or any other land and water under the jurisdiction of the United States—a number of research efforts have been made to throw more light on the overall question of marine mammals. Many issues surfaced, such as:

First. Where should the line be drawn between Federal as opposed to State enforcement of protection of marine mammals? This will involve a constitutional issue as well as one of proper resource management.

Second. Should Federal research authority for marine mammals, presently quite small and scattered, be coordinated and expanded? If expanded, to what level?

Third. Is it desirable, practical, and possible to reinstate authority for management of marine mammals in one agency, such as Interior? Until last year, Interior had these, but the transfer of the Bureau of Commercial Fisheries to the Department of Commerce last October transferred responsibility for seals and whales—except as these may be endangered, and thus still within the responsibility of the Office of Endangered Species in Interior.

Fourth. What should be the relationship of any bill to the existing Whaling and Fur Seal Acts?

Fifth. Should the Government be given the authority to restrict the importation of marine mammals, or products of these, in cases where these have been taken in other countries by methods which the United States will not permit?

Sixth. Should an absolute ban or moratorium be imposed upon the hunting or killing of certain types of marine mammals?

Seventh. Should greater urgency be impressed upon the Department of State to bestir itself to develop more effective international agreements for the protection of marine mammals which currently have little or none?

Eighth. Should porpoises knowingly taken in the course of American tuna fleet operations be excluded from protection?

Ninth. Should "finders' fees" be added to the criminal sanctions, to encourage more adequate enforcement of a law which might be difficult to enforce without it?

Tenth. Are the criminal penalties proposed adequate? The profits from killing a large whale can be larger than the potential fines.

Eleventh. Should greater restrictions be placed upon the capture of marine mammals for public display in zoos, private collections, commercial "marinelands," and the like? The major incentive for these organizations to take adequate care of their animals is often only the cost of their replacement, and in coastal areas, this cost may well be negligible.

Mr. President, the principal use of marine mammals by man today are, first, furs, for a luxury market; second, meat, for consumption by natives and as food for mink and cats; third, oil and spermaceti from the sperm whale—barred from the United States of America as of December 1971; and fourth, "sport," in the case of the polar bear.

The extent of Federal interest and control over marine mammals varies widely. It is intense in the case of the Alaska fur seal, and it is virtually nonexistent in the case of animals such as walruses and hair seals.

There are few international agreements for the protection of marine mammals. There is a treaty for the management of the fur seal, which is generally considered to be successful, and there is a treaty for the regulation of whaling, which is rarely considered to be successful. These treaties lack adequate funding, and many consider them to be relatively toothless.

Federal research funding for marine mammals is concentrated on whales and fur seals, with limited funds available for polar bears and sea otters. The annual research budget for marine mammals in the Interior and Commerce Departments combined is less than $200,000.

Scientists generally will state that our level of knowledge of marine mammals is very low. The only real exception to this is found in the case of the fur seal, and even here our system of experimentation seems to be on the order of "Let's wiggle it and see what happens."

Conceivably, one or more of the marine mammals may prove to be of great importance to mankind in the future. This strengthens considerably the arguments of those who claim that greater protection should be given to species which are endangered, or which might conceivably become endangered. Also to be considered in this context is that all of these animals are dependent upon the oceans for their survival, and evidence before the House committee has been that the oceans are becoming more polluted, hence increasing the biological stress upon all animals in it. This suggests that we should be far more conservative in our projections of what level of "cropping" or management any given species can take without severe attrition.

Barring better and more information, it would, therefore, appear to be wise to adopt a cautious attitude toward the exploitation of marine mammals. This approach was strongly endorsed at the recent international conference on the biology of whales; one of the scientific working groups stated clearly that those who wish to use a given species or population stock of animals should carry the burden of demonstrating that the rate of killing will not endanger that species or stock.

COMMENTS ON PARTICULAR TYPES OF MARINE MAMMALS: THE WHALE, ORDER CETACEA

Whales are generally classified as belonging to one of two groups: baleen whales and toothed whales. The baleen whales—as might be expected from the categories—have no teeth, but instead feed on plankton and tiny animals, strained through plates of baleen or whalebone which act as sieves. The baleen whales tend to be larger in size, and are far scarcer than the toothed whales. They have been more heavily hunted and killed than most of the toothed whales, some to commercial and perhaps even to biological extinction.

Seven of the eight species of whales on the endangered list are baleen whales: the blue, grey, bowhead, right, fin, sei, and humpback whales. Also members of this suborder are the minke whales, which tend to be small in size, and which, therefore, until recently have been largely ignored by the whalers. There are indications, however, that hunting of minke whales is on the increase, and so it may just be a question of time before these too join the others on the list of endangered or extinct species.

Scientists have expressed particular concern for the protection of the baleen whales, since these are highly efficient harvesters of small ocean life which cannot otherwise be effectively gathered. Thus, the reasoning goes, we would be well advised to preserve these animals, if for no other reason than their ability to serve as a source of food in the future. If these whales should be lost, a resource of tremendous potential value would be irretrievably beyond our grasp.

The more numerous toothed whales include many species of porpoises and dolphins, as well as the sperm whale—the only toothed whale on the endangered list. The major traditional use of the sperm whale has been for its oil, or spermaceti, although this use is now about to be terminated since products from whales on the endangered list may no longer be imported in the United States after December 1971. Few other members of the toothed whale suborder are taken deliberately at this time, although the U.S. tuna fleet is known to kill as many as 2 million porpoises per year in the course of the operation of its purse seine fleet, and other nations may be doing the same.

Porpoises are tied to the surface of the sea because they breathe air; they feed with tuna, and this makes it a relatively simple matter for the tuna fleet to find where the tuna may be found: They just look for feeding porpoises and draw their seines around the feeding activity. Some effort is reportedly made by the fishermen to frighten the porpoises away by cherry bombs in the water and other methods, but these are far from successful. Although porpoises can and do leap above the surface of the water, when frightened they tend to dive, and they run in to the nets. A biologist in the National Marine Fisheries Service is studying this problem, and an effort will be made to develop more information on the subject in the hearings.

NMFS also grants scientific and other permits for the taking of whales by U.S. nationals. It considers that its jurisdiction extends only to whales within the interest of the International Whaling Commission. In recent years, this bureau, operating from various departments, has issued up to 200 permits a year for the taking of whales of the categories listed as endangered—sperm and grey whales.

The major fleets now engaged in whaling are Japanese—three fleets; Russian, three fleets; and Norwegian, one

fleet. In addition there are known to be "pirate" whaling operations, based in countries which are not signatories to the 1946 International Convention for the Regulation of Whaling; what is not known is the extent to which these fleets are continuing to make inroads on species which even the IWC is willing to protect.

The International Whaling Commission has been in existence since 1948, and many feel that it has been very much less than successful. Although there is a body of scientists who sit as advisers to the Commission, the Commission has often failed to follow the advice of its advisers, invariably in the direction of catching more whales than the scientists consider wise.

The conservation community has been attempting for years to develop an international observer scheme, permitting representatives of other countries to be present on the whaling ships to insure that only whales of permitted species, size, and sex will be caught. The IWC has accepted the proposal "in principle" for a number of years without ever implementing it. The current U.S. Commissioner, Dr. J. L. McHugh, reports that "substantial progress" toward this objective was made at the last meeting of the Commission in June of this year. Only time will tell if his hopes will be fulfilled, and no one can say how much time species such as the blue whale have left to them.

Another sore point with international conservationists has been the existence of quotas for whaling fleets set by reference to the "Blue Whale Unit"—1BWU=2 fin whales, 2½ humpback whales or 6 sei whales. The imprecision inherent in this system is apparent; the feeling is that future catches must be regulated by species and population stocks if these whales are to be protected adequately. The Commission did agree to set quotas by species at next year's meeting in London.

The essential problem confronted by the IWC is that it is essentially toothless. It must convince all nations of the correctness of its position, and any nation which dissents may in effect veto any position of the Commission. It has no police powers, a tiny budget, and no way to control nationals of countries which are not signatories to the convention. Its defenders within the Department of State and elsewhere have generally adopted the position that "They do the best they can"; its opponents respond in the manner of the common law "demurrer":

That may be true, but it is simply not adequate.

Federal research on whales within the Departments of Commerce and Interior is tiny—on the order of $80,000 per annum. It is clear that much more must be known about the world's whales, if they are to survive as significant elements of the world's oceanic ecosystem; but it is also clear that stronger measures are needed to provide some assurance that the whales will continue to be in existence, when and as this information is gathered.

It seems likely that the pressure on the remaining whales not yet listed as formally "endangered" will increase both as a source of funds and as a source of food for a protein-hungry world. Rumors, not yet confirmed, are that some nations in the South Pacific are giving serious consideration to tooling up to catch porpoises and dolphins for food. Whether or not this is true today, it will probably be true at some time in the future, unless steps are taken today to prevent this.

Most of these points were specifically taken up and discussed in detail at a recent international conference on the biology of whales, held in the Shenandoah National Park in the week preceding the IWC meeting. Points made in the course of the conference were:

Whale stocks at low levels should be encouraged to grow to higher population levels, as opposed to the maintenance of the status quo.

A great deal more knowledge is required if whale species and stocks are to be effectively managed.

Whales can be used as effective monitors of ocean quality, since they can be more easily observed than fish.

The burden of proof should rest on the harvester to show that his activities will not endanger a species or stock.

THE EARED SEALS—AND SEA LION

Members of this family include the sea lion and the fur seals. The sea lion is not heavily utilized; several thousand are believed to be taken each year in Alaska from a population of perhaps a half million, for food and hides. In California, the sea lion is protected under State regulation.

The major controversy as to this family concerns the Alaska fur seal, taken by the thousands each summer on the Pribilof Islands, in the Bering Sea. No one contends that the species is endangered; although its population has fluctuated widely, from a reported 5 million to perhaps 215,000, the herd size today is estimated at 1.3 to 1.5 million, of which a substantial proportion is immature and not yet available for breeding.

The fur seal was first commercially utilized by Russian fur traders, who made substantial inroads on the population of the fur seals in the 18th and early 19th centuries. The United States acquired Alaska in 1867 for $7,200,000, and one of the major incentives for the purchase was the fur seal.

Perhaps the major reason for the heavy attrition suffered by the fur seal was the fact that it had been traditionally killed in the water, by pelagic sealing. This made it impossible to distinguish between males and females; if a female was taken, it could mean the death of a fetus and an immature pup as well. The fur seal is polygamous by nature, and when they reach the rookeries in the Pribilofs, the mature females congregate in harems of up to 100, but averaging about 40 per bull. Since the sex ratio at birth is approximately equal, this means that a large number of bachelors are left with only their own company. A long-standing policy of killing only males was broken in 1955 to permit the killing of females as well; the earlier policy was reinstated in the 1969 season and is in effect today. The kill of females in 1968 was 13,335.

The process of killing the seals is not complicated. Each morning a crew goes out to one of the areas in which the bachelors congregate, and then drives a number of these inland to a killing ground. Small groups are cut out from the herd, and then these are killed as promptly as possible by hitting them over the head with a hardwood club and then cutting a major artery. The clubbing is usually enough to kill them if it is done accurately.

The number killed each year will vary somewhat; it is set not by quota but the time within which killing is allowed. In recent years this has generally been the last week in June and all of July. Since the seals arrive in waves, beginning with the oldest, this is expected to insure that enough males survive each year to carry on the propagation of the species. Efforts are made to concentrate on the 3- and 4-year-olds, and males do not usually reach breeding age until they are 10 or so.

The word for the fur seal program is "management." Scientists have been experimenting for years with various procedures for selecting which seals are and are not to be killed. There has been a continuing effort to develop "humane" ways by which these animals are to be killed, but the Department of Commerce, which inherited the program as a function of the Bureau of Commercial Fisheries in the 1970 reorganization, claims that clubbing and sticking is the most humane—and safest for the clubbers—method yet devised.

Here, Mr. President, I quote excerpts from NOAA Week, a Commerce Department publication, dated September 10, 1971, volume 2, No. 36, in the CONGRESSIONAL RECORD, as follows:

VETERINARY PANEL CALLS PRIBILOF SEAL HARVEST HUMANE

A Panel of six distinguished Doctors of Veterinary Medicine has found the annual Pribilof Islands fur seal harvest humanely conducted.

The panel, in a preliminary report after viewing the Pribilof operation, stated unanimously that killing methods "cannot be criticized from the standpoints of humaneness and efficiency."

The panel also pointed out that "not a single instance of inhumaneness was noted among . . . visitor reports (obtained from tourists), independently collected over a three week interval in 1971."

Early this year, Commerce Secretary Stans invited the team of nationally known veterinarians, headed by Dr. C. Roger Smith, of Physiology and Pharmacology, to review sealing practices of the National Marine Fisheries Service, and to make recommendations, if possible, for improvement.

While on St. Paul Island from July 7 through July 14, the group conducted its investigation with complete freedom of action and with the cooperation of all NMFS employees involved in the harvest.

Highlights of the report were:

In the present operation, good management and supervision aid in achieving humaneness.

The aleut sealers are continuously supervised, performing their strenuous, dangerous jobs "in a serious manner and without evidence of malice toward the animals."

Animals were not forced to travel at maximum speed from the beach to the killing field, and were rested en route where it appeared desirable.

Killings were confined entirely to male

seals, generally in the 3–4-year age class. (Widely circulated advertisements have implied that baby seals are taken, which is never the case.)

Clubbing is a rapid, highly efficient and humane method of rendering the animal unconscious when properly performed. . . . Clubbing, followed by exsanguination, constitutes painless, humane euthanasia.

Quick, deep unconsciousness followed stunning, with not one recovery of consciousness in the 30–60 elapsed seconds between the stunning and sticking of the 3200 animals viewed by the panel.

Mr. President, there are approximately 600 inhabitants on the islands of St. Paul and St. George in the Pribilof group. These are descendants of people transported to the islands as slave labor by the Russians in the 18th and 19th centuries. Roughly one-third of the 176 persons employed in the annual taking of fur seals are from these islands; the rest are from Alaska, the Aleutians, and the "lower 48." The natives skin the seals and give the skins preliminary treatment before they are shipped to the mainland for ultimate processing.

The Fouke—pronounced Fowk—Co. of South Carolina has had a negotiated contract for several years with the Federal Government to process these skins and then to sell them for the account of the United States. I am told Fouke itself did the killing until BCF took over in 1962 and made the local residents Federal employees. Now the Fouke Co. merely sends observers to insure that the skins are handled properly before shipment.

Fouke holds auctions each spring and fall for the sale of skins from the Alaska kill, and at these auctions skins are sold for the United States, Russia, and Japan. The price of skins has been declining somewhat in recent years, perhaps in part as the result of expressions of concern by animal lovers. The Fouke share of the sale is tied to the sale price and computed by a complicated formula; it is estimated that Fouke's share in recent years has run to roughly 40 to 50 percent of the sale price of the skins—averaging plus or minus $80. The proceeds of the sale, after deducting the Fouke share, are applied to the operation of the Pribilof Islands and research connected with the fur seal operation. Any funds remaining go 70 percent to Alaska, and 30 percent to the Pribilof Fund. Last year there were no net profits, although in earlier times the State of Alaska received up to $1 million from this program in 1 year.

There has been in existence since 1911, interrupted only by World War II, a treaty governing the taking of fur seals. This treaty, to which the United States, the U.S.S.R., Canada, and Japan are signatories, governs the taking of fur seals by these nations. It provides, in effect, that seals may be taken only in their rookeries on a commercial basis. Since these rookeries are United States and Russian, these countries are entitled to the lion's share of the skins. Canada and Japan, which had extensive pelagic sealing operations, have each agreed to forgo these in return for a 15-percent share of the take from both this country's and Russia's operations. The present treaty has been extended until 1975, and will terminate in 1976 unless further extended.

Concern has been expressed that the termination of these treaties would mean a return to the old wasteful methods of pelagic sealing, on a "catch as catch can" basis. If these concerns were to prove correct, it seems likely that the population of the fur seal herd would decline precipitously. While it is possible to point to deficiencies in the current program, it must also be said that current management practices assure that the fur seal herd is in no danger of disappearance.

It appears that the herd is not growing as fast as we would like; it may even be declining. The Bureau of Commercial Fisheries had previously stated that it was attempting to stabilize the herd at the level of 500,000 pups born each year—see, for example, 1969 annual report of Pribilof Sealing Operations, page 1—but estimates are that only around 300,000 pups are currently being produced. It would appear, however, that policies of taking only "excess" males, if not changed because of the short-term advantages of overexploitation, should ultimately bring the herd to a larger level. Whether or not this is large enough is not clear. The annual take of fur seals in the 1970's was roughly 100,000 per year, although this level of killing could not be sustained by the herd at its present size. It also appears that the annual "take" of fur seals has been declining in recent years, from a high in 1955 of 125,000 to just over 30,000 this year. There is, as might be expected, controversy between scientists and others as to how large the herd should not be allowed to grow; others argue the question is essentially one of ethics or morality.

A letter to Members of Congress from hunting and conservation groups was accompanied by a document entitled "The Harvest of the Pribilof Fur Seals: A Fact Sheet." This document, with minor changes, is a replica of another with the same name published by the Department of Commerce. While the "facts" in this document are essentially correct, it should be recognized that it was prepared by the Government to support a continuation of the status quo and should be read in that light. Other facts with equal relevance, but not supporting the same conclusion, were of course not stated.

The annual research program on the fur seal is approximately $250,000. There is virtually no federally funded research on any other species in the family of eared seals.

THE EARLESS—OR TRUE—SEAL

Animals within this classification include the harbor seal, the ringed seal, the harp seal, the grey—or Atlantic—seal, the Monk seal, Ross's seal, the sea leopard, the hooded seal, and the sea elephant. Few of these are endangered. Interior lists only the Caribbean Monk seal as endangered, and states that the Ribbon and Hawaiian Monk seals are "rare."

In this category the animal that has received the greatest public attention is the Canadian harp seal. This is the baby seal which is killed by the hundreds of thousands each spring; the annual killing for the past few years has been covered by journalists from all over the world. While the harp seal may not be listed as endangered, it is surely in trouble. The size of the herd has been estimated at 1.3 to 1.5 million—roughly the same as the size of the Alaska fur seal—yet the number of baby seals killed last year was 240,000—six to eight times the number of fur seals killed in the Pribilofs. The St. Louis Post Dispatch carried a story on March 25, 1971, which indicated that the chief Canadian biologist for the harp seal program has indicated that the 1971 kill should not exceed 140,000 but that the official quota set by the Canadian Government was 240,000.

There are a great many varieties and species of eared seals; they are mainly taken for their hides. No one appears to know the extent to which they are taken by U.S. citizens or within U.S. waters, or even imported. As far as is known, the only one of these species that is protected in any way by Federal law is the Hawaiian Monk seal, which is protectable as a resident of the Hawaiian Islands National Wildlife Refuge. There is virtually no research funding in this area by the Federal Government.

THE WALRUS—FAMILY—ODOBENIDAE

Together with many other marine mammals, the walrus suffered heavily from man's predation toward the end of the 19th century. There are indications that whalers turned to the walrus as the available whales decreased.

The principal use to which the walrus has been put recently has been a source of food and of ivory. Alaskan natives still eat and feed walrus meat to their dogs, but the demand for this meat is dwindling as the Arctic dog teams are displaced by snowmobiles. State law regulates to some extent the taking of walrus by natives and trophy hunters.

Little is known of a factual nature as to the size of the herd. There may be as many as 100,000 in the Bering Sea, and there may be only half that, or less. There are indications that Russia is looking into the possibility of taking walruses in the Bering Sea—BSFW, "Wildlife Research—Problems, Programs, Progress, 1969," page 76.

There is no international agreement in existence between this country and the U.S.S.R. governing the taking of walruses. A strong case can be made that this should be done, and soon, before resource utilization pressures build up. There does not appear to be any Federal law on the taking of walruses, since the Alaska Statehood Act overrode an earlier Federal statute prohibiting the taking of walrus (55 Stat. 632).

THE SEA OTTER—ENHYDRA LUTRIS

The sea otter, as a species, was hunted almost to extinction by the end of the 19th century by a horde of unregulated fur hunters. In 1911, what remained of the population was given protection by Federal legislation, at least to the extent that it involved persons subject to U.S. jurisdiction. The Fur Seal Act of 1966 continued this regulation, as it affected animals beyond the 3-mile limit; this regulation is not particularly significant since sea otters are rarely found in waters

over 180 feet deep, which pretty well restricts them to territorial waters.

The sea otter is found primarily in Alaskan and Californian waters—the Californian population is classified as "rare" in Interior's "Redbook." The population size of the sea otters is not known: Probably the most knowledgeable American scientist in the area is Karl Kenyon, who estimated in a 1969 publication—Interior Publication No. 68, "The Sea Otter in the Eastern Pacific Ocean," cited as "Kenyon"—that—

(a) general estimate of the world population, presuming that some populated areas have not been observed, is about 32,000 to 35,000 animals. (p. 200).

The hunting and conservation group fact sheet indicates, without evidence, that the population has grown to about 40,000 to 50,000 animals.

This fact sheet also indicates a high rate of population growth for sea otters, and that they are rapidly spreading into new areas. It concludes that—

Where populations are crowded the sea otter resource could easily be cropped . . .

There is now in existence an experimental program in Alaska, involving the killing of some 300 sea otters per year.

Pressure upon the sea otter is almost certain to increase. Kenyon describes a sale of skins in Seattle in 1968, at which the average price per recently taken skin was $280 each, and where some skins sold for $2,300 apiece—pages 41, 42. Contrast this with an average sale price of fur seal of some $82 per skin and the nature of the demand becomes apparent. Kenyon also notes that the environmental deterioration of the area otter's habitat will preclude their reoccupying areas in which they used to thrive, and indicates that acute pollution will affect their food supply—page 281. For the sea otter this is a highly significant limiting factor, since they consume food in the amount of 25 to 30 percent of their body weight per day—Kenyon, page 126.

The sea otter also suffers from man's activities in other ways: California fishermen claim that the sea otters are competing with them for abalone, and are known to kill them, in spite of their protected status under California law. And then of course there are the people who shoot at anything that moves—Kenyon, page 282. There is some evidence, however, that the principal cause of the undisputed depletion of the abalone beds is, not sea otters, but too many fishermen harvesting a limited resource—Kenyon, page 130.

The annual Federal budget for research on sea otters seems to hover around $18,500. The AEC Milrow and Cannikin programs have augmented this budget in recent years, since the center of the Alaskan sea otters seems to be in the area of Amchitka Island, where these nuclear "events" are taking place. We know of one $20,000 research project funded by the AEC, and there may be others.

POLAR BEAR

Of all the marine mammals covered by the various bills before Congress, the polar bear—Ursus maritimus—is the only one which can be said to be hunted as a "game animal." Its only natural predator is man and other bears; it has been hunted for years by natives as a religious symbol and as a source of meat, and more recently, by natives and trophy hunters, for its hide.

Five countries own land in which the polar bear is found today: Russia, the United States, Canada, Denmark, and Norway. It is not believed to den in Alaska—the bears which are killed in this country are very likely Russian and Canadian in origin, although no one is certain. Similar uncertainties pervade most of the discussions of facts relating to the polar bear.

The size and composition of the polar bear population is not known. There is learned scientific discussion as to whether the polar bear is one general, circumpolar species, or whether there are two or more subspecies within the general classification. There is no agreement. The size of the population is thought to be between 10,000 and 20,000, which seems a fairly large margin of error.

The issue is complicated by a lawsuit presently pending in which Friends of Animals is seeking to have the Secretary of the Interior place the polar bear on the endangered species list. Interior has resisted, on the principal ground that the status of the bear is not yet known; it has placed the polar bear in the status of an animal with an undetermined status. This of course affords the bears no protection at all.

There have been at least three international conferences on the polar bear. The first of these was held in Fairbanks, Alaska, in September 1965, and reached no conclusions other than general statements of concern. The Russian delegation attempted unsuccessfully to have a ban placed on the killing of bears, or barring that, a 5-year moratorium until more facts were known. There is some evidence that the bears killed in the United States are principally Russian in origin, which may serve to explain the nature of their concern. "Why," they appear to be saying, "should we save the polar bear, and thereby forgo a valuable source of income, simply to have the bears which we save shot by American trophy hunters?"

Subsequent conferences were held under the auspices of the International Union for the Conservation of Nature and Natural Resources—IUCN—in Morges, Switzerland, in 1968 and in 1970. A certain amount of research has been done by the countries affected, singly and in concert, and more information seems to be developing, although the basic questions appear to be as unresolved as they have ever been.

The Alaskan delegation at the 1965 meeting indicated their position that hunting of the polar bear should be allowed to continue, in part on the basis that the annual take of bears contributed some $450,000 to Alaska's economy. If problems were later to appear, and it were to be shown that bear stocks were being overexploited, then the U.S. delegation stated that regulations would be enacted to "limit the harvest within the annual recruitment."

In support of their contention that polar bear stocks were not in danger, they developed statistics to show that the bears being killed were from a "large reservoir of adult males," and were not getting smaller in size. Had this been the case, this might indicate that the hunters were cutting into the breeding stock and were in fact overexploiting the resource.

The picture has changed. The figures developed in Alaska, from 1966 to 1969 and submitted at the 1970 IUCN conference showed that the average age of bears killed in Alaska declined from 7.7 years old in 1966 to 6 years old in 1969. This is, of course, not conclusive evidence, in the scientific sense, that the polar bear is in trouble, but it suggests strongly that U.S. practices should be closely and critically examined.

The Bureau of Sport Fisheries and Wildlife has taken the position since 1959 that additional regulations are necessary to prevent U.S. nationals from killing bears on the high seas, beyond the jurisdiction of the State of Alaska. There has also grown up a strong sentiment in hunting and nonhunting circles alike, that the hunting of polar bears by airplane should be terminated. For many years the Alaska Department of Fish and Game resisted these pressures; it has now indicated that it will eliminate the hunting of polar bears by aircraft for the hunting season of 1973—and presumably thereafter—"not because we feel it is required to protect the species, but rather because of public sentiment on methods of hunting these animals." Letter of July 27, 1971, from the Acting Director, Division of Game, to the Office of Endangered Species, Interior.

There are presently no Federal laws regulating the taking of polar bears—all such regulation is handled by the State of Alaska. In part the new regulations prohibiting the hunting of these animals by aircraft was adopted as a deliberate program to forestall the possibility of the imposition of Federal or international controls. The vast majority of bears killed in Alaska today are taken by this method, which typically involves the use of two airplanes, one to act as a "spotter," which then drives and herds the bear at top speed toward the other which has landed with its "hunter" aboard, who may then shoot the exhausted bear at his leisure. The State of Alaska has indicated that the disappearance of airborne hunters will mean the increasing use of hunting by dogsled, possibly by boat, and—far more significantly—by snowmobile. This will certainly diminish the scope of the area which the hunter can cover, and will presumably lengthen his stay or restrict the number of bears killed—or both. Whether hunting by snowmobile is significantly more "sporting" than hunting by airplane remains to be seen.

The 1965 Alaska conference on the polar bear made the point that the principal threat to the polar bear arose from man's exploitation—that their habitat was "intact and relatively undisturbed by man." This is no longer the case. The scientists as the 1970 IUCN conference produced a release following that conference, which "noted the increasing economic development in the Arctic, and ex-

pressed general concern that serious ecological problems could arise as a result of oil spills, offshore drilling, and other economic activity." Observers have also noted that grizzly bears and polar bears are suffering from increased predation by man near the drilling and other camps that have sprung up in recent times—these men are known to go out and shoot bears just to relieve the monotony of Arctic life—New York Times, May 7, 1970.

An affidavit supplied to the House Committee on Merchant Marine and Fisheries by the Department of the Interior, prepared in connection with the lawsuit already mentioned, appears to but does not contradict these known facts. In describing the discussions as to whether the polar bear should or should not be classified as "endangered," the Department argues that—

The perils or inimical factors represented by loss or change of habitat, over-exploitation, predation, competition or disease, singly or combined, did not jeopardize the species.

This may or may not be true, but the operative word in that sentence is species—if there is only one circumpolar species, then one could freely wipe out every Alaskan polar bear without endangering that species, since the polar bear would continue to exist in other countries. The Department's statement does not and cannot take account of the plight of the polar bear in other countries, in none of which except Russia is the polar bear given complete protection.

THE SEA COW—MANATEE, DUGONG

The only remaining species of sea cows in U.S. waters is found in Florida. It is there protected by State law; it is also on the U.S. endangered species list, and completely protected within the boundaries of the Everglades National Park by Federal law and Federal officials.

Manatees are shy by nature, and will not breed in captivity. There are indications that it has suffered from man's activities to a great extent; one species has disappeared within the last century—Stellar's sea cow. The Florida species has been taken for meat, and possibly even for "sport."

It is herbivorous; a recent article in the Washington Post by Claire Sterling points to the possible importance of the sea cow as a consumer of the water hyacinth, which has been a source of considerable anxiety and expense to water resource managers, who have found that the water hyacinth tends to proliferate in reservoirs, and to create massive ecological and esthetic problems—May 3, 1971. If the manatee survives, and if we are eventually successful at propagating it, we may ultimately find that its value to mankind is considerable.

Mr. President, it is my hope that hearings will be announced shortly covering the various legislative proposals calling for protection of marine mammals. I would hope that when those hearings are held by the Commerce Committee, that these questions will be explored in detail:

First. What is the current status of species and important population stocks within these categories; that is, are they growing, declining or remaining constant?

Second. What is happening to the environment upon which these animals depend?

Third. What national laws and international treaties for management and protection of these animals are currently in existence? Are these adequate and are they likely to be adequate, if demands increased?

Fourth. How much research time and money is available and currently devoted to these animals within and outside the U.S. Government?

Fifth. What are the current and reasonably foreseeable demands, both United States and international, upon these animals for food, clothing, display, research and/or sale of skins?

Mr. President, I ask that the full text of the bill be printed at the close of my remarks in the CONGRESSIONAL RECORD.

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

S. 2639

A bill to protect marine mammals; to establish a Marine Mammal Commission; 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 "Marine Mammal Protection Act of 1971."

FINDINGS AND DECLARATION OF POLICY

SEC. 2. The Congress finds that—

(1) certain species and population stocks of marine mammals are, or may be, in danger of disappearance as a result of man's activities;

(2) such species and population stocks should not be permitted to diminish beyond the point at which they can maintain that equilibrium at which they may be managed on an optimum sustained yield basis, and measures should be immediately taken to replenish any species or population stock which has already diminished beyond that point;

(3) there is inadequate knowledge of the population dynamics of such marine mammals and of the factors which bear upon their ability to reproduce themselves successfully;

(4) negotiations should be undertaken, as soon as possible, to encourage the development of international arrangements for research on, and conservation of, marine mammals; and

(5) marine mammals have proven themselves to be resources of great international significance, esthetic and recreational as well as economic, and it is the sense of the Congress that they should be protected to the greatest possible extent commensurate with sound policies of resource management.

DEFINITIONS

SEC. 3. For the purposes of this Act—

(1) The term "marine mammal" means any seal, whale, walrus, dugong, manatee, sea otter, sea lion, polar bear, porpoise, or dolphin.

(2) The term "population stock" means a group of interbreeding marine mammals of the same species or smaller taxa in a common spatial arrangement.

(3) The term "Secretary" means the Secretary of the Interior.

(4) The term "take" means to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal.

(5) The term "waters under the jurisdiction of the United States" means—

(A) the territorial sea of the United States, and

(B) the fisheries zone established pursuant to the Act of October 14, 1966 (80 Stat. 908, 16 U.S.C. 1091–1094).

TITLE I—CONSERVATION AND PROTECTION OF MARINE MAMMALS PROHIBITIONS

SEC. 101. Except as provided in sections 103, 107, and 109 of this title, it is unlawful—

(1) for any person subject to the jurisdiction of the United States or any vessel subject to the jurisdiction of the United States to take any marine mammal on the high seas;

(2) for any person or vessel to take any marine mammal in waters under the jurisdiction of the United States or on land appurtenant thereto:

(3) for any person to use any port, harbor, or other place under the jurisdiction of the United States for any purpose in any way connected with acts prohibited under paragraphs (1) and (2) of this section; and

(4) for any person to engage in any of the following acts with respect to marine mammals or parts of marine mammals (including raw, dressed, or dyed fur or skins) taken in violation of this section after the effective date of this title:

(A) possess any such mammal or part thereof,

(B) transport, sell, or offer for sale any such mammal or part thereof in interstate commerce, and

(C) import any such mammal or part thereof into the United States.

LIMITATIONS ON TAKING OF MARINE MAMMALS

SEC. 102. (a) The Secretary, after notice and opportunity for public hearing, shall prescribe such limitations with respect to the taking of each species of marine mammal (including limitations on the taking of individuals within population stocks) as he deems necessary and appropriate to insure that such species or population stock—

(1) is not threatened with extinction, disappearance, or undue attrition whether by natural or manmade causes, and

(2) can be managed on a sustained-yield basis.

(b) The limitations prescribed under subsection (a) of this section for any species or population stock of marine mammal may include, but are not limited to, restrictions with respect to—

(1) the number of animals which may be taken in any calendar year pursuant to permits issued under section 103;

(2) the age, size, or sex (or any combination of the foregoing) of animals which may be taken, whether or not a quota prescribed under paragraph (1) of this subsection applies with respect to such animals;

(3) the season or other period of time within which animals may be taken; and

(4) the manner and locations in which animals may be taken.

(c) Before prescribing any annual quota under paragraph (1) of subsection (b) of this section, the Secretary shall, in addition to any other requirements imposed by law with respect to agency rulemaking, publish and make available to the public—

(1) a statement of the existing levels of the species and population stocks of the marine mammal concerned;

(2) a statement of the expected impact of the proposed quota on such species or population stock; and

(3) any studies made by, or for, the Secretary of the Marine Mammal Commission which relate to the establishment of such quota.

(d) Any limitation prescribed pursuant to this section shall be periodically reviewed, and may be modified from time to to time in such manner as the Secretary deems necessary to carry out the purposes of this Act.

PERMITS

SEC. 103. (a) The Secretary may issue permits, after notice and opportunity for public hearing, which authorize the taking of any ocean mammal.

(b) Any permit issued under this section shall—

(1) be consistent with any applicable limitation established by the Secretary under section 102, and

(2) specify—

(A) the number and kind of animals which are authorized to be taken,

(B) the location and manner (which manner must be determined by the Secretary to be humane) in which they may be taken,

(C) the period during which the permit is valid, and

(D) any other terms or conditions which the Secretary deems appropriate.

(c) The Secretary may modify, suspend, or revoke in whole or part the terms and conditions of any permit issued by him under this section—

(1) in order to make any such permit consistent with any change made after the date of issuance of such permit with respect to any applicable limitation prescribed under section 102, and

(2) in any case in which a violation of the terms and conditions of the permit is found. Any modification, suspension, or revocation of a permit under this subsection shall take effect at the time notice thereof is given to the permittee. The permittee shall then be granted opportunity for expeditious hearing by the Secretary with respect to such modification, suspension, or revocation.

(d) Any permit issued under this section must be in the possession of the person to whom it is issued (or an agent of such person) during—

(1) the time of the authorized taking;

(2) the period of any transit of such person or agent which is incident to such taking; and

(3) any other time while any marine mammal taken under such permit is in the possession of such person or agent.

(e) The Secretary shall prescribe such procedures as may be necessary to carry out this section, including the manner and form in which application for permits may be made and the information which should accompany with an application to enable the Secretary to review and evaluate the proposed taking.

PENALTIES

SEC. 104. (a) Any person who violates any provision of this title or any regulation issued thereunder may be assessed a civil penalty by the Secretary of not more than $5,000 for each such violation. No penalty shall be assessed unless such person is given notice and opportunity for a hearing with respect to such violation. Each violation shall be a separate offense. Any such civil penalty may be compromised by the Secretary. Upon any failure to pay a penalty assessed under this subsection, the Secretary may request the Attorney General to institute a civil action in a district court of the United States for any district in which such person is found, resides, or transacts business to collect the penalty and such court shall have jurisdiction to hear and decide any such action. In hearing such action, the court may review the violation and the assessment of the civil penalty de novo.

(b) Any person who knowingly violates any provision of this title or any regulation issued thereunder shall, upon conviction, be fined not more than $10,000, or imprisoned for not more than one year, or both.

FORFEITURE

SEC. 105. (a) Any vessel subject to the jurisdiction of the United States that is employed in any manner in connection with a violation of the provisions of this title, including its tackle, apparel, furniture, appurtenances, cargo, and stores, shall be subject to forfeiture and all marine mammals or parts thereof, taken or retained in violation of this title or the monetary value thereof shall be forfeited.

(b) All provisions of law relating to the seizure, summary, and judicial forfeiture, and condemnation of a vessel, including its tackle, apparel, furniture, appurtenances, cargo, and stores, for violation of the customs laws, the disposition of such vessel, including its tackle, apparel, furniture, appurtenances, cargo, and stores, or the proceeds from the sale thereof, and remission of mitigation of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this title, insofar as such provisions of law are applicable and not inconsistent with the provisions of this title.

ENFORCEMENT

SEC. 106. (a) The Secretary shall enforce the provisions of this title. The Secretary may utilize, by agreement, the personnel, services, and facilities of any other Federal agency for purposes of enforcing this title.

(b) The Secretary may also designate officers and employees of any State or of any possession of the United States to enforce the provisions of this title. When so designated, such officers and employees are authorized to function as Federal law enforcement agents for these purposes, but they shall not be held and considered as employees of the United States for the purpose of any laws administered by the Civil Service Commission.

(c) The judges of the United States district courts and the United States commissioners may, within their respective jurisdictions, upon proper oath or affirmation, showing probable cause, issue such warrants or other process, including warrants or other process issued in admiralty proceedings in Federal district courts, as may be required for enforcement of this title and any regulations issued thereunder.

(d) Any person authorized by the Secretary to enforce this title may execute any warrant or process issued by any officer or court of competent jurisdiction for the enforcement of this title.

(e) Such person so authorized may—

(1) with or without warrant or other process, arrest any person committing in his presence of view a violation of this title or the regulations issued thereunder;

(2) with a warrant or other process or without a warrant, if he has reasonable cause to believe that a vessel subject to the jurisdiction of the United States or any person on board is in violation of any provision of this title or the regulations issued thereunder, to search such vessel and to arrest such person;

(3) seize any vessel subject to the jurisdiction of the United States, together with its tackle, apparel, furniture, appurtenances, cargo, and stores used or employed contrary to the provisions of this title or the regulations issued hereunder or which reasonably appears to have been so used or employed; and

(4) seize, whenever and wherever found, all marine mammals or parts thereof taken or retained in violation of this title or the regulations issued thereunder and shall dispose of them in accordance with regulations prescribed by the Secretary.

EXCEPTIONS

SEC. 107. (a) The provisions of this title shall not apply with respect to the taking of any marine mammal by Indians, Aleuts, or Eskimos who dwell on the coasts of the North Pacific or Arctic Oceans if such taking (1) is done solely in accordance with customary traditions as an adjunct of the native culture, and (2) is not done for purposes of direct or indirect commercial sale or resale. The provisions of this title shall apply to Indians, Aleuts, and Eskimos who are employed by any person for the purpose of taking marine mammals, or who are under contract or agreement to deliver the skins of any marine mammals to any person.

(b) (1) Nothing in this title shall prohibit any person deemed qualified by the Secretary from obtaining written consent from the Secretary to capture on his own account and in a humane manner any marine mammal for (A) public display or educational purposes, or (B) for legitimate scientific or medical research.

(2) The Secretary shall by regulation specify the methods of capture, supervision, and transportation applicable in the case of marine mammals captured under the authority of this subsection.

(3) Any person authorized to take a marine mammal under this subsection shall be required by the Secretary to furnish a report on his activities pursuant to such authority. Such report shall be made to the Secretary as soon as practicable after the close of any expedition made for the purpose of such taking, whether or not any marine mammal was taken during such expedition.

INTERNATIONAL PROGRAM

SEC. 108. The Secretary, in cooperation with the Secretary of State and other appropriate Federal officers and agencies, shall develop an international program for the protection of marine mammals and shall take every possible step to encourage the adoption of international arrangements which would be appropriate for effectuating such program.

COOPERATION WITH STATES

SEC. 109. The Secretary is authorized and directed to develop cooperative arrangements with the appropriate officials of the several States for the conservation and protection of marine mammals. Such arrangements shall prescribe the circumstances under which marine mammals which pass through or reside within the territorial waters of any State may be taken, and any marine mammal taken within the scope of such cooperative arrangements shall be deemed to have been lawfully taken within the meaning of this title.

REGULATIONS

SEC. 110. The Secretary shall prescribe such regulations as are necessary and appropriate to carry out the purposes of this title.

APPLICATION TO OTHER LAWS AND CONVICTIONS

SEC. 111. The provisions of this title shall be deemed to be in addition to the provisions of any other law, treaty, or conviction which may otherwise apply to the taking of marine mammals.

APPROPRIATIONS

SEC. 112. There are authorized to be appropriated such sums as may be necessary to carry out this title.

EFFECTIVE DATE

SEC. 113. This title shall take effect one hundred and eighty days after the date of its enactment.

TITLE II—MARINE MAMMAL COMMISSION

ESTABLISHMENT OF COMMISSION

SEC. 201. (a) There is hereby established the Marine Mammal Commission (hereafter referred to in this title as the "Commission").

(b) The Commission shall be composed of three members who shall be appointed by, and serve at the pleasure of, the President. The President shall make his selection from a list, submitted to him by the Chairman of the Council on Environmental Quality, of individuals knowledgeable in the fields of marine ecology and resource management. No member of the Commission may, during his period of service on the Commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.

(c) The President shall designate a Chairman of the Commission (hereafter referred to in this title as the "Chairman") from among its members.

(d) Members of the Commission may each be compensated at the rate of $100 for each

day such member is engaged in the actual performance of duties vested in the Commission. Each member shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(e) The Commission shall have an Executive Director, who shall be appointed by the Chairman with the approval of the Commission and shall be paid at a rate not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of title 5, United States Code. The Executive Director shall have such duties as the Chairman may assign.

DUTIES OF COMMISSION

SEC. 202. (a) The Commission shall—

(1) undertake a comprehensive review and study of the activities of the United States pursuant to existing laws and international conventions relating to marine mammals, including, but not limited to, the International Convention for the Regulation of Whaling, the International Convention on the Conservation of North Pacific Fur Seals, and the Fur Seal Act of 1966;

(2) conduct a continuing review of the condition of the stocks of marine mammals, of methods for their management, and of humane means of taking marine mammals;

(3) undertake or cause to be undertaken such studies as it deems necessary or desirable for determining the need for additional measures for the protection and management of marine mammals;

(4) recommend to the Secretary and to other Federal officials such steps as it deems necessary or desirable for the protection and management of marine mammals;

(5) recommend to the Secretary such revisions of the Endangered Species List, authorized by the Endangered Species Conservation Act of 1969, as may be appropriate with regard to marine mammals; and

(6) recommend to the Secretary, other appropriate Federal officials, and Congress such additional measures as it deems necessary or desirable to further the policies of this Act, including provisions for the protection of the Indians, Eskimos, and Aleuts whose livelihood may be adversely affected by actions taken pursuant to this Act.

(b) The Commission shall consult with the Secretary at such intervals as it or he may deem desirable, and shall furnish its reports and recommendations to him, before publication, for his comment.

(c) The activities of the Commission, and the reports and recommendations which it makes, as well as all comments and correspondence in regard to such reports and recommendations, shall be matters of public record and shall be available to the public at all reasonable times. The Commission shall furnish to the Council on Environmental Quality copies of any such reports, recommendations, and related comments that are made by Federal, State, or local agencies.

(d) Any recommendations made by the Commission to the Secretary and other Federal officials shall be responded to by those individuals within ninety days after receipt thereof. Any recommendations which are not followed or adopted shall be referred to the Commission together with a detailed explanation of the reasons why those recommendations were not followed or adopted.

COMMITTEE OF SCIENTIFIC ADVISORS ON MARINE MAMMALS

SEC. 203. The Commission shall establish, within ninety days after its establishment, a Committee of Scientific Advisors on Marine Mammals (hereafter referred to in this title as the "Committee"). Such Committee shall consist of nine scientists knowledgeable in marine ecology and marine mammal affairs appointed by the Chairman with the advice of the Director of the National Science Foundation, the Chairman of the National Academy of Science, and the Secretary of the Smithsonian Institution. The Commission shall consult with the Committee on all studies and recommendations which it may propose to make or has made, and any recommendations made by the Committee or any of its members which are not adopted by the Commission shall be transmitted by the Commission to the appropriate Federal agency and to Congress with a written explanation of the Commission's reasons for not accepting such recommendations.

COMMISSION REPORTS

SEC. 204. The Commission shall transmit to Congress, by January 31 of each year, a report which shall include—

(1) a comprehensive description of the activities and accomplishments of the Commission during the immediately preceding year; and

(2) all the findings and recommendations made by the Commission pursuant to section 202, together with the responses made to its recommendations by the appropriate Federal agencies.

COORDINATION WITH OTHER FEDERAL AGENCIES

SEC. 205. The Commission shall have access to all studies and data compiled by Federal agencies regarding marine mammals. With the consent of the appropriate Secretary or Agency head, the Commission may also utilize the facilities or services of any Federal agency and shall take every feasible step to avoid duplication of research and other efforts in carrying out the purposes of this Act.

ADMINISTRATION OF COMMISSION

SEC. 206. The Commission, in carrying out its responsibilities under this title, may—

(1) employ and fix the compensation of such personnel;

(2) acquire, furnish, and equip such office space;

(3) enter into such contracts or agreements with other organizations, both public and private, including the Committee; and

(4) incur such necessary expenses and exercise such other powers,

as are consistent with and reasonably required to perform its functions under this title. Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman and the Administrator of the General Services Administration.

AUTHORIZATION

SEC. 207. There are authorized to be appropriated for the fiscal year in which this title is enacted and for the next two fiscal years thereafter such sums as may be necessary to carry out this title, but the sums appropriated for any such year shall not exceed $1,000,000.

By Mr. HUMPHREY (for himself, Mr. EAGLETON, and Mr. INOUYE):

S. 2646. A bill relating to transportation and other public accommodations and services involving blind persons accompanied by a dog guide in the District of Columbia. Referred to the Committee on the District of Columbia.

ACCESS TO PUBLIC FACILITIES FOR PERSONS ACCOMPANIED BY GUIDE DOGS

Mr. HUMPHREY. Mr. President, there are only four States and the District of Columbia that are without laws relating to transportation and other public accommodations and services involving blind persons accompanied by a dog guide. Because of this, I am today introducing legislation on behalf of myself and Senators EAGLETON and INOUYE which provides that any blind person accompanied by a dog guide shall be entitled to any and all accommodations, advantages, facilities, and privileges of all public conveyances, public amusements and all places of public accommodation, within the District of Columbia, to which persons not accompanied by dogs are entitled. My bill provides further that no such blind person shall be required to pay any charge or fare for or on account of the transportation, within the District of Columbia, on any public conveyance of himself and such dog so accompanying him in addition to the charge or fare lawfully chargeable for such person's transportation. Any violation of the act would be punishable by a fine of not more than $300.

Mr. President, many of the blind who live and visit in the District of Columbia are dependent on "seeing eye" dogs as a means of navigation. Unfortunately, there are some public facilities which deny these trained animals access to their accommodations. This practice creates an unnecessary inconvenience for those whose everyday life is complex enough.

We have come a long way, Mr. President, in breaking down the barriers which once prevented the handicapped from leading normal lives. It is time that our Nation's Capital discontinue this type discrimination against the blind.

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

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

S. 2646

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the date of the enactment of this Act, any blind person accompanied by a dog guide specially trained for that purpose shall be entitled, if such dog is properly and safely muzzled, to any and all accommodations, advantages, facilities and privileges of all public conveyances, public amusements and all places of public accommodation, within the District of Columbia, to which persons not accompanied by dogs are entitled. No such blind person shall be required to pay any charge or fare for or on account of the transportation, within the District of Columbia, on any public conveyance of himself and such dog so accompanying him in addition to the charge or fare lawfully chargeable for such person's transportation.

SEC. 2. Any violation of this Act shall be punishable by a fine of not more than three hundred dollars.

By Mr. MOSS:

S. 2647. A bill relating to comparability adjustments in pay rates of the Federal statutory pay systems based on the 1971 Bureau of Labor Statistics survey. Referred to the Committee on Post Office and Civil Service.

FEDERAL PAY COMPARABILITY ADJUSTMENTS

Mr. MOSS. Mr. President, this morning I announced that the Senate Post Office and Civil Service Committee would be meeting early this week to consider Senate Resolution 169, a resolution to allow Federal pay comparability increases

to become effective as scheduled in January 1972. It was for this reason that the Senator from Maryland (Mr. MATHIAS) agreed to withhold his Federal pay raise amendment to the military procurement bill.

All Senators will agree, I am sure, that the Federal employee should be treated like everyone else during phase II of the economic stabilization program. The Civil Service should be the object of neither special benefits nor specal burdens. I am now introducing a bill which, if passed, will clarify Senate intent.

My bill would require that any pay increase permitted under the Federal Pay Comparability Act of 1970 be limited to those guidelines established for private industry.

It is my hope that, before Thursday, the Post Office and Civil Service Committee will report on this proposal as well as on Senate Resolution 169.

Considering this legislation and the resolution together, the Senate can guarantee that the Federal pay comparability increases will be permitted, but will be limited to guidelines established for the private sector. I believe that this removes the last possible justification for calling the Federal salary increases inflationary or contrary to national policy. Such action insures that national policy in phase II will be the same for all wage earners whether they happen to work for the Government or for private industry.

By Mr. HUMPHREY (for himself and Mr. MONDALE):

S. 2648. A bill to authorize the establishment and maintenance of reserve supplies of soybeans, corn, grain sorghum, barley, oats, and wheat for national security and to protect domestic consumers against an inadequate supply of such commodities; to maintain and promote foreign trade; to protect producers of such commodities against an unfair loss of income resulting from the establishment of a reserve supply; to assist in marketing such commodities; to assure the availability of commodities to promote world peace and understanding; and for other purposes. Referred to the Committee on Agriculture and Forestry.

STRATEGIC STORABLE AGRICULTURAL COMMODITIES ACT OF 1971 URGENTLY NEEDED

Mr. HUMPHREY. Mr. President, I am today introducing a bill to establish a national strategic reserve of feed grains, wheat, soybeans, dairy and poultry products. My proposed Strategic Storable Agricultural Commodities Act of 1971 would, if enacted, establish reserve inventories not to exceed 300 million bushels of wheat, 25 million tons of feed grains and 100 million bushels of soybeans. These reserve levels should be considered as minimums to protect this Nation and the world we help feed, from any future crop failures that might occur either here in the United States or elsewhere in the world. I recall only too well during the sixties when India was faced with mass starvation of its people due to crop failures. The United States was called upon to provide that country with immediate food aid which was not only done, but was accomplished under the most difficult of conditions. Almost 20 percent of our Nation's total wheat crop that year was sent to India.

In addition to establishing such reserve inventories we must insulate them from the marketplace so as to avoid the depressing effect their presence would otherwise have on farm prices. Mr. President, I have long advocated that this action be taken. And, the time to take it, is now as we find ourselves once again moving into a surplus situation regarding wheat, feed grains, and dairy products.

The record high 1971 feed grain crop will add at least 25 million tons to our carryover stocks next year, pushing it to a new record high of almost 60 million tons, 25 percent more than desirable.

This year's wheat crop was 18 percent larger than last year which was much more than was anticipated for domestic utilization and for export. Over 200 million bushels will be added to our carryover of those stocks. We are also faced with the additional prospect of having an even higher production of wheat next year. 1971 fall planting intentions for wheat are reported to be up 20 percent over last year.

The impact that these additional supplies of farm commodities is having on farm prices already is being deeply felt throughout the grain producing regions of our Nation. Corn is below 90 cents per bushel in many local country markets today and it is expected to continue downward. The availability of these large additions to our feed stocks without any insulation from the market, will not only lead to cheaper feed prices but also will eventually lead to cheaper livestock, poultry and hog prices for farm producers. Every time we have had a period of feed grain surpluses, big increases in the production of livestock seems to follow with its accompanying drop in prices.

Although similar to the bill introduced in the House by Congressman NEAL SMITH of Iowa, which already has been reported by the House Subcommittee on Livestock and Grains to the full Committee on Agriculture, my bill contains the following differing provisions:

First. Dairy and Poultry products have been added to the list of commodities authorized for reserve inventories.

Second. The Secretary of Agriculture cannot offer any commodity held in reserve for sale for less than 130 percent of the average price farmers received in the United States during the preceding 5 marketing years.

Third. Provided that such sales shall in no event be less than market price for the commodity at the time of sale, and

Fourth. Added disposal authorization for these inventories under the Disaster Relief Act of 1970 and for use to meet famine or other urgent or extraordinary requirements outside the United States.

As to the other provisions of Congressman SMITH's bill which I have incorporated into my bill and to the general situation which makes it imperative that this legislation be considered immediately by the Congress, I would like to ask unanimous consent, Mr. President, to insert at this point in the RECORD two items: Congressman SMITH's testimony on his bill, H.R. 1163, before the Livestock and Grains Subcommittee of the House Committee on Agriculture and an article which appeared in the October 3 edition of the New York Times concerning this year's bumper crop of corn.

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

TESTIMONY OF CONGRESSMAN NEAL SMITH

Mr. Chairman and Members of the Committee: I appreciate your scheduling this bill for hearings and providing me with this opportunity to appear in support of the bill to authorize the establishment and maintenance of a strategic reserve of feed grains, wheat and soybeans. As some of you know, I have sponsored and supported this proposition for 7 years. While I believe we should have established the reserve years ago to protect our markets, it has never been so important to feed grain producers as it is at the present time.

FEED GRAIN SITUATION

The most recent estimates of the Department of Agriculture estimate a 1971 corn crop of 5.345 billion bushels and a carryover of 700 million bushels from 1970. With imports of 1 million bushels, this makes a total estimated supply for the 1971 marketing year of 6.046 billion bushels. Utilization last year totaled 4.414 billion bushels. That means that in the coming years there will be a supply of more than 1.6 billion bushels of corn available in excess of the amounts used in the past year and the carryover will probably more than double in one year. Also the carryover will be more than one-third of a normal crop. Therefore, there is no question about the fact that there is going to be a reserve—the only question is who is going to pay the cost of carrying the reserve and of producing the reserve.

The grain market has set a price of about $5.3 billion for the 1971 crop regardless of its size. When it was estimated that the production might be as low as 4 billion bushels the market price was such that farmers would have received about the same total number of dollars for their crop that they are now being bid for 5.3 billion bushels. Under these circumstances, I assume everyone agrees that the producers of feed grains face a severe economic situation. Their money problems do not result from a strike, from failure to work hard enough, from bad weather or anything they could have done as individuals. Their severe problem results from having done so much so well and with the cooperation of the weather. Feed grains producers in 1971 are to be penalized for success and as it now stands they will absorb the full risk and the losses resulting from producing bumper crops on more acres of feed grains in order to make sure that there would be no shortage. There is something wrong with a system which penalizes the good farmers of America for success and hard work to the extent that many will face bankruptcy. Perhaps we cannot by Federal legislation cure everything that is wrong with farm income; but we can at least take the step provided in this bill to help alleviate the hardship. I think it is obvious that if the Government were to buy about 500 million bushels of feed grains at harvest time or to announce that it will be purchased during the marketing year and placed in an insulated reserve, farmers would not only be paid for the 500 million bushels but also receive for the remaining 4.8 billion bushels about the same amount they would have otherwise received for the total crop. Farm income might be increased by more than $600 million. H.R. 1163 authorizes the Department of Agriculture to make those purchases necessary to increase farm income under certain definite guidelines for acquisition and eventual distribution.

In their negative report, the Department states that "substantial reserves, no matter how well insulated, overhang the market and depress prices to farmers." The fact is the reserve will be present whether this bill passes or not; and an uninsulated reserve depresses the market more than an insulated reserve. So I sincerely believe this reason for opposing the bill falls of its own weight under the present surplus situation.

HOW IT WOULD WORK IN 1971

In the 1971 marketing year, as it is related to corn under H.R. 1163, the bill would work this way. The Secretary could buy a maximum of 720 million bushels of corn and other feed grains. This is 80 percent of the net additional estimated total carryover for the 1971 marketing year and is less than the maximum reserve inventory of 875 million bushels. For this 1971 corn, the Department could pay a maximum of $1.17 using local grain dealer's prices and this compares to about 97 cents currently being bid. If the local price were to increase by 20 cents to $1.17, the Department would stop buying. This acquired corn would be held in a strategic reserve and stocks would not be sold in excess of those purchased during any succeeding year unless it is a year when demand actually exceeds supply. If corn supplies were short this year, the minimum selling price using farm prices would be $1.41. The Commodity Credit Corporation acquired stocks can be sold under existing law for considerably less than this amount and their sales are not limited to the amount needed to make supply equal demand.

GOVERNMENT HELD STOCKS AND SPECULATIONS

If this reserve is not established, the Government will eventually receive much of this corn through the CCC defaults on nonrecourse loans anyway. Therefore the argument that the Government should not lay out the money for this corn is not valid because they will eventually lay out the money for it anyway. However, corn acquired through the CCC route will hang over the market for the entire marketing year and depress the price of the entire crop down to the loan rate which was reduced this year. If the supply acquired for the reserve is substantial, the controlling factor which will influence the market is the condition under which it can be released or sold. H.R. 1163 provides that price alone shall not be a criteria for sales as it is under existing law. In addition to a minimum price of 120 percent of the average of the preceding five years (for 1971 this would be $1.41 compared to the $1.23 at which CCC sold corn last year), sales shall not exceed the quantity by which estimated domestic consumption of exports exceed domestic consumption and imports. There is now abundant evidence that price alone should not be a criteria for making sales of Government-held grains. In recent years vast numbers of speculators have been getting in and out of the grain market and using it as a gambling device. Under these conditions, it cannot reflect supply and demand accurately and price alone can no longer be an accurate barometer for the need of increased supply. Many of the speculators are buying and selling on a basis of whether they think other speculators will enter the market either on the short or the long side rather than buying or selling on a basis of whether supply and demand justify the price movement.

These people do not intend to take the delivery of grain and the higher they push the futures market, the further it will drop, thus over-reactions both ways become excessive. The downward overreaction occurs at the time grain is being delivered and that is when farmers need a strong cash market. In both 1966 and 1970, officials of the CCC sold grain just because speculators temporarily had pushed the price up and even though the marketable supply situation did not justify the huge sales being made. Thus the CCC was really acting as a speculator and reacting to price only rather than as a supply adjuster. We have never had this kind of a provision for Government-held stocks before and I want to emphasize that I think it is terribly important that at least some of this year's crop be carried under such restrictions on sales.

The Department's report on this bill states that the bill "might require purchases to be made at times when sound farm policy would dictate sales." This statement actually scares me. It indicates that in spite of the markets that have been made by the Commodity Credit Corporation in the past 10 years in the selling when they should not have been selling, they still think they should sell under conditions such as were present last year when they sold at an average price of $1.23 into a market where their own figures indicated there was no supply shortage. The fact that they evidently still have not learned this lesson is a strong additional reason for establishing the definite provisions in H.R. 1163 for handling at least part of the new reserve which will be created this year.

SETTING ACREAGE GOALS

We got into this situation partly because the Department was afraid that with blight or a drought there might be a shortage; therefore, they set the program for an increased acreage. If a reserve had been held under a situation where it were insulated from the market until needed, that grain could have been used to relieve the fear of the shortage and therefore the program could have provided this year for more diverted acres. This is an additional reason why we need a strategic reserve. I do not think the leafblight scare was a unique situation. In fact, in this year of surplus, I want to state flatly that we will again surely see a year when we produce less than we use. I do not know when, but it will occur. When we produce so much grain, then the conditions are right for those diseases that feed upon grain. The laws of the balance of nature are more powerful than man—we only manipulate and temporarily change the conditions under those laws. Whenever one form of life flourishes, other forms of life and diseases which feed upon such abundance will increase and drag it down. We have manipulated the resources of this country so much in violation of the basic laws of survival and the law of the balance of nature, that we have created the very conditions that will permit a quick and severe shortage. We have built up the need for grain and are growing it in large fields to such an extent that one can drive through several states without leaving the sight of a cornfield more than a few minutes. Under these conditions, new grain diseases, new resistant corn borer, insects and weeds will be coming forward in future years which can spread rapidly across the United States. If we stopped developing new chemicals to meet new situations, there would be new uncontrollable weeds, diseases or insects within a few years and a shortage of grain. Even a 10 percent reduction in a corn crop when so many people live in cities and the volume consumed is so great, can cause a severe problem both domestically and to our export customers. This makes it even more imperative than ever before that we establish a strategic reserve which can be called upon for the protection of consumers and our export customers. Last year we had a scare from the corn blight. This year there has been detected a new disease known as "pysoderma" which has destroyed as much as 30 percent of corn yield in isolated fields in Illinois. Other diseases will start and spread rapidly in future years.

LIVESTOCK INCOME

As Members of this Committee are aware, the livestock industry has been riding piggyback on our feed grains programs. Although we have not had direct aid programs other than a purchase program for pork and beef products, their numbers and tonnage to a considerable extent is regulated by the total tonnage of feed grains available for conversion into red meats. The hog market suffered a tremendous decrease during the past 2 years and is just now showing signs of recovery. With a 900 million bushel increase in the supply of corn, obviously a huge increase in the tonnage of pork could be expected and the hog market would be severely adversely affected. Since cattle are on a longer cycle and increases in the production of pork can occur more quickly, the effect on the cattle market could be delayed but it would certainly also occur a little later.

MISCELLANEOUS PROVISIONS

There are some other provisions of the bill which I think are important and should be enacted which are largely for the purpose of correcting situations which have arisen in the CCC's handling of grain. One is the provision at the bottom of Page 4 to buy and sell the same quantity of grain on the same date where this would result in better handling and location of a reserve. Such purchases to offset sales must be made within 2 market days. This would permit the Government to use the grain industry to locate grain where there is a market instead of having to move particular bushels of grain from one location to another which can take so much time that a sale is lost. It also would save having Government personnel doing work that the grain trade itself can do.

Another provision on Page 5 requires that a holder of grain against a warehouse receipt must at all times have the grade stated on the warehouse receipt or a better grade available for delivery. This is to correct an abuse which occurred for many years where obligors on warehouse receipts held low grade grain and even trash against warehouse receipts and then paid the difference between the 2 grades upon delivery. Sometimes the grain was not fit for the purpose it was sold for and besides the investment was less and the warehouser was almost given an incentive to hold low value grain. We want high value grain in the strategic reserve.

The bill also provides for a definite time at which the Department will announce the amount of grain that will be acquired during the marketing year. In the case of corn this would be done on the last Friday in October. This gives them 3 weeks of the new market year in which to use their own statistic-gathering services to determine the amount the carryover will increase for each commodity involved. By announcing on a particular date the quantity they will be buying during the year, the industry can know exactly what the reserve policy will be for the entire year and make its business judgments accordingly. When such decisions and announcements are delayed, as is permissible by CCC for their stocks, the delay in announcements always hurt the farmers.

I do not want to detract from the principal purpose of the bill by pointing out other provisions on Pages 4 and 5 of less importance, but would be glad to answer any questions concerning them.

Again Mr. Chairman, I appreciate the opportunity to present this testimony in support of H.R. 1163 and for the protection of consumers, to promote and protect our export markets to assure that we can respond to unexpected demands anywhere in the world, to help stabilize livestock prices and for the sake of a badly needed increase in farm income, I sincerely urge this Committee to take favorable action to establish a strategic reserve this year.

[From the New York Times, Oct. 3, 1971]

BUMPER CORN CROP OVERFLOWS SILOS

(By Len Richardson)

(NOTE.—Mr. Richardson is feature editor of Big Farmer magazine.)

FRANKFORT, ILL.—"Farmers have planted corn in every corner but the cemetery,"

warned Larry Simerl, University of Illinois economist, prior to the September crop report. "This fact will weigh heavier on the market than the [corn] blight."

With the September report, it now appears that plantings could have included the cemeteries. This year's corn crop is expected to be 30 per cent larger than last year's, and for the first time since 1948 this country will produce more than 600 million bushels of corn in excess of what it can use or export.

Why? Aided by a new program that induced them to plant up to 30 per cent cornland, farmers geared up to cash in on high prices resulting from the blight. Seed corn companies switched to normal (blight-resistant) seed, and dry weather in July and August prevented the fungus from spreading.

Now farmers are venting their anger with the Government for encouraging more corn acreage. "In November of 1970 we begged Secretary Hardin on bended knees not to increase acreage," declared Walter W. Goeppinger, a large-acreage corn farmer in Iowa and South Dakota who serves as president of the National Corn Growers Association.

"Here is our official statement to Mr. Hardin in November of 1970," said Mr. Goeppinger, (pointing an I-told-you-so finger from his Boone, Iowa, headquarters). "The probabilities of favorable weather for reoccurrence of Southern corn-leaf blight in the Central and Eastern corn belt are only one in 50. We suggest you not expand acreage to a point where we get into the same difficulties as the expansion that occurred in 1967—that took three years for farmers to work off surpluses and poor prices."

Although less dramatic, the harvest picture is similar for other feed-grain crops. Wheat alone is up 18 per cent, and the harvest of corn, wheat, sorghum, soybeans, oats and barley combined are estimated at 10,437,058,000 bushels—1,796,056,000 bushels over last year. Nearly half of the increase (44 per cent) comes from the four-state area of Nebraska, Iowa, Kansas and Missouri.

The movement of corn futures on the Chicago Board of Trade this summer is a dramatic picture of the warning Mr. Goeppinger issued in November, 1970. Prices fell 40 cents in less than two months as facts about the blight and the size of the feed-grain crop became clear.

Knowing farm income will be hurt, farm organizations are asking for relief. The militant National Farmers Organization (N.F.O.) has asked Secretary of Agriculture Clifford M. Hardin for a moratorium on the delivery of farm-stored grains and sharp increases in the loan rates for major crops. Their proposal asks for a loan rate of $1.56 per bushel for corn; $1.75 per bushel for wheat and $2.75 per bushel for soybeans.

The National Farmers Union has asked the House Agriculture subcommittee for legislation establishing a national strategic reserve for a broad range of farm commodities.

At harvest it would authorize purchase of up to 875 million bushels of corn, 300 million bushels of wheat and 100 million bushels of soybeans. Under the plan such a reserve would be insulated from the market, and no stock would be sold in the open market at less than full parity prices, except in a declared national emergency.

Responding to the big corn crop, the National Corn Growers Association is requesting that price-support loan rates for 1971 be raised by 20 cents to $1.25 a bushel, and that the present, non-acreage, restricted, set-aside land program be dropped in favor of the old crop-land adjustment program.

They are joined by the National Wheat Growers in seeking a return to voluntary, paid-acreage diversion. This option, spokesmen point out, is open to the Secretary under Section 501–C1 of the new farm law. Wheat growers are predicting farmers will increase plantings 20 per cent next year unless a change is made.

One point is clear—farm income will be hurt. Consider the last two corn crops. In 1969 farmers harvested about 4.6 billion bushels. Prices paid during October, November and December averaged $1.09. Thus at harvest time the value of the crop was about $5-billion. The blighted drought-damaged 1970 crop was 10 per cent smaller with 4.1 billion bushels. Harvest prices averaged $1.33 a bushel, putting the crop's value at nearly $5.5-billion.

This year harvest prices have dropped to as low as 80 cents at some country elevators. Even with a $1 a bushel harvest average, the 5.2 to 5.3 billion bushel crops will be worth less in total dollars than last season's 4.1 billion bushel crop.

"Southern corn leaf blight," said one angry Illinois farmer, "was the most successful farm-witholding action ever staged."

Even at a $1.05-a-bushel average support price, the 30 per cent larger crop will be worth only 2 per cent to 3 per cent more at harvest. Farmers will still have to pay a higher harvesting, drying, storage and marketing bill for an extra 600 million bushels of corn.

In the meantime, farmers are wondering how to store and market this crop. Many Government storage bins no longer exist. Farmers would need to place 700 to 800 million bushels of corn under a price-support loan to short the supply of "free" corn enough to raise prices to the current loan level of $1.05 per bushel.

In 1967, the year of the last bumper crop, only 400 million bushels were placed under Government loans. Lacking storage, grain must move to market. Practically speaking, most of this year's wheat is still in the country. When it starts moving this fall, it will meet competition from the huge feed-grain crops for box-car space.

If a box-car shortage develops (railroads have never handled a crop this size), farmers will be angrily dumping grain.

The main question now facing Agriculture Department policymakers is how land will be used. Only the bumper soybean harvest is welcome. The current carryover of soybeans is barely enough to keep mills and pipelines running until the new bean harvest. The Soybean Processors Association had urged, but failed to get, an extra 10 million acres of soybeans last year.

While future farm policies are still being debated in Washington, it seems clear that Agriculture Department officials plan no radical change from the new farm program.

By Mr. MANSFIELD (for Mr. JACKSON and Mr. ALLOTT) (by request):

S. 2649. A bill to declare that certain federally owned land is held by the United States in trust for the Lac du Flambeau Band of Lake Superior Chippewa Indians. Referred to the Committee on Interior and Insular Affairs.

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Washington (Mr. JACKSON) for himself and Mr. ALLOTT, I introduce for appropriate reference a bill to declare that certain federally owned land is held by the United States in trust for the Lac du Flambeau Band of Lake Superior Chippewa Indians.

This legislation was submitted and recommended by the Department of the Interior, and I ask unanimous consent that the executive communication accompanying the draft proposal be set forth in full at this point in the RECORD.

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

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., June 8, 1971.

Hon. SPIRO T. AGNEW,
President, United States Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is enclosed a draft of a proposed bill "To declare that certain federally owned land is held by the United States in trust for the Lac du Flambeau Band of Lake Superior Chippewa Indians."

We recommend that the bill be referred to the appropriate committee for consideration and that it be enacted.

This proposal provides that 40 acres of federally owned land will be held in trust by the United States for the Lac du Flambeau Band of Lake Superior Chippewa Indians of Wisconsin, subject to valid existing rights-of-way of record and to the continued right of the State of Wisconsin to use the fire observation tower located on the land. It also provides that the Indian Claims Commission will determine the extent to which the value of the title conveyed should or should not be set off against any claim against the United States determined by the Commission.

This tract was purchased by the Government from the heirs of the Indian allottee in 1932 at a cost of $500. The parcel was procured as a site for a fire observation tower, and 2.5 acres have been used continuously for forest fire protection purposes since the tower was constructed in 1937.

Based on an appraisal report made by the Bureau of Indian Affairs, the estimated fair market value of the 40 acres, including timber, is $2,100. The fire observation tower has no value to the public in general and dismantlement costs would exceed the salvage value.

Starting in the late 1930's and continuing up to the present time, the fire observation tower has been manned by the State of Wisconsin Conservation Department which performs fire control on the Lac du Flambeau Reservation. The State holds an approved revocable permit for use of the tower and the 2.5-acre site, and is granted continued use by this bill. The remaining acreage will be incorporated with the present forest landholdings of the Band and managed for forest purposes under the presently approved Forestry Management Plan. In addition, the Band has under consideration the development of this contract together with adjoining areas for winter recreation, that is skiing and tobogganing.

A gravel surfaced road traverses the south boundary of the property. The right-of-way for this road was approved in 1962, and has been assigned to the town of Lac du Flambeau for maintenance. An unimproved gravel road provides access to the tower which is located in the northwest corner of the property.

This parcel is bordered on the east and south by Indian alloted lands and on the west and north by lands in non-Indian ownership. All of the lands contiguous to its boundaries are forested tracts. As a part of the band's approved land purchase program, it has purchased heirship interests in allotted lands in the area and is in the process of purchasing others. For fiscal year 1971 the band was allotted $50,000 to use for acquiring heirship interests. Because of its limited resources, however, we do not believe that consideration should be given to requiring the band to pay for this parcel.

The Bureau no longer has a need for the land and improvements. However, they have not been reported to the General Services Administration as excess because of the Lac du Flambeau Band's interest in obtaining the land. The Band through its tribal coun-

cil submitted a formal resolution stating its need for the property. The enactment of this legislation will also enable the Band to give consideration to any leasing opportunities for winter recreational development.

The bill contains the usual language requiring the Indian Claims Commission to consider whether the value of the land should be set off against any claims judgment against the United States awarded by the Commission.

As the band can effectively utilize this parcel and since it is excess to the needs of the Federal Government, we urge the enactment of this proposal.

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

Sincerely yours,

HARRISON LOESCH,
Assistant Secretary of the Interior.

By Mr. MANSFIELD (for Mr. JACKSON and Mr. ALLOTT) (by request):

S. 2650. A bill to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Washington (Mr. JACKSON), for himself and Mr. ALLOTT, I introduce for appropriate reference a bill to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes.

This legislation was submitted and recommended by the Department of the Interior, and I ask unanimous consent that the Executive communication accompanying the draft proposal be set forth in full at this point in the RECORD.

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

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., July 21, 1971.

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

DEAR MR. PRESIDENT: Enclosed is a draft of a bill "To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes."

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The bill consists of three titles, all relating to certain existing units of the National Park System. Title I increases statutory ceilings on appropriations for land acquisition at five areas; title II increases statutory ceilings on appropriations for development at three areas; and title III authorizes boundary revisions at nine areas.

Enclosed is a section-by-section analysis of the bill. Costs involved are estimated as follows: Title I, authorization increases for land, total $675,500; title II, authorization increases for development, total $2,494,600; and title III, authorizations for funds to acquire lands included within revised boundaries, total $228,000. Combined authorizations in all three titles of the bill total $3,398,100.

The Department has been concerned for sometime about the need to develop a less cumbersome means by which needed increases in appropriation ceilings and certain kind of boundary changes in units of the National Park Service can be considered both by the Committees and within the Executive Branch. At the same time the Department believes such a method should be limited in its application to only those changes which are both necessary to implement and are consistent with the basic legislation authorizing a particular park service area. In cases where a change, regardless of how desirable it may be, would substantially alter the existing authorization insofar as the size, cost, or the general character of an existing area, the Department believes consideration of separate legislation is desirable.

The bill which we are recommending for your consideration includes changes in authorizations for existing areas which we believe are appropriate for inclusion in an omnibus bill. The Department has developed criteria which we have used in determining the areas to include in this proposal and which we would expect to use in determining the area to be considered for inclusion in future similar omnibus proposals. We will be prepared to present and discuss the criteria which we have developed at the Committee hearing.

The Office of Management and Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the Administration's program.

Sincerely yours,

Assistant Secretary of the Interior.

SECTION ANALYSIS

TITLE I—ACQUISITION CEILING INCREASES

Section 101. Amends the following laws which limit the appropriation of funds for land acquisition, by increasing the limitation as indicated below:

Area	Act	Existing limitation	New limitation	Increase
Big Hole National Battlefield, Mont.	May 17, 1963 (77 Stat. 18)	$20,000	$42,500	$22,500
Effigy Mounds National Monument, Iowa	May 27, 1961 (75 Stat. 88)	2,000	14,000	12,000
Fort Donelson National Military Park, Tenn.	Sept. 8, 1960 (75 Stat. 875)	226,000	454,000	228,000
Lincoln Boyhood National Memorial, Ind.	Feb. 19, 1962 (76 Stat. 9)	75,000	395,000	320,000
Shiloh National Military Park, Tenn.	July 3, 1926 (44 Stat. 826)	57,100	150,100	93,000

Land cost estimates have been made on the basis of fair market value, plus acquisition costs and overhead. They do not contain funds for benefits which must be paid pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and which would be required to be charged against land acquisition funds.

TITLE II—DEVELOPMENT CEILING INCREASES

Section 201. Amends the following laws which limit the appropriation of funds for development, by increasing the limitation as indicated below:

Area	Act	Existing limitation	New limitation	Increase
Herbert Hoover National Historic Site, Iowa [1]	Aug. 12, 1965 (79 Stat. 510)	$1,650,000	$3,500,000	$1,850,000
Booker T. Washington National Monument, Va.[2]	Apr. 2, 1956 (70 Stat. 86)	200,000	600,000	400,000
Johnstown Flood National Memorial, Pa.[2]	Aug. 31, 1964 (78 Stat. 752)	2,000,000	2,244,600	244,600

[1] Original law combines appropriation authorization ceiling for development and land acquisition. Increase herein is $1,772,000 for development and $78,000 for land acquisition.

[2] Original law combines appropriation authorization ceiling for development and land acquisition. Increase herein is for development only.

Section 202. Makes applicable to appropriation ceilings for development engineering cost indices in order to preclude need for further amendment due to normal increases in cost of labor and materials.

TITLE III—BOUNDARY CHANGES

Section 301. Authorizes the Secretary of the Interior to revise boundaries of 9 areas to add or exclude lands as follows:

Area	Change authorized	Land cost
Adams National Historic Site, Mass.	Add 3.68 acres	$122,000
Fort Caroline National Memorial, Fla.	Add 12.5 acres	None
George Washington Birthplace National Monument, Va.	Add 62.3 acres	57,000
Glacier National Park, Mont.	Add 233.15 acres; delete 68.47 acres.	6,000
Isle Royale National Park, Mich.	Add 0.52 acres	31,500
Johnstown Flood National Memorial, Pa.	Add 53.6 acres	11,500
Lassen Volcanic National Park, Calif.	Delete 482 acres	None
Petersburg National Battlefield, Va.	Delete 257.53 acres.	None

Lands recommended for addition to Adams, George Washington Birthplace, and Fort Caroline are historically significant and should be protected. Addition to Isle Royale is needed to complete the development programs for this area. Additions to Johnstown Flood are necessary to prevent adverse developments which would be inconsistent with the existing park environment. Deletions at Lassen Volcanic and Petersburg are to facilitate management of these parks. Changes at Glacier are necessary to conform boundary to relocated road and railroad rights-of-way necessitated by flooding.

Section 302. Provides that boundary changes are to be effective upon publication of map or other description in *Federal Register.*

Section 303. Authorizes acquisition of lands added and disposition (by exchange, transfer, or as surplus) of lands deleted from areas. Also authorizes retrocession of legislative jurisdiction to State with respect to any lands excluded. It is expected that this retrocession authority will be exercised in connection with the deletion at Petersburg, which involves exclusion from the park of roadways over which the United States presently exercises "exclusive" legislative jurisdiction.

Section 304. Authorizes appropriation of not to exceed $228,000 for acquisition of lands added to boundaries. As in title I, land cost estimates do not include funds for benefits which must be paid under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Costs other than for land acquisition but attributable to the boundary changes authorized in title III are shown on the attached table.

Section 305. Declares authorities to revise boundaries, acquire lands, etc., in title III to be supplementary to any other authorities. Existing laws applicable specifically to the areas for which boundary changes are authorized in this title limit acreages of those areas. This section makes it clear that authority to add acreages in this title is in addition to limitations in existing laws.

Total additional costs attributable to title III—Boundary changes

Development:	
Adams	$50,000
Ft. Caroline	89,100
Geo. Wash. Birthplace	None
Glacier	None
Isle Royale	307,000
Johnstown Flood	[1] 244,600
Lassen Volcanic	None
Perry's Victory	4,537,000
Petersburg	None

[1] Authorized development increase in title II.

Total additional costs attributable to title III—Boundary changes

Development:	
Adams	$50,000
Ft. Caroline	89,100
Geo. Wash. Birthplace	None
Glacier	None
Isle Royale	307,000
Johnstown Flood	[1] 244,600
Lassen Volcanic	None
Petersburg	None

[1] Authorized development increase in title II.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 2345

At the request of Mr. HATFIELD, the Senator from New Jersey (Mr. WILLIAMS) was added as a cosponsor of S. 2345, to amend the Internal Revenue Code of 1954 to allow an income tax deduction for donations of blood.

S. 2529

At the request of Mr. HRUSKA, the Senator from Colorado (Mr. ALLOTT) was added as a cosponsor of S. 2529, to incorporate Junior Achievement, Incorporated.

S. 2604

At the request of Mr. HUMPHREY, the Senator from Alaska (Mr. GRAVEL) was added as a cosponsor of S. 2604, the Federal Impoundment Notification Act.

S. 2620

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Washington (Mr. MAGNUSON), I ask unanimous consent that the Senator from New Jersey (Mr. WILLIAMS) be added as a cosponsor to S. 2620, a bill to promote the economic well-being of the United States by providing authority to negotiate commercial agreements including the granting of most favored nation treatment with countries having nonmarket economies.

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

SENATE JOINT RESOLUTION 129

At the request of Mr. FANNIN, the Senator from South Carolina (Mr. THURMOND), and the Senator from Oregon (Mr. HATFIELD) were added as cosponsors of Senate Joint Resolution 129, proposing an amendment to the Constitution of the United States requiring the submission of balanced Federal funds budgets by the President and action by the Congress to provide revenues to offset Federal funds deficits.

SENATE JOINT RESOLUTION 149

At the request of Mr. MCCLELLAN, the Senator from Nebraska (Mr. HRUSKA) was added as a cosponsor of Senate Joint Resolution 149, to authorize and request the President to proclaim the year 1972 as "International Book Year."

SENATE JOINT RESOLUTION 158

At the request of Mr. WEICKER, the Senator from Colorado (Mr. ALLOTT) was added as a cosponsor of Senate Joint Resolution 158, to declare May 6, 1972, as "Clean Up America Day."

ADDITIONAL COSPONSORS OF A RESOLUTION

SENATE RESOLUTION 38

At the request of Mr. STEVENS, the Senator from Texas (Mr. BENTSEN) was added as a cosponsor of Senate Resolution 38, relative to the Select Committee on Small Business.

MILITARY PROCUREMENT AUTHORIZATIONS, 1972—AMENDMENTS

AMENDMENT NO. 454

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

Mr. CURTIS 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.

DESIGNATION OF EARTH WEEK—AMENDMENTS

AMENDMENT NO. 456

(Ordered to be printed and referred to the Committee on the Judiciary.)

EARTH WEEK

Mr. NELSON. Mr. President, as the first nationwide environmental review after Earth Day, Earth Week, 1971, April 19–25, was a tremendous success, and was supported by all segments of our society. It was widely supported in Congress by both Democrats and Republicans, and was proclaimed by the President and also was proclaimed by at least 40 governors and by many mayors. Earth Week also received the support of the national conservation organizations and national educators' groups.

The news media utilized the Earth Week observance to review the status of the environmental issue, with most of the national networks, magazines, and newspapers doing special environmental reports, in addition to broad coverage of the week given by media in localities all across the country.

With Earth Week's emphasis on environmental education, many grade schools made the week an occasion for special environmental events within their schools, culminating their annual environmental studies.

Additionally, hundreds of communities participated in reviews of past environmental progress, inventories of current problems, and planning for future environmental efforts.

For Earth Week, 1972, April 17–23, we are optimistic that all 50 Governors will issue proclamations. In addition, we will work for adoption of Senate Joint Resolution 15 and its companion in the House, to put Congress firmly on record in support of this nationwide event. Today I am introducing an amendment to the measure to confine its scope to Earth Week, 1972, to conform with committee policy of declaring events only on a year by year basis.

Already, the Earth Week resolution is cosponsored by 57 Senators and I am inviting all other Senators to add their names as cosponsors.

I ask unanimous consent that the following items be printed in the RECORD at the end of these remarks: The President's proclamation of Earth Week, 1971; the Senate cosponsors of the Earth Week resolution, and the States whose Governors proclaimed Earth Week, 1971.

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

EARTH WEEK, 1971—A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Few concerns facing America and the world today are more compelling than the quality of our physicial environment. All that we do, all that we hope to achieve for ourselves, all that we hope to create for our children will go for nothing if the world itself is made unfit to live in. The question of what we do with our environment is a matter of cosmic consequence; there is a limit to how long the matter rests merely with man, and if that limit is exceeded, the success of man as an earth creature may itself be limited by forces he no longer controls.

The earth and its atmosphere are a closed system. They are finite. The good water cannot purify itself indefinitely. The good air cannot cleanse itself endlessly. And the good earth cannot sustain and repair the injustices of man forever. Man must help to put his own earthly house in order.

We have made a beginning in this. But we have only begun. Now there must be a conscious, sustained effort by every American and, we might hope, by every citizen of the world if our posterity are not to look back in sorrow and wonder why, when God had created the earth and seen that it was good, man did not agree and leave it that way.

Now, therefore, I Richard Nixon, President of the United States of America, do

hereby designate the period of April 18 through April 24, 1971, as Earth Week.

I call upon the Governors of the several States to encourage observance of this period and its purposes through appropriate ceremonies and to give special consideration to means of educating our citizens to the preservation of our environment.

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

RICHARD NIXON.

THE 57 SENATORS WHO HAVE COSPONSORED SENATE JOINT RESOLUTION 15, FOR EARTH WEEK

Howard Baker (R) Tenn.
Birch Bayh (D) Ind.
J. Glenn Beall (R) Md.
Henry Bellmon (R) Okla.
Alan Bible (D) Nev.
J. Caleb Boggs (R) Del.
Quentin Burdick (D) N. Dak.
Robert Byrd (D) W. Va.
Howard Cannon (D) Nev.
Clifford Case (R) N. J.
Frank Church (D) Idaho.
Norris Cotton (R) N. H.
Alan Cranston (D) Calif.
Peter Dominick (R) Colo.
Thomas Eagleton (D) Mo.
J. William Fulbright (D) Ark.
Mike Gravel (D) Alaska.
Edward Gurney (R) Fla.
Fred Harris (D) Okla.
Philip Hart (D) Mich.
Vance Hartke (D) Ind.
Mark Hatfield (R) Oreg.
Harold Hughes (D) Iowa.
Hubert Humphrey (D) Minn.
Daniel Inouye (D) Hawaii.
Henry Jackson (D) Wash.
Jacob Javits (R) N.Y.
B. Everett Jordan (D) N. C.
Harrison Williams (D) N. J.
Edward Kennedy (D) Mass.
Warren Magnuson (D) Wash.
Mike Mansfield (D) Mont.
Charles Mathias (R) Md.
Gale McGee (D) Wyo.
George McGovern (D) S. Dak.
Thomas McIntyre (D) N. H.
Jack Miller (R) Iowa
Walter Mondale (D) Minn.
Joseph Montoya (D) N. Mex.
Frank Moss (D) Wash.
Edmund Muskie (D) Maine
Robert Packwood (R) Oreg.
John Pastore (D) R.I.
Claiborne Pell (D) R. I.
Charles Percy (R) Ill.
William Proxmire (D) Wis.
Jennings Randolph (D) W. Va.
Abraham Ribicoff (D) Conn.
William Roth (R) Del.
Richard Schweiker (R) Pa.
William Spong (D) Va.
Ted Stevens (R) Alaska
Adlai Stevenson (D) Ill.
Robert Taft (R) Ohio
Strom Thurmond (R) S. C.
John Tower (R) Texas
John Tunney (D) Calif.

THE 40 STATES WHOSE GOVERNORS HAVE ISSUED EARTH WEEK PROCLAMATIONS

Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska.

Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—AMENDMENTS

AMENDMENT NO. 457

(Ordered to be printed, and referred to the Committee on Foreign Relations.)

Mr. FONG. Mr. President, the Subcommittee on Refugees and Escapees has been having some very searching hearings on the problems in East Pakistan.

These hearings have all too clearly pointed up the awesome suffering of the millions of East Pakistanis who have fled to India as well as of those who have remained in East Pakistan.

Human suffering is not a novel condition in this area, one of the most densely populated rural areas in the world. The November 1970 cyclone disaster followed by the floods and the civil disturbances have exacerbated that, at best, precarious existence of these peoples.

While to date our Government has contributed over $83 million to the international relief effort in India alone—$35.5 million in cash and $47.7 million in Public Law 480 food—there is still much to be done to alleviate the condition of the East Pakistani refugees in India.

To help alleviate the starvation and suffering in East Pakistan, the United States, to date, as part of its contribution to the $143 million in dollars and food being distributed by the U.N. has provided over a million tons of food and $9 million toward U.N. operating costs, cost of other relief supplies and for chartering vessels to distribute these supplies. We have also made available $13.5 million equivalent in rupees for U.N. relief assistance and for work programs to generate self-help and employment in East Pakistan.

But, that too is not enough.

Verily, we must do more.

The House of Representatives foresaw the need developing in this area when the Foreign Assistance Act of 1971 was before its Committee on Foreign Relations this summer.

They amended H.R. 9910 to authorize $100 million to be appropriated to the President for fiscal year 1972 for use in providing assistance for the relief and rehabilitation of refugees from East Pakistan and for humanitarian relief in East Pakistan, the funds to remain available until expended. With such amendment, the bill passed the House on August 3, 1971.

By October 1, 1971, President Nixon recognized that this $100 million would be inadequate. He requested that Congress raise the figure to $250 million.

In his statement the President commented:

The United States has been deeply concerned over the situation in South Asia both on humanitarian grounds and because of the implications for peace.

Recent events in East Pakistan, compounding the destruction from natural disasters, have led to widespread human suffering. Unchecked, this situation could drift toward greater disaster in the form of famine or even war. It is a primary objective of the Administration to relieve suffering and help avert such a situation.

Acting on its mandate as the conscience of the world community, the United Nations, under the leadership of the Secretary General, has focused concern on the plight of those who are caught in this situation. Through its special missions in Dacca and New Delhi, the United Nations has also provided the operational framework for channelling relief supplies to the millions who need them both in India and in East Pakistan.

Many countries and private donors are responding to this enormous challenge. The United States has already provided substantial amounts of food and foreign exchange to support the programs of the United Nations in aid of the millions of refugees in India and the millions who could face starvation in East Pakistan.

But more needs to be done—by the United States and by other donors. The costs of dealing with this problem through this fiscal year are expected to be over a billion dollars, far beyond the means of India and Pakistan. The House of Representatives early recognized the need for unusual humanitarian relief for South Asia and on August 3, 1971, authorized $100 million in additional funds under the Foreign Assistance Act. Since that time, however, the magnitude of the need has grown. It is also important that we be able to play our proper role promptly if contingencies in the relief operation arise.

Together with food supplied under Public Law 480, these funds ($250 million) will enable us to do our share in mitigating the effects of this human crisis, and thus help avert the deeper tragedies that all too easily could follow.

H.R. 9910 is now being marked up by the Senate Foreign Relations Committee.

I am therefore submitting this amendment to H.R. 9910 to meet the currently foreseeable needs of the East Pakistanis, be they refugees in India or in need of humanitarian relief in East Pakistan. This amendment authorizes an appropriation of $250 million, thus meeting at least the presently foreseeable needs of these people so as to relieve their suffering. The funds to remain available until expended.

I urge Senators to support this amendment to H.R. 9910.

AMENDMENT NO. 458

(Ordered to be printed and referred to the Committee on Foreign Relations.)

Mr. CASE. Mr. President, I am today introducing an amendment to the Foreign Assistance Act which would put an absolute ceiling on the number of Americans who could be assigned to Cambodia. My amendment would essentially freeze current personnel levels.

There are currently 50 U.S. military men assigned to the military equipment delivery team—MEDT—in Cambodia and 24 servicemen in the office of the American military attaché. Additionally, 10 marine guards protect the U.S. Embassy, and at any given time up to 15 American military men assigned elsewhere are in Cambodia on temporary duty.

Taking into account these 84 military men permanently stationed in Cambodia and allowing the current level of temporary duty personnel of about 15, the Case amendment sets a limitation of 100 U.S. military men in Cambodia, whether permanent or temporary.

There are also 47 Americans assigned to the civilian part of the American Embassy, and the Case amendment would put a ceiling of 50 on these personnel.

I have become increasingly alarmed by recent reports of the expanding American mission in Cambodia. Congress clearly spoke its mind on this matter last year when it prohibited American military advisers—and combat troops—in Cambodia. But with a $185 million program of military assistance in fiscal 1971 and a projected $200 million program in fiscal 1972, the administration has felt it necessary to send a military equipment delivery team—MEDT—to Cambodia.

A year ago only six men were running this program, but the number has been steadily augmented since then. In July, the MEDT ceiling was increased from 23 to 50 and I have learned from reliable sources that at that time the Pentagon had requested an increase to nearly 100.

I have also learned that many on the civilian side of our Government had opposed any increase at all, since they felt that the 23 MEDT men then in Cambodia could handle the job.

The administration's stated policy in Cambodia has been to avoid either a commitment to the Cambodian Government or a high level of American involvement. I wholeheartedly support this policy.

What I am trying to avoid is increased American involvement through an increased American presence. A year ago our officials in Cambodia extolled our low profile there and said their aim was to keep the American Embassy so small that all officials and their families could be evacuated on one airplane. Well, we are now into at least our third Boeing 707, and I am told by people in the Government who know that there is pressure for further expansion. And with further expansion, of course, would come those camp following institutions without which Americans seem almost incapable of surviving overseas. A high official of the American Embassy in Phnom Penh recently described thusly: "The next thing they'll want is military police, then a PX, then a movie house, and next thing you know there will be a thousand men here."

American involvement in Cambodia is already extremely serious. We have made the Cambodian Government almost totally dependent on us through our economic and military assistance and we are providing massive air support.

We should go no further—at least not without a firm decision by the Congress and the American people that an expanded war in Cambodia is the course our country should follow.

I cannot approve a policy of upping our commitment to Cambodia through the back door approach of sending increased numbers of Americans and then perhaps claiming—as was the case earlier in Vietnam—that we have to do more in order to protect what we have already done.

Mr. President, I ask unanimous consent that the text of my amendment be printed in the RECORD.

Mr. President, I also ask unanimous consent that several relevant newspaper articles on Cambodia be printed in the RECORD.

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

AMENDMENT NO. 458

On page 14, between lines 16 and 17, insert the following new section:

SEC. 305. Chapter 3 of part III of the Foreign Assistance Act of 1961, relating to miscellaneous provisions, is amended by adding at the end thereof the following new section:

"SEC. 653. Limitations on the Number of United States Personnel in Cambodia.—The number of members of the armed forces of the United States present in Cambodia at any one time shall not exceed 100. The number of civilian officers and employees of executive agencies of the United States Government present in Cambodia at any one time shall not exceed 50. For purposes of this section, 'executive agency of the United States Government' means any agency, department, board, wholly or partly owned corporation, instrumentality, commission, or establishment within the executive branch of the United States Government."

On page 14, line 17, strike out "305" and insert in lieu thereof "306."

[From the New York Times, Sept. 20, 1971]

MILITARY GAINS GROUND IN U.S. EMBASSY IN CAMBODIA

(By Craig R. Whitney)

PNOM PENH, CAMBODIA, September 17.—United States Embassy officials who wanted to keep the supporting American military presence here down to a bare handful have lost some ground that they considered important.

These Americans, led by Jonathan F. Ladd, the embassy political-military counselor and former commander of United States Army Special Forces in Vietnam, have been outmaneuvered, and now, according to diplomatic sources, have less influence in the embassy than the 50-man Military Equipment Delivery Team headed by Brig. Gen. Theodore C. Mataxis.

General Mataxis, who used to spend a couple of days a week in Pnompenh and the rest in Saigon, has now moved to Phompenh with his staff and has more than doubled the size of the Pnompenh contingent of the team. When it moved to Cambodia in January he had 16 men. In May it was expanded to 23.

There are also 63 other men attached to the team but based in South Vietnam, where most Cambodian soldiers get their basic training from the South Vietnamese and are issued equipment—field radios, M–16 rifles, and uniforms—by the Americans. The total of 113 men in Pnompenh and Saigon has been the same since May.

Helped by the equipment, the Cambodian Army has been winning back some territory lost to the enemy.

American military advisers were prohibited in Cambodia by Congress last year. According to a United States official in Pnompenh, the members of military equipment delivery team are not advisers, and are not engaged in training Cambodian troops. "They perform a certain logistic advisory function, seeing that the right equipment gets to the right units and is used "properly," the official said.

FACT SHEET ISSUED

A Department of Defense fact sheet issued in Saigon today and in Washington yesterday emphasized that the team is "operating with the Congressional approved military body" and said that it was deliberately organized with a lower number of personnel than would eventually be needed."

In addition to the team's members there are 25 servicemen in the office of American military attache, Col. Harry O. Amos.

So far that is all, but one disgruntled advocate of a smaller American establishment here said the other day, "the next thing they will want is M.P.'s, then a PX, then a moviehouse, and next thing you know there will be a thousand men here."

Authoritative American sources here say that is not likely, but the pressure is on the embassy for still more staff members. The team, while operating under the supervision of Ambassador Emory C. Swank, comes under the commander in chief of the Pacific in Hawaii.

The American military aid program last year consisted of $180-million, which included both the expenses of training and equipping Cambodian troops in South Vietnam and delivering other equipment to Cambodia.

This year's request by the Administration is for $200-million, 60 per cent of which goes toward ammunition.

"The guidance from Washington is to help them maintain a light infantry force, modestly supported by artillery and air," one aide said. "In other words, not to make them a ——— conquering army."

The Cambodians have been given six helicopters and six T–28 propeller-driven bombers. They also get air support from American jets based in Vietnam and Thailand. The money for those air strikes is not accountable to the military assistance program here.

According to official sources, the team members make field trips in unmarked American helicopters that come from Vietnam but only to inspect the military equipment and how it is used. Before each trip Ambassador Swank is informed, the sources say.

The four officers on Colonel Amos's staff also make field trips to gather information, the sources said. Colonel Amos does not wear a uniform in Pnompenh but in his second floor office last week several majors in combat green uniforms came in to make reports.

"Those guys have to grit their teeth when they can't advise," one civilian observer said. "Now they've got a flag officer here, next they will want a major general, then a lieutenant general, and it'll end up being MACC," or Military Assistance Command Cambodia.

So far, however, the Cambodians have not asked for that, and Ambassador Swank, an advocate of the low profile for the American presence here, is likely to hold the day—at least for now.

[From the Washington Post, Aug. 12, 1971]

CAMBODIA PLANS U.S.-AIDED DRIVE

(By Murrey Marder)

Cambodia is planing a winter offensive with "American air cover" and South Vietnamese ground support against Vietnamese Communist forces, Acting Prime Minister Slaowath Sirik Matak said here yesterday.

The Cambodian general told a press conference that he was "worried" before he left his capital of Phnom Penh that the United States might "withdraw all troops from South Vietnam." One of his associates quickly interjected, "in the near future."

"But after seeing President Nixon" on Tuesday, Sirka Matak said through an interpreter, this "worry is over."

Sirik Matak said that Cambodia is now discussing plans with the United States for the intended "dry season" offensive whose objective will be to recapture four provinces in the north and northeast now controlled by North Vietnamese and Vietcong forces.

This operation "will require American air cover" plus reinforcing South Vietnamese troops, he said. The dry season in Cambodia begins in the November–December period.

U.S. officials neither denied nor disputed what Sirik Matak told newsmen in a morning meeting. The Cambodian leader, who also serves as his nation's defense minister, conferred over lunch yesterday with Defense Secretary Melvin R. Laird and other U.S. military planners.

Defense Department spokesmen said afterward that the meeting with Sirik Matak

was "private." But they noted that Laird's position is that although the American air commitment in Southeast Asia is not "open-ended," Laird would recommend that the United States provide air support to countries "willing to help themselves under the Nixon Doctrine."

Pentagon spokesman Jerry W. Friedheim confirmed to newsmen earlier that the number of U.S. personnel in the Military Equipment Delivery Team in Cambodia has now been doubled, from 23 to 50.

The total number of these personnel in Saigon or Phnom Penh remains at 113, said Friedheim, but only 63 of them will now be stationed at the supply point in South Vietnam.

The spokesman said the main reason for increasing American personnel in Cambodia is that the Cambodian forces, who were poorly equipped when the United States began providing substantial military aid last year, can now absorb larger quantities of American equipment mostly small arms.

It is known that to comply with congressional sensitivities, the number of U.S. personnel formally "assigned" to Phenom Penh was kept deliberately low, with the bulk of the men based in Saigon and often temporarily assigned to Phenom Penh.

This year, the aid program is expanding with the Nixon administration asking Congress for $200 million worth of military assistance for Cambodia, and $110 million in new economic aid, plus another $11 million worth of "excess" military hardware.

There was great controversy in Congress last year about whether U.S. air operations in Cambodia transgressed President Nixon's pledge that they would be limited to "air interdiction" of enemy forces endangering U.S. troop withdrawals from bordering South Vietnam.

Fears were also expressed that use of American "advisers" might grow into "another Vietnam." This resulted in legislation banning the use of American ground combat troops or advisers in Cambodia.

U.S. personnel in Cambodia are operating neither as advisers or as military trainers, Friedheim said yesterday. But he said the "teams do travel in the countryside from time to time to check on the end use of the equipment." Friedheim said the military personnel "normally" wear uniforms when they travel—a question raised by the suspicions aired last year.

Sirik Matak, in talking with newsmen, referred to Cambodia's armed forces as numbering 220,000. But this is a goal; many units are far under strength or exist only in plans.

Cambodian government forces, he said, now control "two-thirds of the population and the country" and hope to control the remainder as a result of the planned offensive. U.S. officials avoid any such optimistic forecast.

Sirik Matak attempted no prediction about when Cambodia's forces could withstand a major Communist onslaught on their own. Instead, Cambodia's hope, repeated, is that a settlement of the war in Vietnam will result in withdrawal of Communist troops from Cambodia as well. He emphasized his belief that the United States "should not withdraw all forces from Asia."

[From the Washington Evening Star, Aug. 11, 1971]

PENTAGON WILL DOUBLE ITS TEAMS IN CAMBODIA

(By George Sherman)

The Nixon administration is set to double the size of the Pentagon team in Cambodia directing American military deliveries there.

According to informed sources, acting Prime Minister of Cambodia Sisowath Sirik Matak—now on a five-day visit here—was to work out final details in a meeting today with Secretary of Defense Melvin R. Laird.

The plan, according to these sources, is to increase the relatively small "Military Equipment Delivery Team" in Cambodia from 23 to 46, and perhaps 50, officers. In addition, 17 other officers performing standard duties in the embassy remain in the office of the military attache.

The Military Equipment Delivery Team (MEDT, for short) is responsible for channeling military aid—mostly ammunition, rifles small artillery, communication and amphibious equipment—to the Cambodian armed forces.

LAIRD UNHAPPY

For some time Laird has been unhappy about the inefficiency of having such a small team account for huge amounts of aid. The Nixon administration rushed $185 million military aid to Cambodia in the fiscal year that ended June 30.

It has requested an additional $200 million military aid to this fiscal year in the overall foreign aid package now tied up in the Senate Foreign Relations Committee.

Officials admit that they are under conflicting pressures from Congress about the size of the American military presence in Cambodia. Sen. J. William Fulbright and his Foreign Relations Committee have insisted that the huge military aid program is only the first step to a large American involvement in Cambodia.

To placate them last year, Laird agreed that the U.S. would establish no military training or advisory mission for the 200,000-man Cambodian armed forces. The MEDT has the limited task of supervising delivery of equipment, not its use.

In addition the administration has stuck by the President's pledge that no American ground forces will be reintroduced—as in the invasion with the South Vietnamese in April–May last year.

SCANDAL FEARED

But the chief fear in the Pentagon is that millions of dollars of military equipment will be lost through improper American supervision of its distribtuion to the Cambodians. The nightmare is that one day the General Accounting Office, watchdog of Congress over the Executive Branch, will uncover a "scandal" the Cambodian aid program produced by the meager American presence.

Even with the increase, officials point out, the U.S. military presence in Cambodia will remain tiny and limited in function, compared to the huge advisory establishments in neighboring Thailand and South Vietnam.

Nevertheless, American officialdom in Cambodia has multiplied enormously since Prince Norodom Sihanouk was ousted in March 1970 and all-out war with North Vietnam and the Viet Cong began. The embassy has grown from five—diplomatic relations had just been re-established in March 1970—to 100 today, including all the military personnel.

Acting Prime Minister Sirik Matak in his public remarks here yesterday, stressed the "evident stabilization" of the military situation, thanks to American aid and Cambodian determination. The Communist siege of the capital of Phnom Penh has been broken and enemy initiative lost, he told a luncheon at the National Press Club.

But Sirik Matak, fresh from an hour with Nixon discussing how to find peace in Asia, coupled his military optimism with concern over the inflationary economic situation. He made it clear that Cambodia needs more and faster economic aid if it is to support the continuing war.

ECONOMIC AID SLOW

U.S. officials admit that economic aid has been funneled there far more slowly than military. Of the $70 million committed last fiscal year, only $20 million has actually found its way to Cambodia. For the present fiscal year, the administration is asking an additional $130 million economic aid—including up to $20 million in PL480 food shipments.

On the diplomatic front, Sirik Matak repeated strong praise of his government for Nixon's visit to Communist China. "We warmly support the recent and dynamic initiatives of President Nixon leading to the establishment of a constructive dialogue with Peking," he said at the Press Club.

The 57-year-old acting prime minister—here in place of the ailing Premier Lon Nol—said Cambodia is ready to participate in a new Geneva conference confirming the neutrality of Indochina first set up in 1954. But he stipulated that deposed Prince Sihanouk and the "few traitors" now residing in Peking not be permitted to attend.

In contrast to Sihanouk, Sirik Matak told questioners yesterday that he expected "a kind of peace" to be restored in Cambodia and Asia by Nixon's talks in Peking. Sihanouk, echoing the line taken by Hanoi, has warned that no "outside powers" can impose a settlement in Indochina.

After the luncheon Sirik Matak conferred with Secretary of State William P. Rogers, and was guest of honor at a dinner given by Rogers and his wife last night. The Cambodian leader leaves Washington for New York Saturday.

ADDITIONAL COSPONSORS OF AMENDMENTS

AMENDMENT NO. 419

At the request of Mr. MONTOYA, the Senator from South Dakota (Mr. McGOVERN), and the Senator from Minnesota (Mr. MONDALE) were added as cosponsors of amendment No. 419, to H.R. 8687, the military procurement authorizations bill, 1972.

ANNOUNCEMENT OF HEARINGS ON SURFACE MINING

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Washington (Mr. JACKSON) I wish to announce that on November 16 and 17 at 10 a.m. in room 3110, the Senate Interior and Insular Affairs Committee will begin hearings on proposals now pending before the committee to regulate surface mining in the United States. Measures presently pending before the committee are: S. 77, S. 630, S. 993, S. 1160, S. 1240, S. 1498, and S. 2455. The first 2 days of hearings will be limited to hearing the views of State officials responsible for the reclamation of mined lands in their respective States, administration representatives, and representatives of conservation organizations and industry.

Senator JACKSON states that the hearings will be the first of a series; that on-site inspections and field hearings are planned in various parts of the country so that the differing geographical situations and different kinds of mineral development and mining efforts can be thoroughly reviewed and studied; and that it is important that people living in areas where surface mining activities are taking place be given an opportunity to present their views to the committee.

NOTICE OF HEARINGS ON SENATE RESOLUTION 108

Mr. CRANSTON. Mr. President, I announce, for the information of Senators, that the Special Subcommittee on Hu-

man Resources of the Senate Labor and Public Welfare Committee will hold hearings on Senate Joint Resolution 108, the Population Stabilization Resolution, on Tuesday, October 5, and Friday, October 8, at 9:30 a.m. in room 4232 of the New Senate Office Building.

These are the second and third hearings on the resolution, of which the Senator from Ohio (Mr. TAFT) and I are the principal sponsors. If enacted, the resolution would establish a national policy of achieving population stabilization by voluntary means consistent with human rights and individual conscience.

Among those testifying tomorrow, October 5, are former Secretary of the Interior Stewart Udall; Ellen Peck, author of "The Baby Trap"; Robert Lamson, staff associate at the National Science Foundation—testifying as a private citizen—and George Grier, of the Washington Center for Metropolitan Studies and author of its recently issued report projecting the possibility of achieving population stabilization during this century. At 1:30 tomorrow afternoon, October 5, we will receive testimony from Nobel Peace Prize winner Norman Borlaug.

Friday's hearing will include testimony from economist Alan Sweezy of the California Institute of Technology, Leonard Lee Lane, associate political director, Zero Population Growth, as well as a panel of experts on family planning services and population research programs. The panel of experts will include Dr. Leslie Corsa, Jr., director of the Center for Population Planning at the University of Michigan, School of Public Health; Dr. Oscar Harkavy, director of the population program, Ford Foundation; and Mr. William Nicholas, former director, Los Angeles Regional Family Planning Council, and cochairman, family planning directors' forum.

Additional hearings will be held the following week on October 12, when representatives of the administration will testify, and on October 14, when additional public witnesses will present testimony.

NOTICE OF HEARING ON FLAMMABLE FABRICS AND OTHER FIRE HAZARDS TO THE OLDER AMERICAN

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Idaho (Mr. CHURCH), I ask unanimous consent that a statement by him relating to a hearing on flammable fabrics and other fire hazards to the older American be printed in the RECORD.

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

HEARING ON FLAMMABLE FABRICS AND OTHER FIRE HAZARDS TO THE OLDER AMERICAN

Mr. CHURCH. Mr. President, the Special Committee on Aging will conduct a hearing on "Flammable Fabrics and other Fire Hazards to the Older American," on October 12 at 10 A.M. in room 3110, New Senate Office Building.

Our purpose is to explore issues related to possible dangers which arise to the elderly because of fire hazards related to materials with which they may come into contact, perhaps to a greater degree than in other age groups. In addition, there is reason to believe that many elderly persons may be especially vulnerable to such hazards.

Our Subcommittee on Long-Term Care, under the chairmanship of the Senator from Utah (Mr. Moss), has already performed an invaluable service by taking testimony on recent nursing home fires in which smoke from carpeting apparently was a major cause of death. The hearing on October 12 will focus primarily upon the noninstitutionalized elderly.

ADDITIONAL STATEMENTS

ADDRESS BY SENATOR ELLENDER BEFORE ANNUAL MEETING OF SOUTHWEST LOUISIANA ELECTRIC MEMBERSHIP CORP.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD the address I delivered before the annual meeting of the Southwest Louisiana Electric Membership Corp. at Lafayette, La., on October 2, 1971.

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

ADDRESS BY SENATOR ALLEN J. ELLENDER

Ladies and Gentlemen: Since August 15, the White House and Congress have been in an uproar over this nation's financial status. They are screaming that the American dollar is in trouble. They are complaining that our exports are dwindling. They are screeching that inflation is running a race with unemployment and that both of them are setting records.

I sympathize with the President's economic problems. He is absolutely right. We are in deep financial trouble.

However, I am a little puzzled by the sudden uproar about our financial condition. Some people act as though we have just fallen over an economic cliff. That is not the case at all. We have been tumbling down the side of the economic mountain for years. I know, because I have been yelling for help for a long, long time. But, we got more ridicule than help when we complained about old-fashioned fiscal responsibility.

Some people in Washington act as though the horse just broke out of the economic barn. Well, that old nag is not just out of the barn, he is already down the road many, many miles. If I were not so young, I would be tired trying to catch him. But, maybe, now we will get some help.

Ladies and gentlemen, it is bad manners for an 81-year-old man to say "I told you so." But I am going to say it anyway because some people still are not listening to common sense.

You do not have to be an economist to know we have been getting in economic trouble for years. Any housewife can tell you that prices have been shooting up like a rocket for a mighty long time. She sees that every time she goes to a grocery . . . and every time she buys shoes for the children.

Any farmer can tell you that prices for machinery have been climbing for years.

And anybody buying a car or electronic equipment could have told you years ago that we were losing ground on the world market.

The engineers who have been out of jobs for months know that unemployment is not a new problem.

Baton Rouge has been over the six per cent unemployment rate for a long time. So have a lot of other cities throughout our country.

Until August 15, nobody paid much attention to our speeches about the gold crisis. The sophisticated economists said we did not have to worry about our gold supply dropping from 22 billion dollars in 1957 to 10 billion dollars this year. At the same time, our liquid liabilities to foreigners increased from 15 billion dollars to 49 billion dollars. But only old-fashioned bookkeepers worry about such things.

The concern about inflation started to grow in Congress a few years ago. We gave former President Johnson the power to freeze wages and prices. But he did not use it. President Nixon inherited that same power in 1969. But he waited until mid-August of this year to use it.

Meantime, our economic problems have galloped a long way down the road. Today, in the midst of all the sudden concern . . . we are hearing a lot of solutions to our economic problems.

President Nixon has come up with his New Economic Policy. . . . which is quite a switch from his old policies. The various Presidential candidates have come up with some amendments to that policy. So have a lot of other so-called experts. Even foreigners are telling us how to run our economy. . . . for their benefit.

I will support President Nixon's legislative package, although late in coming.

I will support his request to drop the seven per cent excise tax on automobiles. That might help Americans auto manufacturers complete with Germany and Japan.

I will support the President's request to increase income tax deductions in January. . . . instead of waiting until 1973. Our people certainly need some relief from high taxes if they cannot get relief from high prices.

I will support Mr. Nixon's request to give industry an investment tax credit, although we may settle on seven per cent instead of ten per cent.

I will support these Presidential recommendations—and his ten per cent surcharge on imports—because I believe we have to do something quickly. . . . even if the horse is already out of the barn and miles down the road.

However, the 90-day freeze will not solve our long-term problems. And, so far, no one seems willing to get to the real base of our financial troubles.

The sources of our economic problems are rooted deeply in both our Federal Government and in our present-day attitudes.

The solutions will require a tremendous reevaluation of our priorities. They will require more economic and diplomatic courage than we have been seeing in Washington in ages. They will require study. . . . understanding. . . . and sacrifices by both politicians and citizens.

This nation is in financial trouble for a variety of reasons. One is that we are smothering in our own debt. Another is that we are losing our leadership in productivity to Germany and Japan. A third reason is that we have forgotten how to mind our own business.

Our Federal debt is now over $400 billion. It is larger than the combined debts of all other countries in the world. It is nothing to be proud of or happy about.

Most of us cannot even imagine 400 billion dollars. But if you stretched out 400 billion dollar bills, you could produce a 35-foot wide ribbon that would reach to the moon and back. And with 400 billion dollar bills you could pack nearly 35 hundred box cars. That would make a train 36 miles long.

There are a lot of ways to dramatize the size of our debt.

But the most down-to-earth fact is that the debt amounts to $2,000 for every man, woman and child in the United States—including the 14 million Americans on welfare. I fear that millions of other Americans could not put up that $2,000 today . . . tomorrow . . . or next year.

But the frightening fact is that the debt will be even bigger next year. It will climb nearly $40 billion by next July.

We just raised the legal debt limit from $395 billion to $430 billion. We will doubtless have to raise the limit again early next year. But I will vote against the increase . . . as another protest against our spending policies.

Both the Johnson and Nixon administrations have tried to sugar-coat our economic facts of life.

First, they came up with the so-called "unified budget." In the unified budget concept, you pad your income figures by throwing in all the trust funds—funds for such things as social security payments and highway construction. Since these are dedicated funds, you cannot use them for any other purpose. But the use of those funds to offset expenditures does make the deficit look smaller. But even with the unified budget, the administration had to admit, prior to June 30 of this year, to a $23 billion deficit. It was actually $30 billion.

The White House has come up with a new gimmick . . . the "full employment" budget. That is a concept in which you base your spending on the taxes you would collect if the United States had full employment.

That is like a farmer counting on a full return from every seed he plants. Farmers know that a certain percentage of that seed will never deliver produce to market. They budget less than they would get from a full harvest.

We knew we would not have full employment in this country last year. We know we will not have it this year, nor next, yet the gimmick is still in full use. That kind of thinking will never get us out of financial trouble.

Another reason for our financial troubles is that we are losing our lead in productivity to Germany and Japan. We rebuilt those two countries after World War II. Now we find ourselves straining to compete with them in the world market.

Part of the problem is that our growth in productivity is leveling off. There was a time when most of our wage increases were balanced by increases in productivity. Today, our wage increases must be followed by proportionate price increases . . . simply because there is little increase in productivity to absorb the higher costs.

The result today is price controls. In November, we will have to straddle that thin line that separates government control and voluntary controls. Otherwise, we will be priced out of both the foreign and domestic markets.

Meantime, we continue to pour billions of dollars into other nations. The Senate Foreign Relations Committee estimates we are spending $10 billion per year in one kind of foreign aid or another.

The more aid we give other nations . . . the more competition we are building for ourselves. We must realize that we can no longer support the rest of the world . . . economically or militarily. We have done more than our share in the past 25 years. Uncle Sam can no longer afford such generosity. The time has come for us to start looking after our own interests.

We now have a very serious deficit in our balance of payments. Unless we become tougher traders . . . . unless we quit giving away billions of dollars . . . . unless we insist our allies carry their full share of the free world defense, we will continue to have financial problems.

We can no longer be accused of giving away our wealth. What we are giving away now is borrowed money.

This year we will pay $21 billion interest on that borrowed money. That represents about one-tenth of our national budget.

Defense represents nearly a third of the budget. Foreign aid chews up another large chunk of it.

As a result, we have to cut corners when it comes to taking care of our own people . . . financing our school . . . and developing our land and water resources.

Ladies and gentlemen, you will frequently read that Allen Ellender has argued for an increased spending on public works . . . on school lunches . . . on food stamps . . . on housing . . . and on education. People ask how I can support these increases and still fuss about the national debt. The answer is that I believe in helping our own people. I believe in developing our land and water resources because these projects are justified on a cost-benefit ratio. They are investments to preserve our own land, our own water resources. They pay off handsomely. And the amounts we can squeeze for such worthy projects are small compared to the money we spend to support and defend other nations.

Unfortunately, we count our hurricane and flood control funds in the millions of dollars. We count the money we spend abroad by the billions of dollars. We must change our priorities—to give Americans a better break.

Another reason for our deep financial trouble is that we insist on sticking our noses into other people's business. We should have learned something from the Korean war. I hope we have learned plenty from the Vietnam war.

We will remain in financial and international trouble if we continue to support and defend dozens of governments around the world—some of which do not deserve our support at all.

In my seven trips around the world, I came away convinced that our money was frequently not filtering down to the people. Too often, we have simply supported a repressive government instead of helping the people. If we are going to defend ourselves against communism, we must preserve our own strength, financially as well as militarily. We have been spreading ourselves too thin around the world.

As early as 1954, I reported to the Congress that we should not send American troops to Vietnam under any circumstances. But eventually the Congress gave in to the pressure from the White House . . . the Pentagon . . . and the State Department.

We pumped billions of dollars into Vietnam. Eventually we had to pour over a half-million men to back up that investment. We lost 45,000 lives . . . wrecked the morale of our nation and got ourselves into an economic crisis.

Ladies and gentlemen, if we are going to solve our nation's domestic problems . . . if we are going to reunite as Americans . . . we will have to solve our financial problems. And if we are going to solve our financial problems, we must make up our minds to live within our means . . . just like any family must do.

We must discipline ourselves to compete in the world market again . . . by regaining some of our old enthusiasm and pride in our productivity.

We must learn that we can no longer give away our wealth. Our wealth itself must be rebuilt.

We have to insist that our allies carry their share of the defense load.

We must stay out of internal conflicts in other nations.

We can rebuild faith in this nation. But first we must put our house in order.

MISS BETSY FUNK, LEBANON COUNTY, PA., NATIONAL 4–H AWARD WINNER

Mr. SCOTT. Mr. President, a young lady in Lebanon, Pa., has demonstrated outstanding leadership and citizenship by being named the State winner in the citizenship category of the 4–H national awards program. Her name is Betsy Funk, and I believe her achievements deserve special recognition.

Betsy has planned 4–H meetings and activities throughout Lebanon County and the Commonwealth. Furthermore, today, when youth are curious about government and its functions, Miss Funk provided a means for them to get answers by organizing a county government day for local 4–H'ers. Leadership and spirit of this caliber are valid evidence that our youth are working for a better and stronger America.

Miss Betsy Funk will now advance to the National competition, and she will ably represent Pennsylvania. The Commonwealth wishes her the best of luck.

APOLLO 15—A DREAM COME TRUE

Mr. ERVIN. Mr. President, my grandnephew, Jimmy Hall, of Richmond, Va., was privileged to witness the launching of Apollo 15. After so doing, he wrote an article entitled "Apollo—A Dream Come True," which was published in the Richmond press. Inasmuch as the article depicts the viewpoint of a high school student and is worthy of dissemination on that account, 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:

APOLLO—A DREAM COME TRUE

(By Jimmy Hall)

(EDITOR'S NOTE.—Jimmy Hall, a June graduate of The Collegiate Schools, says he has been a manned spacecraft fan "ever since I can remember." He has faithfully viewed each launch on television, has a sizable collection of books, records, photographs and other space paraphernalia, and has even tape-recorded significant events in nearly every Apollo mission "as an historic record." He is a former youth editor for the Young Virginians section and plans to attend Princeton in the fall with aerospace engineering as his goal. He is the son of Dr. and Mrs. James K. Hall of 8907 Tolman Road.

His invitation to attend the Apollo 15 launch Monday was "the thrill of a lifetime" and this is his story of it.)

Having a dream and fulfilling it are two different things.

Not until recently did I actually consider the possibility of seeing a Saturn V moon rocket in person. But on pursuing the matter further (and with a little help) I was lucky enough to receive an invitation from Dr. James C. Fletcher, administrator of the National Aeronautics and Space Administration, to the launch of Apollo 15.

Through the help of a relative, U.S. Senator Sam J. Ervin Jr. of North Carolina, the invitation included VIP status, which I shared with six to seven thousand other not-very-important persons, who either "knew somebody" or were somebody.

"I WAS LUCKY"

A family in Titusville, Fla., approximately eight to ten miles from the Kennedy Space Center, was kind enough to allow me to stay with them. I was lucky. All lodging accommodations were packed within a 50-mile radius of the Cape months in advance, according to the Greater Titusville Chamber of Commerce. Estimates of up to one and a half million visitors had been made.

Upon arriving at Kennedy Space Center,

I found it impressive at once. To realize that this is the only location in the world from which man has left for the moon, and where man has begun countless important accomplishments, fills an onlooker with excitement and almost a feeling of perhaps reverence.

PEOPLE RESPONSIVE

The people of the Cape Kennedy area are very responsive to the thousands upon thousands of space buffs who come from throughout North America to see "a rocket" leave the earth over a period of two minutes, at the greatest. Titusville as well as other space age communities seem to have a united spirit for the program, and this helps give the area a friendly attitude. It consists of pride, and with the large, yet rapidly dwindling number of NASA personnel and its contractors' employees, a persevering devotion is evident.

There is a great deal of unhappiness among the people of the area about the cut in employment, as well as the reduction of manned flights to the moon to only two more, without another one for 10 to 15 years. Perhaps this is what draws the people to the Cape. There were at least two camper-trailers from Alaska. And every other state was represented among the appoximately one million "bird-watchers". Cars from Saskatchewan, Nova Scotia, and Quebec, were also there.

SENSE OF UNITY

The sense of unity is overwhelming. Everyone was interested in the shot; they were proud that they were there and that their nation was performing this program.

The NASA tours are extremely popular. They take you by every important place, including the location where Alan Shepard began his suborbital flight in 1961 by saying "the clock is started," and where his rocket has been re-erected, where the first rocket was launched in Florida 21 years ago, where the Gemini-Titan programs were carried on, and where the Apollo components are put together in the largest building in the world, the VAB (Vertical Assembly Building).

Then, the most exciting location of all, Pad A at Launch Complex 39, is viewed from a distance of about a half a mile, much closer than at launch. The place is just teeming with modern day history, as well as with people who soon realize that the space program may just be a very good investment, with such programs as Skylab, to study the earth's pollution, resources, and other aspects from space, and the Space Shuttle, which will enable a re-usable spacecraft to fly at a tremendous speed, allowing Americans to reach Tokyo in 45 minutes.

EARLY RISING

Yet all this is forgotten and cast aside on Monday morning. It is necessary to arise at 4:45 a.m. to have breakfast, and ride out to Cocoa Beach to get on a bus to the viewing area. The sun rises beautifully and the pad with the gigantic Apollo 15 on it is clearly visible from the distance. The thousands of persons parked alongside the Indian River's banks gaze across to see the vehicle on Merritt Island. The sense of excitement increases.

Our bus, one of countless dozens, arrives at the viewing area, next to the VAB, three and a half miles from the pad, with no obstructions at all. I leave the bleachers behind me and race to get a good seat alongside a rope, perhaps 250 yards further towards the rocket, where all sorts of cameras are being set up. At about T-minus 1 hour 55 minutes, I get set for what I thought would be a slow countdown. Soon, things get a lot more crowded, as they must be at the press site, on the other side of the VAB. Red badges with Apollo 15's insignia, serving as passes, are worn by each person.

Soon, a man from near-by Orlando arrives with his son. Nearby, a young man from New Jersey gets set. We listen intently to the announcements booming across the field from Kennedy Launch Control. Such things as watching the cross-arms leave the rocket and seeing the venting of fuel occupy our time. Cameras are readied and binoculars are glued to the mammoth figure. The man from Orlando gives us his own upgrade on how many minutes remain.

SPURT OF FLAME

Then we hear the last few seconds counted down. At 9:34 a.m., people whisper excitedly "Light, baby, light!" It does light and the first of many applauses sweeps through the crowd. The initial spurt of flame grows into a huge fire. We hear "launch commit", and within seconds, start shaking, screaming, and filming. A terrific popping noise reaches us and many people are utterly speechless.

Unparalleled beauty is before me as I watch the gleaming white bird rise slowly with a beautiful yellow flame beneath it. The fuel used in the first one second of flight would take a Boeing 707 jetliner across country but that fact can't stand up to the beauty of this launch. Soon the bird will be travelling twice the speed of a bullet.

Everyone simply stands and watches this unmatched expression of power, under control trying to get it on firm so they will be able to enjoy it again.

Soon we hear the astronauts, Dave Scott, James Irwin, and Al Worden, confirm a maneuvering program. We watch Saturn V until it goes out of sight in the distance. The ignition of the second stage produces countless sighs and "Wow!"s from the crowd. Thousands of cameras return to ground level. The earth settles once more and people rush away to get into the traffic jam, overlooking the fact that John Glenn, the first American to orbit the earth, is within a few feet of them.

As we leave, the squawk box confirms the fact that our astronauts are already in earth orbit. People wander around with beaming faces—they have seen the launch of a Saturn V and the beginning of a trip to the moon.

OUR LAST FRONTIER

Mr. STEVENS. Mr. President, the history of the State of Alaska is the subject of the cover story in the latest edition of the American Bar Association Journal. The story, entitled "Our Last Frontier," was written by Donald J. Jarosz, who follows the Great Land's transition from the time of purchase by the United States to the present day. His article provides the reader with a capsule history of my State and a look at its progress during the transition from territory to statehood. I ask unanimous consent that the story be printed in the RECORD.

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

OUR LAST FRONTIER

Alaska from the Aleut word "alakshak," which refers to the part of the mainland now known as the Alaska Peninsula, is physically the largest state in the Union (2,260 miles wide and 1,400 miles long). In 1967 Alaska observed its centennial, marking the one hundredth year since its purchase from Russia. The centennial motto, "North to the Future", reflects the hopes and aspirations of the young and vigorous population.

Alaskans are faced with problems not common to other states—a harsh winter climate, rugged topography, limited capital and distant markets—but there are compensations—pure air and water, breathtaking scenery, room to expand and grow, untouched natural resources and many challenges. In its quest for statehood, Alaska faced and overcame many obstacles.

The organization as a territory in 1912 and the introduction of the first statehood bill in 1916 were only two steps in a long series that led to statehood for Alaska. Senator William McKendree Gwin of California was one of the first men to promote interest in the United States' acquisition of Alaska, but his overtures were interrupted by the Civil War in 1861. After the war ended, fishermen of the Washington Territory pushed for acquisition, but it remained for William H. Seward, when he was Secretary of State, to accomplish the purchase.

For many years it was uncertain why Seward had negotiated the purchase of Alaska. Today, the memoirs of the Russian court, reports from Hudson Bay officials and United States Government papers indicate that the purchase was the fulfillment of a gentleman's agreement.

When the United States was in the midst of the Civil War, the Confederate cruiser *Shenandoah* reached Alaska and did considerable damage to American whaling ships. Facing the distinct possibility that France and England might recognize the Confederacy, the Union found in Russia a friend willing to send her fleets to American harbors as a friendly gesture if properly compensated. Seward made a gentleman's agreement with Russia—our government was to pay Russia for this demonstration of seeming friendship.

Czar Alexander fulfilled his part of this top-secret agreement and dispatched his navy to the United States. While part of the Russian fleet was anchored in San Francisco Bay, other vessels visited the Eastern ports of Washington, Boston and Annapolis. When word reached San Francisco that the Confederate navy was nearing the Golden Gate, Russian Admiral Popoff even cleared his decks and made ready for combat.

England and France did not side with the Confederacy, the war ended, Lincoln was assassinated and Andrew Johnson became President. With the war ended, payment to Russia, especially as a war measure, became complicated. The solution seemed to be the purchase of Alaska. Alexander's finances were not as strong as they once had been, the fur trade seemed to be diminishing, and Russia saw the Canadian border as a British menace.

Admittedly, the purchase of Alaska was done in a spirit of venturing into what appeared to be a promising commercial enterprise for the United States. The treaty was signed on March 30, 1867, and the United States paid Russia $7,200,000 (less than 2¢ an acre). In reality, according to one source, part of the payment—$1,400,000—was for the purchase of this new territory, and the other portion—$5,800,000—was for the naval display of friendship and cooperation during the Civil War. The formal transfer took place on October 18, 1867, in Sitka at Baranof Castle, for many years the official residence of the representative of the Emperor of Russia. Alexiei Pestchourof announced the confirmation of the transfer: "By authority from his Majesty of all Russia, I transfer to the United States the Territory of Alaska." On behalf of the United States, Brigadier-General Lovell Harrison Rousseau accepted Alaska, a territory that was to be forgotten for some time by its new owner.

A period of close-fisted commercialism soon followed, and although the administration of Alaska was placed under the Department of War, which loosely governed the territory for the ten-year period immediately following the purchase, little thought was given to the administration of justice, law or government organization. The uprising of the Nez Percé Indians in Idaho caused the withdrawal of the Army in 1877, leaving the settlers of Sitka and Wrangell outnumbered by the hostile Indians and totally unprotected.

Seventeen years after the purchase of Alaska there still was, strictly speaking, no administration of justice until Congress passed "An Act Providing a Civil Government for Alaska", which was approved on May 17, 1884. This is commonly referred to as the "Organic Act", and it constituted Alaska a civil and judicial district, placing the seat of government at Sitka.

Through the Organic Act, Alaska was subsequently provided with a district court "with civil and criminal jurisdiction of district courts of the United States, and such other jurisdiction not inconsistent with the act as may be established by law". Under this act the President of the United States appointed a district judge who was to hold at least two terms of court at Sitka and one at Wrangell each year. In addition, the act made provision for Presidential appointment of a United States attorney, a United States marshal, a clerk of court and four commissioners. "Such commissioners", it provided, "shall exercise all the duties and powers, civil and criminal, now conferred on justices of the peace under the general laws of the state of Oregon, so far as the same may be applicable in said District, and may not be in conflict with this act or the laws of the United States."

With the Organic Act came the first semblance of the administration of justice, although the act was unsurpassed for uncertainty. However, an important factor was lacking: Alaska still had no laws of its own, for by virtue of the Organic Act, the laws of the State of Oregon were declared law in Alaska. No definite improvement was made in the administration of justice or in the organization of the judicial system until 1900, when the Carter Act gave Alaska a criminal code and designated Juneau the capital. It was about this time that notoriety of the vast natural wealth and resources caused Americans to take notice of this territory that had almost been forgotten since its purchase.

Today Alaska, the last American frontier, is anything but forgotten. It has the smallest population of the fifty states, but one of the highest percentages of population increase in recent decades. The more than thirty-five years of territorial status eventually proved advantageous when fifty-five delegates met for seventy-five days at the University of Alaska at College, near Fairbanks, in November of 1955 and drafted the constitution. The delegates to the constitutional convention, drawing on the lessons and experiences of the other states, were able to give Alaska perhaps the finest and most modern constitution of the Union.

The voters of Alaska approved their new constitution on April 24, 1956, by a better than two-to-one majority. The basic structure of the 12,000-word document embodies concepts of good court administration. It provides a bicameral legislature of sixty members, forty of whom are in the House of Representatives and twenty in the Senate. Unlike other states which today find their constitutions hopelessly outdated, Alaska faces none of these problems. The delegates to the constitutional convention provided for a strong executive branch, a truly representative legislature and many modern constitutional provisions including the nineteen-year-old vote, protection of natural resources, an up-to-date Declaration of Rights and provisions for amendments and constitutional conventions.

One of the most outstanding and unique constitutional provisions was the creation of the "borough" system of government. When the delegates met and drafted the constitution, they were especially aware of the needed revision in the system of local government. At the time of statehood there were no counties or area-wide political subdivisions, and, outside the cities and the special districts, there was no local government. "Borough" was defined as a place organized for local government purposes, as opposed to "county", which is simply a unit for state administrative purposes. The borough provides three mandatory services—planning and zoning, education, and tax collection and assessment—and is designed "to provide for maximum local self-government with a minimum of local government units, and to prevent duplication of tax levying jurisdictions".

Alaska's transition from territory to statehood was a long, slow process. Since statehood, Alaska has grown politically, socially and economically. The cover of this issue shows the modern State Court Building in Anchorage superimposed on Alaska's state flag. Although Alaska lacks some of the older, historical landmarks and buildings found in other states, it does not lack a long and interesting history.

WALL STREET JOURNAL WARNS AGAINST DISC PROPOSAL IN NEW TAX BILL.

Mr. PROXMIRE. Mr. President, one of the little noted proposals in the President's new economic policy is that for a "Domestic International Sales Corporation," commonly known as DISC. It is now a part of the tax bill in the House.

As the Wall Street Journal points out, the DISC proposal may revive the "tax haven" idea that Congress stopped a few years ago. It allows corporations to "defer" Federal income taxes on profits from exports, but the proposal may well allow an exemption from taxes altogether, rather than merely defer them.

The danger is that DISC will not only become a huge new tax loophole, but that this will happen with virtually no increase in exports which is the stated purpose of the proposal.

Virtually every expert economist who has studied the proposal has come out against it. The House Ways and Means Committee has already reduced its impact and effect. Hopefully, the Senate Finance Committee or the Senate, will kill it altogether.

Mr. President, I ask unanimous consent that the editorial, entitled "That Shiny Disc," published in the Wall Street Journal of September 30, 1971, be printed in the RECORD.

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

THAT SHINY DISC

While not everything can be applauded in the new tax package that emerged from the House Ways and Means Committee last week, there is at least one evidence that the committee is fulfilling its obligation to check administration inpetuosity.

Chairman Mills and his committee took some of the shine out of an administration tax gimmick designed to encourage American business corporations ta step up their export activity. If the idea disappears entirely before the tax bill becomes law, it will be no great loss.

The idea in question is the administration's proposal that American corporations be allowed to set up "domestic international sales corporations," or "DISCs," to handle their export business. DISCs would be allowed to "defer" federal income taxes on profits from exports if those profits were applied to new export or "export-related" activities.

In a recent Washington Post article, Harvard Law School tax expert Stanley S. Surrey said that the administration proposal would, to a large degree, have been an exemption, not merely a deferral, that it would have revived the "tax haven" idea that Congress tried to kill nine years ago and that it would have cost the government some $1 billion a year. Professor Surrey, who was the Treasury's top tax specialist in the Kennedy and Johnson administrations, added that there is very little assurance that the tax bonus would in fact boost exports appreciably.

Professor Surrey's objections are persuasive and can be augmented. The use of special tax incentives to further public policy is a doubtful technique in principle, to begin with. It soon gets the entire tax structure out of kilter, creating loopholes for some taxpayers and transferring to others the burden that has been lifted from the fortunate. The result is a sense of unfairness and ill will among taxpayers, which is the first step towards wide scale efforts at evasion.

There are still other objections. DISC is another example of the practice, which is becoming too popular, of trying to fudge against the accepted rules of international trade.

U.S. authorities who try to justify such activities insist that other nations give incentives to exporters. They do, but such things are partly a matter of degree, and few nations have gone as far as the original DISC proposal would have gone towards an outright exemption from income taxes. The U.S. already is inviting retaliation from its trading partners for its 10% surcharge on imports and it is not likely that tense trade relations can withstand much further aggravation.

Further, there is a serious flaw in the idea that subsidizing industry somehow makes it more competitive. A subsidy supplies the means to become less, not more, competitive, as should have been adequately proved a long time ago by the heavily subsidized U.S. ocean shipping industry.

Despite all these objections and despite the fact that DISC-type proposals have been cut out of some tax bills of past years, Ways and Means did not kill DISC outright this time. The committee tried to provide that the tax benefit would actually be an incentive and at the same time sharply cut its potential impact on revenues. In the new version, DISC tax benefits would be based mainly on the amount by which their export sales exceeded the three previous years.

Treasury Secretary Connally doesn't think this would be sufficient "incentive" to exporters. In our view, it is a better incentive than the original, since only measurable gains would be rewarded.

But the Ways and Means version still doesn't answer the objection to tax incentives in principle. Nor does it preclude the possibility that once DISCs are established they will win further concessions. With that thought in mind, we would be very happy if the full Congress decides to send this particular DISC sailing, far enough that it wouldn't be likely to return.

PREVENTIVE DETENTION AND NO-KNOCK WARRANTS

Mr. ERVIN. Mr. President, the New York Times for September 27, 1971, published an article by Robert M. Smith reviewing the history of the first 7 months' use of the preventive detention and no-knock provisions of the controversial District of Columbia Crime Act. This article discloses that the preventive detention provisions of this act have been invoked only seven times and the no-knock provisions have been invoked only three times during this period of 7 months. While the article does not so state, my information is that four of the cases in which the preventive de-

tention provisions were invoked were cases involving persons arrested for crimes while on probation. In my judgment, this article makes it manifest that these provisions of the act are virtually worthless as instruments for enforcing the criminal law. Moreover, as I have repeatedly stated, they are affronts to basic liberties.

I ask unanimous consent that Mr. Smith's article be printed in the RECORD.

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

DETENTION POWER AND NO-KNOCK WARRANTS USED LITTLE IN CAPITAL; OTHER STEPS EFFECTIVE

(By Robert M. Smith)

WASHINGTON, September 26.—In the nation's first experiment with preventive detention and no-knock police warrants, prosecutors, judges and police officials here are making scant use of either one of the controversial crime control measures.

But other less widely discussed changes—an increase in judges, an extension of felony jurisdiction, a shift of some juvenile cases to adult court, the "decriminalization" of some family offenses—are having a major impact.

It has been seven months since the comprehensive law providing for those changes went into effect, over strong constitutionalist objections but with the Nixon Administration's hope that it would serve as a model for the nation.

In that period three no-knock warrants have been issued and seven individuals have been held under preventive detention.

The police say they are intentionally limiting the use of no-knock warrants to necessary and important cases. But preventive detention has been found to involve so complex and time-consuming a process that it is being widely avoided.

In its place magistrates appear to be detaining defendants they consider dangerous by setting high money bail, an expedient that is not uncommon elsewhere but that here deprives the accused of precisely the due process hearing that preventive detention would call for.

FINDING THE "EASY WAY"

"We have between one and four cases a week that we consider are proper for preventive detention," John F. Rudy 2d, an assistant United States attorney said in an interview. "But usually in those cases high money bond is set."

In setting bond, magistrates are not supposed to weigh a defendant's possible danger to the community, as they would do at a preventive detention hearing; their sole criterion should be whether they think he will flee.

But faced with a prosecutor reluctant to ask for detention and a three- to six-hour hearing if he does ask for it, high bond of $10,000 or more is, in the words of someone who is involved in the system every day, "the easy way."

The single most important element in the crime control package, it is generally agreed, is the reorganization of the district's courts.

Among other things, the law has extended the Superior Court's jurisdiction to include some felonies, increased the number of judges on the court by 10 to 37, and created the job of court administrator to handle the budget, hire nonjudicial personnel, and schedule staff and supplies for court sessions.

Chief Judge Harold H. Greene is proud of the results. "Felony indictments are doubling this year," he said. "For the last 20 years, there have been about 2,000 cases. What happened was the District Court was not capable of trying more than 2,000 felonies, so the others were broken down to misdemeanors."

BACKLOG CLEARED

Since taking over jurisdiction in some juvenile cases, Superior Court has succeeded in clearing up a backlog of 5,000 juvenile cases. Judge Greene says juveniles are now being tried within 45 days. Previously, there were delays of up to a year or more.

Under the act, the United States attorney may determine which juveniles he wants to try in adult court. In the past a hearing before a judge was required before a juvenile could be tried in adult court.

Now, in cases involving rape, homicide, armed felony and some burglaries, the decision is made by the prosecutor. That discretion is now under challenge in appeals court.

Lawrence H. Schwartz of the Public Defender Service estimates that "about 60 per cent of the juveniles are now tried in adult courts."

Under another provision of the act, juveniles' jury trials have been eliminated. This, Mr. Schwartz says, "means kids can't get fair trials. We were winning at least half or better of our cases with jury trial. With court trials, I can count on one hand the number we've won."

In a recent challenge, the Supreme Court ruled that juveniles need not be tried by a jury.

The crime control act also created a Commission on Judicial Disabilities, heartening those critics who think that judicial laziness and irresponsibility have reached scandalous proportions.

The commission, made up of a Federal judge, two lawyers and two laymen, investigates complaints of misconduct by judges and can impose a range of punishments up to removal, subject to higher review. It has already taken a number of complaints under consideration.

The lawyer for the D.C. police department, Gerald M. Caplan, explained the value of the commission this way:

SHIFT ON FAMILY OFFENSES

"We have judges that feel like playing golf on Friday or come into court at 11 o'clock instead of 9:30. And sometimes a policeman avoids making an arrest to avoid getting into some crazy judge's court. This is important symbolically, and because it will temper intemperate judges."

Another important provision of the court reorganization allows intra-family offenses to be handled by social workers or through a civil relief order telling the husband to stay away from the wife.

There have been an average of 200 such cases a month since the law went into effect. Of those, more than 350 either have been or will be before full court hearings, with the rest handled by social workers.

Despite the wide impact of such court changes, by far the most attention was devoted to the new law's preventive detention and no-knock warrant provisions as it was progressing through Congress.

When the omnibus crime control bill was introduced, Attorney General John N. Mitchell said it would "point the way for the entire nation at a time when crime and fear of crime are forcing us to alter the pattern of our lives."

Senator Sam J. Ervin, a North Carolina Democrat and civil libertarian, said the bill was "as full of unconstitutional, unjust and unwise provisions as mangy hound dog is full of fleas."

Despite Mr. Ervin's protests, the crime bill passed. The President signed the bill last July, and no knock and preventive detention have been available to the police and prosecutors since February.

OTHER REASONS CITED

Aside from the fact that preventive detention hearings sometimes take as long as the trial itself would, there are a number of other reasons why the Government has not sought preventive detention:

The bill provides for holding for five days anyone on parole or probation while the authorities decide if the new charge against him warrants revocation of his freedom. Mr. Rudy explained that "generally when we get a person we would consider for preventive detention, he is on probation or parole and generally the probation officer or the parole board will move for revocation."

The Government must reveal a good part of its case to the defense to prove to the magistrate or judge that the man it wants detained is likely to be found guilty.

The Government attorneys do not feel they gain much from holding a man for only 60 days. As one of them said, "Offer me 120 days for all that effort, and we'll talk about it."

The Government has been waiting for strong cases.

One challenge to preventive detention is already before an appeals court. Citing the Eighth Amendment and the Due Process clause, as well as other parts of the Constitution, it asks that the preventive detention section of the law be struck down.

As an example of how preventive detention works, two of the seven defendants detained so far were alleged to have robbed a supermarket. According to the prosecutor, they were found about 20 minutes after the robbery in a car with the money, a gun and their accomplices. He said they were both narcotics addicts. The two were detained, and while they were in D.C. jail awaiting trial pleaded guilty.

Given the problems associated with preventive detention, why has the Administration already proposed a bill that would make it apply in Federal courts in all the states?

According to Donald E. Santarelli, an associate deputy attorney general and self-proclaimed "captain" of the Government's preventive detention team, "because we hadn't enough experience with it before we put it in again."

Mr. Santarelli blames the peculiarities of the district for the limited use of preventive detention. "In this jurisdiction," he said, they want to take six days to do it. In other jurisdictions, it needs six hours. It's treated too complexly and it doesn't need to be. The United States Court of Appeals sets the tone and it's clearly a liberal court."

USE OF NO-KNOCK CLAUSE

The no-knock statute, under which the police may apply to a magistrate for a warrant that lets them enter a house without announcing their authority and purpose, has not been stymied by the courts, however. Mr. Caplan, the lawyer for the D.C. police department, explained why it has been so sparingly used this way:

"We've been reserving it for only the most important cases. Everything the police is given is subject to abuse. We never intended to use it routinely. It was always viewed as an extraordinary law enforcement need."

To try to make sure it stays extraordinary, Jerry V. Wilson the chief of the D.C. police, has issued an order requiring that he personally approve all requests for no-knock warrants.

Two of the warrants used so far have been for gambling raids. The third was issued in a narcotics case, but on the ground that the suspect was armed.

In the first gambling case, the police said they needed to burst into the apartment because it was on the third floor and if they announced themselves downstairs the suspect might have destroyed the gambling paraphernalia. They got their man—on his way to an adjoining room.

In the second case, the man had been arrested before, but had been able to throw all of his betting slips, which were water-

soluble, into a bucket of water. He was still able to destroy some of them when the police burst in unannounced, apparently because it took them some time to knock down his well-buttressed door.

In the third case, the police were after an alleged narcotics distributor whose nickname was "yellow" but who reportedly carried a gun. They made the arrest, and he did have a pistol.

CREATURE OF THE PRESS

Mr. Caplan contends the no-knock issue was "a creature of the press."

"Every jurisdiction has no-knock," he said. "We've always had no-knock. The law never says how long a policeman has to wait after knocking—what, five seconds? ten seconds?"

Judge Greene calls the no-knock statute "the anti-perjury bill of 1970—it excuses the officers from saying they knocked."

In the end, Mr. Santarelli and his colleagues in the Justice Department argue that it is not any one of these specific provisions that really count.

"The biggest significance of the act," Mr. Santarelli said, "is that it has focused public attention on improving the system. Money is being broken off for every level."

"In the fall of 1968 there was almost a hysterical despair about crime here," he continued. "The climate now has not returned to the gay 'nineties, but it is a lot better than it was."

Others agree, like the prosecutor who said, "Psychologically, at least, people are beginning to feel it's not all geared to protecting the defendant."

Some, like Senator Ervin, remain very worried about what they see as an impairment of constitutional rights. Others argue that the bill does nothing about the economic and social causes of crime. And others point out that the streets of downtown Washington are still empty at night.

When all the results are in, however, even Mr. Santarelli does not hope for too much.

"The bill," he pointed out, "was a comprehensive approach to the whole criminal justice system." But, he acknowledged, "There's so much cumbersomeness in the whole damn system that no matter how and where you tinker with it, the thing manages to elude you."

THE CRISIS OF INADEQUATE RETIREMENT PLANS

Mr. CRANSTON. Mr. President, the tragic economic squeeze on Americans who are struggling to survive on fixed retirement incomes is one of the most deplorable effects of continuing inflation. Older Americans are the hardest hit by inflation. Pension rate increases fail to match cost-of-living increases. People who have worked hard all their lives to provide for their senior years retire only to find that the comfort and security for which they have toiled have vanished in a puff of high-priced smoke.

The largest group of retired Americans are those who depend upon social security, which supports only a bare subsistence. When H.R. 1, the Social Security Amendments of 1971, comes before us, I will support not only increased benefits for our older citizens, but also automatic cost-of-living increases, higher outside income allowances, lower age eligibility, and the requirement that States pass along social security increases to people who are also recipients of public assistance allowances.

As the new chairman of the Railroad Retirement Subcommittee of the Committee on Labor and Public Welfare, my first task was to consider legislation to increase railroad retirement annuities. I appreciated the support in the Senate for a 10-percent annuity increase, which was signed into law by the President on July 12. The amendments extending the time limit for the Railroad Retirement Commission will afford us an adequate opportunity to study the report. I believe we must seize this opportunity to find a solution which will not further jeopardize the already overburdened railroad retirement account and at the same time will relieve railroad retirees and their survivors.

Many Americans devote a major portion of their lives to the service of their Government and to their fellow citizens. Yet, at retirement, these Federal employees meet with discriminatory policies of compensation, health care, taxation, and survivor benefits. For this reason, I have joined with the Senator from Utah (Mr. Moss) as a cosponsor of a series of bills designed to remove these inequities. S. 1445 would establish a $200 per month minimum for a retiree with one or more dependents and a $100 per month minimum for a single retiree. S. 1444 would raise the Government's contribution for health insurance from 40 to 50 percent. S. 1442 would allow a tax deduction for the first $3,000 of civil service annuities—both social security and railroad retirement benefits are already tax exempt. S. 1443 provides restoration to full annuity to the annuitant whose dependent for whom he has also provided dies before he does.

A number of bills have been introduced to lower the age at which civil servants can retire without penalty. Permitting Federal employees to retire early would release many jobs which are desperately needed during this crisis of unemployment. Unfortunately, the administration, which is largely responsible for the dismal state of the job market, has announced its opposition to early civil service retirement programs, because of the cost.

The retirement system for career servicemen is in need of overhauling. This is another group which has performed faithful service to its country. There is a great need for the recomputation of military pay for servicemen whose active duty began prior to 1958. Retired career veterans from World War II, widows and survivors must have our help if they are to meet the increased cost of living.

Teachers who move across State lines during the course of their careers lose their retirement credit with each move to a new State. S. 2082, which I had the pleasure of cosponsoring with our distinguished colleague from New Jersey (Mr. WILLIAMS) would set a formula under which teachers moving from State to State would not be penalized in later years. This legislation is long overdue.

And speaking of the portability of teacher retirement plans, one of the areas we have most neglected legislatively is that of mobility from one retirement classification to another. For example, the person who works for a part of his career under social security and then goes to work for the Federal Government often receives very low annuities under both plans. He would have received much more had he spent his entire career under one plan. I believe we should work toward the formulation and early passage of legislation which would realistically meet the needs of our increasingly mobile society.

PROF. RICHARD N. GARDNER COMMENTS ON INTERNATIONAL ECONOMICS

Mr. STEVENSON. Mr. President, I had the good fortune recently to come across testimony of Prof. Richard N. Gardner before the Committee on Foreign Affairs of the House of Representatives. Professor Gardner was Deputy Assistant Secretary of State for International Organization Affairs from 1961 to 1965 and more recently has served on the President's Commission on International Trade and Investment Policy. His comments on international economics are timely, and I commend them to the Senate.

I ask unanimous consent that Professor Gardner's testimony be printed in the RECORD.

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

TESTIMONY OF RICHARD N. GARDNER

My central thesis today can be summarized as follows: The United States, Europe, and Japan are drifting into an economic war. It can be avoided only by a major negotiation launched at the highest political level. This negotiation should cover trade, monetary and investment questions. It should deal not only with urgent short-term issues but with long-term arrangements. Its aim should be bold—the elimination within this century of all barriers to trade and investment between the OECD countries. Success in this extraordinarily difficult negotiation will require major concessions from all the parties—including the United States—and an unprecedented strengthening of international economic organizations.

I have reached these conclusions after serving for the last year as a member of President Nixon's Commission on International Trade and Investment Policy, sometimes referred to as the "Williams Commission" after its able Chairman, Albert L. Williams of IBM. This Commission consists of 27 members and includes the heads of major American business firms, trade unions and farm groups, as well as a few members of the academic community like myself. We were assisted by a staff of distinguished economists and heard testimony from nearly 100 experts from all over the world. Our report, which covers more than 300 pages plus two volumes of supporting documents, was submitted to the President in July, and made public on September 13. Whether one agrees with its conclusions or not, it is certainly the most comprehensive examination of our international economic policy that has ever been undertaken.

Let me emphasize that the views I express today are mine alone—they do not necessarily represent the views of the President's Commission. But I believe they are consistent in most respects with the Commission's report and find support in the statistics and supporting papers attached to it.

President Nixon's actions on August 15 have had the salutary effect of forcing the principal trading nations of the world to reform the presently inadequate system of economic arrangement. This "shock treatment" will prove beneficial, however, only if

it is followed by constructive therapy in the form of multilateral negotiations based on a willingness by all major countries to re-examine their policies and take a broader view of their national interests. A successful outcome, I believe, will require progress in five main areas.

U.S. DOMESTIC POLICY

In my own view, the most fundamental cause of America's trade difficulties has been our domestic inflation resulting from the Vietnam war and the failure of the Johnson Administration to pay for it on a current basis with taxation. Between 1965 and 1969, U.S. wage costs per unit of output in manufacturing rose much more rapidly than in Europe and Japan. In only two major European countries did wage costs per unit of output in manufacturing rise faster than in the U.S.—England and France—and these countries more than compensated for this by devaluing their currencies against the dollar.

The impact of inflation on our trade and payments position has been devastating. A study prepared for the Williams Commission by Robert Solomon of the staff of the Federal Reserve Board estimated that our trade surplus and balance of payments position would have been better by $4—$6 billion a year had we maintained the same record of non-inflationary growth in the second half of the 1960's that we did during the first half. I do not say that Vietnam and domestic inflation are the whole cause of our trade difficulties, but I believe they are the major cause. We should not get ourselves into the frame of mind that the problem is mainly caused by the policies of other nations (though they have been a contributing element) or by a built-in inability of the United States to compete in world markets.

We cannot correct the errors of the past, but the United States simply must achieve a record of wage and price stability in the 1970's at least as good as its industrial trading partners. This should not be impossible in the light of inflationary pressures in Europe and Japan. As the Williams report emphasizes, however, the United States will not succeed in this goal by monetary and fiscal policy alone. We must curb our inflation—but we must also reduce our rate of unemployment to a level that is politically and morally acceptable. To do this our government must develop an incomes policy, which is to say it must bring the public interest to bear on wage and price decisions. This will mean a system of federal wage and price guidelines to guide decisions by business and labor, with federal government power to enjoin wage and price increases in exceptional cases, where these guidelines are clearly violated. The difficulty of administering an incomes policy is great, but the difficulty of carrying on without one in the present circumstances in even greater.

There are other things that the United States can and should do to restore and maintain its international trade position. The U.S. government should undertake a major program to increase U.S. exports by assisting research and development in the export sector and by expanding facilities for export credit. It should undertake a comprehensive industrial and manpower policy to facilitate adjustments within the U.S. economy. Part of this policy should be a vastly expanded program of adjustment assistance to retrain and relocate workers who lose their jobs due to import competition. Adjustment assistance should also be granted to business firms and communities injured by imports, so that they can adapt to new lines of productive activity. A comprehensive program of adjustment aid is needed not only to restore the health of the American economy but to make liberal trade policies politically acceptable.

BALANCE OF PAYMENTS ADJUSTMENT AND INTERNATIONAL MONETARY REFORM

The Administration is clearly justified in asking for a realignment in the currencies of the major trading nations. It is obvious that liberal trade policies cannot survive at present exchange rates. Since the Second World War the rest of the world, with few exceptions, has been devaluing against the dollar. The Japanese obstinately held to their parity of 360 yen to the dollar from 1949 until last month, ignoring the profound change in their relative economic position. Moreover, our severe inflation since 1965 has necessitated realignments vis-a-vis other surplus countries as well.

The surplus countries of Europe and Japan should also make their full contribution to adjustment by removing remaining import quotas, export subsidies and restrictions on capital exports as well as accepting a more equitable sharing of defense costs.

We also need reforms in the international monetary system that will permit greater flexibility in exchange rates. We need a wider band in which rates can vary around parity in order to discourage speculation and short-term capital flows resulting from differences in interest rates. We also need more timely parity changes in response to changes in fundamental economic conditions. European monetary integration should be carried forward with a view to permitting greater flexibility for European currencies to move as a group against the dollar.

On these points the recommendations of the Williams Commission are broadly consistent with Administration Policy. But a special word is necessary on the import surcharge imposed on August 15.

The Williams report, which was completed in mid-June and submitted to the President in mid-July, did not recommend the imposition of an import surcharge at this time. What it said was this: "If our balance of payments problem persists, and if other countries find a further accumulation of dollars objectionable, the United States should indicate its readiness to adopt a temporary uniform import tax and export subsidy." (Williams report, pages 11 and 42.) Of course, our trade and payments situation deteriorated sharply between mid-June and August 15 and it is possible that in the circumstances that faced the President in August the Commission might have supported the imposition of the surcharge *before* further negotiations instead of proposing that it be held in reserve during negotiations.

Moreover, it should be stressed that our Commission linked the surcharge only to solution of the world payments problem. We specifically voted down a suggestion that it be used as a bargaining device to secure changes in trade policies of foreign governments across-the-board, such as the European Community's farm policy and preferential arrangements or nontariff barriers in Europe and Japan.

Speaking personally, I would hope the Administration in the near future would indicate its willingness to remove the surcharge once satisfactory currency realignments have been agreed to and agreement has been reached in principle on a system for more flexible exchange rates. To preserve our bargaining position in the latter negotiation we could announce a timetable for the removal of the surcharge in two installments of five percent, with the first installment to be carried out concurrently with the parity changes and the agreement in principle on currency flexibility and the second installment to be carried out in a year assuming that the latter agreement has been embodied in appropriate international instruments.

An approach along these lines would seem to be required by the rules of GATT as interpreted by the United States in recent years. When Britain, France and Canada imposed import surcharges during the last decade we were prepared to accept them only when coupled with a firm timetable for removal. It can be reasonably argued that the Contracting Parties of GATT have now accepted the legitimacy of import surcharges for balance of payments reasons as well as the quantitative restrictions specified in Article 12, but it should be noted that Article 12 only permits restrictions for balance of payments reasons. We have no legal or moral right to cancel the Kennedy and Dillon Rounds unilaterally as a bargaining device to force a comprehensive re-writing of all the trade rules in our favor.

Moreover, a limited set of conditions for removal of the surcharge serves our national self-interest. If we make our list of conditions a long one, or fail to specify them, the surcharge will become an obstacle to the currency revaluations we seek rather than a stimulus to them. The more conditions, the longer the surcharge is likely to remain, and the longer it remains the greater will be the domestic pressures for keeping it and the foreign pressures for retaliation. Moreover, the longer it remains the more it feeds our domestic inflation, drives up the cost structures and undermines our competiveness.

URGENT TRADE QUESTIONS

Some policies of Europe and Japan have undermined the U.S. trade position and added fuel to U.S. protectionist demands. In addition to the unjustifiable restrictions on imports and capital export already mentioned, there are subsidies to exports, protectionist policies in government procurement, the Common Market's preferential arrangements with non-members, and its Common Agricultural Policy. Moreover, by its restrictions against Japan the Community is obliging the U.S. to take a disproportionate share of Japanese exports. For example, the United States currently absorbs over 50 percent of Japan's textile and apparel exports while Europe absorbs 5 percent.

The imminent enlargement of the Common Market poses additional problems that must be discussed now. The United States should not sit idly by as the Common Agricultural Policy is extended to the U.K. or as new preferential arrangements are formed.

These matters cannot simply wait until the enlargement of the Community is completed. If a negative U.S. reaction is to be avoided, a parallel negotiation by the Community should be envisaged now to deal with the interests of the U.S. as well as other non-members. From the U.S. point of view the aim of this negotiation should be firm assurances to protect U.S. agricultural exports and also the elimination of preferential arrangements between the Community and other countries. Where preferences are not eliminated there should be full compensation to the U.S. through reductions in Common Market tariffs in accordance with the rules of GATT.

Of course, this negotiation on urgent trade questions cannot be wholly one-sided. Europe and Japan will naturally seek elimination of unjustifiable U.S. restrictions such as the American Selling Price method of customs valuation. We have no reason to be self-righteous in trade matters. In the last decade the number of our imports subject to mandatory or "voluntary" quotas has increased from 6 to 67. The cumulative restrictive impact of these restrictions in trade terms is roughly equivalent to the liberalizing effects on our import trade of the Kennedy Round.

THE LONG-TERM NEGOTIATION

The Williams Commission recommends that, concurrently with negotiations on the

problems discussed above, we undertake longer-term negotiations to prepare the way among the developed countries "for the elimination of all barriers to international trade and capital movements with 25 years." (Williams Report, page 10.)

A commitment to such a program now could transform the present grim climate of economic diplomacy. It would arrest the ominous trend toward economic blocs and assure the gradual elimination of trade discrimination against the U.S. and Japan. The prospect of the gradual opening up of the U.S. and Japanese markets to Europe would provide an important incentive to the Community and the U.K. to accept a commitment to global free trade. By following a gradual approach severe displacement of labor and capital would be avoided, yet there would be an irrevocable movement toward trade freedom on the basis of which people could plan.

The long-term negotiation, in my view, should include these main elements:

An automatic formula for the gradual elimination of tariffs. For example, tariffs of ten percent or less could be eliminated within a period of 20 years, tariffs above 20 percent could be eliminated by the year 2000.

The reduction and eventual elimination of non-tariff barriers. For example, government procurement would be opened upon a reciprocal basis and subjected to internationally agreed rules under the amount of price discrimination in favor of domestic suppliers would be gradually eliminated. (In this connection, the decision taken on August 15 to tie the investment credit to expenditures for equipment produced in the United States is a most unfortunate step.)

The gradual reduction of agricultural price supports and agricultural imports barriers. For reasons of U.S. politics as well as equity, no major effort of trade liberalization is possible unless agriculture is included.

International investment. The rights of American subsidiaries to operate without discrimination in Europe and Japan, the rights of the host countries to subject these subsidiaries to reasonable regulation, and the problems of jurisdictional conflict in areas like anti-trust, balance of payments controls, and taxation—all these questions will require new measures of cooperation in the OECD.

Trade with Communist countries. As the U.S. removes its outdated restrictions on trade with the Soviet Union and China, a common approach to trade with Communist countries should be sought, and these countries should be associated with GATT.

Trade with the developing countries. We need to fix a specific timetable to eliminate the barriers maintained by developed countries against the exports of developing countries if we are to have any hope of success in our attack on world poverty.

Such a comprehensive program could possibly develop out of the recent initiative of Secretary of State Rogers in the OECD. The Rogers initiative has thus far involved procedure without substance. Now that the report of the Williams Commission has been made public, I would hope it could form the basis of broad negotiation among the OECD countries to sort out their economic problems. This negotiation could best be launched by an extraordinary economic meeting of Heads of State, leaving it to a high-level steering committee to supervise the interrelated elements of the negotiations as they unfold in existing international forums.

Such a program will be called "impractical". It is—except when compared with the alternatives. I do not see any other approach that can contain protectionist forces in America and Europe, reconcile European integration with the interests of the United States and other outsiders, and provide the open trading world essential to economic and social progress for all.

Admittedly, the present mood in the United States and Europe is not favorable for such a bold program. The United States may say, "Don't bother us until after Vietnam and the 1972 elections." The Community may say, "Don't bother us until we have worked out our internal problems and our problems of enlargement."

If this happens, I fear the worst. In trade matters, one cannot stand still indefinitely. Unless there is forward movement soon towards a U.S.-European-Japanese understanding, we are going to move backwards. A vicious cycle of economic retaliation could quickly undermine political and security arrangements.

STRENGTHENING THE INTERNATIONAL ORGANIZATIONS

The weakness of the main international economic organizations is one of the reasons for the present crisis. This is not the fault of the agencies themselves; it is the result of the neglect and short-sightedness of their members, including the United States. The IMF has been virtually by-passed in the present monetary crisis. The GATT has been so enfeebled that hardly anyone takes a trade problem to it any more with any real expectation of positive results.

This situation works against the interests of the United States in an open, non-discriminatory system of international trade and payments in which benefits and burdens are fairly shared. A twilight of the Fund or a "Gatterdammerung," if you will pardon the pun, would be a tragedy for most other countries as well.

The United States took the leadership during and after the Second World War in the creation of these institutions. But we have often pursued policies that have weakened these institutions and worked against our long-term interests.

In the IMF, for example, we initially opposed features of the Keynes Plan that would have forced surplus countries to revalue their currencies and take their full responsibility for international adjustment and we rejected the bold concept of a Clearing Union in which international reserves would take the form of an international unit, "bancor", instead of gold and dollars. We insisted that the Fund be supervised by permanent representatives in Washington rather than high-level decision-makers from capitals. In all of these matters we weakened the IMF in ways which we now have reason to regret.

We also failed to throw our full support behind strong international machinery in the field of trade. The unwillingness of the Congress to approve the ITO or even the more modest OTC turned out to be extremely shortsighted in terms of both American and general interests. When, in the 1960s, the United States and others needed a strong international trade agency to sponsor across-the-board tariff cuts, to cope with regional trading groups, to arrest agricultural protectionism, to eliminate barriers to the exports of the less-developed countries, and to deal with new questions like the multinational corporation, many U.S. officials had reason to regret that GATT had been left so long in an undernourished condition. It is more than a little ironic that, in contrast to U.S. participation in OECD, the United States is still not represented in GATT at the ambassadorial level and the Congress still has not enacted any permanent authorization for contributions to the GATT secretariat.

I believe the time has come for a fundamental re-examination of the governing structure of both the IMF and the GATT and of the national arrangements covering our participation in these institutions. We will also need to consider some amendments or supplements to the basic substantive provisions of these institutions.

SUMMARY

One of the dangers in the present situation is that the internal political requirements in the United States, Europe and Japan could become fundamentally irreconcilable. With this in mind, it is important to avoid statements that encourage unrealistic expectations about what other countries can reasonably be expected to do.

The Williams Report includes this significant sentence: "The core of our present difficulty is the fact that government policies and practices, and international arrangements for collective decisionmaking, have not kept abreast of the high degree of international economic integration which has been achieved since World War II."

I believe that statement is correct.

The interdependence of nations has outpaced the development of economic policy. We must find economic policies to match the facts of interdependence or the benefits of interdependence will be sacrificed. This is a challenge to statesmanship second only to the search for lasting peace.

NATIONAL EMPLOY THE HANDICAPPED WEEK, OCTOBER 3–9, 1971

Mr. DOLE. Mr. President, since the end of World War II, the first week of October has been dedicated to increasing employment opportunities for our handicapped citizens. This year by President Nixon's proclamation, National Employ the Handicapped Week will be observed from October 3–9. During this week lunches, speeches, radio, and television programs, and public ceremonies will be conducted to mark the occasion and help the handicapped attempt to capture the public's eye and ear as well as the public's intelligence and conscience. Today, I suggest that we do more than just devote a week to this cause. I propose that this week of dedication to the handicapped be extended throughout the year so that we may do everything possible to fully meet the needs of the handicapped.

Particularly because of the work of the President's two task forces on the physically and mentally handicapped, the past few years have seen outstanding ideas and plans to benefit the handicapped put forward. It is time now to take up where these reports and plans leave off and translate their recommendations and suggestions into reality. By giving the highest priority to the needs and potential of the handicapped, we can help them achieve the fullest measure of self-development and meaningful participation in family and community life.

We are moving closer to this goal. More than 8 million handicapped men and women have found jobs in competitive employment through the public employment offices since 1945. The Federal Government alone in the past 25 years has hired over 500,000 physically or mentally handicapped workers.

REHABILITATION RECORD

Employment, of course, is one end of our Nation's efforts to help the handicapped, help themselves, but education, training, and rehabilitation are the important basic first steps.

During fiscal year 1971, the Depart-

ment of Health, Education, and Welfare reports that a record number of 291,272 handicapped Americans were rehabilitated, meaning that for every dollar invested in rehabilitating a handicapped man or woman, that individual can expect to earn $24 during his working years which will follow his training. The significance of rehabilitation is immeasurable to the individual who becomes a taxpaying contributor, rather than a tax-using recipient, for a return to dignity is the real gain in rehabilitation.

FURTHER GOALS

Yet with these remarkable advances in rehabilitation and employment, we have a distance to go to insure equal opportunities for the handicapped. Nearly two-thirds of the severely handicapped live in families with incomes of less than $5,000 a year, but at the same time, fewer than 30 percent of the 18 million working-age handicapped receive public assistance. Far too many of the employed handicapped remain on the bottom rung of the ladder, just a step above the unemployed handicapped.

Statistics show that the poor person and the handicapped person are frequently the same. Public health service figures reveal that there exists a general ratio of 50 percent disability for families with incomes of under $3,000, and a contrasting 10 to 11 percent occurrence in those families making $7,000 or more.

These figures are even more alarming when one realizes that the number of handicapped continues to spiral relentlessly through birth defects, illness, injury, and war. Today there are 245,000 Vietnam veterans receiving disability compensation from the Veterans' Administration. Several thousand more will be added to this number as they are discharged from the military.

Advances in medical science and swift evacuation have undoubtedly helped to save our veterans, but, as a consequence, we have a far higher percentage of 100 percent disabled men returning from Vietnam. Many of these young men with a lifetime ahead of them return with little more than their wounds. Far too many have not completed their education and have neither training nor experience in skilled jobs.

These young veterans have earned our assistance. Their sacrifices were unquestioned. Our assistance must be unstinting. We must assist the Veterans' Administration in carrying out a complete rehabilitation of these fine men. We must also insure that they are properly placed in good jobs with a good future.

WORK OF THE PRESIDENT'S COMMITTEE ON IMPROVEMENT OF THE HANDICAPPED

The problems of the disabled veterans and the disabled poor have been addressed most capably for the past 25 years by the President's Committee on Employment of the Handicapped. On their anniversary today I wish to commend Chairman Harold Russell for his outstanding leadership throughout the years.

Mr. Russell has dedicated himself and the President's committee to exploring the very difficult problems facing our handicapped citizens and to seeking new ways of meeting and resolving these problems, while continuing their national education and information programs to acquaint the American people with the outstanding qualities of the physically and mentally handicapped worker.

The President's committee depends on its volunteers in every State across the Nation. And these volunteers in turn depend on the American people to rise to the challenge of the disabled veteran and the disabled poor.

THE PRESIDENT'S MESSAGE

President Nixon, in his proclamation naming October 3 to 9, 1971, as National Employ the Handicapped Week has asked for the opening of "a newly self-reliant and fulfilling way of life for many thousands of handicapped men and women."

The President placed particular emphasis on America's "special trust of redeeming the sacrifices of our disabled veterans of the Vietnam era by giving them the very best in rehabilitation and employment assistance."

I would like to join the President in recognizing the partnership of business, Government, and the public which has worked together on the President's Committee on Employment of the Handicapped.

Truly, as President Nixon says:

American society is learning that no handicap is insurmountable when a man has an unlimited view of himself and an ounce of help from his fellows.

I propose that we join together in continuing to provide that "ounce of help" to our disabled fellow citizens. Throughout this entire year we must implement existing recommendations and rededicate our efforts to find new means of helping the disabled Vietnam veteran and the disabled poor.

I ask unanimous consent that the proclamation be printed in the RECORD.

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

[Presidential Documents]

PROCLAMATION 4073.—NATIONAL EMPLOY THE HANDICAPPED WEEK, 1971

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A Proclamation from Beethoven, who could not hear but gave the world magnificent symphonies, to Franklin Roosevelt, who could not walk but led America through giant strides in peace and war, history is full of proof that the whole of human potential is far greater than the sum of its physical parts—limbs or organs or faculties.

It was in recognition of this truth, and of the Hebrew wisdom that "the best alms are . . . to enable a man to dispense with alms," that the President's Committee on Employment of the Handicapped was established 24 years ago. For nearly a quarter century now, business, government, and the public have worked together as partners in this Committee—to open a newly self-reliant and fulfilling way of life for many thousands of handicapped men and women, and to unlock for the rest of us the benefits of the unique contribution each handicapped person has to make. Through such efforts, American society is learning that no handicap is insurmountable when a man has an unlimited view of himself and an ounce of help from his fellows.

This is a record to be proud of—and to build on still more energetically. Our responsibility to help provide training, jobs, and real opportunity for those who are handicapped as a result of accidents, birth defects, or disease, is a continuing challenge. In addition, we bear today the special trust of redeeming the sacrifices of our disabled veterans of the Vietnam era by giving them the very best in rehabilitation and employment assistance.

Now, therefore, I, Richard Nixon, President of the United States of America, in accordance with the joint resolution of Congress approved August 11, 1945, as amended (36 U.S.C. 155), designating the first full week of October of each year as National Employ the Handicapped Week, do hereby call upon the people of the United States to observe the week beginning October 3, 1971, for such purpose.

I urge the Nation's Governors, mayors, and all other public officials, as well as leaders in every area of American life, to join with the handicapped themselves in active participation in this observance.

In witness whereof, I have hereunto set my hand this 13th day of August, in the year of our Lord nineteen hundred seventy-one, and of the Independence of the United States of America the one hundred ninety-six.

RICHARD NIXON.

[FR Doc. 71-12046 Filed 8-13-71; 4:39 pm]

A VOTE OF CONFIDENCE FOR WOMEN IN POLITICS

Mr. PROXMIRE. Mr. President, we can talk and talk about equal rights for both sexes. Husbands and wives talk about it constantly. A certain balance has come to be expected.

In this country the issue of equal political rights for women is just beginning to emerge in the public consciousness. It is a question not only of equal rights for women, but also of equal rights for men. For if women now possess less political power than they deserve as the numerical majority in this country, it stands to reason that men possess more representative power than they deserve, at least on a purely numerical basis.

An abstract value such as equality should not be computed solely on a numerical basis, of course. It seems quite reasonable to me that certain men might represent the true interests of women more adequately than certain women would.

Still, one's sense of justice and equality must be somewhat disturbed at the thought that legislation affecting the welfare of both sexes should be deliberated and decided upon by a body of 99 men and only one woman.

Let us face up to the facts: This body would be more representative of the people of this country if there were more female Senators.

Until the various State constituencies choose to elect more women to high office, however, there are still things that the Senate can do to demonstrate our willingness and eagerness to bring more women into positions of political power in America. For example, the Senate could ratify the Convention on the Political Rights of Women. Although we do not like to think of ourselves as a backward nation, it is interesting to note that over 40 other nations have already gone on record as supporting the convention.

Over 40 nations have acted to demonstrate the commitment to full political

equality between the sexes, but on this issue the United States still lags behind. Mr. President, I strongly urge that the Senate ratify the Convention on the Political Rights of Women. Let the Senate stop delaying consideration of this treaty. The women of America deserve a vote of confidence.

A UNIQUE, EFFECTIVE EDUCATION PROGRAM

Mr. HANSEN. Mr. President, the city of Casper, Wyo., carries out a community health education program utilizing the communications media which is both unique and extremely effective, and which I am pleased to bring to the attention of others.

More than 2 years ago, members of the Natrona County Medical Society joined with businesses, representatives of the news media, and volunteer workers in Casper to initiate the "Dr. Dial" program—a one-of-a-kind effort utilizing several telephone lines to provide to the public important information about health problems.

Surveys were conducted in the public school system at Casper to determine what health questions were in the minds of students. Qualified medical personnel provided the answers to the questions, and these were converted to recorded telephone messages offering professional and helpful information to those who called the "Dr. Dial" numbers. The news media and various businesses and organizations in Casper cooperated to make the citizenry aware of the "Dr. Dial" program. The success of this effort is dramatically demonstrated by the fact that during the 2 years the "Dr. Dial" system has been operating, more than 500,000 calls were logged in this community of 40,000 persons—an average of 3,704 calls per week.

It was not long before news of this outstanding program spread outside of Casper, and the U.S. Department of Health, Education, and Welfare became interested. Impressed by the effectiveness of the "Dr. Dial" program as a means of reaching the public with vital health information, HEW chose Casper as the site for an experimental model program to test utilization of mass communications media for dental health education.

The HEW-aided pilot project, sponsored by the Central Wyoming Dental Society, has been completed and a preliminary report prepared which indicates the program was highly successful and should be tried in communities throughout the country.

Mr. President, the results of the program were excellent, and the reason it was so successful was because of the tremendous amount of local cooperation and mutual effort. The news media—radio, television, and the newspapers—did an outstanding job of making the public aware of periodontal disease, a problem most believe could be totally prevented with proper dental care.

Basic information about the prevention and control of periodontal disease was provided through the four "Dr. Dial" telephone lines at the local hospital, and individuals were informed of ways to self-evaluate and improve their oral hygiene practices through materials available at pharmacies throughout Casper.

The local banks aided the program by including post card questionnaires through their bank-by-mail service to determine how many people were aware of the "Dr. Dial" service and how many had visited a dentist as a result of the program.

It was learned that about 60 percent of dental patients queried had been exposed to the media material. And, as the HEW report states:

The most important outcome of a health education program of this kind is to actually get people into the dental offices for preventive treatment. The most dramatic finding of the Casper project relates to this objective. Approximately 14 per cent of the patient group appeared in the dental offices because they had been reminded by the program of the consequences of dental neglect. More than half of this group acknowledged "Dr. Dial's" influence specifically on their seeking dental care.

The report further notes that:

The Casper project demonstrates conclusively that the potential for dental health promotion through the talent and energy of individual citizens and community groups is enormous.

Mr. President, the approximate cost of this program in a community the size of Casper, excluding developmental costs, would be a ridiculously low $500, because the members of the community provide the manpower and talent to carry it out. They are happy to contribute because the program can only help their city.

Now that the HEW pilot dental hygiene program has been completed, Casper is continuing as before to provide vital information to its residents through "Dr. Dial."

Now contemplated is a drug education program that would be carried out essentially the same as the dental education program. The news media would be called upon to publicize the program, and "Dr. Dial" would continue to advise callers, this time concerning the pittfalls of drug use.

The director of Casper's "Dr. Dial" program is Dr. Louis Williams, a practicing orthodontist and an enthusiastic and committed man. Dr. Williams is working now with others, including experts at the University of Wyoming at Laramie, to help establish "Dr. Dial" health education programs elsewhere.

Mr. President, I believe this to be an outstanding program not only because it is so effective, but because it involves the citizens of a community in an effort to improve their own circumstances. It is such a sensible and logical means of reaching people. I commend those in Casper who have worked on this fine project, and I hope the idea will be examined by other communities.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a brief summary of the "Dr. Dial" dental hygiene program and a listing of some of the Casper citizens, in addition to Dr. Williams, who have helped carry out the program.

I hope to work with Casper citizens as they apply this most effective technique to the problem of drug abuse, and I know they will accomplish a great deal because of their ability to work as a community to meet local problems.

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

SUMMARY

A mass communications system was used in Casper, Wyoming, for a six-week health education project on the prevention and control of peridontal disease. The mass media—radio, television, and newspaper—were used for creating public awareness to peridontal disease and stimulating interest in the program. Five radio and television spot announcements served this purpose. Four open telephone lines at a local hospital which disseminated basic information about the prevention and control of the disease encouraged the public to take action. Six telephone messages, one for each week of the program, served this purpose. These messages were presented by "Dr. Dial," a fictitious but authoritative source of health information in Casper. In addition to the usual opportunity to seek care in the dental offices of the community, individuals were also afforded an opportunity to self-evaluate and improve their oral hygiene practices through educational materials available from the pharmacies throughout the community. These materials were comprised of brochures, disclosing tablets and toothbrushing charts.

The dental health spot announcements were aired 737 times during the six weeks of the project. Approximately 60% of the dental patients who had appointments during the program reported that they had seen or heard the spot announcements on radio or television. A total of 33,394 calls was received by "Dr. Dial," an average of 5,566 calls for each week of the project. The demand for the dental health materials distributed through the pharmacies was low. The most dramatic finding was that 14% of the patients who appeared in the dental offices were there because they had been reminded by the program of the consequences of dental neglect.

This model program is recommended for application in other communities throughout the country.

ACKNOWLEDGEMENT

In addition to the organizations in Casper, referred to in the text of this report, special acknowledgement is made to the following individuals whose assistance in the project contributed a large measure to its success:

Larry Wakefield ("Dr. Dial"), KATI Radio.

Angela Peach, Central Wyoming Dental Auxiliary.

Richard Sheldon, Mountain Bell Telephone Company.

E. D. Merrill, KTWO Television.

James Nelson, President, Natrona County Pharmaceutical Association.

Virginia Lathrop, Blue Envelope Fund.

Sabrina Kincaido, Casper Youth Council.

Warren Perkins, First National Bank of Casper.

Members of the Advisory Committee:

Dr. Donald K. Allen, Dr. A. F. Germon, Dr. Bruce Eddy, Dr. William Harris, and Dr. M. G. Prugh.

Larry Wakefield, KATI Radio; Robert Johnson, Kassis Department Store; Joan Marcus, Casper Star-Tribune; Dana Van Burgh, Jr., Casper Public Schools; and Donn Driscoll, Casper Public Schools.

National Institutes of Health, HEW:

James Secrest, Terry Brickley, Marinora Krause, Dr. Edwin Evans, and Tula S. Brocard.

SOVEREIGNTY OF ROYAL LAO GOVERNMENT

Mr. DOMINICK. Mr. President, a recent column by Rowland Evans and

Robert Novak, published in the Washington Post, provides a most concise and objective assessment of the situation in Laos. Simply stated, the two columnists, writing from Vientiane, conclude that the Royal Lao Government can maintain its sovereignty against invading North Vietnamese troops only with continued U.S. military aid. And they state that Lao officials live in fear of the day the U.S. Congress will end the essential military aid and with it all hope of resisting the North Vietnamese.

Mr. President, this firsthand report comes at a time when once again we are being asked to act to restrict the support which is essential to the survival of the Vientiane government, and at a time when our allies in Asia and other parts of the world are wondering what the Nixon doctrine will mean to them.

For Congress to act to restrict the President's program for support of this country would be a serious mistake, not only because we would in effect be insuring another foothold for Hanoi in its conquest of Indochina, but because it might very well signal others of our friends in the area that Congress is not prepared to support the President in his pledge to help those who are willing to help themselves in the fight against outside aggressors.

I commend the Evans and Novak column, entitled "U.S. and the Agony of Laos," published in the Washington Post of September 27, 1971, to the Senate. I urge Senators to consider its message most carefully as we prepare to vote on this matter. I ask unanimous consent that the article be printed in the RECORD.

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

U.S. AND THE AGONY OF LAOS

VIENTIANE, LAOS.—Dark apprehension inside the Royal Lao government over this country's future stems from the questioned credibility of the Nixon doctrine in protecting small Asian states from Communist aggression.

The facts are brutally simple: This small kingdom can maintain its sovereignty against invading North Vietnamese troops only with continued U.S. military aid. But that aid is being reduced under Washington's budgetary pressures. Far worse, Lao officials live in daily dread that the U.S. Congress—if not this year, then next—will effectively end military aid here and thereby throttle resistance to the invaders.

Apprehension in Laos, then, tends to confirm the worst suspicions about the Nixon doctrine when first enunciated in 1969: That it is not really a system for helping Asian countries wishing to defend themselves but is a cosmetic covering American withdrawal from Asia. Fear grows in this capital that Laos may lose its independence as the price of American disillusionment over mistakes in Vietnam.

Certainly, Laos fully meets Nixon doctrine specifications. The problem is not ineffective Communist Pathet Lao guerrillas but four divisions of North Vietnamese regulars. To resist them, Laos receives from Washington neither American troops nor the lavish multi-billion-dollar spending still maintained in Vietnam but a lean, dedicated cadre of professional military advisers from the U.S. Central Intelligence Agency and a $375 million ceiling on annual aid.

There is no realistic diplomatic alternative. Hanoi's Pathet Lao puppets will not even admit the existence of North Vietnamese troops in Laos, making negotiations impossible. In truth, Hanoi properly views Laos as part of the overall Indochina war. That means a peaceful settlement here short of capitulation by the Vientiane government is impossible without a settlement in Vietnam itself.

Given such bleak diplomatic prospects, there is doubt how long Laos can hang on with American aid. Defense Minister Sisouk na Chamassak told us frankly he questions whether resistance can last even two or three more years because of the attrition of Lao manpower.

But American aid is steadily diminishing. Whereas the war in Vietnam is still fought essentially without dollar ceilings, this is a pinch-penny struggle where every military operation has a budget limit.

The result: Lao troops are badly outgunned. Only 40 per cent of Lao guerrilla forces, the country's most effective units, have M–16 automatic rifles. Sorties by U.S. Air Force jets have been drastically reduced. Only two new T–28 propeller-driven bombers arrive for the Royal Lao air force each month, an inadequate replacement rate. Washington refuses to supply tanks against Soviet armor increasingly used by North Vietnameses units. Nor are any armored personnel carriers or M–60 machine guns supplied.

Congressional reductions of this threadbare level could stifle resistance to the North Vietnamese. In particular, a congressional proposal to ban U.S. payment of salaries for some 5,500 volunteer troops from Thailand would be fatal. Its own manpower base depleted, Laos could not have survived in 1971 without Thai army units.

The fact that American liberals are outraged by 5,500 invited Thai troops and ignore 57,000 invading North Vietnamese is part of the topsy-turvy reasoning which rightfully baffles the Lao government. Similarly, shamefully erroneous reports of systematic American bombing of Lao villages caused an uproar in Washington, which ignores certifiable devastation of villages by Communist mortars.

Self-imposed bombing restrictions were dramatized during the recent recapture of Paksong from the North Vietnamese. Hovering over the battle in a helicopter some 2½ hours, we watched U.S. and Lao bombers carefully exclude the town from attack even though Lao troops were being butchered by North Vietnamese mortars intentionally set up in the center of Paksong.

Facing uncertain support from Washington, high Lao officials desperately place their hopes—almost surely unfounded—on President Nixon's visit to Peking somehow resolving the Vietnam war and, with it, the agony of Laos.

Therefore, the future of Laos depends upon American help, whether it be military or diplomatic. Ngon Sananikone, Minister of Public Works and Transport, puts it poignantly. "We are a small country dependent upon the great powers for our fate," he told us. "We chose to put out fate in the hands of the United States." In Vientiane, officials now fear that choice may have been tragically in error for this country's future.

SMALL TOWNS NEED DOCTORS

Mr. HATFIELD. Mr. President, during the August recess, I met in Oregon with a group of Oregonians recognized as leaders in the medical and health care professions. Our discussion covered many topics in the broad health care area, and one was the problem of doctor-short small towns.

Attracting general practitioners to small towns is but one facet of the broader problem of encouraging a better population distribution across the country. Until a small town has adequate medical service, its attempts to improve its quality of life will be stifled.

One of the men with whom I discussed this problem was Carl W. Anderson, the respected administrator of one Portland clinic. He sent me an article on attracting doctors to small towns which I read with interest.

The Federal Government must assist in efforts to attract doctors to small towns, as well as pushing forward in other areas of assistance, so we can help achieve a better population balance.

I ask unanimous consent that Dr. Anderson's letter and the article from Medical Opinion be printed in the RECORD, I only wish there were some way to duplicate the beautiful colored pictures accompanying the article.

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

THE PORTLAND CLINIC,
Portland, Oreg., August 25, 1971.

Hon. MARK O. HATFIELD,
U.S. Senate,
Washington, D.C.
(Attention Mr. Walter Evans).

DEAR SENATOR HATFIELD: In connection with our discussion last Sunday, I thought you might be interested in the enclosed article from "Medical Opinion" dated July, 1971.

As you can see, some of these places seem to offer beautiful conditions but they have been unable to keep a practicing physician for any length of time. Regardless of the physical beauty, I would guess that part of the problem stems from the fact that one man, working alone, cannot assume such responsibility without eventually deciding the long hours and inability to get away for an occasional break make life too short. This, at least, has been the feeling expressed to me on many occasions by those who have tried such situations. Apparently there is going to have to be some way devised to provide periodic relief for the physician who assumes responsibility for taking care of medical problems in a small community.

Sincerely,

CARL W. ANDERSON,
Administrator.

Enclosure.

GREAT PLACES THAT NEED A GP

(By Bernard Magil)

Like the vanishing Indian, the General Practitioner refuses to disappear. But he often is hard to find. Some 136 counties and thousands of towns and villages in the U.S. are without a physician. Many of them have population enough to assure a flourishing practice, and are actively looking for a practitioner.

In addition, there are communities that do have a GP or two but need more, either because the patient load is too heavy or because some of the practitioners plan to retire. In such cases, a newcomer often has the option of solo practice or partnership with an established physician.

Small-town life can be dull and provincial to the physician enamored of the pace and sophistication of a large city. But others may welcome escape from urban pollution and decay to smaller communities that offer attractions of a different type: a more healthful environment for children, outdoor sports and recreation, quieter life-style, and opportunity to know patients better and provide medical care in a more personal way. *Medical Opinion* offers a sampling of small, but great places that need a GP.

INDIAN LAKE, N.Y.—High in the heart of Adirondack State Park, this community of 1,200 (5,000 in summer) has a fully equipped

health center but no physician. A 77-year-old GP who retired has resumed part-time practice until a permanent full-time physician can be found.

The health center facilities would be rent-free, and the town will guarantee $10,000 annually in addition to private fees. An additional $2,700 a year could be earned as school physician and health officer. The nearest hospital is at Tupper Lake, about 50 miles away. The town and nearby areas offer a wide range of year-round recreational activities: swimming, boating, water skiing, fishing, two nine-hole golf courses, tennis, horseback riding, hunting (deer, black bear, birds, snowshoe rabbits, coyotes, bobcats), and winter skiing.

Contact: Max Golde, Indian Lake, N.Y. 12842.

TEKOA, WASHINGTON.—The interested GP will be able to step into a fully equipped clinic and start practicing immediately in this town of 950 in the east central part of the state, near the Idaho border. Doctors who served here in the past grossed upward of $37,000 a year.

The nearest hospital is at Colfax, 32 miles away; there are other hospitals in Spokane, 45 miles by freeway. Plans are being made to build a 60-bed nursing home.

This community, which has a drawing area of over 4,000, is in the midst of rich wheat farm country. Logging and mining add to the economy. Schools cover 12 grades, Washington State University is 50 miles away, the University of Idaho is about the same distance. There are several churches.

The town has a golf course, a bowling alley, a swimming pool, a library, and a movie theater. Fishing and hunting are nearby.

Contact: Dave Drain, Box 340, Tekoa, Wash. 99033.

OLATHE, COLORADO.—"You get away from the rat race here," says one long-time resident of this town, 5,400 feet above sea level. Set in the midst of scenic splendor, Olathe looks at Grand Mesa, the world's largest flat-top mountain, and its more than 200 lakes and waterfalls, only 25 miles away. The town is vitrually next door to the Black Canyon of the Gunnison National Monument.

Some 60 percent of the town's population are pensioners, but the drawing area of 3,000 contains a cross section of all ages. The community needs a general practitioner and offers him an office with X-ray and other equipment. One hospital is at Montrose and another at Delta, each about 10 miles distance.

There is good hunting and fishing in the immediate vicinity, ski areas on Grand Mesa and Crested Butte, golf courses and movie theaters nearby.

Contact: Herbert W. McGrath, R.Ph., Box 528, Olathe, Colo. 81425.

AFTON, N.Y.—Situated among heavily wooded hills in the valley of the Susquehanna River in the south central part of the state, Afton is a very attractive community of 1,200 with a drawing area of approximately 6,000 people. The town is now seeking a GP to share the professional burden of one who has been practicing here for 15 years. The new physician would share the office and the major equipment of the established practitioner. A partnership with that practitioner is possible.

A 99-bed municipally-owned hospital is in Sidney, 11 miles away; an extended care unit to be built will add 30 beds. Afton has an elementary and high school, several colleges are nearby—Cornell and Colgate are only an hour's drive. There are one Catholic and four Protestant churches.

Boating and fishing are popular on the Susquehanna River and there are many trout streams in the area. Within an hour to an hour-and-a-half drive are four ski resorts. Chenango County, in which Afton is located, is considered one of the best deer hunting areas in the state.

Contact: Charles H. Graf, M.D., Afton Medical Building, Afton, N.Y. 13730

HERTFORD, N.C.—This historic old town of 2,300 is in the northeastern part of the state in Perquimans County. There is no physician in private practice in the county.

But the people have shown their determination to get one by voting a $250,000 bond issue for a medical clinic. A site has been purchased, but construction plans await the finding of a GP. With a drawing area of more than 15,000 people, there would be no dearth of patients. Hospitals in Edenton, 12 miles south, and Elizabeth City, 18 miles north, both outside the county. A round-the-clock rescue squad has 75 volunteers and three ambulances.

County children attend three elementary and two high schools. The two-year College of the Albemarle is in Elizabeth City, as is the four-year Elizabeth State College, a Negro institution. East Carolina University is in Greenville, 80 miles southwest of Hertford. There are churches of various denominations.

The Perquimans River flows through Hertford, and Albemarle Sound is 12 miles from the town; both offer excellent swimming, boating, water skiing, and fishing. In the fields, forests, and waterways there is a variety of game: ducks, geese, quail, rabbit, squirrel, deer, bear. Golf courses are in Edenton and Elizabeth City.

Contact: Joe Nowell, Star Route, Winfall, N.C. 27985.

REEDSVILLE, WISCONSIN.—"I came here 17 years ago expecting to stay only two or three years, but you couldn't get me to leave," is how Superintendent of Schools John Worachek sums up his feelings about Reedsville.

Located in east central Wisconsin dairy country, this community of 1,000 is between Lake Michigan and Lake Winnebago, 27 miles south of Green Bay. The town has a modern, well-equipped two-doctor-and-dentist medical center, built with the assistance of the Sears-Roebuck Foundation. After several doctorless years, a physician is arriving this month, but another is sought since the drawing area of 5,000 can support two GPs.

The nearest hospitals are in Manitowoc on Lake Michigan, 17 miles each, other hospitals are in the city of Green Bay. A school through 12th grade recently was built. The University of Wisconsin at Green Bay, and Lawrence University in Appleton, are each 30 miles away; other colleges and universities are nearby. There are four churches.

The lakes and bay are favorite spots for swimming, boating, water skiing, and fishing. Goose and deer hunting are a short distance away as are several golf courses.

Contact: John Worachek, Reedsville, Wis. 54230.

EAGLE, COLORADO.—On Interstate 70 at the town of Eagle (population 700) hangs a banner: "Eagle Valley Needs a Doctor." Whoever answers the call will find himself in the midst of a continuous technicolor spectacular where mountains, lakes, rivers, national forests, and recreation areas abound. Thirty miles east and 70½ miles south, respectively, are the ski meccas of Vail and Aspen—the latter also internationally famed as a cultural and winter sports center. Denver is half an hour by plane from the county airport.

The town has a drawing area of 2,400. A modern medical center facility has been doctorless for two years. A 35-bed hospital is at Glenwood Springs, 30 miles west.

Eagle has a 12-grade school, Methodist and Catholic churches, a weekly newspaper, and a movie theater. For the hunter there is game aplenty: mule deer, elk, bighorn sheep, bear, grouse, ptarmigan, and sage hens. Fishermen can find trout in the Eagle and Colorado Rivers, in mountain streams and lakes.

Contact: Mrs. George Chandler, Box 233, Eagle, Colo. 81631.

OR LOOK INTO THESE

HOMEDALE, IDAHO.—Population 1,600, drawing area 5,000. Cffice space is available, the nearest hospital is 15 miles away. Homedale is on the Snake River where fishing and boating are popular. The area is one of the best in the state for pheasant and duck hunting. Deer country is a 50- to 100-mile drive. Two golf coursse are 15 miles distant.

Contact: Lester Corter, Box 276, Homedale, Idaho 83628.

CHEBEAGUE ISLAND, MAINE.—This community of 350 (1,800 in summer) needs a part-time clinician, perhaps a semiretired GP. Estimated income about $8,000–$9,000, plus a rent-free two-story residence that includes office and examining room. There are two hospitals in Portland, 15 miles away. A yacht club and golf club are opposite the residence office.

Contact: Louis B. Dennett, Chebeague Island, Me. 04017.

PROVINCETOWN, MASS.—This famous summer resort and fishing village at the tip of Cape Cod is looking for an associate for an established elderly GP, with an opportunity for partnership. The 3,700 population swells to 12,000 in summer. There is one other GP in town, a nearby medical group provides an additional doctor in summer. A hospital is located in Hyannis 50 miles away.

Contact: Daniel H. Hiebert, M.D., 322 Commercial Street, Provincetown, Mass. 02657.

DELTA JUNCTION, ALASKA.—This town of 1,000 in the east central part of the state is at the terminus of the Alaska Highway where it meets the Richardson Highway. The drawing area contains some 2,500 persons engaged chiefly in farming, retail merchandising, and civil service (the civilian employees of Fort Greely military base, five miles away).

An office facility awaits the enterprising physician; it has a waiting room, two examining rooms, X-ray equipment, and a laboratory. The former occupant grossed $33,000 a year. The nearest hospital is at Fairbanks, 100 miles northwest; but the Delta Hospital Corporation has purchased a site and plans a fund-raising drive to build a local hospital. The arrival of a new clinician would stimulate these efforts.

The local school goes through the 12th grade, the University of Alaska is at Fairbanks where theater, music, lectures, and other cultural fare are available. There are churches of various denomination. This is great hunting and trapping country; within 50 miles are grizzly bear, moose, caribou, lynx, wolf, coyote, bison, ptarmigan, willow grouse, snowshoe rabbits, wolverine, fox, porcupine, beaver, and horned wall sheep.

Contact: George N. Norton, Box 892, Delta Junction, Alaska 99737.

ANGUILLA, V.I.—A GP who can handle general surgery is urgently needed on this island, population 6,000, situated 80 miles east of U.S. Virgin Islands. Doctor will have rent-free modern house, servant, car. Government salary, $6,000; private practice brings income up to $20,000. Anguilla has a small Cottage Hospital, moderately well equipped. Magnificent climate, beaches, sailing, fishing.

Contact: B. Schaffner, M.D., 220 Central Park South (3A), New York, N.Y. 10019.

HAMILTON, TEX.—"Deep in the heart" and almost in the exact center of the state, Hamilton is a prosperous town of 3,500. It has a 77-year-old MD who is ready to semiretire, a board-certified general surgeon, and an osteopathic physician. The town has an accredited hospital. Another GP is sought who can, if he wishes, join in partnership with the surgeon.

Contact: Ovid C. Dill, Hamilton County General Hospital, 400 North Brown Avenue, Hamilton, Tex. 76531.

ADDRESS BY SENATOR HUMPHREY BEFORE NATIONAL WATERWAYS CONFERENCE, INC., AND UPPER MISSISSIPPI WATER ASSOCIATION

Mr. ALLEN. Mr. President, during the 92d Congress, it has been my pleasure to serve on the Subcommittee on Rural Development of the Committee on Agriculture and Forestry. This has been a labor of love, because I firmly believe rural development holds the key to so many of the problems which currently trouble our great Nation and my home State of Alabama.

The members of the subcommittee have also been extremely fortunate to work under the very able leadership of the former Vice President, the junior Senator from Minnesota (Mr. HUMPHREY). He has been a vigorous chairman, as is evidenced by the numerous field trips which we have made to investigate rural development needs in all sections of the country.

My own State was privileged to play host to one of our field trips; and while in Decatur, Ala., in July, we had a chance to witness what the Nation's water resource program can mean to rural revitalization and the achievement of a more rational population balance.

I believe our distinguished chairman (Mr. HUMPHREY) was as impressed as I was with what has happened in the Tennessee Valley as a result of water resource improvements and the advent of river navigation.

In this connection, I was happy to obtain a copy of the excellent speech which the Senator from Minnesota made on September 15 to a combined meeting of the National Waterways Conference, Inc., and the Upper Mississippi Waterway Association in St. Paul, Minn.

As Senator HUMPHREY pointed out, water programs are one of the few Federal undertakings which tend to disperse rather than concentrate the population. Most water projects are located in rural areas, and they quite often provide the stimulus for unparalleled growth and expansion of less populated areas.

I was also pleased to see that the distinguished chairman of our Rural Development Subcommittee came out firmly against proposals to levy tolls or user charges on the inland waterways. As the Senator so rightly said:

> Such charges would not only curtail the agricultural economy; they would limit the ability of water projects to sustain industrial growth and job development.

Water resource programs can be a major instrument of rural improvement programs. But if we cripple these programs through discriminatory and shortsighted tax schemes, we will negate the role of water projects in rebuilding rural America.

Once again, let me congratulate the distinguished Senator from Minnesota for what I consider to be a perceptive and timely speech. With his continued leadership, I am sure that we can begin to make some progress in this field that has been too long neglected.

Mr. President, I ask unanimous consent that Senator HUMPHREY's speech be printed in the RECORD.

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

FREEDOM TO LIVE THE GOOD LIFE

(By Hon. HUBERT H. HUMPHREY)

If the average American were asked to list some of the Freedoms he enjoys in this country, I'm sure he or she could come up with an impressive list: Freedom of press; freedom of speech; freedom of religion; freedom to vote and belong to the political party of your choice; and even freedom to protest against actions of the government

All of these are cherished freedoms, and we constantly must be on guard against their erosion. We must remember that unless these freedoms are extended to all persons, they potentially can be denied to everyone. So our freedoms must be indivisible and universal in their application.

Today, however, I would like to talk with you about a growing list of freedoms that the average American is just beginning to articulate and demand. These new demands might be summed up as the *Freedom to Live the Good Life*. Just what do I mean by this expression?

Perhaps the most elementary aspect of the Good Life is the right of personal security and safety in your everyday activities. This is a freedom that most of us took for granted when we were growing up, and it has only been within the last few years that the freedom of personal safety has come under attack.

What kind of life is it to live in constant fear that your children may come under the influence of drugs? Yet, when we look at many of our big cities today, we see just that kind of fear stalking the streets. We read that apartment buildings, schools, and even private homes are becoming virtual armed fortresses.

We add more policemen, but the crime rates continue to go up. Raid after raid and arrest after arrest fails to stem the flow of drugs into our large urban centers, and our children become the victims.

Certainly our citizens cannot have the Freedom to Live the Good Life unless they can live in safety, but in recent years neither government nor society seems able to provide that guarantee of freedom.

A second "right" being demanded by our citizens is the freedom to enjoy a quality environment. They are tired of polluted rivers and streams; they are literally sick of polluted air; and they are fed up with noise, traffic jams, and the rush, rush, rush of everyday life. But how many of our major metropolitan areas can offer an environment free of noxious pollution? Not many, I can tell you.

In a great number of our cities—thank goodness Minneapolis and Saint Paul are not yet among them—pollution has become a way of life. Americans in these cities do not wake up to the sunrise; they wake up to haze, fog, and smog. Those of us in Washington often experience days in which you can hardly see the dome of the Capitol because of pollution. Noise levels and traffic jams seem to be on the increase almost everywhere.

I don't think many people would include pollution, noise, and congestion as elements of the Good Life. Yet fewer and fewer Americans live in an environment free of such things.

Going hand in hand with the demands for a good physical environment is a desire for what might be called psychological freedoms. I have already mentioned the freedom from fear. But we would also like to have neighbors and be neighbors, in the true sense of the word. We would rather not be treated rudely on the streets or the sidewalks. We would rather not be crowded, congested and rushed all the time. We would like to live in an atmosphere of mutual trust and friendship.

But do you find this kind of atmosphere in our big cities? Not very often. People either don't have time to be friendly, or they are afraid that if they extend the hand of friendship they will be betrayed. It has reached the point that people have actually been murdered in broad daylight while passers-by stand around and watch—afraid to get involved. This kind of psychological fear and distrust breeds on itself and can eat away at the very fibre of the Nation.

So our citizens are demanding relief from those terrible psychological stresses and fears which prevent the Freedom to Live the Good Life.

More and more Americans are demanding the traditional—but often ignored—freedom of economic security which I suggest is directly tied to yet another freedom—namely—freedom of residence:

The current recession has reminded us once again that "unemployment" and "under employment" are not simply terms in the jargon of economists; they are very real facts of life for millions of our fellow citizens today.

Today's recession has merely compounded the already worsening situation of job opportunity dislocation in our nation.

Welfare rolls in our big cities have grown to such an extent that welfare now consumes a major portion of the budgets of cities like New York, Washington, D.C., Atlanta, Los Angeles, Detroit and Chicago. Many of those on these welfare rolls are rural migrants or children of rural migrants. Many of these people simply cannot find work in either their rural communities of their origin or in the big cities to which they have migrated.

Such movements of people have exacerbated the problems of crime; psychological stress and environmental pollution in our larger cities and have stripped our rural countryside of both its potential and its promise.

Add all of these things together and you have anything but the Good Life. You have something more akin to a life of trial and tribulation. So if we are going to restore the Freedom to Live the Good Life, how shall we go about it? Where do we start?

You have no doubt noticed the association I have made between the demands for a Good Life with what is popularly called the urban crisis. This is no accident, becaues in most cases the loss of those freedoms which contribute to the Good Life can be traced directly to the urban crisis.

Many of you here today, who like myself grew up in rural areas or small towns, can remember a time when people thought nothing of leaving their doors unlocked while running errands or going downtown. Some can probably even remember times when your family occasionally slept with the doors unlocked.

When I grew up in South Dakota a big crime was chicken stealing—not mugging. We knew all our neighbors and worked and played together. We helped each other out in times of trouble. We had our hardships, especially during the Depression, but we never turned on each other. We remained good neighbors.

Life was not congested, crowded, nor forever rushed. And the word "pollution" was not even in our vocabulary. We experienced economic insecurity, but there were always friends and family to help out in times of need.

Perhaps some will think I am a romantic who dwells on the "good ole days." That is not my purpose. I am a realist; I know we cannot go back to the "good ole days." We cannot eliminate our cities, nor people's desire to live in them. We cannot indiscriminately close down factories that provide jobs, simply because they create some pollution. Nor can we eliminate crime and drugs merely by wishing they would go away.

No, my friends, these are real problems we

are dealing with—and there are no "instant solutions" to them.'

But being a realist, I also know there are alternatives to these huge megalopolises which are spawning so many of the problems inimicable to the Good Life.

The alternative I want to talk about today is rural development and balanced national growth. Most everybody is familiar with the tremendous migration from our farms and smaller communities to our large cities, which has taken place during the last three decades—30 million people in just 3 decades. Many of us in this room were part of those migrations. We have gone from a Nation in which 60 percent of all Americans lived and worked in rural areas at the turn of the century to a time when the rural population makes up less than 30 percent of the population.

Seventy percent of our population lives on less than 2 percent of the land. Demographers tell us this situation is likely to worsen due to projected natural population increases that are expected in our urban areas, plus continued inmigration and a continued migration of rural young people to our nation's large cities.

If our huge metropolitan areas in 1971 no longer provide the freedoms necessary for the Good Life, what will they be like in the 2000? I almost shudder to think of a situation in which all the job opportunities are limited and further concentrated in our huge metropolitan regions. When we reach that stage, the Good Life will be impossible.

The American people—who often seem to be ahead of the government in realizing the cause of problems—are very much aware of the connection between over-populated cities and the problems of crime, drugs, pollution, congestion and psychological stress. As long ago as 1968, a Gallup poll showed that 56 percent of all Americans would prefer to live in rural communities, with 18 percent preferring city life and 25 percent the suburbs.

In a recent poll taken in California, 29 percent of that State's population indicated they would like to leave that state. Of those people who have been there less than 8 years, almost half said they want to live elsewhere.

In the 1970 Agricultural Act and the 1970 Housing and Urban Development Act Congress stated that revitalization of our rural areas and pursuit of a balanced national growth strategy are "essential to the peace, prosperity and welfare of all our citizens" and that they must be given the "highest priority." President Nixon in his 1971 State of the Union Message made a commitment to a national growth policy that would "not only stem the migration to urban centers but reverse it."

So both the legislative and executive branches, and most importantly a majority of the American people, are on record as favoring a policy of rural development and balanced national growth.

This being the case, I think it is time we stopped giving lip-service and endorsements to these important pursuits and actually start to do something about them. Rhetoric comes cheap, but action is the true test of one's commitment.

To that end, the Senate Subcommittee on Rural Development has recently developed legislation that will provide some of the mechanisms through which we can begin to accomplish these stated objectives.

The Consolidated Farm and Rural Development Act which I have introduced—and which 50 other Senators have also co-sponsored—would do two things: 1) it would extend the authority of the Department of Agriculture to extend credit for farm and non-farm rural development programs; and 2) it would establish a system of regional rural development credit banks to provide additional credit to private and public borrowers for rural development purposes.

The legislation states that one of the primary purposes for these loans would be "the conservation, use and control of water." This specifically includes water and sewer projects, water conservation projects, water transportation systems, and many other public works development projects—which are of great interest to the National Waterways Conference, Inc., and the upper Mississippi Waterway Association.

I believe water resource programs can and should play a major role in the Nation's rural re-development. One factor that our Subcommittee has discovered is that water programs are uniquely suited for rural revitalization.

Water is an essential ingredient for every aspect of man's life: He depends upon it for life itself. It is older than the wheel, or even fire. It serves man in many different and wondrous ways.

Water serves as a primary source of energy.

Water serves as one of our oldest and most reliable conveyance of transportation.

Water nourishes our agricultural crops, livestock and aids in the processing and manufacturing of most non-agricultural products

Water provides us with some of our most beautiful and scenic vistas.

Water provides us with some of our most enjoyable recreation opportunities

It serves as our most important means to cleanliness and safety

And, water, and waterways, have provided our Nation with much, if not most of the stimulus for economic growth and development, including the development of our urban way of life

Let us look for a minute at what our own public investment in waterway development have provided our Nation.

Water supply projects constructed by the Corps of Engineers and Bureau of Reclamation provide water for over 19 million people today.

Water borne commerce has increased from 163 billion ton miles in 1950 to 265 billion ton miles in 1966—a 62% increase in 16 years.

Although total public expenditures for flood control to date has reached $6.8 billion damage prevented by this program is estimated at $22 billion.

Hydroelectric power investments now generate over $1 billion annually in Federal revenues in addition to the power they generate which has been essential to our Nation's growth and development.

In 1965, 2.8 billion activity days of recreation were enjoyed by the American public on all our Nation's waterways. The year 2000 water borne recreation is expected to reach almost 8 billion activity days.

Waterborne tonnage is expected to increase about 6 times in the next 50 years within the U.S. In 1971 it is estimated that 300 billion ton miles of goods and cargo will move over U.S. waterways.

The 207 Bureau of Reclamation river projects provide water to irrigate almost 9 million acres of agricultural lands with a crop value of almost $2 billion federal income tax payments generated by these projects since 1940 estimated at almost 10 billion dollars—$2 billion more than all federal expenditures for reclamation since 1902:

These are the kind of public investments that have contributed so much to our nation's phenomenal growth and development. Therefore you can understand why I have so little time for those who talk of such public investments as "pork barrel" or too costly for government to underwrite. And we need to do more. Further development of our waterways and our other natural resources in a manner consistent with their protection and concern for our environment should always remain as an important national goal. And as far as money is concerned we must—as of our forefathers did—be willing to think big. With a trillion dollar economy today, this means we must think in 10 and 100 billion dollar terms.

The existence of non-polluted water supplies will to a great degree determine what areas of rural America experience redevelopment. One thing is certain, you cannot develop an area without water.

Another factor which makes water programs attractive is that most water projects are located in rural areas. This is in stark contrast to so many federal programs in which projects are located in and around major urban areas which are already overcrowded. This not only contributes to the congestion, but it also creates a "snowball" effect that draws in more and more people—continually compounding the problem.

I think the Federal government, if it believes what it says, must make a conscious effort to locate more of its projects and installations in less densely populated areas, which, I might add, is now required as a result of Title IX of the Agricultural Act of 1970.

That is the advantage of water programs. With the exception of urban water supply and flood control, most water resource projects are located in rural America. In fact, one noted political scientist (Professor Lynton K. Caldwell of Indiana University) testified before the Senate Commerce Committee that water programs are the only major Federal undertaking which tends to disperse rather than concentrate the population.

This is vividly borne out in a Tennessee Valley Authority study of industrial growth that occurred in the Tennessee Valley after its river development program. This study showed that 52 percent of all waterway-created jobs in the Tennessee Valley have been located in 33 rural counties with no major cities. Twenty-five percent were located in medium-sized counties, and only 23 percent in metropolitan counties.

On one of our Subcommittee field trips, we toured the Tennessee Valley and I was quite impressed with the city of Decatur, Alabama, which is a rapidly growing community of some 40,000. Before the Tennessee River improvement program, Decatur was just another struggling rural community. Now it is a vital, bustling regional growth center. Growth like this is taking place all along the Tennessee River—but not in major urban areas that are already crowded to capacity.

This leads me to yet another aspect of water resource programs. They can be quite instrumental in helping produce the economic base for rural growth and development. Certainly that has occurred in the Tennessee Valley. The same thing, I understand is happening along the McClellan-Kerr Arkansas River Navigation Project, which we had an opportunity to fly over during one of our Rural Development field hearing trips to Oklahoma earlier this month. Relatively small communities like Muskogee, Oklahoma and Ft. Smith, Arkansas are becoming new growth centers as a result of this project.

Those of us who have grown up along the Mississippi River know what that river means to rural areas. It provides a transportation system that enables the Midwestern farmer to get his products to market cheaply so that he can compete in domestic and world markets.

Without low-cost water transportation, it is doubtful that Midwestern grain would retain its competitiveness and many of our farmers would end up migrating to the big cities.

In Minnesota we are doubly fortunate. We are at the head of navigation on the Mississippi River and we also have access to the Great Lakes-St. Lawrence Seaway System. To give you an idea of what this means to my State, I would cite the results of a study conducted by the Minnesota State Planning

Agency in 1969 (Economic Significance and Outlook of Minnesota Waterborne Transportation).

This study concluded that port area incomes in Minnesota from water transportation and related port activities, including overland shipping within the State to and from ports, generates incomes "probably in the general neighborhood of $200 million per year." The agricultural economy is the benefactor.

Without the availability of low-cost water transportation on the Mississippi and the Great Lakes, Minnesota farmers could be at a severe disadvantage. Our state is located hundreds of miles from major domestic markets and a thousand miles from seaports along the coasts. Barges on the rivers and bulk carriers on the lakes help to keep our farm products competitive. We are able, therefore, to sell more, and our farmers get more for what they sell. As most of you probably know, havings in transportation costs mean more money in the farmer's pocket.

For these reasons I am quite skeptical of proposals for higher tolls on the St. Lawrence Seaway and the prospect of user charges on domestic water routes like the Mississippi. Such charges would not only curtail the agricultural economy; they would limit the ability of water projects to sustain industrial growth and job development.

I also believe the President was extremely short-sighted when he vetoed the public works acceleration program passed earlier this year by Congress. Public works projects can and do create jobs—that has been recognized for many decades. And they are not necessarily dead-end jobs, as some have claimed. There's nothing dead-end about the jobs associated with the Port of Saint Paul or the Port of Duluth, I can tell you that.

I would be remiss, however, if I did not admonish the Nation's water planners to make sure that their use of water resources does not result in the pollution of our rivers, lakes, and streams. In re-building rural America, I believe we can do it without making many of the mistakes that have been made in our urban centers. We can do a better job of planning; we can and must guard against all kinds of pollution; and we can produce orderly, uncongested growth patterns.

So I would encourage your two organizations to get behind and vigorously support rural development programs. I know that the Senate Subcommittee on Rural Development will welcome your suggestions and help when our bill comes up for hearings later this year. As I said, water programs have a major contribution to make in this area and we are counting on your support.

As I said in a recent Senate speech, rural revitalization is more than just a program for Rural America; it is a program for the entire country. It will help not only the farmers but also America's small towns, its villages, and its growing communities that can serve as centers of growth. And just as significantly, it is a program to help relieve the urban areas of over-congestion and its attendant problems of pollution. crime, and congestion.

And returning to my original theme—which is akin to the theme of this convention—rural renewal is a program that can help restore the "Freedom to Live the Good Life"—a freedom that should be the birthright of all Americans.

OUR NATION'S CHILDREN

Mr. DOLE. Mr. President, for more than 40 years, the Nation each year has observed Child Health Day. This year, October 4 has been designated for this observance.

Since the time when President Hoover issued the first proclamation, in 1929, Child Health Day has reflected concern about what seemed at the time to be the most pressing national priorities in protecting the health of children.

Some of the early observances, for example, centered on adequate nutrition, better organization of health services, greater attention to the health of babies at the time of their birth, as well as throughout the period of their growth and development.

During the critical days of World War II, Child Health Day observances emphasized immunizations against diphtheria and smallpox, traditional foes of childhood; protection of the health of teenagers holding war jobs; and the need for complete national birth registration.

Since 1956, by agreement with the United Nations and the United Nations' Children's Fund, Child Health Day has been observed in conjunction with Universal Children's Day, which falls on the first Monday in October. This double observance emphasizes our concern as a Nation not only for the health of our own children, but for those in other countries which are striving, as we are, to make childhood a healthy and emotionally secure time for all children.

Today's special observance, Child Health Day, provides a fitting time to take inventory of how well our resources are being used on behalf of children, and to define the most important jobs we can undertake to safeguard their health for the future.

I am aware that many governors issue annual proclamations urging public and citizen action on behalf of children in connection with particular State needs. The President of the United States speaks for all of us, through his proclamation, in citing some of our past accomplishments and future goals for child health.

Certainly, we can all be proud of the fact that our national infant mortality rate now stands at the lowest point in our history—19.8 per thousand live births in 1970 is the provisional figure. But we are still ranked below several other nations of the world in reducing infant mortality to its lowest achievable level.

It is also true that much remains to be done if we are to provide needed health protections for our growing citizens, particularly those boys and girls who live in densely populated, low-income urban areas and in isolated rural areas.

We must stop today and dedicate ourselves to see that all parents are given the opportunity to bear and raise healthy normal children. We must also dedicate ourselves to see that those children who suffer from mental or physical handicaps or illnesses are provided the best possible care and rehabilitation, for they, too, are our future citizens.

I hope that on Child Health Day, 1971, we can measure our progress and once again set new goals for the year ahead to bring better health to our Nation's children.

UNION BOSSES OUT OF STEP WITH RANK AND FILE

Mr. FANNIN. Mr. President, union leaders have again demonstrated that they put self-interest far above the good of their rank and file workers or the good of the Nation.

These union leaders—who were instrumental in causing the disastrous inflation which has plagued our Nation—have cried the longest and loudest about the wage-price freeze. Now they are threatening to sabotage efforts to effect a recovery from the damage they have caused.

I concur with those who say that these union bosses are sadly and dangerously out of step with the rank and file.

Mr. President, on this subject, I invite the attention of Senators to a poll which was made by Opinion Research. The poll was included in a column written by Ralph de Toledano. I ask unanimous consent that the article be printed in the RECORD.

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

UNION MEMBERS ARE TURNING ON THEIR LEADERS

(By Ralph de Toledano)

George Meany and the AFL-CIO are screaming again. Angering them is a poll that the Census Bureau plans to take to determine how well Americans understand the 90-day wage-price freeze, how it has affected them, and how fair they believe it to be. To set the answers in context, those polled will be asked questions about their income, education, profession, and membership in labor unions. To the labor sachems, these questions smack of "1984 and doublethink"—a reference to George Orwell's novel about the future Communist society.

"We think," one AFL-CIO spokesman told the Washington Post, "it's pretty obvious that this is a continuation of a campaign to drive a wedge between the leadership and the membership of labor to prove (the Administration's) ill-founded claim that George Meany is out of step with its (sic) membership."

But how "ill-founded" is the contention that rank-and-file labor is at odds with the men who dominate Big Labor? A poll, largely ignored by the mass media, indicates devastatingly that Mr. Meany and his satraps are, indeed, out of step with the membership. It was taken by the highly respected and highly accurate Opinion Research survey of Princeton, New Jersey—and it is not likely to gladden the hearts of those who work at Mr. Meany's big white palace on Sixteenth Street in Washington.

Here are the questions and the results:

"Some labor union leaders have criticized President Nixon's new economic policies. When they do this, as you see it, are they representing the views of the average labor union member, or only their own views?"

Fifty-two percent of the union families polled answered that labor leaders were expressing only their own views. Against this, 32 percent felt that the labor leaders were expressing the views of the average union member and 6 percent said that both leadership and rank-and-file views were being expressed.

"In your opinion, have recent strikes and labor troubles seriously hurt the country as a whole, or haven't they had that much effect?"

Of the union families polled, 61 percent said that the country as a whole had been seriously hurt, whereas 33 percent responded that strikes and other labor troubles had not had much effect.

Far more startling was the reaction of union families to the following question:

"Do you think union demands for higher wages and benefits will cause higher prices and more inflation, or can companies meet union demands without raising prices?"

A thumping 63 percent of union families thought that union demands for higher wages caused higher prices and more inflation. Only 26 percent believed that companies could meet union demands without raising their prices. It should be noted that 74 percent of all those polled felt that union demands were responsible for the present inflation.

"How would you rate labor union leaders in this country on living up to their responsibilities to the public's interest as well as to the interests of their members. Would you say excellent, good, only fair, or poor?"

Response to this significant question demonstrates the low state to which Big Labor has fallen. Among union families, 66 percent rated the labor leadership as "only fair, or poor," whereas 24 percent rated it "good" and 6 percent "excellent." Of the total sampling, only 18 percent voted in the good-to-excellent category, with 73 percent falling into the fair-to-poor rating.

The question arises, therefore, of why Big Labor maintains its grip on union members. The Opinion Research poll more than indicates that union members hold their leaders in very poor repute. Obviously, they believe that the leadership is working against their interests and those of the country. Yet Mr. Meany and the AFL–CIO can impose their will on those whose dues keep them in the chips.

The answer, of course, is that union members are stuck with Big Labor and its sachems. Membership in most industries and in a majority of the states is compulsory, and if the rank-and-file attempts to withdraw, it can do so only if it is ready to give up its livelihood. This is something which labor's friends and errand boys in the Congress refuse to admit. If they did, where would those millions in political contributions come from?

THE MENOMINEE: VICTIMS OF EXPERIMENT

Mr. McGOVERN. Mr. President, William Greider, in the Washington Post of October 3, has presented a very graphic account of the problems encountered by the Menominee Tribe of Wisconsin as a result of the termination policy of the 1950's. The Menominee Tribe was terminated because it was believed that the Menominees, as one of the most advanced tribes from a social and economic standpoint, were among the best prospects for termination.

The result was chaos for the Menominees. As Mr. Greider points out, these problems continue to this day. If anything, Mr. Greider's article shows the futility and foolishness of imposing solutions to the "Indian problem" here in Washington. Indians are demanding a voice in their destiny, and rightly so. In 1966, it was my honor to first introduce this policy in the form of a resolution calling for an end to the termination and at the same time making the Indian the master of his own destiny through programs designed not in Washington, but at the grassroots level.

Because I think Mr. Greider's article shows the wisdom of this course I suggested, 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:

"TERMINATED" TRIBE FIGHTING DISASTER: THE MENOMINEE: VICTIMS OF EXPERIMENT

(By William Greider)

Moon Weso of Keshena, Wis., told them it was wrong. He told them in English and he told them in Menominee, an ancient Algonquin tongue once common in the Great Lakes forests, confined now to one small county in Wisconsin.

"I was quoted in the Congressional Record," Weso, an old man now, said, mixing pride and bitterness with his memories. "I got a copy somewhere I can show you. I was one of the delegates and I objected."

Nick Dodge, who belongs to a younger generation of the same tribal blood, agrees it was a terrible mistake but he doubts that it can ever be undone.

"Based on our experience with Congress—damn—they just don't repeal what they do," Dodge said. "It takes practically the whole country rising up."

In their own small way, the Menominee are rising up. A band of them set out yesterday for a two-week march from their tribal homeland along the Wolf River to the Wisconsin state capital in Madison. They hope their demonstration will jog the government's memory and, perhaps, the nation's conscience.

A decade ago, the Menominee people were the "guinea pigs" in a social experiment loaded with good intentions. When the experiment failed, however, the government turned to other policies while the 3,200 Indians lived on with the results—disastrous results, most everyone now agrees.

The Menominee were "terminated" as a tribe, a grim but bloodless expression which means that the federal government, by act of Congress, ended the responsibilities for protection and aid which it assumed, by treaty with the tribe, a century before. The reservation became a county, the tribal council became a corporation, the tribal rolls were closed and the Bureau of Indian Affairs withdrew.

"We are much worse off now as the 72d county of Wisconsin than we ever were as a reservation," said Mrs. Georgiana Ignace, a young doctor's wife and a leader of the march. "We have more to lose now. We're losing our land, our assets, our people. We hope the march will make known exactly what is happening in Menominee County."

Mrs. Ignace and an organization called DRUMS ("Determination of Rights and Unity of Menominee Stockholders") want to reverse "termination" and restore their federal status—their tribal land held again in trust by the government and protected from predatory interests; their tribal membership re-opened to Menominee children; federal health, welfare and education aid restored.

Other Menominee, especially men like Dodge who run the tribal corporation, agree that "termination" was ill-considered but they think "un-terminating" is an impossible goal and perhaps not a desirable one. They want federal aid restored without the old paternalism. "The last thing we need now," said Dodge, "is a bunch of federal officials running around telling us what to do."

The result is bitter tribal factionalism. DRUMS organizers like Mrs. Ignace, a college graduate who lives in Milwaukee while her husband completes his hospital residency, are denounced as "outside agitators." The Indians who run Menominee Enterprises Inc. (MEI), the tribal corporation, are portrayed as a "small clique" conspiring with powerful white interests to destroy the Menominee.

The recent evidence is that DRUMS has wide supoprt among the people, despite the charge that most of its organizers are college-educated emigrants who no longer live there. In April they defeated the MEI directors in a nasty proxy fight. Last month, the corporation held an advisory referendum to see if the Menominee want to sell the shoreline of their wild and beautiful Wolf River to the National Park Service. The proposal was rejected by 98.6 percent of the vote.

The DRUMS leaders charge that, under pressure to stay afloat, the tribal corporation is converting the Menominee into a tourist playground for Milwaukee and Chicago. "Outvoted, out-numbered, our most valuable land gone, our survival as an Indian community will be doomed," the organization warns.

"It's like selling your furniture to pay the rent," complained Jim White, a DRUMS leader who works as a mental health consultant in Chicago. "We are selling our land to keep up with the taxes."

"The saying is," Mrs. Ignace said, "that the Wolf River is the heart of the Menominee and, when you take that away, the Menominee dies. They say they want to keep the Wolf River wild. That's a farce. In a few years, it will be just as polluted as other rivers."

Nick Dodge, who is manager of resource development for the tribal corporation agrees with her on the Wolf River park proposal. But he insists that the previous sale of 5,100 acres for a tourist development was a wise step toward solvency.

"Legend Lake," as it is called, already has added substantially to the tax base of the impoverished county where the cost of schools and local government has rested almost solely on the tribal corporation, Dodge said. So far, 1,700 lots have been sold mainly to non-Indians and MEI's proportion of the tax base has dropped from 83 per cent two years ago to 62 per cent in 1971.

Even so, Dodge doesn't argue strenuously with DRUMS' dire predictions. He too fears that future pressures could lead to more land sales and the eventual demise of the Menominee.

"That's been going on," he said dryly, "since the first Jesuit came and he'd give us religion, then he'd take our land. If I had the magic answer to that, I'd come up with it right now. All you can do is forestall and hope you avoid more losses. This is the story of Indian land through the whole history."

When the Indian treaties of the 19th century established reservations, federal trust protection was intended to shield Indian land from the pressures of the larger economy, speculators and developers and tax collectors. What's often forgotten is that most tribes, like the Menominee in the Wolf River Treaty of 1854, gave up huge areas of their territory in exchange for the promises of federal protection and aid. Many have criticized the quality of the federal stewardship over Indian lands, but most tribes have a deep fear of losing it—falling prey to the same pressures facing the Menominee.

In its most benevolent expression, "termination," as a policy developed in the Eisenhower Administration, was intended to "free" Indians from government paternalism and the limited economic opportunities of reservation life so they could become assimilated with the mainstream. It was tried with a few reservations and abandoned. Paternalism was succeeded by economic chaos; Indians did not want to stop being Indians. To them, their land means their best hope for survival as a people.

When President Nixon took office, tribal leaders feared that Republicans would revive the old doctrine. Instead, he renounced "termination" and proposed new forms of government aid which would give Indians more control without severing the federal relation-

ship. Ironically, as the Menominee week to un-do their terminated status, Congress this year is just getting around to enacting a resolution which would formally drop the old policy, the one they are still living with.

When termination was first proposed in 1954, the Menominee were among the most prosperous of the reservations, though still poor compared to most Wisconsin neighbors. They owned their own forest and sawmill, the reservation's principal employer. They even paid the federal government for many of its services.

Among other things, the transition meant converting the communally-owned Menominee land to private title held by the corporation. Many Indian families had to re-buy their own homesites. The government's hospital and school were closed (both rated substandard by the state).

The newly-established county government had to contract with neighboring counties for basic services such as jails and judges. Menominee children, no longer with legal status as Indians, went to school with children from an adjoining county and, according to DRUMS, the drop-out rate climbed. The county has no health facilities now.

Faced with property taxes for the first time, some low-income families lost their newly-purchased land through delinquency. Others on state welfare had to sign over to the state bonds issued them by the tribal corporation, thus losing their annual dividends from the forest products, a subsistence income for many. The mill and forest, the bedrock of the tribe's chances, ran into economic setbacks unforeseen by the federal planners.

During the 1960s millions of dollars in special federal aid were directed to county by the War-On-Poverty and other programs, but even this belated assistance did not alter the tribe's basic social and economic problems.

Gary Orfield, a political science professor at Princeton who studied the "termination" experiment, notes that the transition to self-government and economic independence, ill-conceived as it was, stopped short of the real thing.

"Tribal members have received all the responsibilities of ownership but few of its advantages," he wrote, describing the layers of directors and trustees, including many non-Indians, which separated the Menominee from major decisions.

When the corporation began selling Menominee land three years ago, it stimulated the beginning of the current protest. Since the several DRUMS members have won seats on the 11-member Voting Trust which controls the land sales, but they are still a long way from command. This April, even though they out-voted the corporate managers 119,000 to 118,000 shares, DRUMS failed to abolish the trustee arrangement because the group did not get 51 per cent of the total outstanding shares.

White and Mrs. Ignace claim they would have won stockholder control of the corporation's affairs if it had not been for the First Wisconsin Trust Co. of Milwaukee which votes a block of 48,000 shares for minors and incompetents. The trust company voted with MEI management and, in the process, became a target for DRUMS picketing.

Catherine Cleary, president of the trust company, defended the vote. "Our feeling is that the group trying to run the corporation deserves support," she said. "They've made progress and the Voting Trust keeps the control of this thing from being fragmented where no one could run it."

The bank, Miss Cleary, said, could have cast its votes proportionately with the way the Indians themselves voted—which also would have kept DRUMS from a 51 per cent majority. "This is a fight between two blocks of Menominee and we're an easy sitting duck," she said.

Nevertheless, it is a strange arrangement for a people supposedly granted self-determination 10 years ago. They can elect local government officials, but the local government depends almost entirely on the corporation, which is managed by the trustees and directors, not by the people who own it. Trustees are elected—one each year.

Unlike some of his fellow directors, Dodge agrees that it is an undesirable arrangement and he believes that the Menominee people will be given a larger voice in company affairs.

Like the DRUMS leaders, Dodge fears the 1974 deadline when Menominee shareholders will be able to sell their stock in the tribal corporation, a step which poverty or disenchantment might encourage, especially among those who have moved away.

"If there is a run by Menominee to sell their shares," said Dodge, "then all we've done has been for nothing. It's not just losing the land. In less than three years, the whole thing could fall into the hands of someone else—not Menominee."

In the meantime, DRUMS is fighting MEI on every level, from lawsuits to picketing the Legend Lake sales office.

Dodge acknowledges that their protests and the publicity have hurt sales. "People come in to purchase property," he said, 'then they go home to Milwaukee and hear about what DRUMS is doing. In a while, we get a letter that says, gosh, in view of the way the Indian people feel,' they'd like to get out."

Moon Weso, who is 68 and knows the old stories and songs, is more optimistic than the young corporate manager. He believes that the Menominee are beginning to demand the changes which they should have fought for long ago.

"Thinking about it in an Indian way," he said, it seems like the spirit of Indian is reviving all over. Its hard to explain that, but you see it. Certainly, we could feel it here again."

Jim White puts it more fiercely:

"What's incredible is that all this crap is still going on. We read about it, the stealing from the Indians and all, and we think that happened 100 years ago. The hell it did. It's happening right today. If we could just show our people that they don't have to take this lying down."

FEDERAL ELECTION REFORM

Mr. ALLEN. Mr. President, on behalf of the Senator from Nevada (Mr. CANNON), I ask unanimous consent to have printed in the RECORD a statement by him and an insertion relating to Federal election reform.

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

STATEMENT BY SENATOR CANNON

Mr. CANNON. Mr. President, the Washington Post for Friday, October 1, 1971, contains an editorial entitled "The Votes That Money Can Buy." I commend the Washington Post for publishing articles and editorials urging the adoption of vitally needed, effective election reforms to replace the antiquated and meaningless Corrupt Practices Act. Support from every source is welcomed and encouraged if it tends to move this kind of legislation toward Congressional approval and signing by the President.

I must protest, however, the implication in the editorial that while the Republican leadership of the House "has put its full weight behind the Senate bill" the Democrats would prefer to preserve the present system.

Democrats in the House have sponsored and are diligently supporting in both the Administration and Commerce Committees of that body proposals substantially similar to the Senate-passed bill, S. 382. It is not fair to suggest that one party alone is causing or contributing to the breakdown of committee action on election reform. Nor is it helpful at this time to point to interparty differences in approaches to election reform. Rather, it is most important to urge bipartisan action to approve an effective act prior to the 1972 election campaign.

The editorial indicates that the Senate-passed bill is deficient in that it does not apply overall limitations on campaign contributions and expenditures. The bill does apply formula limits on spending for broadcast and nonbroadcast media but does not place ceilings on other expenditures or upon contributions, because of the thrust of the legislation is toward broad, timely, and specific public disclosure. Almost without exception, expert witnesses testified that a strict limitation upon contributions or expenditures by individuals would be an unconstitutional restriction of the freedom guaranteed by the First Amendment. Moreover those same witnesses were of the opinion that the public should judge whether too much money is being received or spent by particular parties or candidates. Such judgments would be rendered at the polls.

No one claims that the Senate-passed bill is flawless or that, if enacted, it would be a kind of "miracle drug" for election campaign ills, but it is the result of hard work, bipartisan support, lengthy hearings, mark-up sessions, and committee and Senate debate—all directed toward the passage of the best bill possible.

Its passage in the Senate by a vote of 88–2 is a tribute to the almost unanimous approval of Democrats and Republicans. In fact no Democrat voted against the bill.

I ask the Washington Post and all other news media to employ their energies in encouraging positive and bipartisan action in the House of Representatives in order to enact at an early date a Federal Election Campaign Act which will restore confidence in the integrity of the election process.

I ask unanimous consent that the editorial be printed in the RECORD.

[From the Washington Post, Oct. 1, 1971]

THE VOTES THAT MONEY CAN BUY

Hopes were bright a couple of months ago that Congress would take the first step this fall toward bringing under control the worst aspect of the American political system—the manner in which elections are bought and sold. A campaign spending bill, not the best Congress could write, but a good one and one that made a start in the right direction, had passed the Senate. Now—suddenly—the whole subject of campaign spending has been caught up in the internecine warfare of the House, with the result that even this attempt to limit the corrupting influence of money is being nibbled to death.

Two House committees—Commerce and Administration—are at work on the issue and their members seem to care more about saving the scandalous practices of the past than trying to restore the integrity of a democratic political system. Their maneuvering, over the protests of the leaders of both political parties, poses the threat that either no now bill will be passed this year or that one will come out of the House which is just as much of a farce as the 30-year-old Corrupt Practices Act.

The principal elements of any respectable campaign spending bill are (1) realistic limitations on expenditures and contributions, (2) adequate reporting requirements, and (3) machinery which can enforce the other requirements. The Senate bill is somewhat deficient in two of these in that it fails to set limits on contributions and does not give the Independent Elections Commission it

would establish sufficient enforcement power. But instead of trying to eliminate these deficiencies, some members of the two House committees have set about to make them more glaring by gutting the reporting requirements and the limitations on expenditures.

Last week, for instance, the Commerce Committee voted to impose a 10 cents per voter limit on total campaign expenditures in each election. This is the same limit approved last summer by the Senate—but with one crucial difference. The Senate bill would restrict the candidate to spending no more than 60 per cent of this total on radio-television advertising. The House committee, by voting against the restriction, did nothing to stop wholesale attempts to buy public office via television advertising. The gimmick is that everyone knows the television limitation is far more important in its political impact than limitations on other kinds of spending. So unless the House overrides its committee, don't count on seeing anything but political advertisements on television during October and early November of 1972.

Underlying this, of course, is the financial imbalance of the two national parties. The Democrats came out of the 1968 campaign with a deficit of more than $9 million and are still so deep in the red that their credit is non-existent. The Republicans, on the other hand, will have a fat campaign kitty. The failure of the House to approve a bill that sets legitimate and enforceable limits, particularly on television spending, means that the Republicans will probably be able to outspend the Democrats four or five to one in 1972.

Given that situation, the conduct of the Democrats in the House in failing to muster their forces for any effective legislation is simply incomprehensible. The Republican leadership there has put its full weight behind the Senate bill and deserves nothing but credit for its action. The Democrats ought to seize that opportunity to strengthen the Senate bill and to add to it the income tax checkoff proposal urged several times by President Johnson and other Democratic leaders. Together, the two would provide the country with a chance to get campaign spending under control and to take the first step toward the public financing of campaigns, the system which must be adopted eventually if money and big contributors are to be prevented from taking over complete control of the election process.

In a burst of candor, Sen. Russell Long once said that campaign contributions "can be viewed as monetary bread cast upon the waters to be returned a thousandfold." His words mean just what you think they mean—that the current method of financing campaigns corrupts and that in the end the American taxpayers provide the payoffs. The House of Representatives could do its part toward correcting that situation by improving the Senate bill. But the way things are going now suggests that many of its Democratic members want to preserve the present system in which the rich get richer and the rest of us pay the bills.

A BETTER LIFE IN RURAL WYOMING

Mr. HANSEN. Mr. President, in the State of Wyoming, large rural areas remain open to growth and the building of fine new communities. Our five biggest cities range between 10,000 and 50,000 people. They account for a third of our total population.

This is a State where rural life predominates, and where the rising national emphasis on rural development concerns and involves almost every community.

We look to rural service agencies for most of the support we need in efforts to improve our communities, and to insure that Wyoming's young people can find their future in Wyoming rather than have to leave for distant places.

In this connection, we are especially encouraged by the new resources that are being placed at the disposal of rural people through the Farmers Home Administration of the U.S. Department of Agriculture.

Farmers Home over the past 2 years is one of the most improved direct service agencies of the Government. Working through its local county offices, it has brought into rural areas of Wyoming half again as much capital for better housing, modern community water and sewer facilities, and family farming and ranching as its annual volume of 3 years ago.

Fiscal 1971, the year ended last June 30, saw the various rural FHA programs add $14.8 million to agricultural and community development in Wyoming. This was a 40-percent gain over the previous year's $10.8 million. Credit outstanding in the State from Farmers Home Administration programs now totals some $58 million. About one-fourth of this was supplied in the year just past.

The importance of this agency's input into the total progressive efforts of a rural area can be seen as we add up what is being done in Lincoln County, Wyo.

This is a county of about 8,700 people on our far western border, across the State from our largest cities. In the southern half there is mining, sheep grazing, irrigated grain farming. In the northern half, Star Valley with its dairy farms lies between some of the most magnificient scenic mountains to be found in the Western United States. This is an area of great beauty still unspoiled and uncrowded, a natural center for winter sports, lying just south of the Jackson Hole and Yellowstone vacation regions.

Lincoln County is a corner of the West where people both young and elderly have famliy ties they would like to maintain; where young families can live in an environment less fraught with the hazards of drugs and crime that affect many other areas.

Lincoln County local community organizations have been working for nearly a decade to offset the forces of rural decline that compel the outmigration of rural people. About 95 project measures now are progressing under local leadership—projects directed toward the creation of more jobs in local industry, a stronger agriculture, and better living standards for the average family of modest means.

Credit supplied through the Farmers Home Administration, supplementing all local and private resources available, plays a decisive role in many of these projects.

In agriculture, Farmers Home loan financing, combined with Soil Conservation Service engineering and ASCS cost-sharing, have made it possible to develop irrigation sprinkler systems which, by next year, will water 179 of the 500 farms in Lincoln County. Seventy farms have been saved for family operation by the farm credit services of the Farmers Home Administration.

Six modern community water systems, which solve the problem of water for home and industrial use, also have been developed in this county through the Farmers Home Administration's rural community facilities program.

These basic services and provisions for the necessities of family living underly the strength and tenacity of Lincoln County's community projects to create new employment.

One such community is Afton—a mountain town 60 miles from the nearest railroad, accustomed to snow on its roads 6 months of the year. Afton in recent times has developed and maintained the operation of a plant that builds small aircraft, and a sawmill that provides 150 jobs and accounts for the livelihood of one-third of Afton's 1,500 people. There are new homes, and now there is a golf course that the people have privately financed.

Throughout Wyoming, more than 1,600 families of low to moderate income have moved from bad to good, modern homes on the strength of $17 million in rural FHA home loans now outstanding in the State. Indicating the recent improvement of FHA's rural housing program, one-fourth of these homes, representing $5.8 million of development, were produced within the past year.

More than 2,000 farm loans outstanding in the State represent $36.4 million added to other credit available for the operation of agriculture.

Small rancher associations have established 26 grazing ranges with nearly $6 million of insured loan financing through FHA.

The rural community facilities program has brought modern water and waste disposal systems to some 40 rural communities.

Farmers Home Administration programs can be judged by their visible affect on family standards of living and community improvement. The fruit of this good work is seen on an increasing scale in every county of Wyoming.

We can point with much satisfaction to the way this administration is applying the greater resources now provided for a better life in rural America.

And for Wyoming, we congratulate National Administrator James V. Smith and State Director Bill Clark on the outstanding record that the Farmers Home Administration is making in our State.

CONGLOMERATES RESHAPE FOOD SUPPLY

Mr. McGOVERN. Mr. President, the distinguished Pulitzer Prize winning reporter of the Washington Post, Mr. Nick Kotz, is currently writing a series of articles of vital importance to all Americans who are concerned about the cost and type of the food supply we will have in America.

Mr. Kotz very accurately describes some of the aspects of the corporate inroads into American agriculture. Accord-

ing to his series, this corporate inroad is now threatening the bastion of the family farm, the American Midwest. Even though the economies of scale which might be expected from larger operations have already been met by larger family farm investments and operations, the family farmer is in dire straits because of years of low farm prices. Only last Friday the U.S. Department of Agriculture informed us that the parity ratio had slipped to 68 percent, the lowest since the worst days of the great depression. It is small wonder that farmers are leaving the farm at an unprecedented pace and farm foreclosures are increasing.

The alternative to the family farm system is corporate agriculture. The consumer has a direct stake in who will control American agriculture. If the large, vertically organized corporate conglomerates are permitted to control the basic commodities from the farm to the supermarket. I am convinced that the food costs the consumer pays will skyrocket. We will also have to find jobs in our already overcrowded cities for the tens of thousands of persons in the farm belt whose jobs are directly related to agriculture.

I am hopeful that the trend to a corporate agriculture can be reversed. First, the consumer must become aware that his best friend is the family farmer. First and foremost, the American farmer must have a fair price for his products. We must resist efforts to cripple efforts for meaningful farm bargaining by turning farm organization against farm organization. We should encourage the States to enact legislation prohibiting farming by large conglomerate corporations, close loopholes which abet tab tax-loss farming and also provide easier credit for young men who wish to start farming. We have made some significant strides in this direction, but not nearly enough to deal with the scope of the problem.

Because Mr. Kotz's articles dealing with the corporate agriculture and the family farm are so incisive, I ask unanimous consent that they be printed in the RECORD.

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

[From the Washington Post, Oct. 3, 1971]

FARM-TO-MARKET CONTROL—CONGLOMERATES RESHAPE FOOD SUPPLY

(By Nick Kotz)

The name "Tenneco" is not yet a household word to American consumers, but it weighs heavily on the minds of the nation's embattled farmers and of government officials who worry about the cost of food and the fate of rural America.

For Tenneco, Inc., the 34th largest U.S. corporation and fastest-growing conglomerate, has become a farmer.

Its new activities symbolize an agricultural revolution that may reshape beyond recognition the nation's food supply system. Dozens of the largest corporations with such unfarm-like names as Standard Oil, Kaiser Aluminum and Southern Pacific have diversified into agriculture.

What concerns farmers, processors and wholesalers is that the new breed of conglomerate farmers does not just grow crops or raise cattle. The corporate executives think in terms of "food supply systems," in which they own or control production, processing and marketing of food.

"Tenneco's goal in agriculture is integration from seedling to supermarket," the conglomerate reported to its stockholders. Its resources to achieve that goal include 1970 sales of $2.5 billion, profits of $324 million and assets of $4.3 billion in such fields as oil production, shipbuilding and manufacturing.

The conglomerate invasion of agriculture comes at a time when millions of farmers and farm workers have already been displaced, contributing to the problems of rural wastelands and congested cities. More than 100,000 farmers a year are quitting the land, and more than 1.5 million of those who remain are earning less than poverty-level farm incomes. Their plight is severe.

Although the U.S. census still counts 2.9 million farmers, 50,000 grow one-third of the country's food supply and 200,000 produce more than one-half of all food. The concentration of production is especially pronounced in such crops as fruit, vegetables and cotton.

In 1965, 3,400 cotton growers accounted for 34 per cent of sales, 2,500 fruit growers had 46 per cent of sales and 1,600 vegetable growers had 61 per cent of the market.

The medium to large-size "family farms"—annual sales of $20,000 to $500,000—survived earlier industrial and scientific revolutions in agriculture. They now face a financial revolution in which traditional functions of the food supply system are being reshuffled, combined and coordinated by corporate giants.

"Farming is moving with full speed toward becoming part of an integrated market-production system," says Eric Thor, an outspoken farm economist and director of the Agriculture Department's Farmer Cooperative Service. "This system, once it is developed, will be the same as industrialized systems in other U.S. industries."

Efforts to bar large corporations from farming have come too late, says Thor: "The battle for bigness in the food industry was fought and settled 35 years ago—chain stores versus 'Ma and Pa stores.' "

* * * * *

farming has not lowered question of whether large-scale industrial food systems provide cheaper food for consumers. Corporation takeover of the poultry industry did result in lower consumer prices. But for numerous food products, corporate farming has not lowered grocery costs, because the price of raw food materials is not a significant factor in determining final retail prices. For example, the cost of a food container is sometimes more than the farmer receives for the food packaged in it.

The new corporate farmers account for only 7 percent of total food production, but they have made significant inroads in certain areas. Twenty large corporations now control poultry production. A dozen oil companies have invested in cattle feeding, helping shift the balance of production from small Midwestern feed lots to 100,000-head lots in the High Plains of Texas. Just three corporations—United Brands, Purex and Bud Antle, a company partly owned by Dow Chemical—dominate California lettuce production. The family farmer still rules supreme only in growing corn, wheat and other grains, and even here constantly larger acreage, machinery, credit and higher prices are needed for the family farmer to stay profitably in business.

Tenneco hopes that its new brand name, "Sun Giant," will one day become for fresh fruits and vegetables what "Del Monte" now means for canned foods. It hopes housewives will pay premium prices to buy its nationally advertised specially packaged fresh produce.

Tenneco, which started out as Tennessee Gas Transmission Co., says it made "giant strides" in 1970 toward its agriculture goals.

Resources rapidly accumulated by the giant conglomerate include: Kern County Land Co., which controls 1.8 million acres of land in California and other states; J. I. Case Co., a manufacturer of farm machinery; Packaging Corp. of America, which makes food containers; Tenneco Chemicals, a producer of pesticides, and Heggblade-Margoleas, the nation's largest processor-marketer of fresh fruits and vegetables.

Even the largest independent California farmers question how they can compete with a corporation which can, at least in theory, own or control virtually every phase of a food supply system. Tenneco can plant its own vast acreage. It can plow those fields with its own tractors, which can be fueled with its own oil. It can spray its crops with its own pesticides and utilize its own food additives. It then can process its food products in its own plants, package them in its own containers and distribute them to grocery stores through its own marketing system.

Financing the entire operation are the resources of a conglomerate with billions in assets, hundreds of millions in tax-free oil income and interests in banking and insurance companies. Tenneco, according to reports filed with the Securities and Exchange Commission, had 1969 gross income of $464 million and taxable income of $88.7 million. Yet due to federal tax breaks, Tenneco not only paid no taxes on that income, but had a tax credit of $13.3 million.

Tenneco officials—who don't want to be named—acknowledge they are building a vertically integrated food delivery system, but they deny any plans for coordinated use of the conglomerate's total resources. Each company must compete and earn a profit separately, they say. Nevertheless the Federal Trade Commission is actively scrutinizing the corporation's agricultural activities for possible antitrust violations.

Tenneco is reluctant to discuss details of its finances in agriculture, but available information indicates the scope of its present agricultural interests.

In 1970, Tenneco reported agricultural and land development sales of $107 million and profits of $22 million. It farmed 35,000 acres directly and 95,000 acres through 324 tenant farmers. It produced 2 million boxes of grapes, 1.5 million boxes of strawberries and large amounts of other fruits and vegetables. But that is only the beginning.

MARKETING FIRM

Heggblade-Margoleas, Tenneco's processing and marketing firm, sold its own products and those of about 2,000 other farmers. Heggblade-Margoleas is the nation's largest, marketer of fresh fruits and vegetables and the world's largest marketer of table grapes. Its processing facilities include a new 8-acre plant and the world's largest date processing plant. Tenneco even has its own farm lobbyist in Washington.

Tenneco agricultural operations employ 1,100 full-time workers and 3,000 at the peak of harvest. Faced with a boycott of its other products, Tenneco last year signed a contract with Cesar Chavez's United Farm Workers Organizing Committee.

The 1970 contract signed with Tenneco and other grape growers raises basic wages to $1.75 to $1.80 an hour and provides a piecework bonus that can add another $1 an hour during harvest season. Before Chavez's union began its grape strike, wages averaged between $1 and $1.25 an hour. The contract also established a medical care fund, an economic development fund and safety precautions to protect workers from pesticide poisoning.

Tenneco's future plans include development of its Sun Giant brand produce and putting into production 30,000 newly irrigated acres.

FARMERS OVERPOWERED

The type of food system being put together by Tenneco and other conglomerates frustrates and frightens independent farmers.

They see every element of the food business acquiring market power but themselves. On one side, they confront the buying power of giant food chains. Now they must compete with conglomerates that can take profits either from production, processing, or marketing. The individual farmer usually does not have such options. The giant competitors also benefit most from a variety of government subsidies on water, crops and income taxes.

Contrary to popular notion and most galling to the efficient, large, independent farmer, the corporate giants generally do not grow food cheaper than they do. Numerous USDA and university studies show that enormous acreage is not needed to farm efficiently.

For example, maximum cost-saving production efficiency is generally reached at about 1,500 acres for cotton, less than 1,000 acres for corn and wheat, and 110 acres for peaches. Thousands of independent family farmers possess such needed acreage, and farm it with the same machinery and techniques used by their new rivals.

In fact, studies show that the largest growers incur higher farm production costs as they employ more workers and layers of administrators.

A full-scale economic battle between the conglomerates and independent farmers is now unfolding in the nation's single most important farm area, the rich central valleys of California, which far outdistances Iowa as the first-ranked state in farm sales. California farms grow 40 per cent of the nation's vegetables, fruits and nuts. The state produces at least 90 per cent of the country's supply of 15 crops and leads the nation in 25 others.

"If the Tenneco operation is allowed to go unchecked, it can change the whole complexion of farming in the valley," says Fresno attorney Donald Thuesen. "They have the marketing power to make or break the market. They can sell below cost, as a loss leader, to get other business, and sustain losses that no farmer can afford."

Thuesen represents a large grape grower who claims Tenneco forced him into bankruptcy by selling the grower's grapes below the market price. A former Tenneco tenant farmer makes similar claims involving the marketing of his potatoes. Tenneco denies these charges.

"Tenneco sells their produce first and you get what's left over," contends John Giacone, who grows cantaloupes in the San Joaquin Valley.

In an effort to market his own cantaloupes, Giacone built a plant to box and market his produce. But now he finds supermarket chains will not buy his cantaloupes unless he uses a different kind of container. The chains have changed their container specification deciding that another kind of box is more convenient for their retail operations.

Remodeling his shed for the newly required packing process would cost $500,000, says Giacone, and that "will take the family jewels and then some."

At a time when they are confronted with overproduction in numerous crops, Californias' independent farmers are distributed to see the conglomerates, with taxpayer's help, each bringing into production 5,000 to 100,000 newly irrigated acres.

A California state water project will irrigate 450,000 new acres for crops. A Ralph Nader task force calls the water project an unwarranted $1,000-an-acre "welfare scheme" for a few big landowners. Tenneco plans to grow fruits and vegetables on 30,000 of these acres. Other major beneficiaries include Southern Pacific, Standard Oil of California and Belridge Oil Co.

INEFFICIENT FARMING

"Belridge Oil Co. is spending $185 million to develop 20,000 acres of fruit and vegetables," says Jack Bowen, a peach grower in Modesto. "They grew 640 acres of peaches last year just to see whether they wanted to grow them. If corporations like that get serious, we've had it. "We can produce more efficiently than these corporations but we may not be around long enough to prove it."

Bowen is not a small peach grower. A sign outside his spacious 350-acre orchard proudly proclaims "A Family Business for Four Generations." His annual sales exceed $300,000. He replaced the jobs of several hundred nonunion migrant workers with a giant machine, which clutches peach trees by their trunks, then shakes off the peaches into a conveyor and onto trucks.

As a practical matter, Bowen and other California peach growers have become too efficient for their own good. Faced with ruinous prices last year, they destroyed 40 per cent of their harvest.

"We only have 53,000 acres of peaches in production," says Ugo Caviana, president of the California Peach Canning Association. "One big corporate grower like Tenneco could wipe us all out."

Caviani says the number of California cling peach growers has declined from 2,200 to 1,700 in only three years, while the number of canners has dropped from 40 to 14.

The nation's fruit and vegetable growers are not strangers of the tough competition of agribusiness. For many years, they have wrestled with the market power of chain stores and major food processors. They sell to canners such as Del Monte, Libby-McNeil & Libby, Green Giant Co., H. J. Heinz Co. and Minute Maid Corp. (a subsidiary of Coca Cola). Each of these canners also competes with the independent farmer by growing large amounts of its own food supply.

But the new conglomerate represents a different kind of competition. The older agribusiness corporations are primarily food companies and must make money somewhere in the food distribution system. Such is not necessarily the case with the new conglomerate farmers, for whom millions of dollars of agribusiness investment may represent only a fraction of their total holdings. Only 4 per cent of Tenneco's sales are from agriculture.

In fact, the conglomerates may find their food investments profitable even without earning anything from them. The profits may come from land and speculation, federal crop subsidies, or generous federal tax laws. Tenneco received almost $1 million in 1970 cotton and sugar farm subsidies.

The new conglomerates utilize a variety of federal tax provisions that permit them to benefit from tax-loss farming and then profit again by taking capital gains from land sales. Tenneco, for example is now developing six new California suburban communities on former farm land.

Tenneco officials insist they are farming to make money, to serve the consumer quality products and to help strengthen American agriculture.

"LAND AS INVENTORY"

However, Simon Askin, Tenneco's executive vice president for agriculture and land development, recently told the Los Angeles Times: "We consider land as an inventory, but we're all for growing things on it while we wait for price appreciation or development. Agriculture pays the taxes plus a little."

The federal government has been hesitant to bring antitrust actions against conglomerates that move into farming. So farmers and corporations are watching closely a key test case that is developing in California's Salinas Valley, the lettuce and celery capital of the country.

The Federal Trade Commission has charged both United Brands, the 81st largest U.S. corporation, and Purex Corp., the 316th largest, with seeking to monopolize the production and supply of fresh vegetables.

The FTC is negotiating a settlement with Purex but the United Brands case is in federal court. The government charges that United Brands is transforming the lettuce and celery business from a competitive one of small, profitable, independent growers into a non-competitive industry dominated by large conglomerates. The FTC will seek to prove that United Brands cannot grow lettuce more cheaply and that it provides no price benefits to consumers.

In its reply to the FTC complaint, United Brands contends that the country needs large corporations in the farming business. United Brands, represented by President Nixon's former law firm, states:

"Although there may be some nostalgic desire to see a market composed of many small growers, that structure cannot survive against a market buyer (chain stores) that is composed of fewer and fewer companies with larger and larger market shares."

"SMALL FARMERS"

United Brands contends there is no economic justification for "a lettuce market composed of many small farmers who all are at the mercy of the buyers."

The FTC case illustrates dramatically the vastly different concepts by which industry and farmers measure bigness in agriculture. Most of the "small farmers" referred to by United Brands are, by present farm standards, among the largest independent farmers in the country. Their annual sales range from more than $100,000 to several million dollars.

Although admitting the increasing concentration of corporate power in fruit and vegetable production and the corporate takeover of poultry farming, USDA officials generally contend that this phenomenon will not spread to other farm products.

Many Midwestern cattle, hog and grain farmers disagree.

They fear that the cattle and hog feeding businesses, their best source of income, may follow the pattern in which independent poultry growers were wiped out.

About 20 corporations including Allied Mills, Ralston Purina and Pillsbury Co., originally went into poultry production as a means of developing markets for their feed. Farmers were signed up to grow the corporations' poultry, using their feed.

According to USDA studies, the poor but once independent poultry farmers are still poor as contract workers, earning about 54 cents an hour. A Ralph Nader task force on agriculture called this corporate farm system "poultry peonage."

The corporations, however, contend that they have benefited small farmers with a steady, if small, source of income. And, they say, they have given consumers lower priced chicken and turkey.

The farmer sees everyone he must deal with in the food production system acquiring more power except him. The supermarket chains, the grocery manufacturers and the new conglomerate farmers all have economic clout in the marketplace and political influence in Washington. Even migrant farm workers, still the lowest paid laborers in the country, have made some progress, signing contracts with the new conglomerate farmers, who are vulnerable to boycott of their brand products.

Only the individual farmer, with the exception of powerful cooperatives in a few crops, remains unorganized in the marketplace.

A battle to achieve market power now pits rival farm producer groups against each other, farmers against processors and farmers against migrant farm workers.

The battle has produced some strange new alliances and has strained old ones. It is now being fought with strikes and boycotts and in the halls of Congress.

[From the Washington Post, Oct. 4, 1971]

ENORMOUS AGRIBUSINESS FIRMS THREATEN THE FAMILY FARM

(By Nick Kotz)

Joseph Weisshaar looks the part of Modern American Farmer, textbook version: educated at Iowa State, conservative in speech and manner, efficient in the latest technology, industrious as a businessman, proudly independent.

He is 39 years old and grossed more than $100,000 last year selling hogs. He has presumably "made it." But in fact he is a troubled man, fearful that he and thousands of farmers like him in this country cannot survive the industrial and financial upheavals in American agriculture that have been brought about in recent years by the emergence of enormous "agribusiness" corporations.

So he has become a "militant" of sorts, a card-carrying member of the hell-raising National Farmers Organization which is using collective bargaining, law suits, strikes, boycotts, crop dumping and even occasional violence to win higher farm prices for its growing membership.

The NFO's ultimate goal is to protect the "family farmers" of the world from forces over which they have minimal control—giant food chains, food manufacturers and conglomerates that are attempting to bring to agriculture the industrial bigness, efficiency and control that characterizes much of the American economy.

The threat to the "family farm," and the way of life it represents, is so strong that even the American Farm Bureau Federation, the nation's largest and most conservative farm organization, shows symptoms of upheaval. In the past, the AFB has consistently and vigorously opposed federal intervention in the farm economy. But today it is swallowing its ideology and asking for federal laws to strengthen individual farmers in dealing with the new corporate forces in agriculture.

The stakes in this struggle between farmers like Weisshaar and the giant new farm corporations are immense.

Food is the nation's largest business with $114 billion in annual retail sales. More than $8 billion in annual farm exports keep the U.S. balance of trade from becoming an economic disaster. The question of who in agriculture is to share in this bounty and on what terms is at the root of the NFO's militance and the Farm Bureau's philosophical turnaround.

Will the family farm survive in the years ahead? Or will agriculture become—like steel, autos, and chemicals—an industry dominated by giant conglomerate corporations such as Tenneco, whose operations were described in an article yesterday? In that case, the nation will have lost its prized Jeffersonian ideal, praised in myth and song, of the yeoman farmer as the backbone of America.

What will become of rural America if the greatest migration in history—40 million to the cities in 50 years—is further accelerated? Farmers have provided the economic base of the small towns and that base is becoming perilously small.

What will be the effect of a rural wasteland on the American political system? The power of the farm lobby and the small towns, already in sharp decline, has traditionally provided a counterbalancing force to the politics of the big cities.

How will the nation's food supply be affected? Production efficiency of the family farmer and general affluence have made food a relative bargain in the United States. Can the conglomerates provide a steady, efficient supply of food?

FAMILY UNITS DOWN

On all these questions, the symptoms are not encouraging for the family farm system. A million farms are eliminated every 10 years and only 2.9 million remain.

The average farmer today is 58 years old—compared to a median age of 38 for all Americans in the work force. Young aspirants who would like to fill the retiring farmer's shoes can't get capital. And many who start farming soon quit, discouraged by low returns and mounting debts.

The contest between the family farmer and the conglomerates is, on the surface, incredibly unequal. There is Tenneco with its $4.3 billion in assets and its ability to employ its own land, tractors, pesticides, oil, processing plants, and marketing system. On the other side, there is Joe Weisshaar trying to hold on. Weisshaar has to quit, but he is perplexed about what it takes to earn a decent living farming.

GOAL REACHED

After 10 years applying the lessons taught him at agriculture college, Weisshaar last year reached his personal goal—the magic circle of 50,000 farmers who sold at least $100,000 worth of farm products and produced one-third of the nation's food.

It was not a happy experience.

"I figured I would have it made when I reached the $100,000 mark," (in sales) says Weisshaar, 39, who farms 540 acres near Creston, Iowa, "but I ended up $1,300 further in debt. It seems like the bigger you get, the harder you fall. You depend heavily on credit and with one bad year of hog prices you are in deep trouble."

The Weisshaars have taken only one vacation in 10 years. The family bought only one costly item last year, a new refrigerator. Mary Jane Weisshaar, an attractive college graduate and mother of three young children, paid for it by driving a corn-hauling truck in a job that begins at 5 a.m.

"All that talk in the cities about free time and recreation?" questions Weisshaar. "I wonder whether we farmers aren't subsidizing that recreation."

With his credit already stretched to meet operating expenses, including payments on expensive farm machinery, Weisshaar must farm leased land, rather than buying his own.

"The doctor and lawyer uptown are buying up the farm land as a tax write-off and a hedge against inflation," he complains. "When they get done with it, there is only one other place it can go—to the farm corporations."

INVESTMENT IN YOUTH

"This country is going to wake up one day and discover that the price of food has doubled," says Weisshaar's banker, Charles Ehm, who worries that young men can't get a start in farming. "We decided to start out five young farmers a year—a good investment for the bank and for the community. It's not working and it just tears my heart.

"The worst part of it is that they are not 'pool hall boys.' They work night and day. They are efficient, good farmers. I could name at least a half dozen who will sell out this winter, and they shouldn't have to."

Ehm says the family farm will soon disappear unless farmers get higher prices, and the government provides special financial credit for beginning farmers.

Weisshaar worries that Midwestern farming will be taken over by "vertically integrated" corporate farms, similar to ones that now dominate California agriculture.

While the Tennecos haven't yet moved into Iowa on the grand scale they have spread through California's central valleys, you can almost hear their footsteps.

Feed manufacturers, processors and other corporations already have taken over poultry production, and are now applying similar tactics to move in on hog and cattle feeding—the midwestern farmer's best source of income.

Ralston Purina Co., a leader in the corporate takeover of poultry, has made a pitch to Weisshaar, offering to finance his hog operation, if Weisshaar will buy the corporation's feed and grow its hogs on contract. Remembering what happened to the once independent poultry grower, Weisshaar doesn't want that kind of partner. He doubts the advertisements of Kleen-Lean, Inc., the Ralston Purina subsidiary, which beckon him with "Swine Leasing Will Work for You."

THE PROFITCHAIN

But Weisshaar is faced with a dilemma. If the processors and conglomerates gain control of hog and cattle feeding, then Midwestern family farmers will have to get all their income from growing corn, wheat, and soybeans. Farmers fear they cannot survive, if their only function is to provide grain for an integrated food system in which most profits are taken further up the food chain of animal feeding, processing, marketing and retail sales.

"It doesn't matter whether there are 500,000 of us left or 50,000," says the muscular but soft spoken Iowa farmer. "If we are powerless in the marketplace, we'll just keep on overproducing and killing each other off."

Out of this dilemma, the NFO arose and the Farm Bureau began rethinking its strategy. Farmers started turning up in unfamiliar places—with picket signs at packing plant gates, and with highway barricades seeking to bar farm products from going to market at low prices.

The NFO plan for saving the family farmer includes legislation prohibiting farming by large conglomerate corporations, closing loopholes that promote tax-loss farming by non-farmers, and providing easier financial credit for young farmers.

But the NFO has little confidence in getting help from a Congress in which the farm vote has shrunk into political insignificance.

Its basic strategy is to organize farmers into bargaining blocks of sufficient power to raise prices for their beef, hogs, grain, and other commodities. When buyers refuse to bargain or market prices get too low, the NFO tries to withhold commodities from the marketplace.

Weisshaar believes that an NFO-bargained contract with the John Morrell Co. will mean high prices this year for his hogs and better income to support his family.

"The NFO is the only hope we've got," he says. "We've got to block together our production and demand prices that will give us a decent living."

The Farm Bureau has called for relatively mild legislation that would require processors "to bargain in good faith" with farm groups representing a significant number of farmers. A three-man board, appointed by the President and approved by the Senate, would approve the farmer bargaining agents.

The Farm Bureau legislation, introduced by Rep. B. F. Sisk (D-Cal.), represents, at least in part, a response to the competition of the NFO.

BUSINESS BALKS

Several years ago the Farm Bureau organized voluntary bargaining associations, but learned to its surprise that its old friends and philosophical allies in agribusiness were not cooperative. Agribusiness corporations such as Campbell Soup Co., Green Giant Co., Del Monte Corp., and Pillsbury Co. flatly refused to sit down at the bargaining table.

Many Farm Bureau members suddenly looked at their prestigious organization in a different light. The Farm Bureau had built a $4-billion empire selling life insurance and supplies to farmers. But what, asked farmers, had the Farm Bureau done for them?

So John Kuhfuss, Illinois farmer and Farm Bureau President, went to a House Agriculture Subcommittee to complain. Agribusiness will not bargain with the Farm Bureau, he said, but insists on buying from individual farmers on "a take-it-or-leave-it-basis—a one-sided process that is getting more one-sided as changes continue to occur in American agriculture."

Still another approach to increased farmer power is taken by advocates of giant cooperatives, which already are powerful in the dairy industry and in California citrus. The coops believe farmers must compete by creating their own vertically integrated systems of production, processing and marketing.

The giant dairy coops also seek to win higher prices under government-approved marketing orders by exercizing political muscle in campaign financing. The dairy coops already have poured $170,000 into a 1972 Republican campaign chest for President Nixon's re-election.

"Agriculture is acting a great deal like the buggy whip industry acted at the turn of the century," says Eric Thor, director of the Agriculture Department's Farmers Cooperative Service and an advocate of giant, integrated coops. Instead of trying to reduce costs and sell cheaper buggy whips, says Thor, that outmoded industry should have become a manufacturer of fan belts or air cleaners.

Similarly, Thor says "the family farm could disappear" unless farmers compete collectively as processors and marketers of food. He believes farmers are wasting time concentrating all their energy on production efficiency, at a time when food industry profits are controlled in food marketing.

COOPS BIG TOO

Some farmers complain, however, that the "super coops" have become just another kind of conglomerate giant from which they get few benefits. For example, Sunkist Growers, Inc., which dominates 80 per cent of California citrus, is a many-layered, pyramid-shaped corporation. Small growers are at the bottom. Contrary to general knowledge, the processors at the top of this "super coop" include major private corporations as well as farmer-owned processors. Critics contend that decisions are made and profits are taken at the top of the pyramid, with too little consideration paid to the economic interests of the small grower.

Iowa farmer Weisshaar is not eager to have his interests buried in such coops. "If I wanted to go into something like that," he says, "I would have gone into meat packing or the grocery business. I like being a farmer."

The various plans of farm groups to save the family farm face an uncertain future.

Their legislative and organizational prospects are seriously weakened by traditional divisions in their own ranks. The NFO is suspicious of the Farm Bureau and is itself distrusted as too "radical" by other farmers. The National Farmers Union which represents midwestern grain producers, has its own legislative goals.

Other farmers, including cattlemen, fear that mandatory bargaining—a Farm Bureau proposal—will merely stimulate further vertical integration by the conglomerates. Faced with the prospects of collective bargaining, giant meat packers, canners and sugar refiners may respond by growing even more of their own raw food materials.

It is difficult to design legislation to meet the differing problems of Iowa corn producers and California fruit growers.

Furthermore, the agriculture committees of Congress are confronted with new conflicts of interest. In the past, these committees had little trouble satisfying both big farmers and corporate food processors.

The big farmer and conglomerate both benefited from farm subsidy payments, a cheap labor supply, and foreign aid food programs.

But now the Senate and House Agriculture Committees are faced with difficult choices—resolving new conflicts between independent farmers and the corporations. Agribusiness, led by the National Canners Association, National Broiler Council, and the American Meat Institute strongly oppose bargaining legislation.

These committees give considerable weight—as do many economists—to the agribusiness argument that farm commodity prices are determined on a day-to-day basis in a highly competitive world market and that rigid bargaining legislation might well weaken the ability of American agriculture to compete in world trade.

They are concerned, too, about maintaining the vigorous competition that now exists among food processors who fight for position in retail stores and who seek to satisfy shifting consumer preferences that often are geared to price. Processors want to retain this pricing flexibility and fear the rigidities that could come from enforced bargaining.

MANY LOBBYISTS

In terms of effective political power, 200 Washington lobbyists representing the food industry are far more influential than farmer lobbyists. Food processors have plants scattered all over urban America and can appeal to urban as well as rural Congressmen. For example, the Grocery Manufacturers of America maps out its legislative campaigns with charts showing the location of food plants in each congressional district.

"Most members of the agriculture committees wish this farm bargaining issue would just go away," says one agribusiness lobbyist. "Whatever they do, the politicians figure they will make one friend and six enemies."

The Nixon administration also feels and reflects the conflicting pressures from farmers and food manufacturers. The administration has tentatively supported the Farm Bureau Bargaining bill. But a high administration source confides:

"The White House owes a political debt to the Farm Bureau, but we aren't very enthusiastic about this legislation. If you look at our proposed qualifying amendments, you'll see there really isn't much left."

The political disputes and maneuvering are still largely regarded by consumers, urban politicians, and the news media as intramural issues involving "the farm problem."

But the broadest issue involves the future shape of America and of its rural communities.

There is the strong, compelling desire in rural America to maintain the family farm and the small town.

Joe Weisshaar questions whether a way of life his family loves will be replaced by another industrialized system, administered by the forces of big labor and big industry.

And migrant farm workers, struggling to organize, question whether society does not have some obligation to help the lowest-paid worker who is being replaced by machines.

WHY BIGNESS?

Creston banker Charley Ehm asks: "Why is this country so obsessed with bigness? Why can't a young fellow farm 300 acres and make a living? We need to replace the economists and corporate planners with someone who has a concern for human beings."

Even assuming that industrial agriculture can be more efficient, Don Paarlberg, the Agriculture Department's chief economist, says: "People are asking, whether in as affluent a country as the United States, efficiency should be the sole criterion for the form of agriculture we are going to have. We now supply ourselves with food—the best diet ever, anywhere, with 17 per cent of our income. How much is it worth to drive that percentage down to 15 or 12 or 10?"

"Should we sacrifice a form of agricultural production that has served us well, that has produced good people as well as good crops and livestock?"

Paarlberg had no answer for the question.

CONGLOMERATES THREATEN EXISTENCE OF THE INDEPENDENT FARMER

Mr. HUMPHREY. Mr. President, in 1950 our Nation's farm population was about 23 million or slightly over 15 percent of our Nation's total population. Today, the number of people on farms is below 10 million and they represent less than 5 percent of our Nation's total population. In 1950 we had 5.4 million farms operating in this country. Today that number is below 3 million. Furthermore, 70 percent of all farm marketings today are provided by only 400,000 farms and even within this group a small number control and produce most of the marketings of a few commodities. We see this concentration especially occurring in many of the specialty crops grown in California and in the cattle and poultry industries. This concentration and economic integration within agriculture has some genuine threatening overtones for maintaining a family farm structure in this Nation. Mr. Nick Kotz of the Washington Post has written a series of articles about this situation. I ask Members of the Senate to review and study the articles carefully. There are implications concerning this development for everyone, ranging from the farmer to and including the consumer.

Mr. President, I ask unanimous consent that the first two articles of the series be printed in the RECORD.

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

CONGLOMERATES RESHAPE FOOD SUPPLY

(By Nick Kotz)

The name "Tenneco" is not yet a household word to American consumers, but it weighs heavily on the minds of the nation's embattled farmers and of government officials who worry about the cost of food and the fate of rural America.

For Tenneco, Inc., the 34th largest U.S. corporation and fastest-growing conglomerate, has become a farmer.

Its new activities symbolize an agricultural revolution that may reshape beyond recognition the nation's food supply system. Dozens of the largest corporations with such unfarm-like names as Standard Oil, Kaiser Aluminum and Southern Pacific have diversified into agriculture.

What concerns farmers, processors and wholesalers is that the new breed of conglomerate farmers does not just grow crops or raise cattle. The corporate executives think in terms of "food supply systems," in which they own or control production, processing and marketing of food.

"Tenneco's goal in agriculture is integration from seedling to supermarket," the conglomerate reported to its stockholders. Its resources to achieve that goal include 1970 sales of $2.5 billion, profits of $324 million and assets of $4.3 billion in such fields as oil production, shipbuilding and manufacturing.

The conglomerate invasion of agriculture comes at a time when millions of farmers and farm workers have already been displaced, contributing to the problems of rural wastelands and congested cities. More than 100,000 farmers a year are quitting the land, and more than 1.5 million of those who remain are earning less than poverty-level farm incomes. Their plight is severe.

Although the U.S. census still counts 2.9 million farmers, 50,000 grow one-third of

the country's food supply and 200,000 produce more than one-half of all food. The concentration of production is especially pronounced in such crops as fruit, vegetables and cotton.

In 1965, 3,400 cotton growers accounted for 34 per cent of sales, 2,500 fruit growers had 46 per cent of sales and 1,600 vegetable growers had 61 per cent of the market.

The medium to large-size "family farms"—annual sales of $20,000 to $500,000—survived earlier industrial and scientific revolutions in agriculture. They now face a financial revolution in which traditional functions of the food supply system are being reshuffled, combined and coordinated by corporate giants.

"Farming is moving with full speed toward becoming part of an integrated market-production system," says Eric Thor, an outspoken farm economist and director of the Agriculture Department's Farmer Cooperative Service. "This system, once it is developed, will be the same as industrialized systems in other U.S. industries."

Efforts to bar large corporations from farming have come too late, says Thor: "The battle for bigness in the food industry was fought and settled 35 years ago—chain stores versus 'Ma and Pa stores.'"

* * * question is whether large-scale industrial food systems provide cheaper food for consumers. Corporate takeover of the poultry industry did result in lower consumer prices. But for numerous food products, corporate farming has not lowered grocery costs, because the price of raw food materials is not a significant factor in determining final retail prices. For example, the cost of a food container is sometimes more than the farmer receives for the food packaged in it.

The new corporate farmers account for only 7 per cent of total food production, but they have made significant inroads in certain areas. Twenty large corporations now control poultry production. A dozen oil companies have invested in cattle feeding, helping shift the balance of production from small Midwestern feed lots to 100,000-head lots in the High Plains of Texas. Just three Corporations—United Brands, Purex and Bud Chemical—dominate California lettuce production. The family farmer still rules supreme only in growing corn, wheat and other grains, and even here constantly larger acreage, machinery, credit and higher prices are needed for the family farmer to stay profitably in business.

Tenneco hopes that its new brand name, "Sun Giant," will one day become for fresh fruits and vegetables what "Del Monte" now means for canned foods. It hopes housewives will pay premium prices to buy its nationally advertised specially packaged fresh produce.

Tenneco, which started out as Tennessee Gas Transmission Co., says it made "giant strides" in 1970 toward its agriculture goals.

Resources rapidly accumulated by the giant conglomerate include: Kern County Land Co., which controls 1.8 million acres of land in California and other states; J. I. Case Co., a manufacturer of farmer machinery; Packaging Corp. of America, which makes food containers; Tenneco Chemicals, a producer of pesticides, and Heggblade-Margoleas, the nation's largest processor-marketer of fresh fruits and vegetables.

Even the largest independent California farmers question how they can compete with a corporation which can, at least in theory, own or control virtually every phase of a food supply system. Tenneco can plant its own vast acreage. It can plow those fields with its own tractors, which can be fueled with its own oil. It can spray its crops with its own pesticides and utilize its own food additives. It can process its food products in its own plants, package them in its own containers and distribute them to grocery stores through its own marketing system.

Financing the entire operation are the resources of a conglomerate with billions in assets, hundreds of millions in tax-free oil income and interests in banking and insurance companies. Tenneco, according to reports filed with the Securities and Exchange Commission, had 1969 gross income of $464 million and taxable income of $88.7 million. Yet due to federal tax breaks, Tenneco not only paid no taxes on that income, but had a tax credit of $13.3 million.

Tenneco officials—who don't want to be named—acknowledge they are building a vertically integrated food delivery system, but they deny any plans for coordinated use of the conglomerate's total resources. Each company must compete and earn a profit separately, they say. Nevertheless the Federal Trade Commission is actively scrutinizing the corporation's agricultural activities for possible antitrust violations.

Tenneco is reluctant to discuss details of its finances in agriculture, but available information indicates the scope of its present agricultural interests.

In 1970, Tenneco reported agricultural and land development sales of $107 million and profits of $22 million. It farmed 35,000 acres directly and 95,000 acres through 324 tenant farmers. It produced 2 million boxes of grapes, 1.5 million boxes of strawberries and large amounts of other fruits and vegetables. But that is only the beginning.

MARKETING FIRM

Heggblade-Margoleas, Tenneco's processing and marketing firm, sold its own products and those of about 2,000 other farmers. Heggblade-Margoleas is the nation's largest marketer of fresh fruits and vegetables and the world's largest marketer of table grapes. Its processing facilities include a new 8-acre plant and the world's largest data processing plant. Tenneco even has its own farm lobbyist in Washington.

Tenneco agricultural operations employ 1,100 full-time workers and 3,000 at the peak of harvest. Faced with a boycott of its other products, Tenneco last year signed a contract with Cesar Chavez's United Farm Workers Organizing Committee.

The 1970 contract signed with Tenneco and other grape growers raises basic wages to $1.75 to $1.80 an hour and provides a piecework bonus that can add another $1 an hour during harvest season. Before Chavez's union began its grape strike, wages averaged between $1 and $1.25 an hour. The contract also established a medical care fund, an economic development fund and safety precautions to protect workers from pesticide poisoning.

Tenneco's future plans include development of its Sun Giant brand produce and putting into production 30,000 newly irrigated acres.

FARMERS OVERPOWERED

The type of food system being put together by Tenneco and other conglomerates frustrates and frightens independent farmers. They see every element of the food business acquiring market power but themselves. On one side, they confront the buying power of giant food chains. Now they must compete with conglomerates that can take profits either from production, processing, or marketing. The individual farmer usually does not have such options. The giant competitors also benefit most from a variety of government subsidies on water, crops and income taxes.

Contrary to popular notion and most galling to the efficient, large, independent farmer, the corporate giants generally do not grow food cheaper than they do. Numerous USDA and university studies show that enormous acreage is not needed to farm efficiently.

For example, maximum cost-saving production efficiency is generally reached at about 1,500 acres for cotton, less than 1,000 acres for corn and wheat, and 110 acres for peaches. Thousands of independent family farmers possess such needed acreage, and farm it with the same machinery and techniques used by their new rivals.

In fact, studies show that the largest growers incur higher farm production costs as they employ more workers and layers of administrators.

A full-scale economic battle between the conglomerates and independent farmers is now unfolding in the nation's single most important farm area, the rich central valleys of California, which far outdistances Iowa as the first-ranked state in farm sales. California farms grow 40 per cent of the nation's vegetables, fruits and nuts. The state produces at least 90 per cent of the country's supply of 15 crops and leads the nation in 25 others.

"If the Tenneco operation is allowed to go unchecked, it can change the whole complexion of farming in the valley," says Fresno attorney Donald Thuesen. "They have the marketing power to make or break the market. They can sell below cost, as a loss leader, to get other business, and sustain losses that no farmer can afford."

Thuesen represents a large grape grower who claims Tenneco forced him into bankruptcy by selling the grower's grapes below the market price. A former Tenneco tenant farmer makes similar claims involving the marketing of his potatoes. Tenneco denies these charges.

"Tenneco sells their produce first and you get what's left over," contends John Giacone, who grows cantaloupes in the San Joaquin Valley.

In an effort to market his own cantaloupes, Giacone built a plant to box and market his produce. By now he finds supermarket chains will not buy his cantaloupes unless he uses a different kind of container. The chains have changed their container specifications deciding that another kind of box is more convenient for their retail operations.

Remodeling his shed for the newly required packing process would cost $500,000, says Giacone, and that "will take the family jewels and then some."

At a time when they are confronted with overproduction in numerous crops, California's independent farmers are disturbed to see the conglomerates, with taxpayer's help, each bringing into production 5,000 to 100,000 newly irrigated acres.

A California state water project will irrigate 450,000 new acres for crops. A Ralph Nader task force calls the waterproject an unwarranted, $1,000-an-acre "welfare scheme" for a few big landowners. Tenneco plans to grow fruits and vegetables on 30,000 of these acres. Other major beneficiaries include Southern Pacific, Standard Oil of California and Belridge Oil Co.

INEFFICIENT FARMING

"Belridge Oil Co. is spending $185 million to develop 20,000 acres of fruit and vegetables," says Jack Bowen, a peach grower in Modesto.

"They grew 640 acres of peaches last year just to see whether they wanted to grow them. If corporations like that get serious, we've had it. We can produce more efficiently than these corporations but we may not be around long enough to prove it."

Bowen is not a small peach grower. A sign outside his spacious 350-acre orchard proudly proclaims "A Family Business for Four Generations." His annual sales exceed $300,000. He replaced the jobs of several hundred non-union migrant workers with a giant machine, which clutches peach trees by their trunks, then shakes off the peaches onto a conveyor and onto trucks.

As a practical matter, Bowen and other California peach growers have become too efficient for their own good. Faced with ruinous prices last year, they destroyed 40 per cent of their harvest.

"We only have 53,000 acres of peaches in

production," says Ugo Caviani, president of the California Peach Canning Association. "One big corporate grower like Tenneco could wipe us all out."

Caviani says the number of California cling peach growers has declined from 2,200 to 1,700 in only three years, while the number of canners has dropped from 40 to 14.

The nation's fruit and vegetable growers are not strangers of the tough competition of agribusiness. For many years, they have wrestled with the market power of chain stores and major food processors. They sell to canners such as Del Monte, Libby-McNeil & Libby, Green Giant Co., H. J. Heinz Co. and Minute Maid Corp. (a subsidiary of Coca Cola). Each of these canners also competes with the independent farmer by growing large amounts of its own food supply.

But the new conglomerate represents a different kind of competition. The older agribusiness corporations are primarily food companies and must make money somewhere in the food distribution system. Such is not necessarily the case with the new conglomerate farmers, for whom millions of dollars of agribusiness investment may represent only a fraction of their total holdings. Only 4 per cent of Tenneco's sales are from agriculture.

In fact, the conglomerates may find their food investments profitable even without earning anything from them. The profits may come from land speculation, federal crop subsidies, or generous federal tax laws. Tenneco received almost $1 million in 1970 cotton and sugar farm subsidies.

The new conglomerates utilize a variety of federal tax provisions that permit them to benefit from tax-loss farming and then profit again by taking capital gains from land sales. Tenneco, for example is now developing six new California suburban communities on former farm land.

Tenneco officials insist they are farming to make money, to serve the consumer quality products and to help strengthen American agriculture.

LAND AS INVENTORY

However, Simon Askin, Tenneco's executive vice president for agriculture and land development, recently told the Los Angeles Times: "We consider land as an inventory, but we're all for growing things on it while we wait for price appreciation or development. Agriculture pays the taxes plus a little."

The federal government has been hesitant to bring conglomerates that move into farming. So farmers and corporations are watching closely a key test case that is developing in California's Salinas Valley, the lettuce and celery capital of the country.

The Federal Trade Commission has charged both United Brands, the 81st largest U.S. corporation, and Purex Corp., the 316th largest, with seeking to monopolize the production and supply of fresh vegetables.

The FTC is negotiating a settlement with Purex but the United Brands case is in federal court. The government charges that United Brands is transforming the lettuce and celery business from a competitive one of small, profitable, independent growers into a non-competitive industry dominated by large conglomerates. The FTC will seek to prove that United Brands cannot grow lettuce more cheaply and that it provides no price benefits to consumers.

In its reply to the FTC complaint, United Brands contends that the country needs large corporations in the farming business. United Brands, represented by President Nixon's former law firm, states:

"Although there may be some nostalgic desire to see a market composed of many small growers, that structure cannot survive against a market buyer (chair stores) that is composed of fewer and fewer companies with larger and larger market shares."

SMALL FARMERS

United Brands contends there is no economic justification for "a lettuce market composed of many small farmers who all are at the mercy of the buyers."

The FTC case illustrates dramatically the vastly different concepts by which industry and farmers measure bigness in agriculture. Most of the "small farmers" referred to by United Brands are, by present farm standards, among the largest independent farmers in the country. Their annual sales range from more than $100,000 to several million dollars.

Although admitting the increasing concentration of corporate power in fruit and vegetable production and the corporate takeover of poultry farming, USDA officials generally contend that this phenomenon will not spread to other farm products.

Many Midwestern cattle, hog and grain farmers disagree.

The fear that the cattle and hog feeding businesses, their best source of income, may follow the pattern in which independent poultry growers were wiped out.

About 20 corporations including Allied Mills, Ralston Purina and Pillsbury Co., originally went into poultry production as a means of developing markets for their feed. Farmers were signed up to grow the corporations' poultry, using their feed.

According to USDA studies, the poor but once independent poultry farmers are still poor as contract workers, earning about 54 cents an hour. A Ralph Nader task force on agriculture called this corporate farm system "poultry peonage."

The corporations, however, contend that they have benefited small farmers with a steady, if small, source of income. And, they say, they have given consumers lower priced chicken and turkey.

The farmer sees everyone he must deal with in the food production system acquiring more power except him. The supermarket chains, the grocery manufacturers and the new conglomerate farmers all have economic clout in the marketplace and political influence in Washington. Even migrant farm workers, still the lowest paid laborers in the country, have made some progress, signing contracts with the new conglomerate farmers, who are vulnerable to boycott of their brand products.

Only the individual farmer, with the exception of powerful cooperatives in a few crops, remains unorganized in the marketplace.

A battle to achieve market power now pits rival farm producer groups against each other, farmers against processors and farmers against migrant farm workers.

The battle has produced some strange new alliances and has strained old ones. It is now being fought with strikes and boycotts and in the halls of Congress.

AGRIBUSINESS THREATENS FAMILY FARM

(By Nick Kotz)

Joseph Weisshaar looks the part of Modern American Farmer, textbook version: educated at Iowa State, conservative in speech and manner, efficient in the latest technology, industrious as a businessman, proudly independent.

He is 39 years old and grossed more than $100,000 last year selling hogs. He has presumably "made it." But in fact he is a troubled man, fearful that he and thousands of farmers like him in this country cannot survive the industrial and financial upheavals in American agriculture that have been brought about in recent years by the emergence of enormous "agribusiness" corporations.

So he has become a "militant" of sorts, a card-carrying member of the hell-raising National Farmers Organization which is using collective bargaining, law suits, strikes, boycotts, crop dumping and even occasional violence to win higher farm prices for its growing membership.

The NFO's ultimate goal is to protect the "family farmers" of the world from forces over which they have minimal control—giant food chains, food manufacturers and conglomerates that are attempting to bring to agriculture the industrial bigness, efficiency and control that characterizes much of the American economy.

The threat to the "family farm," and the way of life it represents, is so strong that even the American Farm Bureau Federation, the nation's largest and most conservative farm organization, shows symptoms of upheaval. In the past, the AFB has consistently and vigorously opposed federal intervention in the farm economy. But today, it is swallowing its ideology and asking for federal laws to strengthen individual farmers in dealing with the new corporate forces in agriculture.

The stakes in this struggle between farmers like Weisshaar and the giant new farm corporations are immense:

Food is the nation's largest business with $114 billion in annual retail sales. More than $8 billion in annual farm exports keep the U.S. balance of trade from becoming an economic disaster. The question of who in agriculture is to share in this bounty and on what terms is at the root of the NFO's militance and the Farm Bureau's philosophical turnaround.

Will the family farm survive in the years ahead? Or will agriculture become—like steel, autos, and chemicals—an industry dominated by giant conglomerate corporations such as Tenneco, whose operations were described in an article yesterday? In that case, the nation will have lost its prized Jeffersonian ideal, praised in myth and song, of the yeoman farmer as the backbone of America.

What will become of rural America if the greatest migration in history—40 million to the cities in 50 years—is further accelerated? Farmers have provided the economic base of the small towns and that base is becoming perilously small.

What will be the effect of a rural wasteland on the American political system? The power of the farm lobby and the small towns, already in sharp decline, has traditionally provided a counterbalancing force to the politics of the big cities.

How will the nation's food supply be affected? Production efficiency of the family farmer and general affluence have made food a relative bargain in the United States.

FAMILY UNITS DOWN

On all these questions, the symptoms are not encouraging for the family farm system. A million farms are eliminated every 10 years and only 2.9 million remain.

The average farmer today is 58 years old—compared to a median age of 38 for all Americans in the work force. Young aspirants who would like to fill the retiring farmer's shoes can't get capital. And many who start farming soon quit, discouraged by low returns and mounting debts.

The contest between the family farmer and the conglomerates is, on the surface, incredibly unequal. There is Tenneco with its $4.3 billion in assets and its ability to employ its own land tractors, pesticides, oil, processing plants, and marketing systems. On the other side, there is Joe Weisshaar trying to hold on. Weisshaar has not quit, but he is perplexed about what it takes to earn a decent living farming.

GOAL REACHED

After 10 years applying the lessons taught him at agriculture college, Weisshaar last year reached his personal goal—the magic

circle of 50,000 farmers who sold at least $100,000 worth of farm products and produced one-third of the nation's food.

It was not a happy experience.

"I figured I would have it made when I reached the $100,000 mark," (in sales) says Weisshaar, 39, who farms 540 acres near Creston, Iowa, "but I ended up $1,300 further in debt. It seems like the bigger you get, the harder you fall. You depend heavily on credit and with one bad year of hog prices you are in deep trouble."

The Weisshaars have taken only one vacation in 10 years. The family bought only one costly item last year, a new refrigerator. Mary Jane Weisshaar, an attractive college graduate and mother of three young children, paid for it by driving a corn-hauling truck in a job that begins at 5 a.m.

"All that talk in the cities about free time and recreation?" questions Weisshaar. "I wonder whether we farmers aren't subsidizing that recreation."

With his credit already stretched to meet operating expenses, including payments on expensive farm machinery, Weisshaar must farm leased land, rather than buying his own.

"The doctor and lawyer uptown are buying up the farm land as a tax write-off and a hedge against inflation," he complains. "When they get done with it, there is only one other place it can go—to the farm corporations."

INVESTMENT IN YOUTH

"This country is going to wake up one day and discover that the price of food has doubled," says Weisshaar's banker, Charles Ehm, who worries that young men can't get a start in farming. "We decided to start out five young farmers a year—a good investment for the bank and for the community. It's not working and it just tears my heart.

"The worst part of it is that they are not 'pool hall boys.' They work night and day. They are efficient, good farmers. I could name at least a half dozen who will sell out this winter, and they shouldn't have to."

Ehm says the family farm will soon disappear unless farmers get higher prices, and the government provides special financial credit for beginning farmers.

Weisshaar worries that Midwestern farming will be taken over by "vertically integrated" corporate farms, similar to ones that now dominate California agriculture.

While the Tennecos haven't yet moved into Iowa on the grand scale they have spread through California's central valleys, you can almost hear their footsteps.

Feed manufacturers, processors and other corporations already have taken over poultry production, and are now applying similar tactics to move in on hog and cattle feeding—the midwestern farmer's best source of income.

Ralston Purina Co., a leader in the corporate takeover of poultry, has made a pitch to Weisshaar, offering to finance his hog operation, if Weisshaar will buy the corporation's feed and grow its hogs on contract. Remembering what happened to the once independent poultry grower, Weisshaar doesn't want that kind of partner. He doubts the advertisements of Kleen-Lean, Inc., the Ralston Purina subsidiary, which beckon him with "Swine Leasing Will Work for You."

THE PROFITCHAIN

But Weisshaar is faced with a dilemma. If the processors and conglomerates gain control of hog and cattle feeding, then Midwestern family farmers will have to get all their income from growing corn, wheat, and soybeans. Farmers fear they cannot survive, if their only function is to provide grain for an integrated food system in which most profits are taken further up the food chain of animal feeding, processing, marketing and retail sales.

"It doesn't matter whether there are 500,000 of us left or 50,000," says the muscular but soft spoken Iowa farmer. "If we are powerless in the marketplace, we'll just keep on overproducing and killing each other off."

Out of this dilemma, the NFO arose and the Farm Bureau began rethinking its strategy. Farmers started turning up in unfamiliar places—with picket signs at packing plant gates, and with highway barricades seeking to bar farm products from going to market at low prices.

The NFO plan for saving the family farmer includes legislation prohibiting farming by large conglomerate corporations, closing loopholes that promote tax-loss farming by non-farmers, and providing easier financial credit for young farmers.

But the NFO has little confidence in getting help from a Congress in which the farm vote has shrunk into political insignificance.

Its basic strategy is to organize farmers into bargaining blocks of sufficient power to raise prices for their beef, hogs, grain, and other commodities. When buyers refuse to bargain or market prices get too low, the NFO tries to withhold commodities from the marketplace.

Weisshaar believes that an NFO-bargained contract with the John Morrell Co. will mean high prices this year for his hogs and better income to support his family.

"The NFO is the only hope we've got," he says. "We've got to block together our production and demand prices that will give us a decent living."

The Farm Bureau has called for relatively mild legislation that would require processors "to bargain in good faith" with farm groups representing a significant number of farmers. A three-man board, appointed by the President and approved by the Senate, would approve the farmer bargaining agents.

The Farm Bureau legislation, introduced by Rep. B. F. Sisk (D-Cal.), represents, at least in part, a response to the competition of the NFO.

BUSINESS BALKS

Several years ago the Farm Bureau organized voluntary bargaining associations, but learned to its surprise that its old friends and philosophical allies in agribusiness were not cooperative. Agribusiness corporations such as Campbell Soup Co., Green Giant Co., Del Monte Corp., and Pillsbury Co. flatly refused to sit down at the bargaining table.

Many Farm Bureau members suddenly looked at their prestigious organization in a different light. The Farm Bureau had built a $4-billion empire selling life insurance and supplies to farmers. But what, asked farmers, had the Farm Bureau done for them?

So John Kuhfuss, Illinois farmer and Farm Bureau President, went to a House Agriculture Subcommittee to complain. Agribusiness will not bargain with the Farm Bureau, he said, but insists on buying from individual farmers on "a take-it-or-leave-it basis—a one-sided process that is getting more one-sided as changes continue to occur in American agriculture."

Still another approach to increased farmer power is taken by advocates of giant cooperatives, which already are powerful in the dairy industry and in California citrus. The coops believe farmers must compete by creating their own vertically integrated systems of production, processing and marketing.

The giant dairy coops also seek to win higher prices under government-approved marketing orders by exercising political muscle in campaign financing. The dairy coops already have poured $170,000 into a 1972 Republican campaign chest for President Nixon's re-election.

"Agriculture is acting a great deal like the buggy whip industry acted at the turn of the century," says Eric Thor, director of the Agriculture Department's Farmers Cooperative Service and an advocate of giant, integrated coops. Instead of trying to reduce costs and sell cheaper buggy whips, says Thor, that outmoded industry should have become a manufacturer of fan belts or air cleaners.

Similarly, Thor says "the family farm could disappear" unless farmers compete collectively as processors and marketers of food. He believes farmers are wasting time concentrating all their energy on production efficiency, at a time when food industry profits are controlled in food marketing.

COOPS BIG TOO

Some farmers complain, however, that the "super coops" have become just another kind of conglomerate giant from which they get few benefits. For example, Sunkist Growers, Inc., which dominates 80 per cent of California citrus, is a many-layered, pyramid-shaped corporation. Small growers are at the bottom. Contrary to general knowledge, the processors at the top of this "super coop" include major private corporations as well as farmer-owned processors. Critics contend that decisions are made and profits are taken at the time of the pyramid, with too little consideration paid to the economic interests of the small grower.

Iowa farmer Weisshaar is not eager to have his interests buried in such coops. "If I wanted to go into something like that," he says, "I would have gone into meat packing or the grocery business. I like being a farmer."

The various plans of farm groups to save the family farm face an uncertain future.

Their legislative and organizational prospects are seriously weakened by traditional divisions in their own ranks. The NFO is suspicious of the Farm Bureau and is itself distrusted as too "radical" by other farmers. The National Farmers Union, which represents midwestern grain producers, has its own legislative goals.

Other farmers, including cattlemen, fear that mandatory bargaining—a Farm Bureau proposal—will merely stimulate further vertical integration by the conglomerates. Faced with the prospects of collective bargaining, giant meat packers, canners and sugar refiners may respond by growing even more of their own raw food materials.

It is difficult to design legislation to meet the differing problems of Iowa corn producers or California fruit growers.

Furthermore, the agriculture committees of Congress are confronted with new conflicts of interest. In the past, these committees had little trouble satisfying both big farmers and corporate food processors.

The big farmer and conglomerate both benefited from farm subsidy payments, a cheap labor supply, and foreign aid food programs.

But now the Senate and House Agriculture Committees are faced with difficult choices—resolving new conflicts between independent farmers and the corporations. Agribusiness, led by the National Canners Association, National Broiler Council, and the American Meat Institute strongly oppose bargaining legislation.

These committees give considerable weight—as do many economists—to the agribusiness argument that farm commodity prices are determined on a day-to-day basis in a highly competitive world market and that rigid bargaining legislation might well weaken the ability of American agriculture to compete in world trade.

They are concerned, too, about maintaining the vigorous competition that now exists among food processors who fight for position in retail stores and who seek to satisfy shifting consumer preferences that often are geared to price. Processors want to retain this pricing flexibility and fear the rigidities that could come from enforced bargaining.

MANY LOBBYISTS

In terms of effective political power, 200 Washington lobbyists representing the food industry are far more influential than farmer lobbyists. Food processors have plants scattered all over urban America and can

appeal to urban as well as rural Congressmen. For example, the Grocery Manufacturers of America maps out its legislative campaigns with charts showing the location of food plants in each congressional district.

"Most members of the agriculture committees wish this farm bargaining issue would just go away," says one agribusiness lobbyist. "Whatever they do, the politicians figure they will make one friend and six enemies."

The Nixon administration also feels and reflects the conflicting pressures from farmers and food manufacturers. The administration has tentatively supported the Farm Bureau Bargaining bill. But a high administration source confides:

"The White House owes a political debt to the Farm Bureau, but we aren't very enthusiastic about this legislation. If you look at our proposed qualifying amendments, you'll see there really isn't much left."

The political disputes and maneuvering are still largely regarded by consumers, urban politicians, and the news media as intramural issues involving "the farm problem."

But the broadest issue involves the future shape of America and of its rural communities.

There is the strong, compelling desire in rural America to maintain the family farm and the small town.

Joe Weisshaar questions whether a way of life his family loves will be replaced by another industrialized system, administered by the forces of big labor and big industry.

And migrant farm workers, struggling to organize, question whether society does not have some obligation to help the lowest-paid worker who is being replaced by machines.

WHY BIGNESS?

Creston banker Charley Ehm asks: "Why is this country so obsessed with bigness? Why can't a young fellow farm 300 acres and make a living? We need to replace the economists and corporate planners with someone who has a concern for human beings."

Even assuming that industrial agriculture can be more efficient, Don Paarlberg, the Agriculture Department's chief economist, says: "People are asking, whether in as affluent a country as the United States, efficiency should be the sole criterion for the form of agriculture we are going to have. We now supply ourselves with food—the best diet ever, anywhere, with 17 per cent of our income. How much is it worth to drive that percentage down to 15 or 12 or 10?

"Should we sacrifice a form of agricultural production that has served us well, that has produced good people as well as good crops and livestock?"

Paarlberg had no answer for the question.

POLICY ANALYSIS AND THE ABM

Mr. JACKSON. Mr. President, on October 1 the Operations Research Society of America, through its Committee on Professional Standards, issued a report on "Guidelines for the Practice of Operations Research." The report has stirred renewed interest in the controversy over the deployment of the Safeguard ABM system because it includes a detailed critical analysis of the Safeguard debate of 1969.

On October 1, both the Washington Post and the New York Times published extensive accounts of the contents of this important and interesting report. I ask unanimous consent that the articles be printed in the RECORD.

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

[From the Washington Post, Oct. 1, 1971]

(By Michael Getler)

Prominent scientists who led the attack two years ago against the Safeguard ABM project have now been criticized for the quality of their presentations before Congress and in the press during thet ABM debate.

The criticism is contained in a lengthy report, to be released today, by a seven-member Ad Hoc Committee on Professional Standards of the Operations Research Society of America (ORSA).

Among those scientists whose work has been specifically challenged in the 135-page report are: Dr. Jerome B. Wiesner, provost of the Massachusetts Institute of Technology; Dr. George W. Rathjens, visiting professor of political science at MIT; Dr. Steven Weinberg, a physics professor at MIT, and Dr. Ralph Lapp, an author and nuclear physicist.

In a summary of its findings after 21 months of studying the record of the ABM debate, the committee states:

"The evidence strongly supports the disturbing conclusion that when prominent experts outside the administration supported their opinions on Safeguard development with arguments or results of an operations-research nature, these analyses were often inappropriate, misleading or factually in error."

"Quite often," the report goes on, "the misleading nature of an analysis is not apparent on a superficial reading. Because of this, poor analysis can be quite effective in public debate."

The committee said it also found some shortcomings in the analysis of the ABM situation provided by Pentagon officials and their supporters. But "they nowhere near equalled the cumulative mass of inadequacies compiled by the opposition."

The 1969 fight over the Safeguard system to defend U.S. land-based missiles against Soviet attack was the most intensive battle ever waged in Congress over a single weapon system. The administration, which supported the development of Safeguard, won that battle by a vote of 51–50. Vice President Agnew cast the deciding vote.

The pro and anti-Safeguard forces used many devices to affect the outcome. There were campaigns to fill up newspaper letters-to-the-editor columns. There were full-page newspaper advertisements, books, magazine articles, television debates. And through it all there was a procession of prominent scientists lining up on both sides of the issue. Rathjens, Weisner, Weinberg and Lapp led the scientific assault against Safeguard.

The stakes seemed to be enormous. On the one hand, billions of dollars in defense contracts were involved and that meant many thousands of jobs as well as profit potentials.

Beyond that, the debate had heavy political overtones. It pitted the Nixon administration against its critics, the "military-industrial complex" against those who would divert military funds to domestic purposes. In a vague sense, it was a "liberal" versus "conservative" confrontation.

Finally, there was the issue of "national survival." Safeguard, said the administration, was essential to the security of the nation. Its critics said it was an unworkable weapons system that would merely fuel the arms race and add to insecurity.

The report by the ORSA committee was, in effect, a reprimand to the several scientists criticized. It was administered by a body of their peers.

ORSA undertook its investigation of the matter at the suggestion of Dr. Albert Wohlstetter, a University of Chicago professor. Wohlstetter, one of the prominent academicians who supported the Safeguard project, said the study should deal with "professional standards and professional ethics and the responsibility of those who engage in operations research not to mislead . . . (the) lay public by distortion of facts . . ."

He urged that the study not focus on the merits of Safeguard and the ORSA committee says it followed his advice. It dealt only with "faculty professional practices" and was unanimous in its findings on the performance of Rathjens, Wiesner and others in the debate. But the organization's president, Robert E. Machol, said in an introduction to the findings that the committee was still "divided on the merits of Safeguard."

Machol had one compliment for the scientists criticized by the ORSA committee. The country, he said, owes a "debt of gratitude" to all the "public-spirited men" who took part in the ABM debate.

ORSA founded in 1952, has about 8,000 members. They are employed by universities, private companies and the government. Their work involves observation, analysis and predictions about the workability of highly complex systems. The government is a major purchaser of their services.

The ORSA committee focused its study on one central issue in the Safeguard debate: Would the 1,000 U.S. Minuteman missiles be vulnerable to an attack by Soviet missiles without the protection of Safeguard?

On that point, the committee concluded that Rathjens, in his anti-Safeguard arguments, "ignored readily available classified material and used instead nonrelevant unclassified material in situations in which the more valid classified data would have substantially weakened his case."

Another conclusion was that Rathjens used a faulty method in arriving at an estimate of the numbers of individual warheads that could be carried by a single Soviet SS–9 missile. As a result, the committee said, Rathjens wound up "substantially underestimating the SS–9 delivery capability".

Other committee criticisms of Rathjens included a judgment that he overestimated the ability of Minuteman silos to withstand attack, that he used "invalid" techniques in estimating the effectiveness of Soviet missiles against U.S. missile silos and that he was over-optimistic in his estimates of how many U.S. missiles could survive a Soviet attack. Rathjens said in the debates that 25 per cent of the Minuteman missiles could survive an attack by 500 SS–9s without Safeguard. Wohlstetter, whose techniques were approved by the review committee, put the number at 4 per cent.

The committee criticized Wiesner of MIT for accusing the Defense Department's top scientist, Dr. John S. Foster, of having "altered" data to gain support for Safeguard. Wiesner made the accusation at a Senate hearing on May 14, 1969. He said Foster at one point claimed that the Soviets had only 500 SS–9 missiles and at another point raised the figure to 600.

The charge was unfair, the committee said, since Foster was talking about estimates for different years.

Wiesner and Dr. Steven Weinberg were further criticized for "ascribing official validity" to an estimate of the "kill probability of an SS–9 if they were used against Minuteman silos." The committee points out that the Pentagon provided a range of estimates and that some of them were higher than the one picked by the MIT scientists.

The criticism of Lapp, a popular author on scientific subjects, involved three matters. The committee said Lapp underestimated the number of multiple-warheads the Soviets would have and the reliability of their missiles. He also is accused of assigning a "grossly inefficient" targeting doctrine to Soviet war planners.

Wiesner, Rathjens and Weinberg, none of whom are ORSA members, were asked to comment on the report by the committee, but declined to do so. The three MIT scien-

tists said they "found nothing in the report to cause us to change our views"—as outlined in a letter on Dec. 22, 1969, at the outset of the project—"About the absurdity of the enterprise."

In their 1969 letter to ORSA, the MIT scientists maintained that the ABM debate could not be judged according to the standards of operations research, and that it was doubtful ORSA had the resources to carry out such an inquiry.

Such an inquiry, they maintained, would have to deal with the administration's shifting rationale for Safeguard, derivation of intelligence estimates, "and the possibility that it selectively released classified information to make its case."

The trio said that it is also important to find out "whether or not administration statements, regarding the threat to our total retaliatory capability and Safeguard's effectiveness in countering any such threat, were misleading to the Congress and the public."

"We believe," the MIT group wrote in 1969, "that the ABM debate has been one of the most salutary developments in American political life." Such an inquiry as was then being proposed, they wrote, "could well appear to the nation as an ugly resurgence of those attacks on civil liberties and dissent that were far too common 15 years ago."

The committee, in its study, did investigate Dr. Foster's presentations and did criticize the defense research chief for "using a type of model and a set of data that tended to underestimate the expected number of surviving Minutemen." The net result of Foster's alleged errors, however did not amount to much.

The seven-man ad hoc committee included four former presidents of the ORSA.

Chairman was Thomas E. Caywood of the Caywood-Schiller Div. of A. T. Kerney & Co. Other members, in addition to Berger, were Joseph H. Engel, University of Chicago; John F. Magee, Arthur D. Little, Inc.; Hugh J. Miser, University of Massachusetts; and Robert M. Thrall, Rice University.

[From the New York Times, Oct. 1, 1971]

(By William Beecher)

WASHINGTON, Sept. 30.—Much of the supposedly expert testimony during the 1969 Senate debate on the Safeguard anti-ballistic missile program was unprofessional and often misleading, in the view of the principal professional society of cost-effectiveness analysts.

In a 135-page special study, nearly two years in preparation, the prestigious Operations Research Society of America, challenges the accuracy of assertions by both advocates and opponents of the Safeguard ABM system.

Singled out for greatest censure in the report, published in the September issue of the Society's Operations Research Journal, were the testimony and writing of a handful of nongovernment scientists arrayed actively against Safeguard, including Jerome B. Wiesner, currently president of the Massachusetts Institute of Technology.

After the long 1969 debate, the Senate voted by a one-vote margin for deployment of the Safeguard. That margin rose to five votes in 1970 after another long debate. Continued deployment of the ABM at two sites was approved by a vote of 64 to 21 yesterday after only two hours of relatively moderate debate.

Among other conclusions, the analysts' report alleges the following:

The pro-ABM American Security Council, private lobbying group, overrated Russia's comparative missile strength by stressing total payload and downplaying such important factors as missile accuracy and multiple warheads.

A key Administration scientist miscalculated the number of giant Soviet SS–9 missiles that might destroy 95 per cent of America's Minuteman missiles in a first strike.

Anti-Safeguard scientists chose to use data they should have known was misleading, understated the Soviet missile submarine threat to United States B–52 bombers, and dismissed as unfeasible a feasible simultaneous Soviet attack on American bombers and land-based missiles.

The report has already caused considerable argument among scientists and analysts in government, industry and academic circles. Being debated are such questions as whether expert witnesses on highly technical subjects before Congress have a special responsibility to avoid the kind of overstatement and partial truth that often characterize political issues, and whether a group such as the Operations Research Society has any right to attempt to police the performance of nonmembers.

On the latter point, Professor Wiesner and two other M.I.T. colleagues, George W. Rathjens Jr. and Steven Weinberg, went on record at the start of the study as challenging the the "standing and capacity" of the society to judge non-members such as themselves.

The three M.I.T. professors were invited in the winter of 1969 to nominate someone to serve on the six-man blue ribbon panel investigating charges of nonprofessionalism in the ABM debate. They refused and warned that such an undertaking might appear to be "an ugly resurgence of those attacks on civil liberties and dissent that were far too common 15 years ago."

"Even the Spanish Inquisition reserved the charge of heresy for those who had been baptized," they said in a letter to the society.

After the final draft was submitted to them this summer for comment, the three professors asked that their 1969 letter be printed along with the report. They wrote that "we find nothing in the report to cause us to change our views about the absurdity of the enterprise."

LETTER CALLED "ARROGANT"

One evidence of the depth of debate came in the form of a letter to The New York Times from Alain C. Enthoven, for several years Assistant Secretary of Defense for Systems Analysis under the Kennedy and Johnson Administrations and currently president of Litton Medical Products, a subsidiary of Litton Industries. He took no part in the 1969 ABM debate.

Praising the appropriateness and quality of the study, he then added: "I thought that the Rathjens-Wiesner letter objecting to the committee was extremely arrogant. Imagine Linus Pauling objecting to a critical examination of his theories on Vitamin C by the medical profession on the grounds that he isn't a member."

But five of the 13 members of the society's own governing council objected to the study, in part because of the difficulty of obtaining clarifying information from participants in the debate who were not members of the society, and declined to cooperate in its investigation.

The six men who conducted the study were Mr. Berger of the Xerox Corporation, Rochester; Thomas E. Caywood of A. T. Keraney & Co., Chicago; Joseph H. Engel of the University of Illinois; John F. Magee of Arthur D. Little, Inc., Cambridge, Mass.; Hugh J. Miser of the University of Massachusetts, and Robert M. Thrall of Rice University.

Mr. Caywood, Mr. Engel, Mr. Magee and Mr. Miser are all former presidents of the Operations Research Society. Mr. Berger is a past president of the Military Operations Research Society; and Mr. Thrall is a former president of the Institute of Management Sciences.

Although the report went into exhaustive analysis of the specific technical elements of the Safeguard debate, its principal conclusions were summarized in a few sentences.

"The evidence strongly supports the disturbing conclusion," it found, "that when prominent experts outside the Administration supported their opinions on Safeguard deployment with arguments or results of an operations-research nature, those analyses were often inappropriate, misleading or factually in error."

All too often, the report stated, expert witnesses failed to distinguish properly between the roles of "analyst and advocate." It concluded that "misleading" analysis was not apparent to the nonexpert and could therefore have been "quite effective in public debate."

The report criticized one element of the testimony of Dr. John S. Foster Jr., director of research and engineering for the Defense Department, who was the Government's chief ABM advocate.

In one calculation, the report said, Dr. Foster estimated that 420 Soviet SS–9 missiles, with three warheads each, could be targeted to destroy all but 50 of America's 1,000 Minuteman missiles in a surprise attack.

The panel declared that Dr. Foster used a slightly high estimate of the "kill probability" for the SS–9. It said that a similar calculation by Albert Wohlstetter of the University of Chicago estimating that it would require 500 SS–9's to destroy that many Minutemen, was more realistic.

It was Professor Wohlstetter, the principal nongovernment witness supporting Safeguard, who triggered the study by the society to analyze critically the performance of expert witnesses in the debate.

The report found "no significant defects" in the Wohlstetter testimony and lauded one document he prepared for the Senate as "a model for the professional and constructive conduct of a debate over important technical issues."

GOOD DATA FOUND IGNORED

On the testimony of Dr. Rathjens, the panel concluded that he "had access to and used classified information but ignored readily available classified material and used nonrelevant unclassified material in situations in which the more valid classified data would have substantially weakened his case."

The report asserted that Professor Wiesner incorrectly charged the Pentagon with changing its projected kill probability for Soviet missiles, understated the potential threat to B–52 bombers from Soviet missile submarines in a manner that might have misled the layman, and dismissed as unfeasible the simultaneous Soviet attack on American bombers and land-based missiles that the panel said was potentially feasible.

In his letter to The Times, Dr. Enthoven declared:

"In my years as Assistant Secretary of Defense, I was often struck by the great difficulty in getting strictly scientific advice from the scientists and strictly military advice from the military—as opposed to political advice and value judgments from both.

"If inquiries of the kind conducted by the Operations Research Society of America were regularly conducted by equally qualified and impartial panels of professional leaders, members of Congress and other public officials would have a better chance of getting expert advice from the experts—confined to the limits of their expertise.

In the long run, the Pentagon's Dr. Foster commented, studies of this kind "may make both sides in future debates a little more careful about their calculations and assertions, and that would be all to the good."

In a 26-page comment made available late today, Professors Weisner, Rathjens and Weinberg declared:

"We do not claim infallibility. We made

mistakes, but we believe not serious ones. Such errors as we made were a reflection of the fact that, with limited time and resources, we devoted our efforts to the issues of fundamental concern. We believe the Administration spokesmen, and to an even greater degree Mr. Wohlstetter and the O.R.S.A. committee, avoided many of these issues, preferring to dwell on minutiae.

Mr. JACKSON. Mr. President, the Operations Research Society of America is a highly professional technical society whose remarkable findings raise a number of questions about the technical advice that was presented to the Senate on the deployment of the Safeguard system. The ORSA committee summarizes its findings in this way:

The evidence strongly supports the disturbing conclusion that when prominent experts outside the Administration supported their opinions on Safeguard deployment with arguments or results of an operations-research nature these analyses were often inappropriate, misleading, or factually in error. Moreover, in many instances, elementary standards for proper presentation of results to permit verification and meaningful dialogue were not met. Failure to distinguish properly between the roles of the analyst and the advocate contributed to the lack of complete research to clarify the presentation.

Quite often the misleading nature of an analysis is not apparent on a superficial reading. Because of this, poor analyses can be quite effective in public debate.

By no means was all the analysis bad. There were specific examples of well documented analyses of high quality and of high standards of professionalism.

The full report of the Operations Research Society of America was published in the Journal of the ORSA, September 1971, volume 19, number 5. I ask unanimous consent that Appendix III of that report, entitled "Treatment of Operations-Research Questions in the 1969 Safeguard Debate," be printed in full in the RECORD.

There being no objection, the Appendix III of the report was ordered to be printed in the RECORD, as follows:

[From *Operations Research*, The Journal of the Operations Research Society of America, "Guidelines for the Practice of Operations Research", September 1971, Volume 19, Number 5]

APPENDIX III—TREATMENT OF OPERATIONS-RESEARCH QUESTIONS IN THE 1969 SAFEGUARD DEBATE

As stated in the Introduction to the main body of this report;

"When public debate is joined by eminent practitioners of operations research, advocating opposing positions on important issues and offering apparently contradictory testimony (all based, in part, on operations-research methods), the confidence of the public in this approach may be undermined, and the decision makers to whom the testimony is being offered may become confused rather than enlightened."

The controversy over the deployment of the Safeguard antiballistic missile system, which took place during the period from the beginning of 1969 through about September 1969, is a notable example of public debate over a major policy issue in which many of the arguments presented pertained to matters partly within the domain of operations research. Charges of nonprofessional conduct by scientists and other experts in that debate indicated to the Council of ORSA the need for a statement of professional standards and the desirability of encouraging publication of critical reviews of the operations-research material submitted in such debates.

Hence the Ad Hoc Committee on Professional Standards prepared the following analysis of the methodologies employed and publicly displayed by the participants in that debate. The Council has approved publication of this Appendix, which represents the opinion of its six authors. Of course, this does not mean that this Appendix represents a position taken by the Society.

It is not the intent of the Ad Hoc Committee or the Council to take a position, explicit or implied, on the question of Safeguard deployment. It would be inappropriate to do so, even if the issue could be dealt with solely by the techniques of the profession. Moreover the issue involves many questions well beyond the scope of analytical treatment.

The Committee and the Council also make no judgment on the motives or ethics of any participants in the debate. This too is not a proper function of ORSA or the Council.

I. INTRODUCTION AND SUMMARY OF FINDINGS

A. *Introduction:* Many scientists and members of other technical professions have engaged in the debate over Safeguard deployment. A review of the issues of the debate reveals only a few differences over physical phenomena. Rather, the major points of dispute belong either to the political or sociological areas, or to the realm of operations research.

The analysis below is limited to a treatment of major issues within the scope of operations research and is based on a careful review of major statements and supporting documents issued by experts outside the government as well as public government documents such as the publications of Congressional Committees and the Congressional Record. Additional relevant information and analyses performed by individuals or groups both inside and outside the government were obtained to aid in this review. Where possible source documents rather than newspaper accounts were used. The period from approximately the beginning of 1969 through September 1969 is covered.

In the sections below, we first summarize the background leading up to the debate. This includes the 1969 Safeguard deployment proposal of the Administration, the major changes from its predecessor Sentinel, and the Administration's rationale for Safeguard and the change from Sentinel. Some of the major issues of the debate of an operations-research or systems-analysis character are discussed.

An extensive review is conducted of a major issue of the 1969 debate, whether the Soviet Union might achieve a capability to destroy most of the United States land-based missile and bomber forces by the time Safeguard would become fully operational. There were numerous conflicting calculations and assertions on this issue and it led to two major exchanges between experts.

The final section documents a list of methodological errors in the use of operations-research techniques that occurred in the debate and categorizes these by type of error.

B. *Summary of Findings:* The evidence strongly supports the disturbing conclusion that when prominent experts outside the Administration supported their opinions on Safeguard deployment with arguments or results of an operations-research nature these analyses were often inappropriate, misleading, or factually in error. Moreover, in many instances, elementary standards for proper presentation of results to permit verification and meaningful dialogue were not met. Failure to distinguish properly between the roles of the analyst and the advocate contributed to the lack of complete research to clarify the presentation.

Quite often the misleading nature of an analysis is not apparent on a superficial reading. Because of this, poor analyses can be quite effective in public debate.

By no means was all the analysis bad. There were specific examples of well documented analyses of high quality and of high standards of professionalism.

II. BACKGROUND OF THE 1969 SAFEGUARD PROPOSAL

During the Johnson Administration Congress approved the initiation of deployment of a thin area ballistic missile defense system, "Sentinel." President Nixon promised to review the deployment decision and, if he concurred that a ballistic missile defense system should be deployed, to resubmit the question to Congress.

Out of the review came a recommendation for deployment of a modified Sentinel system that came to be called Safeguard.

The 1969 Safeguard proposal was for a 'phased deployment' beginning with Phase I, a deployment of two sites for the protection of two Minuteman wings. Phase II, the full Safeguard system, had several suboptions, but the full deployment would be a thin area defense covering the contiguous 48 States and consisting of 12 sites, including the two of Phase I. One of the proposed sites of Phase II is at Washington, D.C. and four of the sites are at Minuteman Wings (including the two of Phase I). Although not formally a part of Phase II, the Administration stated that sites could also be built to defend Hawaii and Alaska.

The Administration gave the following missions for the full Phase II deployment:

Defense of Minuteman from a Soviet Intercontinental Ballistic Missile (ICBM) attack.

Defense of bombers from a Soviet Sea Launched Ballistic Missile (SLBM) or Fractional Orbit Ballistic System (FOBS) attack.

Defense of the National Command Authority.

Defense of the population against an attack by China or other small nuclear powers.

Defense of the population against accidental or unauthorized attacks.

The principal changes from Sentinel are:

Fewer sites; 12 rather than 15 (page 64, Stennis Hearings).

Movement of sites away from cities.

Addition of more radar faces to give better coverage against SLBMs.

Increased deployment at Minuteman wings.

Program stretch-out.

Initial deployment at Minuteman sites (Phase I).

In justifying the Safeguard proposal, the Administration accepted the rationale of the preceding Administration on the desirability of a defense against China and also on the undesirability and infeasibility of a defense designed to protect the population against Soviet attacks, since it was felt this would merely force the Soviets to buy a larger offensive force. The Nixon Administration also concurred with the policy of preceding Administrations of continuing to maintain both bombers and land-based ICBMs in the strategic forces rather than depend only on sea-based systems.

The reasons presented for the changes from Sentinel to Safeguard were:

By moving sites away from cities it would be more expensive and take longer to thicken the system to provide a significant anti-Soviet population defense. Safeguard was thus less worrisome and provocative to the Soviets, and less likely to interfere with the Strategic Arms Limitation Talks (SALT).

The Sentinel system, which was northward looking, could not protect itself or the bomber force from SLBMs[1] and FOBS.[1]

Footnotes at end of article.

Developments in the Soviet posture and Chinese ICBM work called for a shifting of priorities from those of Sentinel.

The Soviets SS–9 force had continued to grow instead of levelling off as had been hoped. Furthermore, the Soviets had begun testing a MRV[1] believed to be a forerunner to a MIRV[1] capability for the SS–9 that could seriously threaten Minuteman survivability in the mid to late '70s.

The Chinese ICBM development program had slipped, so there was less urgency in defending against China.

Although the Administration put a greater priority on defense of Minuteman it did not abandon the area defense objectives of Sentinel in its arguments for Safeguard. However the public and Congressional debate focused primarily on the Minuteman defense issue.

III. SOME MAJOR ISSUES OF THE DEBATE WITHIN THE DOMAIN OF OPERATIONS RESEARCH

In examining the record of the debate over Safeguard, about two dozen issues that fell within the domain of operations research were uncovered. Rather than list and discuss them all, the Committee has attempted to be selective and concentrate on two major issues. These are:

A. *Vulnerability of Minuteman and Bombers without Additional Protection* (and the sensitivity of these results to assumptions about the Soviet ability to reprogram its missiles).

B. *The Operational Feasibility of Certain Defensive Tactics:* A major issue not treated adequately in the debate, perhaps because of the manner in which the Administration characterized the missions to be accomplished by Phase II deployment of Safeguard (*see* Section II) is:

C. *Requirement for the Defense of Minuteman Bombers as Part of the Total U.S. Deterrent Force:* In Section IV, which follows, Issue A will be the major subject of discussion, but Issues B and C will also be touched on.

IV. THE VULNERABILITY OF LAND-BASED MISSILES AND BOMBERS IF THE U.S. TAKES NO ADDITIONAL PROTECTIVE MEASURES

A. *Importance:* The potential vulnerability of land-based missiles and bombers to Soviet attack was a central issue in the debate for several reasons:

(1) Protection of land-based systems as a part of strategic posture depending on more than one type of system, each with its own class of protective measures, has been a basic element of U.S. strategic policy during the Kennedy, Johnson, and Nixon Administrations. Thus, development of a threat to any one component of the strategic forces, not to say two, would be a matter of major concern, and continued protection of a component would be abandoned only if it proved excessively expensive or infeasible to achieve.

(2) The Nixon Administration used the potential vulnerability of the land-based missiles and bombers to argue for the urgency of initiating ABM deployment without additional delay.

(3) Safeguard opponents presented numerous calculations and statements intended to establish that the Administration had over-stated the potential vulnerability of the land-based systems.

(4) The Press gave great prominence to the issue, particularly the land-based missile vulnerability component. These articles presenting the opposition point of view often strongly suggested that the Administration was using "scare" techniques and was creating a "credibility gap."

Potential vulnerability of these systems was only one of several related issues, including whether the land-based systems were needed at all and whether Safeguard was an appropriate response. The behavior of experts on these additional issues is treated elsewhere in this report.

People hold differing views on the importance of given levels of survivability of the land-based forces. Nonetheless, the issue was of sufficient importance that Senators, Congressmen, and the general public deserved careful, straightforward, and honest treatment by the experts. One would expect that different experts would come up with different answers, as indeed they did. However, the calculations are sufficiently simple that in principle it should be possible to reach agreement among the professionals if not on their results, at least on where their assumptions differ; and then to conduct a debate over the validity of one or the other set of assumptions.

B. *Timing (and Its Effect on Ability to Predict)*: The issue of vulnerability of the land-based forces should be stated with careful attention to the time in the future for which the calculations are made. Fuzziness on this point led to a great deal of confusion in the debate. For example:

What might the Soviet first-strike capability against land-based missiles or bombers be *during the time period* when Safeguard Phase II would become operational and shaken down, if approved as requested?

The emphasis on time is important, since a central issue of the debate was whether it was necessary to proceed immediately or whether there was time to delay Safeguard deployment for a year or perhaps even develop a new ABM or other alternative.

According to statements made by Deputy Secretary of Defense Packard on March 26,[2] and May 13, it would appear that calculations intended to show a lack of urgency should be based on capabilities no earlier than, say, January 1977 for bomber survival. Since the four Minuteman sites might be ready earlier than full Phase II, calculations using, say, January 1976 capabilities at the earliest might be justified for the Minuteman component. The factors of possible slippages, time needed truly to shake down a nominally operational system, and the fact that a "no" was believed to imply a delay to at least 1978 for full operational status all imply that calculations based on later times are also relevant.

Calculations of Soviet capabilities five or more years from now are inherently uncertain. Hence, proper qualifications should accompany any quantitative estimate of the survivability of the United States land-based systems that far into the future. Indeed, the context in which a result is quoted can determine whether it is being used properly or not. Examples will be given below of outcomes that appear to be well within the range of uncertainty but which have been used improperly because they were accompanied by such phrases as "no matter what attack one imagines."

C. *Vulnerability of Land-Based Missiles Without Additional Protection:* The vulnerability of U. S. land-based ICBM's, predominantly Minuteman, received much more attention in the debate than did that of the strategic bomber force, and of all the issues in the debate it was the one on which there was a series of direct exchanges between principal experts. It is also a question coming clearly within the scope of operations research. These factors, coupled with the extreme simplicity of the calculations, make this an excellent example for evaluating the conduct of the experts in the debate. Two major exchanges occurred on this subject.

The first began with Albert Wohlstetter's testimony before the Senate Armed Services (Stennis) Committee on April 23 in which he stated that recent proofs "that purport to show our Minuteman will be quite safe without any extra protection . . . depend heavily on optimistic estimates of limitations in Russian delivery accuracies, reliabilities, and associated offense capabilities and sometimes on very poor offense tactics." On May 23 he submitted a supplementary[3] statement on this matter to which Wolfgang Panofsky[4] and George W. Rathjens, Jr. responded. The controversy with Rathjens continued through two exchanges of letters in the *New York Times* and into correspondence between the two and with Senator Symington.

The second exchange began with a speech on May 12 by John S. Foster, Jr., Director of Defense Research and Engineering, in which he challenged calculations of ICBM vulnerability in the book, *ABM: An Evaluation*, edited by Abram Chayes and Jerome B. Wiesner. Wiesner replied in testimony two days later.[5]

This subsection presents analyses of these two exchanges. It then discusses ICBM reprogramming (which played an important role in these exchanges, but is not the only major difference between both sides in the discussion, as has been claimed by some). Finally, the subsection will look at some calculations by Ralph E. Lapp, followed by the chronology described above.

(1) *The exchange between Rathjens and Wohlstetter*

(a) Introduction and Summary: The Annex presents an example of a prominent public debate over major technical issues with a substantial systems-analysis component, with particular emphasis on differing calculations of the vulnerability of Minuteman without Safeguard.[6]

This subsection analyzes the course of that debate in order to establish specific findings on the maintenance or violation of professional standards by one or the other or both of the participants.

We begin with a review of the statements on assumptions and conclusions on Minuteman vulnerability leading up to the *New York Times* letters. Following this we state specific abuses of professional standards in this debate and present supporting evidence and analysis as needed.

The list of abuses found may seem one-sided, since most of them were committed by only one of the participants in the debate. However, we have assiduously attempted to be balanced in our examination of the record.

(b) Chronological Review of Statements on Minuteman Vulnerability Calculations: On March 26, before the Gore Subcommittee, Secretary of Defense Laird and Deputy Secretary Packard made public:

A chart showing growth in Soviet missiles (p. 279 of the published hearings) indicating approximately 460 SS–9s at end of 1975.

The 'Packard chart' on Minuteman vulnerability, showing probability of a Minuteman silo being destroyed as a function of accuracy for warheads of one, five, and 25 megatons.

The information that the SS–9 could carry either a single 20- or 25-MT warhead on three 5-MT warheads. Regarding the 20- vs. 25-MT warhead, Deputy Secretary Packard stated (ibid, p. 286):

"This is a figure [25 MT] which is in the range of estimates. The best information I have seen is that they do have variable warhead sizes on these missiles, and they do have the capability of carrying a 25-MT warhead."

This appears to be the first public statement of these estimates by the Administration.

Two days later, on March 28, Rathjens presented testimony prepared prior to the above statement to the same Subcommittee in which he stated:

"If one assumes *highly accurate MIRVs* are developed by the Soviet Union and deployed on the SS–9s, they might pose a greater threat. If the Soviets can do as well in achieving a high accuracy as we apparently expect to do, according to figures released in late 1967 by former Deputy Secretary of Defense Nitze—then a *500-missile* Soviet

Footnotes at end of article.

SS–9 force might destroy three-quarters of the Minuteman force." (Emphasis added)

One month later (April 23) both Rathjens and Wohlstetter testified before the Stennis Committee. On the day before, Wohlstetter asked Rathjens how he had made his calculations. Rathjens in his replying note indicated he used data appearing in testimony presented in 1967 by then Deputy Secretary of Defense Paul Nitze[7] to deduce that four 1–MT reentry vehicles could be delivered by an SS–9, assumed 500 SS–9s, used the "Packard Chart" to deduce an estimate for the hardness of Minuteman appearing in the note, derived a terminal kill probability (PK) for a 1–MT warhead of 0.6, and used a reliability of 0.75. From this he arrived at the result that 25 percent of the Minuteman would survive.

In his written testimony to the Stennis Committee, Rathjens essentially repeated his result of a month before (p. 1252):

"Yet even if the Soviet SS–9 missile force were to grow as rapidly as the Defense Department's most worrisome projections, even if the Soviet Union were to develop and employ MIRVs with those missiles, and even if they achieved accuracies as good as we apparently expect with our MIRV forces (according to figures released in late 1967 by former Deputy Secretary of Defense Nitze) a quarter of our Minuteman force could be expected to survive a Soviet preemptive SS–9 attack."

In Appendix II of his written submission, he states (p. 1258):

"For the Soviet Union to have a capability to destroy 90 percent of the Minuteman force in a preemptive attack using a MIRVed SS–9 force, about 850 missiles would be required (assuming accuracies similar to those we expect and reliabilities of about 75 percent)."

Wohlstetter, in his prepared statement of that day said (p. 1264):

"I have tried with some effort to reconstruct various numerical proofs recently presented or distributed to the Congress that purport to show that our Minuteman will be quite safe without any extra protection; these proofs depend heavily on optimistic estimates of limitations in Russian delivery accuracies, reliabilities, and assocated offense capabilities and sometimes on very poor offense tactics. Suppose, however, that by 1976 when Safeguard is deployed, or by 1977 when it may be shaken down, the Russian have:

"(1) Accuracies like those of the systems we are deploying now.

"(2) Overall reliabilities currently attributable to them.

"(3) Methods familiar to us for using extensive and timely information as to which missiles have failed so that others can replace them, the technique known as shoot-look-shoot.

"(4) Continued production of SS–9 boosters at past rates.

"(5) Modest numbers of MIRVs per booster (e.g., the three 5-megaton reentry vehicles stated by Secretary Laird for the SS–9).

"Then the percentage of the Minuteman force that would be destroyed, if undefended, comes to about 95 percent.

"These results are based on quite moderate assumptions about Russian capabilities. Better accuracies, for example, may be expected in the late 1970s, and higher degree of MIRV'ing. Reliabilities of any given offense missile system improve with use. Do those who favor a hardpoint defense but would postpone a start really consider these Russian capabilities I have outlined 'extremely implausible'? Or at all implausible?"

In the afternoon question and answer period, Senator Jackson raised the subject of Wohlstetter's statement concerning various "proofs" that Minuteman would not be vulnerable in the time period when Safeguard would become operational (p. 1292). Concerning Rathjens' calculations, Wohlstetter stated (pp. 1293, 1294):

WOHLSTETTER. "Dr. Rathjens and I have much less disagreement about the method of calculation and how you go about this. We assumed the same accuracy, the same number of boosters, and in fact we assumed the same overall reliability."

Senator JACKSON. "And warheads, the yield?"

WOHLSTETTER. "Yes. There was a difference in the warhead yields that we used and this certainly affects our results. But I think there would not be any serious disagreement between us as to whether the SS–9 will be able to carry three warheads of 5-megaton yield. He chose what he thought was the optimum yield. I chose a number that had already been made public by Secretary Laird—three 5-megaton reentry vehicles per booster. The latter I believe closer to optimum.

"Now there are two other important differences between our calculations and they illustrate precisely how sensitive the results are to such assumptions. One is that Dr. Rathjens, in the best faith, of course, assumed a blast resistance which was two-thirds higher than I assumed, but also two-thirds higher than that of the Minuteman. I used the actual hardness we estimate for the Minuteman.

"The second is that he did not exploit the information that one can have as to what missiles have failed. A high proportion of failures happen before launch or during launch right on the pad. You get information about them right away. You also can know of failures at cut-off. And you can get information beyond that point. There are very familiar, well-known methods of arranging it so that you can reprogram missiles to replace a very large proportion of your failures, since most of them take place in a way that enables timely information. This is the shoot-look-shoot method I referred to earlier. Dr. Rathjens and I assumed the same overall reliability. When you divide up the expected failures into the ones that can be learned about and replaced and those that cannot, using current planning factors for this division, you get a much more devastating result than was shown by Dr. Rathjens.

"The result of the three differences in our assumptions, in short, is that instead of getting a 25 percent survival of our Minuteman one gets a 5 percent survival. The reason this is important is, of course, that neither of us knows precisely what Russian capabilities are going to be (nobody knows) but these are quite likely capabilities."

Rathjens did not disagree at the Hearing and requested permission to file a "classified statement." He did so April 30, and on May 30 he stated that it "dealt with Wohlstetter's criticisms."

However, except for stating that his classified calculations used 460 SS–9's (Read from Secretary Laird's chart for 1 January 1976), the classified submission does not contain any statement of performance characteristics used.[8]

Thus, when Wohlstetter prepared his *Supplement on Purported Proofs That the Minuteman Will Be Safe Without Further Protection* submitted on May 23 he had no reason to doubt that the information supplied him by Rathjens on April 22 validly stated Rathjens' assumptions, and that "Since Rathjens and I compared notes on April 22, I am able to fix quite precisely where we agreed and where we differed. (p. 1447)." Wohlstetter summarized his understanding of the two sets of assumptions in the following table (p. 1448):

DIFFERENCE BETWEEN ASSUMPTIONS USED BY DR. RATHJENS AND MYSELF

Assumption and difference

Number of SS–9s: Same.
Overall reliability: Same.
Accuracy: Same.
Minuteman blast resistance: (Dr. Rathjens', ⅔ higher than official estimate) (mine, official estimate).
SS–9 payload: (Dr. Rathjens', 4 reentry vehicles at 1 MT, less than CC–9 capability) (mine, 3 at 5 MT, SS–9 capability).
Use of partial information on missile malfunctions: (Dr. Rathjens' not used) (mine, used).

Rathjens, in his letter of June 5 to the *New York Times*, takes exception on three points:

(1) Computation of Terminal Kill Probability: There is the question of whether I used the right "hardness" for Minuteman silos in my calculation. I used a chart released by Deputy Secretary of Defense Packard and data made available by former Deputy Secretary of Defense Nitze on Nov. 8, 1967. Nitze's data implies that the PK of a hypothetical U.S. missile against a Soviet hardened silo would be in the range 0.12–0.17 (p. 48).

"One cannot determine unambiguously either the hardness of a Minuteman silo or the accuracy we expect from MIRV's from this data. However, by using both releases one can derive a probability for a Minuteman silo being destroyed without knowing the exact hardness. This I did. Any error in estimation of hardness is irrelevant because it is offset by a compensating difference in estimation of accuracy.

"(2) Number of 1–MT Warheads Deliverable by a MIRVed SS–9: it is alleged that I made an error in assuming four 1-megaton (MT) warheads per SS–9 missile rather than three 5-MT warheads as Mr. Wohlstetter assumed. My statement for Senator Albert Gore's subcommittee was prepared before anyone had suggested that the Soviet Union could employ the latter option with the SS–9. I saw no reason to change it, since I continue to regard a payload of less than three 5–MT warheads as a plausible threat and because the difference is small compared with the following more important points.

"(3) Availability to the Soviets of Reprogramming and Significance: The major difference between Mr. Wohlstetter's analysis and mine is with respect to the extent to which the Russians could retarget some of their missiles to take account of failures of others.

"Mr. Wohlstetter has assumed perfect information would be available to them about missile launch failures, failures during powered flight, and failures in separation and guidance of the individual warheads, and that they would be able to use that information with the high confidence required to make a preemptive attack a rational choice. I have assumed they would not be able to obtain and use information about such failures in a timely fashion. This accounts for most of the difference in our estimates of Minuteman survival."

(c) Evaluation: Since the June 5 letter is the first place in which Rathjens challenges Wohlstetter's assumptions and explanation of their differences, this is a good place to analyze the validity of the differing claims so far.

(1) Minuteman Blast Resistance: Rathjen's assertion that "any error in estimation of hardness is irrelevant because it is offset by a compensating difference in estimation of accuracy" will be treated below under item (3).

Rathjens informed Wohlstetter of a blast resistance derived from the 'Packard Chart' and this blast resistance is, as Wohlstetter stated, two-thirds higher than the usually accepted figure for actual Minuteman hardness. Moreover, Wohlstetter is correct in stating that the Packard Chart does not lead to the hardness stated by Rathjens. Even if the CEPs[9] on the chart are read as statute miles[10] the resulting overpressure is still significantly lower than that stated by Rathjens.

(2) SS–9 Accuracy (CEP): Again, the rele-

Footnotes at end of article.

vance to Rathjens' estimate is discussed below. The question at hand is given the information supplied him on April 22, did Wohlstetter interpret it correctly or not?

A simple check reveals that, if one does assume the overstated Minuteman hardness of Rathjens' note and 1–MT, then essentially the same CEP must be assumed as was used in Wohlstetter's calculations to achieve the PK by a reliable warhead stated in Rathjens' note. Hence, on the evidence in that note, Wohlstetter was justified in asserting that the two agreed on CEP.

(3) Estimate of Probability of a Reliable Warhead Killing a Target (PK): Rathjens' assertion that he used both the Packard and Nitze data to derive a PK estimate cannot be supported mathematically. One can either:

(a) Use the Packard Chart and a CEP assumption to read a PK, or

(b) Use the Nitze data and an exponent for scaling lethal radius with yield to deduce PKs for 1–MT using the Nitze PKs for 50–KT.

In neither approach does one use both sets of data. Rathjens asserts "one cannot determine . . . the hardness of a Minuteman silo . . . from this data." But one can do exactly that from the Packard Chart. Thus Rathjens' explanation is not only inconsistent with his earlier statements to Wohlstetter, it is internally inconsistent as well.

The model used by Rathjens in deriving kill probabilities for 1-MT warheads from kill probabilities for 50-KT warheads assumes that the 'lethal radius' of a warhead against a particular target scales as the cube root of the yield. For hardened silos, this is an invalid scaling assumption. For these targets, damage is determined not only by peak overpressure but also by the duration of the overpressure pulse, and hence a scaling exponent larger than one-third is called for. Using an appropriate larger exponent would lead to a higher kill probability for a 1-MT warhead.

(4) Estimation of Number of 1-MT Warheads Deliverable by a MIRVed SS-9: In his April 22 note to Wohlstetter, Rathjens explained the model he used to deliver the number of 1-MT warheads per SS-9 used in his calculation. If N_1 and N_2 are the number of reentry vehicles of yields Y_1 and Y_2 respectfully, then he assumed there was a constant a such that $N_2/N = {}_A Y_1/Y)^a$. From Nitze's 1967 data he deduced the value 0.435 for a. The same value of a was then used for the SS-9 with $Y_1 = 25$-MT, and $N_1 = 1$. It then follows that for $Y_2 = 1$-MT, $N_2 = 4$.

Since N_2 plots as a linear function of Y_2 on log paper with slope $= -a$, the above formula can be called the 'log-linear model.'

Plots of N and Y for alternative payloads that have been designed in detail indicate a relation that, instead of being log-linear, is strongly concave downward. The effect of this 'bowing' would be quite significant in interpolating between 50-KT and 10-MT (these two yields differ by a factor of 200).

Figure 1 (not printed) illustrates the invalid log—linear model, showing the line for the Nitze data and the same line scaled up to the SS-9 warhead size.

Rathjens could just as well have applied the log-linear model to the existing data on the SS-9: one reentry vehicle at 25-MT and three reentry vehicles at 5-MT. This would have led him to use *nine* reentry vehicles at 1-MT rather than just 4. This is shown by the dashed line in the figure.

But the important and plain fact is that the SS-9 could carry significantly more than four 1-MT weapons if the Soviets chose to develop such a system.

(5) Availability and Operational Difficulties of Reprogramming to the Soviets: (a) Rathjens, in his submission of April 30, comments on reprogramming: "This technique is not trivially simple to use, and its use would result in some spreading out of the arrival time in Soviet missiles. There is no basis that I am aware of for believing that the Soviet Union employs such a technique, and I do not believe we do." He appears to be correct in his statements concerning the existence of Soviet and U.S. reprogramming systems. Wohlstetter, on the other hand, does not claim that either we or the Soviets have such techniques now, but only that they are not difficult to achieve and should be considered a real possibility if a force has significantly greater effectiveness with them.

Elsewhere in this report (pp. 1201 ff.) there is a general discussion of reprogramming that shows what can be gained for a particular set of force parameters by reprogramming only for countdown failures, reprogramming for launch failures as well, and finally reprogramming for a portion (roughly one-half) of in-flight failures. Peculiarities of individual missile guidance systems that were not designed with reprogramming in mind may make it difficult and expensive. But, in general, while not 'trivially simple' it may well be feasible at modest cost, and should be easier for first-strike forces than for retaliatory forces. In this regard, the U.S. considered carefully a second-strike reprogramming capability for Minuteman, called 'Taps.' Taps was rejected, not because of engineering and cost difficulties, but because it appeared to add little to Minuteman's capability to attack urban targets.

A careful look at possible reprogramming schemes (*see elsewhere* in this report) demonstrates that the 'spreading out of arrival time' argument is unfounded. First detonations at only a few Minuteman sites would be delayed by at most a matter of a very few minutes. Other warheads detonating in the missile fields would make it impossible to launch even these few Minutemen safely.

(b) Rathjens, in his *New York Times* letter, claims that Wohlstetter used perfect reprogramming. In fact, Wohlstetter clearly stated that he assumed only partial replacement of in-flight failures—in his second letter to the *New York Times* he further states that about one-half the in-flight failures were assumed to be non-reprogrammable.

(c) Rathjens states that the difference in MIRV assumptions is small compared to more important points including "The major difference between Mr. Wohlstetter's analysis and mine is with respect to the extent to which the Russians could retarget some of their missiles to take account of failures of others."

Nowhere does he acknowledge Wohlstetter's calculations of the effectiveness of SS–9s with the estimated payload of 1–MT MIRVs and *no* reprogramming appearing in the *Supplement on Purported Proofs . . .*, the document that prompted Rathjens letter. In that document, Wohlstetter presents the following table:

EFFECT OF ASSUMPTIONS ON MINUTEMAN SURVIVABILITY

Minutemen surviving:	*percent*
Dr. Rathjens' result	25
Adjust for correct Minuteman blast resistance and three 5–MT MIRV per SS–9	16
Alternative adjust for correct Minuteman blast resistance and number of 1–MT MIRV warheads the SS–9 is capable of carrying	7.3
Using correct Minuteman blast resistance, either three 5–MT MIRV per SS–9, or the correct number of 1–MT warheads per SS–9, and information as to missile malfunctions	5

This table shows that, using the estimated number of 1–MT MIRVs per SS–9 and *no* reprogramming leads to essentially the same result as using three 5–MT warheads and partial reprogramming for in-flight failures, i.e., 7.3 percent vs. 5 percent surviving.

Wohlstetter repeats these results in his reply to Rathjens' first *New York Times* letter and adds the result that with three-warhead 5–MT configuration using reprogramming only through launch failures leads to 8 to 9 percent surviving.

Rathjens never specifically addressed these results.

(d) Conclusions Concerning Rathjens' Presentations: On the basis of the above analysis and checking of the relevant classified sources, the Committee concludes that Rathjens:

(1) Had access to and used classified information but ignored readily available classified material and used instead nonrelevant unclassified material in situations in which the more valid classified data would have substantially weakened his case. Moreover, in using the unclassified data, he made the following two important modeling errors:

(2) Used a faulty interpolation technique for arriving at the number of reentry vehicles of a given yield that could be carried in a MIRV configuration of the SS–9, thus substantially underestimating the SS–9 delivery capabilities; and

(3) Scaled single-shot kill probabilities against hard targets by yield using a scaling relation known to be invalid for such targets. He thus underestimated the kill probabilities for his assumed yields and delivery accuracies.

Comments (2) and (3) above apply to Rathjens' later statements on how he arrived at his kill probabilities. Earlier, in a note to Wohlstetter, he gave a different basis for his kill probabilities involving a derivation of Minuteman hardness. In using that basis, he:

(4) Improperly read the "Threat to Minuteman" chart presented by Deputy Secretary Packard so as to arrive at a Minuteman hardness two-thirds higher than a correct reading of the chart yields. (He claims that this error occurred because he read the miles scale as statute rather than nautical. But this does not account for the miscalculation—using statute instead of nautical miles leads to a hardness only one-third higher.)

(5) Failed to acknowledge properly or directly challenge key points, specifically:

(a) That his later basis for computing kill probabilities was different from the one he earlier supplied Wohlstetter, which Wohlstetter attributed to him in joint testimony and also used in comparing their calculations in his supplementary statement.

(b) Wohlstetter's claim that using pre-Nixon estimates of the number of 1-MT weapons deliverable by an SS–9 and no reprogramming results in 7.3 percent of the Minuteman surviving as compared to 5 percent using reprogramming and the three-at-5-MT MIRV option. (It was essential that Rathjens address this statement if he were to maintain his claim that he and Wohlstetter differed mainly on whether they attributed a reprogramming capability to the Russian SS–9 force).

(6) Failed to clarify adequately the time period for which his results applied—the context of his testimony suggests the calculations are to show that Minuteman is likely to be safe enough during the time period. Safeguard was expected to become operational (characterized by Wohlstetter as the "late '70s"), whereas Rathjens' June 22 letter stated that his results do not apply to the late '70s but only to the mid-'70s.

(7) Failed to document adequately the assumptions that went into his calculations in the classified letter that he claimed "dealt with" Wohlstetter's criticisms.

(e) Conclusions Concerning Wohlstetter's Presentations: This Committee further finds that Wohlstetter:

(1) Used Rathjens' earlier explanation of how Rathjens did his calculations correctly. After Wohlstetter published his supplement, Rathjens stated he used other techniques. However, even though Rathjens was with Wohlstetter at the April 23 hearing in which Wohlstetter stated his understanding (based

on his exchange of notes with Rathjens the day before) of how their calculations differed, Rathjens made no attempt to change that understanding.

(2) Is correct in his claim that Rathjens' results "no matter how derived, simply do not jibe with the designed blast resistance of Minuteman silos and pre-Nixon intelligence estimates of SS–9 performance by 1972."

(3) Used accepted techniques for making his calculations, and used performance data substantially in agreement with projected U.S. and Russian capabilities.

(4) Assumed only partial information on missile malfunctions in his reprogramming calculations, not the "perfect programming" attributed to him by Rathjens. Moreover, his testimony and supplement are quite explicit on this.

(5) Had difficulty in duplicating Rathjens' results. This difficulty persisted in spite of personal communications between Wohlstetter and Rathjens during and after the testimony and apparently accounts for conflicting statements from the two of them regarding the use of the Nitze data by Rathjens. This illustrates the need for participants in public debate to exhibit for open criticism the substantiating operations research.

(2) The Exchange between the Authors of "ABM: An Evaluation" and Foster (Director of Defense Research and Engineering)

(a) The Authors of "ABM: An Evaluation": Statements concerning the vulnerability of U.S. land-based ICBMs to SS–9 attack in the relevant time period appear in two essays in *ABM: An Evaluation*, edited by Jerome B. Wiesner and Abram Chayes.

(1) Wiesner, in *"Some First Strike Scenarios":* In this essay, Wiesner early states that "conclusions arrived at will not be significantly different from those of a study with full access to classified material" (p. 72 of book[11]). In presenting calculations of the vulnerability of Minuteman to 500 SS–9s with 3 MIRVs he assumes, in the Ms version, that they carry a "weapon having a 0.8 kill probability against the present Minuteman with the MIRV guidance accuracy" (p. 6, Ms). In the book form this is altered to read "each one can deliver 3 MIRVs against the present Minuteman with the MIRV guidance accuracy estimated by Secretary Laird" (p. 73, book). Since his detailed results are unaltered, and because of other remarks made elsewhere as noted below, the change in wording does not imply a change in assumptions.

He further states:

"If the SS–9s are targeted solely against U.S. missiles and control centers (for a total of 1100 targets), the Titans and approximately 350 Minuteman will have 2 MIRVs directed at them, the remaining 650 Minuteman only one. Approximately 230 of the single-targeted Minuteman will survive, as well as 40 of the doubly-targeted Titans and Minuteman. This would leave a total of 270 U.S. attack missiles—a very convincingly retaliatory force all by itself. (p. 73))

He then adds:

"In these calculations we have assumed an accurate MIRV and a highly reliable missile system."

Although Wiesner did not state it explicitly in the book, a little arithmetic shows that he assumed a 0.8 reliability factor in addition to a 0.8 terminal kill probability (this is also consistent with his later statements). He also makes it clear that the 0.8 mentioned in the text is the terminal kill probability of a reliable warhead.[12] It further appears that Wiesner committed an arithmetic error in computing the doubly-targeted survivors—the correct result is in excess of 50, not 40 as stated.[13]

(2) Steven Weinberg, in his essay, "What Does Safeguard Safeguard?", states:

"The United States has about 1050 ICBM silos. Thus we must suppose that Moscow can deliver at least 2100 reentry vehicles (RVs) with megaton yield and high accuracy, two for each of our ICBM silos." (p. 86)

He supports this statement by a calculation using a terminal kill probability of 0.8 and furthermore implies this is an underestimate of required Soviet deployment by stating:

"I will throughout only quote figures for the number of Soviet RVs which actually arrive near the target. Thus, if the overall Soviet ICBM reliability is 50 percent, then the actual Soviet ICBM deployments must be at twice the levels quoted here." (p. 86)

To justify the 0.8 terminal kill probability, he cites Deputy Secretary of Defense David Packard:

"In testimony before the Senate Armed Services Committee on March 20, 1969, Deputy Secretary Packard stated that an ICBM with a CEP of 0.6 to 0.8 miles would have to carry a 20-MT warhead if it is to have an 80 percent chance of destroying a hardened Minuteman silo." (p. 86)

These references to a 0.8 terminal kill probability, attributed in the one case to Secretary Laird for a 5-MT warhead and in the other case to Deputy Secretary Packard for a 20-MT warhead, take on additional significance in the responses to Foster's speech, as noted below.

(b) Foster in his speech of May 12 stated: Other statements in the ABM book seem to play a strange numbers game. At one point the book states:

"With our Minuteman in hardened silos, it would take at least two attacking ICBM's to be reasonably sure of destroying one Minuteman."

An ICBM with three independently aimed warheads can attack three silos. The U.S. has designed, but not deployed, a system which allows a missile to signal the launch-control point if it has launched its re-entry vehicle properly. With this system, the control point could reprogram another missile to make up for failures. For example, a missile system having a 20 percent failure rate and carrying 3 re-entry vehicles per missile, would require only 420 missiles to attack 1000 silos. If the yield of each re-entry vehicle was a reasonable 5 MT and the accuracy a reasonable one-quarter of a mile, about 95 percent of the silos could be destroyed. This would mean 50 of the 1000 Minutemen survive. It would be foolish to attack half of the silos twice as the book advised, rather than all of them once.

(c) Further Testimony of Wiesner: On May 14, Wiesner in testimony before the Gore Subcommittee engaged in the following exchange (p. 491):

Senator SYMINGTON. "As I understand it, Dr. Wiesner, your statement is based on your giving every advantage possible to the enemy."

WIESNER. "Yes."

Senator SYMINGTON. "The Chairman is right. There is no testimony I have seen that says the SS–9 has a MIRV. On the other hand, even if it does have MIRVs, your point is that your extrapolations are still right."

WIESNER. "Yes sir, assuming that my estimates of accuracies are right, and for this *I have used the published Defense Department estimates.*"[14]

A few sentences later (p. 492), Wiesner states:

"Since I prepared my testimony, Dr. Foster has suggested that my calculations regarding the surviving Minuteman force were in error. These are the estimates that I just gave you. He estimated that only 50 missiles would survive a Soviet SS–9 attack instead of the 270 shown in our ABM book. *Now my calculations were based on Department of Defense data released in March and April of this year, but Dr. Foster has now changed those figures. He says that the SS–9 warhead will have a 0.95 probability of destroying a Minuteman rather than the 0.8 previously predicted. This involves a new estimate of the MIRV accuracy and reliability, a reliability which I do not find easy to accept. His data, incidentally, has also changed the estimate of Soviet SS–9s from 500 to 600.*[15]"

He then raises another point that recurs often; the possibility that the United States could launch between the "waves" of an attack that used reprogramming:

Dr. Foster also says, and this is implicit in his number of 50, in contrast to my number of 270, that the Soviets might have the capacity for monitoring their MIRV warheads and only using a second one against a target when the first has obviously failed. This is certainly technically possible. It is a technical complication in addition to the MIRVs, and I do not believe it would be used. Even if it were used, *there is an easy counter to it.* The attack will have to come in two waves spaced by a few minutes so that the attacker can determine which re-entry vehicles have failed and need back-up. *It seems unlikely that we would wait for the second attack to hit, rather than fire the remaining missiles after the first weapons explode.* In this case, about 290 land-based missiles (Minuteman and Titan II) would be available for counter-attack assuming a 0.9 probability for the Soviet warhead which I find, as I say, harder to believe but I am willing to accept that, though not the 0.95.[16]

Shortly he returns to the alleged changes in data (p. 493):

"I find it hard to believe that the changing rationalizations, data, and intelligence estimates in support of the Safeguard system can be based on a truly careful study."

Later, in disagreeing with Edward Teller, who (pp. 520, 521) defended Foster's results, Wiesner becomes more specific about the 0.8 kill probability (p. 525):

"The fact remains, though, that the numbers have changed, and I think my analysis of the situation is a little different than Dr. Teller's. *The original estimate of the 5-megaton warhead kill probability, as given by the Defense Department, was 0.8, and it is this 0.8 that we are talking about.*

"In addition to that value, various people, myself included, have assumed that the missile reliability, fire reliability, would also be 0.8, so that the overall kill probability of a missile plus a single warhead would be the product of these numbers or 0.64. The probability of not killing a silo would be the difference between 1 and that or 0.36.

"Incidentally, Mr. Foster, in some of his papers, has said 0.7 rather than 0.8, but this is hardly different. What I am objecting to, or at least pointing out, is that *now instead of an 0.8 kill probability for a single warhead Dr. Foster is using a value of 0.95,* and I object for two reasons. Though they have the privilege of using any number they please, when they say my document is in error because with an 0.95 kill probability *they show fewer missiles survive than calculated based on data they published no more than couple of months ago,* I think I have a right, if not to be offended, at least to defend myself, and I think that they also owe you an explanation."[16]

In a letter of June 4 to Senator Gore commenting on Foster's criticism of *ABM: An Evaluation* (p. 590 of Gore Subcommittee Report), Wiesner repeats his claim that "earlier Pentagon information gave a kill probability of 0.8 for the warhead alone" and further questions Foster's calculations on his assumption that "the combination of warhead reliability, MIRV guidance, and re-entry shield reliability when combined with the kill probability of the weapon itself against the Minuteman targets would yield an overall kill probability of 0.95."

He also states that neither the assumption of independent targeting for the Soviet multiple re-entry vehicles nor a reprogram-

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ming capability for the Soviet offensive forces are based on intelligence evidence (a point also made in the testimony). Finally he asserts that reprogramming systems would add "troublesome complexity" and are subject to countermeasures such as jamming.

(d) Evaluation: The hearing with Teller and Wiesner was reported in the *New York Times* the next day, May 15, under the headline "Pentagon Charged with Changing Data to Help Antimissile Plan".[17]

(1) Estimate of Killing a Target with a Reliable Warhead: Thus the existence or lack of it of the alleged officially estimated 0.8 terminal kill probability for a Soviet warhead from a MIRV configured SS–9 becomes a major point in evaluating the conduct of Foster compared to Weinberg and Wiesner, in particular, Wiesner.

The Committee therefore undertook a careful search of the Congressional testimony of Department of Defense officials and Department of Defense press releases for this alleged estimate. *The Committee has been unable to find any statement made in the debate by Secretary Laird, Deputy Secretary Packard, or Foster or any other Defense spokesman that can be interpreted as asserting that reliably delivered Soviet SS–9 warheads, whether or not with MIRVed yields, would have a 0.8 terminal kill probability against Minuteman silos.*

Furthermore, such an estimate is not likely to have been made in reference to a 5-megaton MIRV option for the time period in question, because it would be substantially lower than implied by both pre-Nixon and post-Nixon intelligence projections of delivery accuracies achievable well before the post-'75 time period.

The reference made by Weinberg to Packard's testimony of March 20 is to a passage in which Packard does *not* say that an SS–9 20–MT warhead would have a 0.9 single-shot capability against a Minuteman. He said that it would have that single shot kill probability *if* the CEP were "in the range of 0.6 to 0.8 of a mile." (Packard was clearly merely explaining how to read the chart he was presenting.) One could just as well quote Packard five sentences later, when he stated that a 5–MT warhead with an accuracy "between 0.2 and 0.3 of a nautical mile" would have a very high destruction probability. The chart Packard was discussing at the time showed that "high value" meant in fact a single-shot kill probability in excess of 0.95. (*See* pp. 161, 162, and 178 of the Stennis Committee Report.)

This chart (or a redrawn version of it with slightly lower kill probabilities for 5-MT in the 0.2 to 0.3 nautical mile region shown in the Mahon Subcommitee Report, p. 34) was referred to at several hearings by Packard and once by Laird (May 22, Mahon Subcommittee, p. 9). There is a variation from one presentation to another in the values chosen for illustration, substantiating the point that the values were intended to be merely illustrative. However, the implication of the context is clear—without pinning themselves to a particular numerical result (these were unclassified presentations) both Packard and Laird were stating that the SS–9 with a 5-MT warhead could have a very high terminal kill probability against a Minuteman silo, significantly higher than 0.8.

(2) SS–9 Estimate: Concerning Wiesner's claims that Foster had "changed" the estimate from 500 to 600, the Committee observes that the 600 figure was for 1976, the first year it was believed Safeguard Phase I could be operational if turned down in 1969. Foster's speech makes it quite clear that the change from 500 to 600 is due to a slippage in time, not a change in estimated Soviet SS–9 deployment rates. Thus this was not a change in data on Foster's part, but a legitimate change in year for consideration.

(e) Conclusions Concerning Wiesner's Presentations and Weinberg's Statements: Thus the Committee concludes that:

(1) Wiesner and Weinberg ascribed official validity to a purely hypothetical kill probability, and

(2) Wiesner's charges of May 14 and June 4 that Foster or the Pentagon had altered data were incorrect.

(f) Conclusions Concerning Foster's Presentations: (1) The Committee concludes that: Foster's use of a 0.95 probability to account for all failures past reprogramming (including the probability of receiving a correct malfunction signal and the terminal kill probability) is too high in our judgment.

(2) Foster used a type of model and a set of data that tended to underestimate the expected number of surviving Minuteman. He used an expected-value model and used a number of missiles and a reprogrammable reliability yielding almost exactly an expected 1000 reprogrammed reentry vehicles. This means, as discussed in the later paragraphs on reprogramming, that he picked a particular case in which the expected value model underestimates force requirements and one in which it is doubtful that single-RV failures (as distinct from failures of a whole booster-load) could be made up on a one-for-one basis because of targeting constraints of MIRV systems. Both of these considerations would either increase the expected survival of Minuteman for the given SS–9 inventory considered or would increase the number of missiles needed to achieve the given effectiveness level.

Wohlstetter used somewhat more conservative reprogramming assumptions, which seem more reasonable. Also his case is one in which the expected value models is a good approximation and in which single-RV failures can be handled about as efficiently as booster-load failures. Thus his estimate of 50 survivors from a 500 SS–9 attack seems more in line with achievable capabilities than Foster's estimate of 50 survivors from a 420 SS–9 attack.

(3) Several places in the Chayes-Wiesner book it is stated that at least two warheads should be allocated to each Minuteman site. However the Committee finds no basis for Foster's statement that the book suggests that half of the silos should be attacked twice rather than all of them once.

(4) Concerning the suggestion that Foster or other Defense officials were bending intelligence by assuming independently targetable multiple warheads or by assuming a reprogramming capability, we note that:

(a) Apparently (assuming public statements to be correct) there is no definite intelligence that the Soviets have or are getting either; however,

(b) The Department of Defense has been quite forthright in acknowledging this and has only claimed that these are technically possible, compatible with observed Soviet development, and of such utility to the Soviets that it is reasonable to take seriously the consequences of their possessing them.

(5) Thus, considering all of the above, there is no support for the claim that the Administration altered intelligence to suit its case in the 1969 debate.

Concerning Wiesner's proposal that the United States could launch Minuteman between the 'waves' of a reprogrammed missile strike, the Committee finds this to be an infeasible alternative.[18] As is pointed out in the paragraphs below on reprogramming, a careful look at the reprogramming process reveals that the re-entry vehicles would *not* come in two distinct waves with a lull between them. Rather, there would be a moderate spreading of impacts over time, somewhat greater than that from a salvo launch.[19] Since any ICBM symbol is vulnerable during portions of its powered flight, the procedure of launching Minuteman while multi-megaton detonations may be occurring at nearby silos would be bad tactics, not the "easy counter" of Dr. Wiesner.

(3) An Independent Discussion of Missile Reprogramming: Both the 1969 and 1970 debates saw considerable dispute over the use of "reprogramming for missile failures," i.e., the technique of monitoring for missile failure and then reprogramming (retargeting) additional missiles to attack the targets of those that failed. This section presents a simplified discussion of reprogramming.

(a) Why Reprogram? Reprogramming (also called 'shoot-look-shoot') is a means for approaching the type of efficiency that would be achievable in the ideal situation where the battle planner knew in advance exactly which of his missiles would be good and which would fail.

(b) ICBM Reprogramming: For our purposes the overall reliability of an offense missile such as an ICBM can be treated as the product of the following conditional probabilities:

Alert rate.
Countdown reliability.
Launch reliability.
In-flight reliability.

These can be further broken down: in particular, in-flight reliability for a single warhead missile can be broken down into booster-phase reliability, re-entry reliability, and warhead reliability. The terminal kill probability will also enter the calculations in the same manner as do the conditional reliabilities. The composite probability of successfully killing a target with an alert missile is simply the product of all these probabilities except the alert rate.

If the missile has a MIRV or MRV warhead, the situation is more complicated, since the RV dispensing mechanism may malfunction in such a way as to affect all, several, or only one RV. For our simplified discussion, however, we will assume only two types of events—a gross malfunction that makes all RV's fail and an independent conditional probability per RV that it is successfuly dispensed, given no gross malfunction of the whole dispensing process.

It seems reasonable to assume that, when a missile goes off alert another missile can be given its targets, so reprogramming for alert-rate is assumed throughout the rest of this section.

For any reprogramming beyond this point, however, say for countdown or launch failures, it is necessary to have some fraction of the force configured so that it can be quickly retargeted. Conceptually and computationally it is simplest to think in terms of a pool or 'retargetable reserve' such that any missile in it can be allocated to any set of targets, subject to only MIRV or MRV footprint constraints[20] and that is what is assumed here. (Actually, one can do almost as well by grouping missiles into sets of 10 to 20 with a few of them held as a 'retargetable reserve' able to cover any targets of the others in the group. This simplifies operational problems but complicates our computational problems, so this possibility is ignored here.)

Since failures occurring during launch are almost instantly detectable, it is possible to reprogram for them with a few seconds delay.

It is also possible to reprogram for some portion of in-flight failures. To do this requires monitoring and communications equipment of the type used in booster and reentry vehicle development to send a signal to the ground indicating that performance was or was not within specified tolerances.

For a second-strike force, problems of communications vulnerability resulting from the nuclear burst environment and possible attacks on ground stations make the problem more difficult. However, a system for Minuteman (Taps) has been investigated and found technically feasible at modest cost even for second-strike conditions.

The *utility* of reprogramming in terms of increased strike effectiveness that is due to

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a more efficient distribution of re-entry vehicles to targets depends on the parameters of the attack and the target system.

It has been found to be of marginal utility in retaliatory attacks against cities when overall force survivability from the enemy first strike is high and the cities are not strongly defended with ABM. Thus, studies of reprogramming for Minuteman have questioned its utility for that force, but not its feasibility or cost.

For strikes against other target systems:

(1) If the ratio of re-entry vehicles to targets is less than or equal to one before reliability degradation factors are applied, and the target system is uniform in value and characteristics, then reprogramming has exactly zero utility.

(2) If the ratio of re-entry vehicles to targets before reliability degradation factors are applied is greater than one, then:

(a) If a single arriving RV has no more than a moderate probability of destroying a target, then reprogramming will have some utility.

(b) If a single arriving re-entry vehicle has a high probability of destroying a target, then reprogramming can have an important effect on strike effectiveness.

For the expected performance characteristics of the SS–9 against Minuteman in the early 70s, and assuming by mid-70s an SS–9 inventory of about 500, MIRVed with three RVs at 5–MT each, the applicable situation is that described under (2b) above, i.e., reprogramming can have a substantial effect on the seriousness of the SS–9 threat to Minuteman in the mid-70s. For a more highly MIRVed 1–MT per re-entry vehicle force, (2a) applies and reprogramming has only a modest effect.

Thus, for first strikes with the SS–9 force,

(1) Reprogramming is technically possible, and

(2) Reprogramming can substantially improve Soviet first-strike effectiveness for some MIRV configurations.

Hence it is imprudent to ignore the possibility of reprogramming in assessing Soviet first-strike capabilities.

(c) Illustrative Calculations: Consider the following hypothetical parameter values for a Soviet force of 500 SS–9s MIRVed with 3 RVs each:

Alert rate, 0.95; Countdown reliability, 0.95; Launch reliability, 0.90; In-flight reliability, 0.90; Terminal kill probability, 0.99; (single RV vs missile silo).

In the following we carry out calculations for three levels of sophistication in reprogramming capability:

(1) Reprogramming before launch,

(2) In addition, reprogramming for launch failures, and

(3) In addition to above, reprogramming for a portion of in-flight failures.

Then we will discuss in some detail the sequence of operations for the third case. Expected value modelling is used throughout, but, except where noted, this assumption does not affect outcomes significantly for the case under consideration.

A simplifying assumption, the significance of which is discussed later, is that any missile or warhead available for reprogramming may be assigned to any desired target (or targets equal in number to re-entry vehicles).

(1) Reprogramming before launch:

There are 500 missiles in silo, of which 500×0.95 or 475 are known to be available. These are readied for launch and 475×0.95 or 451 turn out to be ready. These 451 missiles have 1353 RVs that are targeted against 1,000 U.S. ICBM targets (Minuteman or Titan) as follows: 353 targets—2 RVs per target, 647 targets—1 RV per target.

Since we assume no further reprogramming takes place, each RV has an overall kill probability equal to the product of the launch reliability, in-flight reliability, and terminal kill probability, i.e., $0.90 \times 0.90 \times 0.99$ or 0.80. The overall survival probability per RV is $1-0.80$ or 0.20. One then finds the following number of targets surviving:

$$353 \times (0.20)^2 = 14.1$$
$$647 \times (0.20) = 129.4$$

Total targets surviving: 143.5

(2) Reprogramming for launch failures: As in the case of reprogramming before launch, there would be 451 ready missiles. Of these 451×0.9 or 406 would be launched successfully, leading to 1218 RVs that would be targeted as follows: 218 targets—2 RVs per target, 782 targets—1 RV per target.

From this point on, the overall kill probability per RV is 0.9×0.99 or 0.891. One thus gets the following number of targets surviving:

$$218 \times (0.109)^2 = 2.6$$
$$728 \times (0.109) = 85.2$$

Total targets surviving: 87.8

(3) Reprogramming for a portion of in-flight failures:

Assume that the 0.90 in-flight reliability is the product of two terms: 0.947 reprogrammable reliability, and 0.95 nonreprogrammable reliability.

In other words, after reprogramming for in-flight failures, there is a residual 0.05 probability an RV will not reach the target area.

As in the case of reprogramming for launch failures, 406 missiles launch successfully, leading to 1218 RVs. There would be additional failures in-flight leading to $1218 \times 0.947 = 1153$ warheads that would be targeted as follows: 153 targets: 2 RVs per target, 847 targets: 1 RV per target.

Because of the 0.95 nonreprogrammable reliability and the 0.99 terminal kill probability, each of these RVs has an overall kill probability of 0.95×0.99 or 0.94. One thus gets the following calculation of targets surviving:

$$153 \times (0.06)^2 = 0.55$$
$$847 \times (0.06) = 50.82$$

Targets surviving: 51.4

(d) A Reprogramming Scenario: To some, the concept of reprogramming for launch and in-flight failures conjures up the image of hundreds of missiles containing well over a thousand warheads launched without targeting instructions, whereupon a massive data processing job is done in which it is ascertained which RVs are 'good' and then these are directed to targets.

The following somewhat simplified description is intended to do away with this misapprehension by describing approximately how one might go about reprogramming.

The description is simplified in many ways from an actual operational situation. First we are using an 'expected value' model—i.e., the average or expected outcome is assumed to occur at each stage of the process. In reality, one would expect variations from the mean outcome at each stage. The difference between the outcome with a stochastic model and our expected value description is not great,[21] and to describe the stochastic situation adequately would force this section to become overly technical.

As before, we have, out of 500 missiles, 475 that are 'available,' the remaining 25 having been taken off alert for one reason or another. We also have 1000 targets to cover.

Of these 475 available missiles, let us designate 334 as 'primary' and assign to them the 1000 targets, one per RV, with two RVs left over. (We will ignore the descriptive problems of roundings of numbers.) The remaining 141 available missiles are designated as 'secondary'—they will presumably all have targets (of the 1000) assigned to them but we are prepared to use some of them as back-up to the primary missiles.

When command is made to make ready for launch, approximately 17[22] of our primary and 7 of our secondary missiles will turn out to reveal malfunctions during the countdown procedures. Of the 134 secondary missiles that are ready for launch, 17 will then be added to the primary force to take the place of the 17 primary missiles that failed in the readiness hurdle.

We will then have 334 ready primary missiles covering the 1000 targets and about 117 ready secondary missiles covering some of these targets a second time. We also have 24 nonready missiles plus the preceding 25 nonavailable missiles for a total nonalert force of 49 missiles.

When the launch command is given, only 334 ready primary missiles will be signaled to launch. Of these, 301 will launch successfully and 33 will fail. Immediately 33 secondary missiles will be programmed to cover the targets assigned to the 33 that failed, and these 33 will be launched. (The data processing for this and other reprogramming steps described below should take only seconds of time using current state-of-the-art data processing techniques.)

Now of these 33 that are launched seconds after the first wave, about 3 would fail, so a third and perhaps a fourth 'wave' of a few missiles each would be required, separated only by seconds.

All in all, to make up for launch failures in the primary missiles, one would expect to use about 37 of the secondary missiles in order to get 33 successfully launched to complete the coverage of the targets after launch of the primary missiles.

At this stage, we have successfully launched 334 missiles targeted at the 1,000 targets with exactly one RV per target. We have left 81 'secondary' ready missiles some of which will be held to make up for in-flight failures, and some of which can be launched immediately (since some targets will get two RV's anyway). We now must calculate how many of these we should keep to make up for in-flight failures.

We must also look at the 'footprint problem.' Any MIRVed missile will be limited in the amount of geographic dispersion among the targets for its reentry vehicles. For instance, physical limits on the degree of dispersion may limt all reentry vehicles from a single booster to targets within, say, 50 miles of a 'mean impact point.'

The 'footprint problem' refers to the possiblity that one may wish to replace RVs that were targeted from separate boosters aimed at widely dispersed points and that cannot be covered from a single booster. To cover these targets may take as much as a separate booster for each target. However, as long as there are substantially more reliable RVs than targets, a number of targets will be receiving two RVs anyway. In this situation, the 'footprint problem' will not degrade the effectiveness of the attack, since, if a single booster load must be allocated to compensate for one RV failure, the excess RVs in that booster may be used as second RVs on nearby targets.

The 334 missiles successfully launched contain about 1,000 RVs. Because of the 90 percent in-flight reliabilty, only 900 of these will actually reach the target areas, and of the 100 that fail we will get information on about 53.

For each booster known to fail, an additional booster must be launched to cover its targets. In addition, there will be known failures of the MIRVing mechanism to function properly—these will often mean all three RVs are destined to fail. Thus, in effect, many of the known in-flight failures will occur on a booster-by-booster basis, so "footprint" problems for the replacement boosters will not often occur. When they do occur

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one can as discussed, double-target a few silos in the vicinity of those being single-targeted with replacement boosters.

If launch and in-flight failures of the secondary ready missiles are taken into account, to cover the 53 RVs known to be in-flight failures will require from 21 to 63 secondary ready missiles, depending upon the severity of the footprint problem. The approximately 81 secondary missiles would amply cover this requirement and those that are not needed for this job would be launched as the last phase of the attack to double-target some silos.

To summarize the degree of reprogramming involved in the above scenarios:

Approximately 17 missiles will be reprogrammed prior to launch; 37 missiles will be reprogrammed immediately after first launch, for first launch failures; 21–63 will be reprogrammed and launched for in-flight failures; and the rest will be launched either before or after reprogramming for in-flight failures—these will be covering targets for a second time.

Note that only approximately 58–100 missiles need to be given new targets after first launch, i.e., the number of missiles that must have a reprogramming capability are relatively modest.

Since reprogramming for launch failures involves no appreciable delay, most targets would be attacked essentially as rapidly as if the attack had been launched with equal efficiency in targeting but no reprogramming. First detonations will be delayed at only about 50 targets and in most of these instances the delay will be only a matter of a few minutes.

Since missiles are relatively soft during launch, and since there will be many megaton-yield detonations occurring in the missile fields as the attack comes in, it is difficult to imagine our depending completely on the launch of Minuteman during an intelligently reprogrammed attack such as the above, as was suggested in testimony of Wiesner.

(e) Defense Interceptor Reprogramming: In defending a city or an ABM radar there is a high premium on preventing even a single re-entry vehicle from 'leaking through.' This premium is less for silo attackers since it is expected that some fraction of the silos will be lost to the attack in any event.

To achieve a low leakage rate without salvoing several interceptors per re-entry vehicle, US defense interceptors have been designed for high reliability, and the combination of interceptor, radar, and computer have been designed for both a high terminal kill probability and a high probability of knowing if a failure has taken place and quickly launching a replacement interceptor.

However, even a few seconds between shots in a 'shoot-look-shoot-look . . .' sequence can substantially limit the number of chances the defense has per re-entry vehicle.

In designing a defense site for Minuteman defense, interceptor and radar locations are chosen to balance the requirements for protecting the silos and the radars, with attention paid to the requirement that the leakage rate for radar attacks be kept low.

Because of the limited number of chances per re-entry vehicle, in some circumstances techniques such as 'shoot-look-salvo two' must be used.

With interceptors having high overall kill probabilities, only a small fraction of first intercepts will fail; hence the expected number of interceptors required per arriving re-entry vehicle will not be much larger than unity whether a strategy such as 'shoot-look-shoot-look-shoot' or one such as 'shoot-look-salvo two' is used.

As an illustrative example, assume a defense interceptor has an overall combined probability of 0.9 of a successful intercept. If the defense uses a firing doctrine giving an opportunity for three shots per attacking re-entry vehicle, the leakage rate will be $0.1^3 = 0.001$.

If it is possible to look between each of the three potential shots, then only one interceptor would be required for 0.9 of the re-entry vehicles, two interceptors would be required for $0.1(0.9) = 0.09$ of the attackers, and three interceptors would be required for the remaining 0.01 (all expected values). Hence the expected number of interceptors per attacking re-entry vehicle would be $1(0.9) + 2(0.09) + 3(0.01) = 1.11$. Using the 'shoot-look-salvo two' doctrine, the expected number of interceptors per attacker would increase to $1(0.9 + 3(0.1) = 1.2$.

Either of these doctrines would yield the presumably acceptable leakage rate of 0.001. It is proper to ask, however, if the high overall kill probability cited in the above example is achievable for high-performance defense interceptors or, if it is not, what are the implications for the effectiveness of the defense.

Unfortunately, it is impossible for us, in this document, to reach a finding on likely interceptor reliabilities. One cannot simply take the average number of successes over some period in the development program as an estimate, for several reasons.

First, development shots differ from operational firings. They tend to be instrumented and launched at predesignated times with engineers scrutinizing every element of the missile. This is as it should be in development, since one wants to find out exactly what is happening with the missile components so as to find and correct any design deficiencies.

Second, the information gained by the shots in particular failures, leads to system modifications intended to remove the causes of failure.

Thus, extrapolating good performance toward the end of a development series may lead to an overestimate of performance when field degradation factors have their effect. Yet, extrapolation of poor performance may underestimate system performance, since problems thus discovered may be rectified.

Gross analogies with offensive missiles are inadequate for reasons discussed later in Section V–B2.

One must look in detail at what has gone on from firing to firing and combine both statistical estimates of performance by component with engineering judgment to arrive at an estimate of operational reliability. Obviously, this cannot be done on an unclassified basis. And, even so, the detailed analysis required is well beyond this Committee's resources. This applies as well to any individual asked to testify as an expert. The best one can hope of from such an expert is that he review the studies that are used to arrive at projected reliabilities and present some judgment as to their validity.

We have seen no evidence that in the debate any outside expert took this approach or was asked to do so.

We can, however, look at the impact of lower reliabilities on system effectiveness. Suppose, for instance, that interceptor reliability is only 0.8. Then using the shoot-look-salvo two firing doctrine, the leakage rate would be 0.008 instead of 0.001. In order to achieve a 90 percent probability of at least one RV leaking through, approximately 290 would have to arrive at the target instead of the 2300 that would be required if the interceptors had a reliability of 0.9. It is, therefore, perfectly proper to question and examine the achievable effectiveness per missile of the Safeguard System.

(4) Lapp's Calculations: On 4 April 1969 Ralph Lapp issued a statement titled, "The Case Against Missile Defense." In a note appended to this statement, he challenges the existence of a serious threat to the U.S. Minuteman force by the Soviet SS–9s. However, his calculations are open to serious question, and it is the purpose of this section to analyze his calculations and assumptions step by step.

(a) Total 1976 Inventory of 5–MT Warheads on SS–9s: Lapp assumes a maximum of 1,000. This figure may be low as published intelligence projections (Packard testimony) show a Soviet capability for 500 SS–9s by 1976 for a total of 1,500 warheads. However, intelligence projections of an enemy threat have sometimes been on the high side, so an estimate of future size of a warhead inventory must indicate reasonable limits of uncertainty. A 'capability' estimate may represent a high estimate of future achievement.

(b) Reserve Forces: Lapp, in his calculation, assumes 250 of the 1,000 Soviet warheads are held 'in reserve.' Since the Soviets have other forces more suitable for use as 'reserves' (withheld retaliatory forces) such as the SS–11s, there is no military justification for this assumption.

(c) Combined Reliability: Lapp assumes 20 percent launch guidance failures up to the MIRVing stage, and 20 percent failures past the MIRVing stage for an overall reliability of $0.8 \times 0.8 = 0.64$

This is at the low end of overall reliability experience for missiles. A more reasonable assumption for a third generation ICBM is an overall reliability of 0.75 and even higher reliabilities have been demonstrated for some of our own weapon systems.

Furthermore, effectiveness depends on the degree to which weapons can be reprogrammed to account for unreliability. The development of a reprogramming capability is known to be feasible at a reasonable cost and the development of targeting doctrines for taking advantage of this capability is a tractable problem and one that is particularly easily solved for attacks against missile fields. (*See* the preceding section on missile reprogramming.)

It is not unreasonable to assume that the overall reliability is 0.75 and is the product of two reliabilities—a 'reprogrammable reliability of about 80 percent and a 'nonreprogrammable reliability' of 95 percent.

(d) Missile Accuracy: Lapp emphasizes the difficulty of achieving very high accuracies. However, in the testimony of Nitze quoted by Lapp, it is stated that we would then (1967) develop a MIRV missile capable of achieving 0.12–0.17 terminal kill probability using a 50-KT warhead against hard silos. This scales to a terminal kill probability of 0.96–0.98 for a 5-MT warhead against a hard silo, if cube-root scaling is used. A higher kill probability would result if hard target ductility were taken into account.

(e) Targeting Doctrine: The targeting doctrine used by Lapp is grossly inefficient for the assumptions he is using. Lapp states that "any military realist" would assign two warheads to each target even though the case treated is one where a single weapon has a high probability of destroying the target and many targets are left unattacked. Thus instead of sending the second weapon to an otherwise unattacked target he sends it to a target that has a high probability of already having been destroyed.

(f) Effect of Other Assumptions: The sensitivity of results to each of the points raised above is shown in the following table in which Lapp's assumptions are replaced, step by step, with reasonable alternatives that reflect greater Soviet capability and more sensible targeting policy than assumed by Lapp.

	MM Surviving
Lapp's result	760
Remove 2 warheads per target requirement	540
Remove reserve force requirement	385
Use 1500 instead of 1000 MIRV warheads	280
Use 0.75 instead of 0.64 for overall reliability	180
Use reprogramming for unreliability (0.75 overall reliability)	73

(g) Requirement for Destroying All But 50 Minutemen: Lapp states it would take approximately 4000 MIRVs (1,333 SS–9s) to destroy all but 50 Minutemen. Using the assumption of the last row of the table above, it would take approximately 1875 MIRVs, i.e., 625 SS–9s.

(h) Sensitivity to Terminal Kill Probability Assumptions: If, instead of using the low estimate of 0.96 for the terminal kill probability of a 5–MT weapon, the higher estimate of 0.98 [23] is used, then the number of SS–9s needed to reduce the Minuteman force to 50 surviving would be only 550.

D. *U.S. Bomber Vulnerability:* The Chayes-Wiesner book devotes two pages to the question of bomber vulnerability (in Wiesner's essay), and concludes that there is no significant problem. This conclusion is based partly on an evaluation that the following assumptions are "far-fetched" (p. 75):

(1) . . . that the Soviet Union will have a substantial fleet of Polaris-type submarines by 1975.

(2) That it would be willing to use them for an attack upon the U.S. bomber bases.

(3) That the U.S. antisubmarine warfare capability is so poor that a large fleet of hostile submarines can come into position close to U.S. shores without being challenged.

(4) That their navigation and command-and-control capabilities are such that they could carry out such an attack.

It is possible to question these assumptions, but Wiesner has presented no justification for calling them "far-fetched." First the assumption that the Soviet Union will have a large fleet of Polaris-type submarines by this time period is by no means a stretching of intelligence. Foster stated in 1969 that the Soviet Union already has "eight and possibly nine" Polaris-type submarines (p. 1746) and later he talks about attacks by 15 or 20 submarines that appear to be well within a straight-forward extrapolation of current production. This number of submarines on station could certainly be interpreted as meaning that the Soviet Union had a "substantial fleet." [24]

Second, the question should not be whether the Soviet Union would or would not be 'willing' to use these boats in a first strike role, but whether it would be feasible for them to be so used.

Third, while submarines close to the coast might be detected (and this is not certain for the 300 mile distance that Wiesner uses), it would hardly seem reasonable to assume that in peacetime operations they would be "challenged" in any sense that affected their operational capability. Hence, if the Soviets establish peacetime patrols over a length of time within this assumed firing distance, it seems reasonable to assume that the U.S. would be obliged to become inured to their presence. While it might be argued that the bombers could be flushed every time submarine fleets of some given size were detected within firing range, this would be a very expensive operation to use over any protracted length of time.

The fourth assumption is on somewhat better grounds than the other three. The command-and-control problems of a simultaneous first strike are not trivial; but this does not mean they cannot be achieved, and hence that the U.S. should not worry about the possibility. The primary requirement would be the ability to transmit 'prepare to launch' and 'launch' signals with a high confidence they will be carried out.

The results of the sample calculations cited by Wiesner (p. 75) can not be checked, since no information is given on the number of submarines assumed available for the attack, their firing capabilities, missile reliabilities, missile trajectories (minimum energy or depressed), or locations of the bomber force. Moreover, Wiesner assumes "reaction time" to get the first aircraft airborne in 2 to 5 minutes, and it is not stated whether this includes the time between launch of the first SLBMS and the sounding of the alarm at the bases. Wiesner does not make clear if he is also accounting for the period of time the aircraft are vulnerable after being airborne in his calculations.

Assuming the five minutes means the time from sounding the Klaxon to wheels up, as seems the most reasonable interpretation, other calculations have been made that differ widely with those cited in the book. Using a thirty-second interval between takeoffs, the approximately uniform distribution of aircraft across the dispersal bases, reasonable assumptions on missile reliabilities, a depressed trajectory, and an arbitrary firing rate uniformly distributed over seven minutes,[25] submarine fleets of the order discussed by Packard can result in survival of between 10 and 20 percent of the bomber force. If 540 aircraft were on alert, as in the Wiesner calculations, only about 50–100 would survive, rather than the 200 quoted.

However, the assumption of 540 aircraft on alert is higher than has been planned for the relevant time period.[26] And, of course, under the attack assumptions essentially no nonalert aircraft would survive.

The second sample calculation discusses a reaction time of two minutes for the bombers. In this case, one does indeed get large numbers of aircraft surviving; in fact, calculations show that the survival rate for alert aircraft would be in the 75–80 percent range. However, the assumptions are unrealistic and Wiesner provides no clue to his reader that this is so.

Moving the aircraft to inland bases may help but provides less benefit than claimed by Wiesner, since the additional time required to reach the interior bases with an SLBM would be at least partially counteracted by the additional time required to flush all the bombers from the inland bases, due to the time between takeoffs. The net effect may be beneficial, but tradeoffs need to be considered. It is not the simple solution that Wiesner sees it to be, and again, his use of a two-minute reaction time is misleading.

An airborne alert, also suggested by this section of the book, was discarded some time ago for cost reasons, the danger of accidents, and because it severely shortened the life of the aircraft. Furthermore, even a very limited airborne alert would greatly reduce the number of bombers on ground alert.

In summary, Wiesner's results are much more favorable for the bombers than can be justified on the basis of careful calculations using reasonable planning factors. For the layman, unable to judge the reasonableness of his assumptions or the validity of his calculations, they are misleading.

E. *The Problem of Coordinating Strikes on Both Missiles and Bombers:* Opponents of Safeguard frequently raised the objection that even if Minuteman and bombers were separately vulnerable, it would be impossible to design an attack that did not give one or the other component enough warning to launch before being attacked. For instance, Wiesner states that an SLBM attack on the bomber bases "would occur before attacking ICBMs launched at the same time would reach their targets and that this could provide the basis for firing the U.S. missile force" (p. 75 of the Chayes-Wiesner book), and Panofsky states in testimony on April 22 (p. 1128, part 2, Stennis Committee):

"If we did imagine a coordinated attack both on our missile sites in the north by multimegaton missile warheads, and at the same time arrival of an attack from the sea on our bomber bases, then the amount of warning available to us from detecting the launch of a massive ICBM attack against our missiles would be ample to get the SAC bombers into the air. On the other hand, if the bomber base were attacked first, although part of the bomber force might not escape destruction, our missiles would be intact and the Soviet planners would know that they would be exposed to an overwhelming retaliatory strike from our Minuteman force . . . Therefore the combined strategic bomber and land-based missile force assure survival of one or the other from attack."

These statements ignore the possibilities of SLBM attacks on the Minuteman force during the time interval before ICBMs impact on the Minuteman sites spaced to make it unwise to launch Minuteman. With the numbers of submarines cited by Foster for this time period, and with reasonable SLBM reliabilities, this type of joint bomber and missile pindown attack may well be feasible. Those who wish to challenge the possibility of a pin-down attack by the Soviets must treat all reasonable tactics that might lead to pin-down, and demonstrate that none of them will succeed. This was not accomplished during this debate.

This point was discussed further in the 1970 debates. Foster stated in this connection (Stennis 1970, pp. 2332–2333). "We believe that a first strike against both the Minuteman force and the strategic bomber force, although difficult, is technically feasible. The most suitable Soviet tactic would be to launch from its submarine fleet simultaneously an attack on our bomber bases and an attack to prevent our launching Minuteman. The timing of such an attack, although critical, is by no means infeasible."

Panofsky's reply was, "We are faced again with a claim that a coordinated attack which would disable both Minuteman and the Strategic Air Command is technically feasible in a 'first strike scenario.' Because of the timing problems I have referred to in previous testimony such an attack would indeed require 'an attack to prevent our launching Minuteman' from sea-launched missiles. This would require an enormous increase in numbers of Soviet missiles, their accuracy, and in the confidence the Soviets would have to have in their system. Moreover, the SAC fleet would have to remain on the ground as 'sitting ducks' even in times of stress, that is, they would have to be not on airborne alert; moreover the SAC airfields would have to be within reach of the Soviet's SLBM, a fact we are presently changing.

"The final remark given in this DOD comment is covered by the statement in my testimony, 'We are giving the Soviets credit for a degree of performance and reliability of the military systems, which we could not dream of achieving ourselves.'

"The type of reasoning presented in this DOD comment represents the kind of contrived threat which totally ignores the kind of realities the Soviet planner would have to face."

The Committee does not feel that discussion by Panofsky on the infeasibility of coordinated strikes against U.S. bombers and missiles satisfactorily refutes Foster's claims.

V. CRITIQUE OF OPERATIONS RESEARCH METHODOLOGY

A. *Introduction*

Many examples of the abuse of the principles of sound analysis and its proper reporting are to be found in the record of the debate. Only examples of some significance are presented here, i.e., those in which the error or failing played an important role in the point being made. Examples are to be found not only in the controversy over vulnerability of land-based systems described in the preceding Section, but also in the treatment of virtually every other major issue of the debate.

Most of the abuses were committed by those experts on record as opposing the Safeguard program. The Committee is reluctant to draw the conclusion that the opposition was more unprofessional as a group than the support-

Footnotes at end of article.

ers, since most supporters outside the Administration did not attempt to buttress their positions with analysis or claims to analysis. It must be noted, however, that the analytical arguments presented by spokesmen for Safeguard within the Administration were carefully examined. While shortcomings were found as documented below, they nowhere equalled the cumulative mass of inadequacies compiled by the opposition. This is as one might expect. Official administration spokesmen are paid professionals whose function it is to direct such analyses and to advocate Administration positions. The statements of Wohlstetter, the major authority outside the Administration who both supported the Safeguard decision and presented analytical arguments on the major issues, were thoroughly reviewed and no significant defects were found. In fact, his challenge of the opposition on the Minuteman vulnerability issue in his "Supplement on Purported Proofs That the Minuteman Will Be Safe Without Further Protection" stands (for the most part) as a model for the professional and constructive conduct of a debate over important technical issues.

The examples supporting these conclusions and the findings of the summary report are presented below. In order best to serve the purposes of this Committee, which is primarily concerned with improving the use of analytical methods, these are categorized by the following types of error or omission:

(1) Failure to present assumptions and facilitate the constructive discussion of differences among experts.

(2) Improper use of source material.

(3) Failure to incorporate major features of systems under consideration.

(4) Use of inefficient tactics and failure to look at a suitable range of strategies.

(5) Suggestion of impractical alternatives.

(6) Use of improper criteria.

(7) Use of improper costing.

(8) Failure to recognize the multifunctional character of systems.

(9) Failure to recognize lead-time problems.

(10) Failure to address the potential system interactions.

B. Examples of faulty operations-research methodology

(1) Failure to Present Assumptions and Facilitate the Constructive Discussion of Differences Among Experts: There is a striking difference between the performance of Rathjens and Wohlstetter in this regard. Wohlstetter presented an unclassified supplement that laid out in as much detail as security permitted the assumptions that he used and that were used by others in their calculations of Minuteman vulnerability. Furthermore, he presented a classified supplement that stated explicitly all of the assumptions that he used and that he understood others had used.

Rathjens, on the day of his testimony with Wohlstetter, made no comments on Wohlstetter's detailed response to direct questioning concerning the differences between his calculations and those of Rathjens and others. Instead, Rathjens requested that he be allowed to submit a classified letter in which he would deal with this matter authoritatively. He later in his *New York Times* letters, refers to the classified letter as having "dealt with" his differences with Wohlstetter. The classified letter, however, does not say a word about the assumptions he used in his unclassified calculations and only states that he used official intelligence estimates and 460 SS–9s in his classified calculations. Rathjens does attempt to justify certain aspects of his calculations in his *New York Times* letters. However, his explanation is deficient in ways that we have discussed in detail in the preceding section, and he fails adequately to address such important matters as whether or not he used an appropriate number of 1-megaton re-entry vehicles per MIRV SS–9.

As has been noted previously, Wiesner's calculation of bomber survival from SLBM attacks in the Chayes-Wiesner volume is inadequately documented and, therefore, the reasons why these differ so greatly from the results of others cannot be established.

It is true that security problems often prevent the complete disclosure of assumptions in unclassified documents or hearings. However, classified submissions giving full details can and should be made available to those with appropriate clearances and need-to-know. There are some issues for which security problems make public debate impossible. It is the responsibility of both the Legislative and Administrative branches of the Government to see that full hearings on such matters are held at the proper security level. However, experience indicates that many of the major issues can be discussed in unclassified hearings with appropriate classified back-up statements. The failure to discuss assumptions and their consequences adequately produced another undesirable side effect:

It led to inadequate discussion of the implications of uncertainties in hypotheses.

This shows a basic weakness in arguments presented on both sides of this controversy. It is an example, perhaps, of a deficiency in the "advocacy procedure" in that this procedure does not guarantee adequate presentation of both sides of a debate.

To illustrate, conclusions were drawn concerning numbers of survivors of Minuteman and Titan on the basis of a chain of reasoning involving several hypotheses, notably:

Numbers of SS–9's employed,

SS–9 reprogramming capability,

SS–9 reliability,

SS–9 terminal kill probability.

None of the hypotheses concerning the above, as estimated for 1975, are firm.

More discussion should have been directed towards the analysis of the effects on conclusions due to uncertainties in hypotheses and assumptions.

To some degree these effects may be deduced by comparing the conflicting testimony that developed during this advocacy procedure, but the light shed thereby was dim and spotty.

For example, depending on the particular combination of assumptions made, conclusions have been drawn concerning the number of undefended Minuteman and Titan missiles surviving an SS–9 attack. The number of such survivors varies, in these analyses, from a low of 50 to a high of 270. Whether these two estimates do, in fact, bracket the possibilities has not been adequately explored.

One of the reasons why it was not possible during this protracted debate to devote adequate attention to the effects on conclusions of variations in basic assumptions, seems to be the failure of participants in the debate to present, far enough in advance, complete written analyses embodying complete discussions of the issues dealt with. Assumptions, basic data, discussion of methods of analysis, presentation of the results of analyses, conclusions, and recommendations were seldom available for advance study by the Senatorial Committees being addressed.

There was present, throughout the debate, a complete intermixture and confusion of the roles of the analyst and the advocate. To the extent that advocating analysts attempted to provide convincing arguments supporting the validity of the conclusions and recommendations they favored, the calm orderly presentation of the analysis on which these conclusions were based suffered.

Of course, it may be impractical for an expert to anticipate all potential points of disagreement in advance. He should, however, be prepared to provide written documentation for any of his statements that are challenged in the advocacy process.

(2) Improper Use of Source Material: Both Wiesner and Weinberg in the Chayes-Wiesner volume use a 0.8 terminal kill probability to which they ascribe an official validity. However, as we have noted above, this attribution is incorrect.

Wiesner's testimony on May 14 and his letter of June 4 used this 0.8 kill probability and the fact that Dr. Foster used a 0.95 kill probability as a basis for stating that the Pentagon had altered intelligence data to suit its needs in the Safeguard debate. This aspect of his testimony was widely circulated by the news media.

Another example of the misuse of source material is the use by Wiesner, Weinberg, and Rathjens of data from an article by Daniel J. Fink in *Science and Technology* magazine. Fink sent a letter to Senator Gore and others on June 30 in which he states "In his (Dr. Wiesner's) letter, he used my material on ICBM reliability to indicate that an ABM interceptor could be expected to have reliability of about 50 percent with an implication to the reader that the ABM would only work half the time or that half the ICBMs would therefore get through. This is simply an erroneous application of my material and I would like to give the correct interpretation." Then Fink explains how reprogramming would greatly alter the interpretation of the numbers he presented and closes by saying: "Finally, Dr. Wiesner states that the ABM interceptors are more complicated than ICBMs and thus could be expected to be less reliable. Probably the reverse is true. ICBMs are self-contained; that is, each missile has its own guidance and computer system. In an ABM system, the computer and most of the guidance equipment is on the ground and thus can be maintained to a higher order of reliability.

"I apologize for taking so long to respond to one paragraph in Wiesner's letter. I found it so misleading, however, as to warrant a more thoughtful reply."

The Committee finds that Fink's statements are substantially correct as regards interceptor reliability and his objections are well founded. Furthermore, they apply not only to the letter from Wiesner in the June 17 *Congressional Record* that was the object of Fink's letter, but also to the use of the same numbers in the same context in the Chayes-Wiesner volume, in testimony, and in the Rathjens-Wiesner-Weinberg paper distributed by Senator Kennedy titled: *A Critique of Pentagon ABM White Paper*. We do not, however, read Wiesner's letter as suggesting that a defense site would only work half the time.

It is true, on the other hand, that the radar required for guidance of the ABM system is a particularly vulnerable and 'soft' target. Also, the ABM interceptor flight requirements (to bring the ABM missile to a point in space where the explosion of the ABM warhead can damage the RV so that the RV will not damage its target) are quite stringent. The performance of the entire system can be adversely affected by near misses, or by detonations of atomic warheads in the atmosphere in the vicinity of the ABM guidance radar. Thus while Fink has refuted Wiesner's statement that an ABM interceptor is more complicated than an ICBM, he has not addressed the question of the reliability of the ABM interceptor functioning as part of a system under attack. (*See* the discussion on page 1208 ff.)

(3) Failure to Incorporate Major Features of Systems Under Consideration: The most glaring example of this is the almost uniform failure to recognize the shoot-look-shoot capabilities being built into the Safeguard system. In the technical writings of the opposition to the ABM throughout the Chayes-Wiesner volume, and particularly in the article by Weinberg in that volume, failure to recognize this feature of the system coupled with the use of low reliability

numbers gives the impression that the system is extraordinarily 'leaky' and, therefore, that it would be almost impossible to defend the radars adequately. Furthermore, in practically all estimates of interceptor requirements made by the opposition, this capability was ignored. This led to requirements for two, three, or even more interceptors per incoming reentry vehicle. Hence, interceptor requirements are overestimated by a substantial factor and calculations of offense/defense exchange ratios are greatly distorted.

On page 92 of the book, Weinberg indicates that he is aware of the possibility of reprogramming since he argues that it is "a very difficult tactic." However, his objections do not correlate with the design capabilities of Safeguard and he completely ignores the very extensive technical work and literature that has been devoted to just this problem in the development of ABM systems.

(4) Use of Inefficient Tactics and Failure to Look at a Suitable Range of Strategies: Lapp in his report titled, *"The Case Against Missile Defense,"* submitted to Senators Cooper and Kennedy and distributed to the press in early April deduces that "maximum values" for Soviet capabilities against Minuteman would lead to "76 percent of the Minuteman surviving." (This paper by Lapp is discussed at length above.) In arriving at this result, he arbitrarily withholds one-fourth of the SS–9 force. Furthermore, Lapp assumes the Soviets would only attack one-fourth of the Minuteman silos with two re-entry vehicles each rather than the much more effective tactic of targeting half the silos as possible with one re-entry vehicle each.

As noted in Section IV, both Panofsky and Wiesner failed to explore seriously the possibility of coordinated attacks before claiming that it was impossible for the Soviets to attack both bombers and missiles without giving warning to one or the other of these forces.

(5) Suggestion of Impractical Alternatives: Several examples are found in the record of the debate, including the following:

(a) *The proposal to launch Minuteman on warning.* The possibility of preventing the destruction of substantial parts of the Minuteman force by merely launching it on the basis of warning of an impending attack, has been proposed by, among others, Wiesner and Weinberg in the Chayes-Wiesner book.

(b) *Armed air alert.* This was quite casually suggested as a solution to the bomber vulnerability problem with no consideration of the high costs and risk of accidents involved. Carl Kaysen, p. 65 of *ABM: An Evaluation,* states:

"Second, if the purpose of the system is to increase the survivability of our offensive forces, it should be evaluated in cost-effectiveness terms against alternatives such as further hardening of existing missile sites, increasing the proportion of the B–52 force on air alert and other possible measures. There is no evidence that a careful evaluation of these logical—and probably less expensive—alternatives have been made."

The statement that there is no evidence that the alternatives have been studied is simply false; both measures plus other measures have been extensively analyzed. In fact, keeping B–52s on air alert was discarded after many years of experience with high costs, a shortened lifetime of the aircraft due to fatigue, and several accidents involving crashes of B–52s carrying nuclear weapons.

(c) *The proposal to disperse B–52s widely to airports including those commercial airports near large cities.* This coupled with the necessity to launch rapidly in case of warning of an SLBM attack would appear to create conditions conducive to nuclear accident that are more serious than those of the proposal to deploy ABM sites near cities, which created public opposition to the Sentinel system.

(d) *Launching Minuteman between the waves of a reprogrammed missile strike.* The defects of this proposal have been discussed in Section IV.

(e) *The proposal to increase the Minuteman force.* To quote even an opponent to Safeguard:

"The notion of increasing offensive forces to compensate for the imminent deployment of MIRV is extremely ill-considered. It is a recipe for an arms race such as the world has never seen. We must not entertain the thought that we have an easy or comfortable fallback option of this kind." [27]

In addition, lead-time problems make this an impractical proposal—*see* the paragraphs on lead-time problems below.

(6) Use of Improper Criteria:

(a) The Importance of Criteria: Any analysis to aid decision among alternatives must, besides predicting the consequences of these alternatives, use some criterion or test of preferredness, even if it does this only implicitly. In fact, it has been widely recognized among operational researchers that the selection of an appropriate criterion is often the key problem in designing an analysis that clarifies and provides evidence for a policy decision. (*See,* for example, Hitch and McKean, *The Economics of Defense in the Nuclear Age,* pp. 120, 158 ff.) Using a wrong or incomplete criterion is tantamount to answering an irrelevant question.

In the strategic field a classic illustration at the end of the 1950's of the use of bad criteria to evaluate the capabilities deployed in planned forces involved the use of a simple count of actual or expected numbers of vehicles in the inventory of both sides—this without any serious consideration of their performance characteristics and in particular their peacetime operation and control, the ability of the controls as well as the vehicles themselves to survive attack, and of the surviving vehicles to penetrate active and passive defenses and destroy their targets under a variety of contingencies at the outbreak of war. The 'missile gap' debate was misleading not simply because of erroneous forecasts as to the relative number of strategic vehicles likely to be available to the two sides, but, more important, because a simple count of vehicles that showed either a 'gap' or none at all would establish little or nothing about the safety or vulnerability of the forces on either side. A smaller force might be enough for purposes of retaliation or for other useful strategic objectives and a larger force might be quite inadequate. Merely to count the number of vehicles on each side is barely to begin analysis. It is far from offering a basis for choosing among alternative policies for a strategic force. And the same goes for simple counts of other units, such as reentry vehicles. Simple counts on both sides ran lead either to demagogic alarm or demagogic reassurance.

Unfortunately, in the Safeguard debate such irrelevant criteria were widely, though not universally, used by scientists on both sides of the debate. We do not imply that all scientists taking part in the debate were equally careless in the criteria they used Some were quite scrupulous. Many, however, were not.

What follows we will take as examples of improper or incomplete criteria:

1. The matching by some distinguished pro-ABM scientists of U.S. and S.U. strategic vehicles or the megatons they could carry, and the equally misleading matching by distinguished scientists who oppose ABM of U.S.-S.U. reentry vehicles.

2. The use of incomplete criteria for evaluating the ABM protection of Minuteman such as number of MM saved or cost per MM saved.

(b) Criteria Using Simple Counts of Pre-Attack Offense Inventories: The American Security Council of American University, which includes among its members many distinguished scientists, issued a series of charts and statements comparing past, present, and likely future numbers of U.S. and Soviet missiles and bombers. The language accompanying the charts strongly implies that such strategic objectives as deterrence were being forfeited by the U.S. on the evidence of this comparison alone. (*See,* for example, Fig. 6, page 47, *The ABM and The Changed Strategic Military Balance,* Acropolis Books, Washington, D.C., 1969.)

Other statements issued by the American Security Council counted megatons in the strategic inventory of both sides and used the comparative count as showing that the United States was disarming unilaterally. (*See* their advertisement in the *New York Times,* October 27, 1970 and the earlier pamphlet, *The Changing Strategic Military Balance,* US.A. vs. USSR, 1967, p. 31.)

There is no doubt at all that the total number of missiles on launchers and their total payload has something to do with our ability to fulfill our strategic objectives, including an ability to retaliate an attack on our own strategic offense. Moreover, the size of the missile payload is one important factor that influences such potentials: Large payloads can involve very large yields and might be now or later subdivided into many reentry vehicles. However, such an exercise in counting hardly starts to consider the complex of interacting factors that will determine whether our force will have a capability to strike back after it has been subjected to nuclear attack, or whether it is likely to be useful in fulfilling our NATO commitments to respond to an attack on one of our European partners. It leaves out the question of how well the missile launchers are protected, what future as well as current developments in accuracy, payload, tracking and search capacity, etc., on the other side might be. And it leaves out of account how the payload is or may be divided.

Unfortunately, distinguished scientists opposing ABM used criteria quite as misleading to advance equally inconclusive considerations. They counted the total number of re-entry vehicles on both sides. In doing this, they treated some American re-entry vehicles as the equivalent of Russian ones that may have 50 times the American yield. (*See,* for example, "The Limitation of Strategic Arms," by Rathjens and Kistiakowsky, *Scientific American,* Vol. 222, No. 1, January, 1970, p. 20.) What is more, so primitive a procedure as matching re-entry vehicles neglects the host of factors, some of which are listed above, that would determine whether a force on one side containing a given number of re-entry vehicles along with its essential command control and communications could survive an attack by a specified force on the other side. The use of the question-begging concept of 'overkill' to summarize the potential of a variety of weapons systems, some of which are extremely vulnerable, was current throughout the debate and led only to confusion. (*See,* for example, the Gore Subcommittee Hearings, Part I, Spring, 1969, p. 299.)

Confusion was sometimes compounded by biases in the selection of what vehicles to count on each side. The American Security Council included Russian intermediate- and medium-range ballistic missiles but excluded some of our own theater air capable of reaching the Soviet Union. On the other hand, scientists opposing ABM excluded Russian medium bombers that are quite capable of reaching the United States with air refueling or post-strike staging, even though not long ago the bulk of our own strategic force was made up of precisely such strategic weapons and it had been widely recognized throughout the 1950's that medium bombers were

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strategic weapons in the hands of either the Russians or ourselves.

There is no question but that the potential for using multiple independently aimed reentry vehicles (MIRVs) is a relevant matter. It is one of several important factors that affect the capability to destroy soft or hard military targets such as aircraft on airfields and hard missile silos, respectively. And it is one of several factors that affect the capability of destroying cities. But it is not the case that effectiveness in general increases proportionately to the number of reentry vehicles, even if we ignore such matters as vulnerability on the ground, etc. Even neglecting ground vulnerability, in some cases a MIRVed vehicle may be less effective than a corresponding unMIRVed vehicle. Much of this may be illustrated by a table presented by Deputy Secretary of Defense Paul Nitze [28] in 1967 testimony that is frequently cited in other contexts by scientists opposing ABM. Nitze was addressing himself specifically to a refutation of the type of count of megatons on both sides used as a measure of effectiveness by the American Security Council.

APPENDIX III

COMPARATIVE EFFECTIVENESS OF 2 HYPOTHETICAL MISSILE PAYLOADS

[Number of targets destroyed]

Type of target destroyed	10 50-kt. warheads	1 10-mt. warhead
Airfields	10	1.0
Hard missile silos	1.2 to 1.7	1.0
Cities of 100,000 population	3.5	1.0
Cities of 500,000 population	.7	1.0
Cities of 2,000,000 population	.5	.6
Total megatonnage	.5	10.0

The table illustrates well Nitze's point that total megatonnage provides no reliable index of the comparative effectiveness of two hypothetical missile payloads. However, it also illustrates that total number of warheads is not a reliable index either. This latter works only for the case of unprotected aircraft concentrated in the relatively small space of an airfield. The ten 50–KT warheads that might be fitted in Nitze's hypothetical missile as an alternative to a single 10-megaton warhead are less effective than large warheads against some cities and more effective against others. In none of Nitze's cases other than the airfield example is total number of re-entry vehicles a reliable index of effectiveness, even assuming that re-entry vehicles are delivered.

Some simple indices and rules of thumb are sometimes useful for an analyst who understands their limitations in the preliminary work of sifting out a great many alternative systems intended to achieve some of a variety of complex objectives. But even for a given mission such rules of thumb are likely to be valid only for limited ranges of other important parameters. Thus, for comparing different MIRV options with the same CEP and reliability in attacking hard point targets the so-called "NY $^{2/3}$ Index' is sometimes useful. To compute this index, one weights the number of warheads by their yields to the two-thirds power.

However, this criterion breaks down if accuracies, yields, target vulnerabilities, and reliabilities are such that some warheads compared have very high individual kill probabilities, and reliabilities are such that some warheads compared have very high individual kill probabilities. In the example used by Nitze, ten 50-kiloton weapons destroy 1.2 to 1.7 targets while one 10-megaton weapon kills one target. Measuring yield in megatons, the value of NY $^{2/3}$ in the first case is $10 \cdot (0.05)^{2/3} = 1.4$ and in the second case is $1.(10)^{2/3} = 4.6$ so that, by this criterion, the 10-megaton option would appear to be much the more effective rather than the correct result. Were missile CEP and target hardness such that the larger weapon had a kill probability substantially less than one, however, then the NY $^{2/3}$ index would have led to an approximately correct result.

Other indices are sometimes used as rough measures of effectiveness against large urban targets: "megaton equivalents" is one such measure. For this limited purpose it is better than number of re-entry vehicles or number of megatons, but it, too, must be used with extreme caution.

Perhaps the largest defect in all the criteria that use simple counts of pre-attack offense inventories, whether the count be of megatons or of re-entry vehicles, is the neglect of the problem of defending the offense force. The confusions connected with simple counts occurred especially in the part of the debate that were supposed to bear on the need for further protection of our land-based forces. For that question in particular neglecting the difference between pre-attack and post-attack inventory of a strategic force that might be subjected to attack is plainly an essential error if one wants to know whether further protection of that strategic force against attack is in order. However, even when the debate concerned only the effectiveness of alternative methods of protecting the strategic force, quite inappropriate criteria were used. One outstanding example persisting throughout the debate was the use of number of Minuteman saved.

(c) Improper Criteria Involving Offense-Defense Interactions: Proponents, primarily within the Administration, used the criterion of number of Minuteman saved as a measure of Safeguard effectiveness. During the summer opponents began stressing a different criterion, number of warheads needed to negate Safeguard. As an example of the first, a proponent stated:

"The relative effectiveness of Safeguard option 2A in defending our Minuteman force can be measured in terms of the threat I mentioned earlier; namely, the large Soviet SS-9 type missile equipped with three independently targetable 5-megaton warheads with an accuracy of one-quarter of a mile. With a force of 420 of these missiles on launchers and an assumed failure rate of 20 percent, the Soviets could place over the Minuteman fields about 1,000 warheads. Without any ABM defense, it is possible that only about 50 Minuteman would survive. (A mixed force made up of fewer large missiles but including a number of highly accurate small missiles could produce similar results.) With Safeguard Phase 1, perhaps two or three times as many Minuteman would survive and with Safeguard option 2A perhaps five or six times as many. (The actual number surviving would vary, depending upon both the offensive and defensive tactics employed.)" (Mahon subcommittee, May 22, pp. 27, 28.)

An example of the use of the second criterion is an opponent's statement in which he submitted a classified graph supplied by the Defense Department showing the number of Minuteman missiles surviving plotted against the number of 5-megaton warheads impacting with 0.25 n. m. CEP. The opponent concluded "only a relatively minor increase of enemy warheads would totally nullify the protective effect of Safeguard deployment."

A third point of view was expressed by a proponent:

"Any fixed amount of defense can, of course, be overcome by adding enough to the offense. This is obviously true. It is equally true that any fixed amount of offense can be smothered by adding enough defense. Both these truths are nearly tautological. For adversaries with roughly the safe resources, the practical question has to do with how much extra the offense must pay to overcome a given amount of defense and how this compares with the cost of that defense itself. The answer in the case of Safeguard defense of Minuteman is that it would cost the Russians more than twice as much to add offense as it would cost us to add an offsetting number of Sprint missiles with their fair share of the missile site radar expense."

It does not appear to be an exaggeration to state that differences over the appropriate criteria were central to the closing phases of the Senate debate over Safeguard in 1969. Senator Symington, for instance, on "Meet the Press," June 1, made the statement that if the classified chart supplied by the Defense Department were ever made public the debate would be over (*New York Times*, June 3). The major, and perhaps decisive, debate over this issue occurred in a closed session of the Senate on July 17, called by Senator Symington in order to present the chart. Although this report is concerned with the performance of members of the scientific and technical community and not with that of Senators, this debate by members of the Senate demands comment both because of its historical importance and because it illustrates so well the impact of criteria on conclusions.

The debate was conducted with both sides conceding, for the purpose of argument, the validity of the graph. Senator Symington, after stressing that he did not necessarily agree with the premises of the chart, stated:

"I am sure all Senators will note with interest that an increase of not more than a few tons of (deleted) SS–9s, which would be no problem whatever to the Soviets within the time frame considered, would reduce the number of surviving Minuteman well below (deleted). . . . To be sure every Senator understands, this would be true after Phase II of Safeguard was deployed."

Senator Jackson, in supporting Safeguard, did not use the "number of Minuteman saved" criterion but instead argued in terms of the relative cost of the offense and defense in attempting to counter each other:

". . . suppose the Soviets continue to increase the RV threat. If they build up beyond 1,100 and go up to about 1,400 re-entry vehicles, we could then add four more missile site radars, which would cost $700 million—still maintaining the 200 minimum survivable Minuteman.

"Now, here is an interesting point. If the Russians continue to pursue their three warhead configuration of 5 megatons each, it would cost the Soviets $3.6 billion to neutralize this step of defense, which we could make at a cost of $700 million."

If a defense can be overcome using readily available technology, then it is clearly not enough to merely compute 'missiles saved' or 'cost per missile saved' values without considering how easy or difficult it is for the enemy to negate the defense. Thus proponents in the Administration who used these criteria for fixed offenses were presenting an incomplete picture.

On the other hand, if a defense can be expanded or improved in response to offense developments, it is clearly inadequate to ignore such responses when investigating quantitative or qualitative increases in the offense. Thus opponents who stressed Safeguard 'thinness' without investigating what it might take to thicken the system were also guilty of presenting an incomplete picture.

While admittedly there are difficulties in computing likely responses of the opponent and their costs, some rough idea of the relative efforts required by both sides in attempting to negate each other is needed in analyzing most defense proposals.

Often these are only incorporated implicitly. Thus the justification of the Polaris program historically was not that it was cheaper than Minuteman for a given level of effectiveness (in fact it was more expensive), but that it was much more difficult to counter, (i.e., the costs of passive and active track-

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ing or search and destruction, using air, surface, or underwater platforms, were higher compared to Polaris costs themselves), although explicit costs to counter Polaris were probably not developed.

(7) Use of Improper Costing: Not only was it improper to compare cost per Minuteman saved by Safeguard with the cost of a Minuteman, but both costs were improperly computed in some prominent cases.

Rathjens[29] states that the procurement cost of an additional Minuteman would be "perhaps four million dollars." In his letter of June 16 to the *New York Times*, Rathjens states that the marginal cost for Minuteman procurement of four million dollars per missile is "consistent with testimony provided by various defense officials over the last years." He fails to give a specific reference.

Several years ago, four million dollars was the estimated *procurement* cost per additional Minuteman missile of the type being considered then, but that is not true of the missiles actually being purchased. (As a matter of fact, Wohlstetter stated on June 29 that "The relevant marginal *systems* [italics added] costs are twice that or more.") Rathjens and other members of the ABM opposition continually stressed the fact that weapon system cost estimates increase substantially over time. Since the apparent source for his cost estimate is approximately a decade before the additional Minuteman would be procured, in using this cost figure he was substantially underestimating the relevant cost of procuring an additional Minuteman.

In computing the cost of Minuteman saved with Safeguard in the Appendix to his Gore Subcommittee testimony, Rathjens presents a line of reasoning to show that "an estimate of 25 to 100 million dollars per Minuteman saved is very conservative." In making the calculation leading to the lower of these two numbers, he uses only Phase I of Safeguard rather than Phase IIa (the full Safeguard defense of Minuteman only plus an NCA defense site) or the Minuteman components of the full Phase II, in spite of the fact that the Administration stressed that Phase I was only an initial limited deployment intended primarily to pave the way to full-scale deployment if it developed that it was desirable to proceed based on further information. Hence quoting cost per unit of effectiveness for Phase I is something like comparing the cost of an education to its returns before the age of twenty. Furthermore, Rathjens assumes that the total Grand Forks and Malmstrom PAR costs should be included arguing that these two sites cover relatively little population.

However, in the full Phase II deployment, these two PARs would play an essential role in the area defense protection provided by other sites that cover a large percentage of the total population of the country. He justifies the higher $100 million cost per Minuteman saved on the basis of several arguments, including the one discredited above that it may be necessary to allocate at least two Sprints to each incoming warhead. He also incorrectly states that doubling the number of Sprints per incoming warhead would double the cost per Minuteman saved. This ignores the fact that most of the cost of Phase I is in the radars.

In the Appendix to his later Stennis Committee Testimony, Rathjens' minimum cost per Minuteman saved is $50 million. In this case, Rathjens charges the whole $2.1 billion dollars for Phase I to the defense of Minuteman, thus ignoring the fact that much of this would have been expended for on-going research and development whether or not Phase I was deployed.

In the July 1 paper by Rathjens, Wiesner, and Weinberg entitled "A Critique of Pentagon ABM White Papers" it is stated that the total costs of the full $10.3 billion Phase II Safeguard deployment are allocated to the function of defending Minuteman.[30] The authors ignored the fact that a major portion of the costs of the full Phase II are for elements serving the functions of defending bombers, population against an Nth country attack, the National Command Authority, and against accidental or unauthorized attack.

(8) Failure to Treat the Multifunctional Character of Systems Adequately: That most obvious multifunctional system in the Safeguard debate was Safeguard itself, and it will be taken up below. However, other examples were involved, in particular offensive missile systems such as Minuteman, Polaris, and Poseidon. Although these are usually thought of by the United States as second-strike systems, they also have a first-strike capability. Whether this capability is significant enough to be worrisome to the Russians depends on several factors, but particularly on the hard-target kill capabilities of the missiles and this in turn depends on factors such as yield, CEP, and relative sizes of the two postures. It seems ironic that ABM opponents who were concerned with the "arms-race implications" of ABM would propose the alternative of increasing the offensive vehicle inventories—thus looking only at their second-strike function and not at their first-strike potential.

Safeguard, of course, was presented as having five functions (defense against attacks on Minuteman, defense of the bombers from SLBMs and FOBs, defense of population from a Chinese Peoples Republic attack, defense of the National Command Authority, and defense of the population against unauthorized or accidental attacks) for purposes of discussion here we will collapse these to two—defense of Minuteman and area defense.

It is interesting that both supporters and opponents of Safeguard became caught in a logical fallacy. Among the many changes from Sentinel to Safeguard there was a shift in priorities—whereas in Sentinel, area defense was considered to have the highest priority with defense of Minuteman as a possibility to be implemented if the need arose, in Safeguard defense of Minuteman was given first priority. Many experts and public figures took this to mean that the new ABM should be optimized only for Minuteman defense, and that area defense should be 'tacked on' later. However, this is fallacious reasoning. The shift in priorities was primarily a shift in time urgency. Although defense of Minuteman would be begun initially, there was no doubt expressed by the Administration that area defense of bombers and area defense against China were still major goals of the system and would ultimately be implemented, if approved, although provision was made for reviewing this decision.

There was presumably intelligence that the Chinese ICBM had slipped in development, but no doubt was expressed in the public statements of the Administration that the Chinese were continuing a major development effort on an ICBM. Nor was there any doubt that the Soviet SLBM threat to the bombers could develop. Since the ultimate deployment would involve (with some changes in detail) both the area and hard-site defense functions, there is no reason why the character of the system should be radically altered when the timing of the installation is changed.

By discussing Safeguard as if defense of Minuteman were its only objective, as occurred in numerous statements by both sides, this fallacy was obscured, and Legislators and the public, as well as many experts, were apparently confused.

(9) Failure to Treat Lead-Time Problems Adequately: A central point in the debate was whether there was urgency to 'act now' or whether it was possible to wait a year or more for further confirmation of the developing threat, and crucial to the analysis of this point were lead-times of various alternatives to Safeguard. Thus Panofsky in a letter to the *New York Times* on June 8 suggested that we could wait.[31] Similarly Carl Kaysen in *ABM: An Evaluation* argues there is "safety in waiting." However, neither attempts to substantiate his assertions.

Rathjens, Weinberg, and Wiesner do.[32] They quote Secretary of Defense Laird's statement that "it only takes 18 to 24 months from the start of construction to the operational availability of an ICBM in a silo" to argue, "We could wait until about 1972 or 1973 before we would have to begin deploying additional ICBMs if we elected that as a response to a possible mid-70 threat."

The authors have taken Secretary Laird's statement out of context and misapplied it. It clearly applies to the time between U.S. *initial knowledge* of Soviet silo construction and operational status. Much more must be included in estimating lead-time, including time to make preliminary site location decisions, receive Congressional approval, acquire sites, negotiate construction contracts, and survey sites. If the usual procurement process were followed, it would probably be between 5 and 6 years before the first additional site was available. Even on a crash basis, the time would be from 3 to 4 years twice the lead-time used by Rathjens, Weinberg, and Wiesner.

Most of the 'wait-and-see' proposals as well as those urging development of new hard-site defense components would require large crash programs to match the threat. Since the members of the Committee share the concern of others that the impact of defense expenditures on domestic problems be minimized, we feel obliged to note that crash programs tend not only to be more expensive than the same programs if implemented in an orderly way, but also tend to have more disruptive effects on the Federal budget and the economy through the necessary sudden swings in expenditures.

(10) Failure to Treat the Potential System Interactions Properly: A procedure that has been followed throughout the history of the design, analysis, and evaluation of ABM systems is to invent measures by which the opponent might overcome the defense and invent responses that might be used to maintain effectiveness of the defense. The process is reiterated continually, and feasibility, cost, and effectiveness are evaluated for both sides. A fully candid and comprehensive evaluation of a defense should discuss the results of such offense-defense interaction analyses, presenting implications of both offensive and defensive responses in a balanced manner.

The opponents were guilty of stressing offensive actions and neglecting the possible responses available to the defense, while the Administration, too, failed to present adequately the possible need for expansion beyond Phase II if the Soviet threat continued to grow, at least until Foster's speech of May 12 in which he claimed that the effects of increments in offense could be met by increases in defense at an approximately equal cost. However, that speech does not clearly face the issue of expansions beyond Safeguard.

In June and July the main point made by Panofsky, Rathjens, Weinberg, Wiesner, and Senator Symington was that the Safeguard defense of Minuteman could be easily overwhelmed. This was the focal point of Senator Symington's presentation at the secret session of the Senate which he called on July 17.

However, the opponents failed to treat the issue adequately and fairly on two counts:

(a) They failed to discuss adequately efficient means by which the United States could expand Safeguard to restore the desired level of effectiveness.

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(b) They failed to discuss adequately the difficulties and costs the Soviets would encounter in implementing some of their proposed means of 'cheaply' overcoming the defense.

One of their proposals was to use the SS–11s for attacks against the radars in order to exhaust the interceptor stockpiles. The attractiveness of this proposal depends upon treating the SS–11s as almost a "free good," i. e., a force that has no other utility to the Soviets in a general war in which they struck first and that was essentially costless to maintain until used. To procure more SS–11s for this task would be much more expensive to the Soviets than the interceptors 'exchanged' would be to the United States, and even the operating expenses of these missiles from now until the time Safeguard would be operational would exceed the interceptor costs. Furthermore, these missiles could have significant utility in other uses in such a conflict—as 'withheld retaliatory forces' to deter U.S. attacks against Soviet cities with what residual forces we might have, or as a force to 'draw fire' away from their cities. SLBMs are often thought of as being the ideal retaliatory force. However, in a Soviet attack deter ICBM launch SS–9 warheads could arrive.

In the "An Overview" section of the Chayes-Wiesner volume, Chayes, Wiesner, Weinberg, and Rathjens discuss "cost exchange" on page 23. However, they do it in a misleading manner, and they do not substantiate their claims. They compare incremental costs of attacker forces to total costs of ABM. They also assume three to five Sprints per incoming re-entry vehicle.

In *Critique of Pentagon ABM White Paper*, Rathjens, Weinberg, and Wiesner argue that the Soviets could put 20–30 warheads on each SS–9 and use these to exhaust the interceptors at the Minuteman sites of Phase II (or IIa). However, the costs of developing such a specialized highly MIRVed payload for so few missiles would be very high on a 'per re-entry vehicle' basis—they would include the costs of developing a special warhead, special re-entry vehicles for the warhead, and post-boost control systems and the cost of tens of SS–9 boosters needed to flight-test the new system.

Except for Foster's statements in his May 12 speech, the Administration appears to have avoided adressing the basic issue in the analysis of defenses—how easily can they be countered and what must we do if the opponent attempts to do so?

The point was treated qualitatively but extensively and soundly in Wohlstetter's article "Good Guys, Bad Guys and the ABM," including a discussion of the possibility of generating defense-favorable "offense-defense exchange ratios" by the addition of multiple radars and preferential defense.

It is inherent in any defensive system that to maintain effectiveness against a larger than planned-for (or qualitatively better configured) force will require a larger than planned-for expenditure. It is regrettable that the Administration did not address this problem squarely early in the debate and that the opposition did not treat it in the balanced manner that the public and the Legislative Branch deserve.

A particularly important interaction that has not been treated properly in this debate is the problem of the amount of defense of Minuteman believed adequate to preserve, in the combination with other survivors of a Soviet first strike, a believable surviving U.S. second-strike force.

It has been argued that the credibility of the U.S. deterrent policy is built upon making it apparent to the Soviet Union that enough of the total U.S. strike force (in all its components; bombers, ICBMs and sea-launched ballistic missiles) can survive any conceivable Soviet first strike, so as to retain an ability to inflict unacceptable damage on the Soviet homeland.

If this principle is accepted, an argument that Minuteman must be defended (by Safeguard or any other defensive system) against a heavy Soviet SS–9 attack cannot be conclusive, unless, as an minimum, it shows that:

(i) The undefended Minuteman survivors as well as all other surviving U.S. strike forces will not suffice to present a believable and adequate second-strike force, and,

(ii) When Minuteman is defended, the total surviving U.S. strike force is sufficient to inflict unacceptable damage on the Soviets.

Even such an argument does not suffice to demonstrate conclusively that Minuteman should be defended. It merely provides (if accomplished) an existence proof of one possible procedure to employ for preserving the credibility of the U.S. deterrent posture. Whether there exists some other procedure that may be superior has not been discussed definitely in the same context as the pro and con Safeguard arguments. For example, the money and resources proposed for expenditure on Safeguard might more effectively be spent (in terms of contributing to a surviving U.S. second strike force) on defense of other components of the U.S. deterrent force, or on augmenting some portion of the deterrent force itself (not excluding Minuteman).

The failure of this public exchange of views to deal with this question, whether in conformity with the wishes of the Executive or Legislative branches of the government, is a basic failure to deal with a most fundamental issue.

C. Logical Deficiencies of the Debate

It is disturbing that the following simple logical approach was not stated or followed by both sides of this debate.

The proponents of the ABM should show that there exists a reasonable set of future circumstances for which the ABM is desirable. The opponents must show that for *all* reasonable sets of future conditions the ABM is undesirable. Desirability in both cases should be represented in terms of cost-effectiveness or cost-benefits. The postulation of a particular set of future conditions for which the ABM is undesirable cannot show that the program should not be pursued.

ANNEX: CHRONOLOGY OF THE MINUTEMAN VULNERABILITY ISSUE

The major public statements on this issue in 1969 occurred as follows:

(a) *March 14:* The President Nixon announcement of conclusions regarding the Sentinel System stresses continued Soviet build-up of strategic forces including "very large missiles with warheads capable of destroying our hardened Minuteman forces" and present a modified deployment plan putting emphasis on defense of the retaliatory forces. This point of view is also stated later in the testimony of Department of Defense officials before Senate and Congressional Committees and Subcommittees.

(b) *March 30:* Deputy Secretary of Defense Packard before the Senate Armed Services Committee makes public:

(i) A chart showing growth in Soviet missiles, indicating approximately 460 SS–9s at the end of 1975 (Stennis Committee, Part I, pp. 160, 169, 177).

(ii) A "Threat to Minuteman" chart showing Probability of a Minuteman Silo Being Destroyed vs. Accuracy (Miles) for 20–MT, 5–MT, and 1–MT yield warheads (ibid, p. 178).

(c) *March 26:* Deputy Secretary Packard reveals that the Soviets were testing multiple warheads on the SS–9 [33] and that the SS–9 has the capability of transporting three 5-megaton independently targeted warheads.[34]

(d) *March 28:* George W. Rathjens, Jr. before the same committee, stated: [35]

"If one assumes that highly accurate MIRVs are developed by the Soviet Union and deployed on the SS–9s, they might pose a greater threat. If the Soviets can do as well in achieving high accuracy as we apparently expect to do, according to figures released in late 1967 by former Deputy Secretary of Defense Nitze—then a 500-missile Soviet SS–9 force might destroy three-quarters of the Minuteman force."

(e) *April 4:* Ralph E. Lapp in a report titled "The Case Against Missile Defense" submitted to Senators Cooper and Kennedy, estimates a maximum capability of 1000 5-megaton warheads (333 missiles) for the Soviets by 1976 and concludes that these would leave 760 Minuteman available for retaliation. The study also concludes that at least 4000 warheads (1333 missiles) are required to cut the number of Minuteman surviving to 50 or less. This study was page one news in the April 9 *New York Times*.

(f) *April 22:* Wolfgang Panofsky, before the Stennis Committee, states (p. 1129 of the Committee Report): ". . . an attacker would have to compensate for the limited reliability of his force by targeting at least two and possibly more warheads against each of the 1000 Minuteman silos." He also stated that he believes that there is sufficient time for carrying out the development of an optimized hard-point defense.

(g) *April 23:* Rathjens, before the Stennis Committee states: (p. 1252)

"Yet even if the Soviet SS–9 missile force were to grow as rapidly as the Defense Department's most worrisome projections, even if the Soviet Union were to develop and employ MIRVs with those missiles, and even if they achieved accuracies as good as we apparently expect with our MIRV forces (according to figures released in late 1967 by former Deputy Secretary of Defense Nitze) a quarter of our Minuteman force could be expected to survive a Soviet preemptive SS–9 attack."

In Appendix II of his written submission, he states: (p. 1258, Stennis)

"For the Soviet Union to have a capability to destroy 90 percent of the Minuteman force in a preemptive attack using a MIRVed SS–9 force, about 850 missiles would be required (assuming accuracies similar to those we expect and reliabilities of about 75 percent)."

Albert J. Wohlstetter, at the same session, states: (p. 1264, Stennis)

"I have tried with some effort to reconstruct various numerical proofs recently presented or distributed to the Congress that purport to show our Minuteman will be quite safe without any extra protection; these proofs depend heavily on optimistic estimates of limitations in Russian delivery accuracies, reliabilities, and associated offense capabilities and sometimes on very poor offense tactics. Suppose, however, that by 1976 when Safeguard is deployed, or by 1977 when it may be shaken down, the Russians have:

"Accuracies like those of the systems we are deploying now.

"Overall reliabilities currently attributable to them.

"Methods familiar to us for using extensive and timely information as to which missiles have failed so that others can replace them, the technique known as shoot-look-shoot.

"Continued production of SS–9 boosters at past rates.

"Modest numbers of MIRVs per booster (e.g., the three 5-megaton reentry vehicles stated by Secretary Laird for the SS–9).

"Then the percentage of the Minuteman

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force that would be destroyed, if undefended, comes to about 95 percent.

"These results are based on quite moderate assumptions about Russian capabilities. Better accuracies, for example, may be expected in the late 1970s, and higher degrees of MIRVing. Reliabilities of any given offense missile system improve with use. Do those who favor a hardpoint defense but would postpone a start really consider these Russian capabilities I have outlined 'extremely implausible'? Or at all implausible?"

Abram Chayes, before the same Committee, states: (p. 1268, Stennis)

"In fact, however, even if we accept the Secretary's figures, the U.S.S.R. will not have mounted a convincing threat against Minuteman. He is talking about 500 SS–9s altogether. If each carried three MIRVs, there would be 1500 warheads in all. But it seems to me to be agreed that the attacker would need at the very minimum 2000 accurate warheads—two for every one of our silos—before being able to think about a first strike."

In the afternoon question and answer period, Senator Jackson raised the subject of Wohlstetter's statement concerning various 'proofs' that Minuteman would not be vulnerable in the time period when Safeguard would become operational (p. 1292). Dr. Rathjens states in this regard: (p. 1295)

"I would like to comment very briefly but then I would also like to ask a question and that is, would I be permitted to file a classified statement dealing with this problem. I think I can answer it more authoritatively if I do that.

"On the unclassified record here though, I would just like to say that it seems to me it is a matter of time. There is going to be some time, and I do not know when—it will be in the seventies—when Minuteman will be vulnerable. Accuracies are going to get better. The Soviet force is going to build up. The time is going to depend on the particular assumptions you make about the rate of that buildup, how reliable the Soviet missiles might be, the yields they can carry, and their accuracy."

(h) *April 30:* Rathjens submits abovementioned classified letter to Stennis Committee. (Censored version appears beginning p. 1453 of Committee record.) Results of calculations using "latest intelligence estimates and other classified information" are presented, but specific assumptions used are not, except that it is stated that 460 SS–9 missiles were used.

(i) *May 4:* Lapp, in an article in the *New York Times* magazine, "From Nike to Safeguard: A Biography of the ABM" calculates that 500 SS–9s with three independent warheads each, would "leave about 500–750 operable Minutemen."

(f) *May 5:* Manuscript version of the book *ABM: An Evaluation of the Decision to Deploy an Antiballistic Missile System,* Abram Chayes and Jerome Wiesner, Editors, distributed to the White House, the State Department, and the Defense Department and released to the press on May 6 (page one story by John W. Finney, *New York Times,* May 7).

The "Overview" section of this book (by Chayes, Wiesner, Rathjens, and Weinberg) states that today "it would take at least two attacking ICBMs to be reasonably sure of destroying one Minuteman" (p. 48, MS and p. 35 of the final book).

"Some First Strike Scenarios" by Wiesner (p. 3 of MS and p. 71 of book) states that "the conclusions arrived at will *not* be significantly different from those of a study with full access to classified materials." Then, assuming 500 SS–9s with three MIRVs carrying a "weapon having a 0.8 kill probability against the present Minuteman with the MIRV guidance accuracy" (p. 6 of MS) would lead to 270 Minuteman and Titan missiles surviving out of an attack directed at a total of 1100 targets (including some command and control points). It is further stated that "we have assumed an accurate MIRV and a highly reliable system." (p. 6 of MS and p. 73 of book.)

In the book form (p. 73) the statement of a 0.8 kill probability is altered to read "with the MIRV guidance accuracy estimated by Secretary Laird."

"What Does Safeguard Safeguard?" by Steven Weinberg states (p. 86, book version):

"The United States has about 1050 ICBM silos. Thus we must suppose that Moscow can deliver at least 2,100 re-entry vehicles (RVs) with megaton yield and high accuracy, two for each of our ICBM silos. (Even with two Soviet RVs targeted on each U.S. ICBM, and assuming that each RV had an 80 percent chance of destroying a hardened silo, 42 ICBMs would still be left, and these could destroy a sizable fraction of Soviet industry). He justifies the 80 percent kill probability by the footnote 'In testimony before the Senate Armed Services Committee on March 20, 1969, Deputy Secretary Packard stated that an ICBM with a CEP of 0.6 to 0.8 miles would have to carry a 20-MT warhead if it is to have an 80 percent chance of destroying a hardened Minuteman silo.' This kill probability does not incorporate the readiness, launch and inflight reliabilities of Soviet ICBMs. Instead of attempting to take these unknown reliabilities into account explicitly, I will throughout only quote figures for the number of Soviet RVs which actually arrive near the target. Thus, if the overall Soviet ICBM reliability is 50 percent, then the actual Soviet ICBM deployments must be at twice the levels quoted here."

(k) *May 12:* John S. Foster, Jr., Director of Defense Research and Engineering, in a speech before the annual meeting of the Aviation-Space Writers' Association in Dayton, Ohio, states:

"Other statements in the ABM book seem to play a strange numbers game. At one point the book states: 'With our Minuteman in hardened silos, it would take at least two attacking ICBMs to be reasonably sure of destroying one Minuteman.'

"An ICBM with three independently aimed warheads can attack three silos. The U.S. has designed, but not deployed, a system which allows a missile to signal the launch-control point if it has launched its re-entry vehicle properly. With this system, the control point could reprogram another missile to make up for failures. For example, a missile system having a 20 percent failure rate and carrying three re-entry vehicles per missile, would require only 420 missiles to attack 1000 silos. If the yield of each re-entry vehicle was a reasonable 5–MT and the accuracy a reasonable ¼ of a mile, about 95 percent of the silos could be destroyed. This would mean 50 of the 1000 Minuteman survive. It would be foolish to attack half of the silos twice as the book advised, rather than all of them once."

See also Foster's May 13 testimony to the Stennis Committee beginning p. 1711 of the Hearings.

(l) *May 14:* Wiesner, testifying before the Gore Subcommittee, states (p. 492 of the Hearings):

"Since I prepared my testimony, Dr. Foster has suggested that my calculations regarding the surviving Minuteman force were in error. These are the estimates that I just gave you. He estimated that only 50 missiles would survive a Soviet SS–9 attack instead of the 270 shown in our ABM book. Now my calculations were based on Department of Defense data released in March and April of this year, but Dr. Foster has now changed those figures. He says that the SS–9 warhead will have a 0.95 probability of destroying a Minuteman rather than the 0.8 previously predicted. This involves a new estimate of the SS–9 MIRV accuracy and reliability, a reliability which I do not find easy to accept. His data, incidentally, has also changed the estimate of Soviet SS–9s from 500 to 600.

"Dr. Foster also says, and this is implicit in his number of 50, in contrast to my number of 270, that the Soviets might have the capacity for monitoring their MIRV warheads and only using a second one against a target when the first has obviously failed. This is certainly technically possible. It is a technical complication in addition to the MIRV's, and I do not believe it would be used. Even if it were used, there is an easy counter to it. The attack will have to come in two waves spaced by a few minutes so that the attacker can determine which re-entry vehicles have failed and need backup. Our early warning system will certainly indicate that there are two components to the attack. It seems unlikely that we would wait for the second attack to hit, rather than fire the remaining missiles after the first weapons explode. In this case, about 290 land-based missiles (Minuteman and Titan II) would be available for counterattack assuming a 0.9 probability for the Soviet warhead which I find, as I say, harder to believe but I am willing to accept that, though not the 0.95."

Edward Teller, states: (p. 520 of the Hearings)

"I, furthermore, would now like to say that there have been in Dr. Wiesner's testimony several points of difference, not with me, but with a very thorough, very conscientious man, Dr. John Foster, whom I have known for very many more years, I think, than most of you have known him.

"I know that his figures are not given out without exceedingly reliable checking, and I think I can make a little progress in clearing up for you differences between what Dr. Foster says and what Dr. Weisner says.

"Dr. Foster says that the probability of a hit is 0.95. Dr. Weisner's report said 0.8. Dr. Foster does not disagree. He says that of the 20 percent failure, 15 percent occur in the takeoff phase. This 15 percent which fail to take off properly can be promptly replaced and this, he claims is the kind of operation we know how to do and which it would not be unreasonable to assume the Russians also know how to do.

"Therefore, his 95 percent, does not look to me unreasonable, and furthermore if Dr. Foster's scenario is followed, the time delay between the first firing and the followup firing would be only the time period that is needed to see that the takeoff did not function properly.

"Therefore, the time delay argument, that this would give us time to release our missiles, is also, I think, not quite realistic."

And a bit later (p. 521 of the Hearings):

"Finally, there is a little difference between 500 and 600 SS–9s. Dr. Wiesner said that Dr. Foster mentioned 600 SS–9s, whereas I think Secretary Packard mentioned 500. Dr. Foster did mention 600 because he used not the year 1975 but the year 1976 taking into account the delay that would be imposed by our not deploying Safeguard. He said if we do not deploy, then we will be faced by 600 SS–9s before we can have any hard point defense."[25]

Wiesner responded (p. 525 of the Hearings):

"Now, I do not want to undertake to destroy the credentials which Dr. Teller has given for Dr. Foster, because Foster is also an old friend of mine and I have the highest regard for him. This is one of the difficulties of this kind of a debate.

"The fact remains, though, that the numbers have changed, and I think my analysis of the situation is a little different than Dr Teller's. The original estimate of the 5-megaton warhead kill probability as given by the Defense Department, was 0.8, and it is this 0.8 that we are talking about.

"In addition to that value, various people, myself included, have assumed that the missile reliability, fire reliability, would also be 0.8, so that the overall kill probability of a

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Footnotes at end of article.

missile plus a single warhead would be the product of these numbers or 0.64. The probability of not killing a silo would be the difference between 1 and that, or 0.36.

"Incidentally, Mr. Foster, in some of his papers, has said 0.7 rather 0.8, but this is hardly different. What I am objecting to, or at least pointing out, is that now instead of an 0.8 kill probability for a single warhead Dr. Foster is using a value of 0.95, and I object for two reasons. Though they have the privilege of using any number they please, when they say my document is in error because with a 0.95 kill probability they show fewer missiles survive than calculated based on data they published not more than a couple of months ago, I think I have a right, if not to be offended, at least to defend myself, and I think that they also owe you an explanation."

(m) *May 22:* Secretary Laird, appearing before the House Subcommittee on Department of Defense of the Committee on Appropriations (Mahon Subcommittee) restates the result presented May 12 by Foster that 420 SS–9s with 0.25 n mi CEPs, 3 MIRVs at 5 megatons each, a 20 percent failure rate, and reprogramming for inflight failures would destroy all but 50 Minuteman. (p. 27, Mahon Subcommittee Hearings)

(n) *May 23:* Wohlstetter submits to the Stennis Committee his "Supplement on Purported Proofs that the Minuteman will be safe without further protection" (p. 1446, Stennis Hearings) along with a classified appendix. The unclassified statement challenges the results of, among others, Lapp, Rathjens, Weinberg, and Wiesner and documents his statement that "these proofs depend heavily on optimistic estimates of limitations in Russian delivery accuracies, reliabilities, associated offense capabilities, and sometimes on poor offense tactics."

(o) *May 29:* Panofsky writes Senator Gore, "I am somewhat perturbed that the difference among the calculations of Wohlstetter, Lapp, and Rathjens have been given this degree of attention. Fundamentally, these calculations differ only in their assumptions on the reliable CEP of the Soviet MIRV warheads carried on the SS–9, on the assumed hardness of Minuteman, and on the targeting doctrine adopted by the Soviets in a first-strike attack." (Transcripts of the Gore Subcommittee, p. 599).

(p) *June 4:* Wiesner submits letter to Senator Gore answering Foster's criticism of the Chayes-Wiesner book. (Gore Hearings, p. 590.)

(q) *June 15 and June 22:* Rathjens and Wohlstetter have two exchanges of letters in the *New York Times* on their differences. This exchange is extended into private correspondence and correspondence with Senator Symington.

(r) *July 1:* Rathjens, Wiesner, and Weinberg, in "A Critique of Pentagon ABM White Paper" issued by Senator Kennedy challenge the May 22 testimony of Secretary Laird questioning the ability of the Soviets to achieve a 0.25 n mi CEP and 0.80 reliability and the attribution to them of a "full" retargeting capability.

FOOTNOTES

[1] MIRV: Multiple Independently Targetable Reentry Vehicles; MRV: Multiple Reentry Vehicles (the reentry vehicles in a MRV system must all attack the same target, perhaps in a fixed pattern; the reentry vehicles in a MIRV may be independently targeted to separate targets); SLBM: Submarine-Launched Ballistic Missile; FOBS: Fractional-Orbit Ballistic System.

[2] Are for 1969 unless otherwise noted.

[3] Stennis Committee Hearings—Part 2, p. 1264.

[4] Ibid., p. 1452.

[5] Gore Subcommittee Hearings—Part 2, p. 492.

[6] Other issues are raised in the documents of the Annex, p. 1238, and many of these are treated elsewhere in this report.

[7] *Scope, Magnitude, and Implications of the United States Antiballistic Missile Program.* Hearings before the Subcommittee on Military Applications of the Joint Committee on Atomic Energy, Nov. 6 and 7, 1967, pp. 47 and ff. in which Department Secretary Nitze states "One possible US Missile could carry ten separately aimed 50-kiloton warheads" or "one 10-megaton warhead."

[8] This is clear from the wording of the sanitized version appearing in the Stennis Committee Hearings (p. 1453).

[9] CEP (Circular Probable Error): The radius of the smallest circle centered at the desired aimsport such that there is a 50–50 chance of landing within the circle. Thus, the smaller the CEP, the more accurate the missile.

[10] The Packard Chart does not explicitly state whether CEP is to be measured in statute or nautical miles. In one instance, early in the debate, the abscissa is referred to as "nautical miles," Packard, March 20 (p. 102). In any case, nautical miles is the accepted unit of measurement for CEP, not statute miles.

[11] The manuscript version of the book is different in some passages from the final version. Since the manuscript received wide circulation (according to the *New York Times* it was distributed to all members of both Houses of Congress and to members of the White House, State Department, and Department of Defense as well as to members of the Press), it is as significant a document as the final version. Where cited passages differ between Ms and book, both will generally be cited; otherwise only the book passages will be cited.

[12] The survival probability of the singly-targeted Minuteman is approximately 230/650, or about $0.36 = 1 - (0.8)\ (0.8)$.

[13] The 0.36 survival probability for the singly-targeted missiles implies a 0.13, or $(1 - 0.64)^2$, survival probability for the doubly-targeted missiles surviving.

[14] Emphasis is added.

[15] Emphasis is added.

[16] Emphasis is added.

[17] *See also Aviation Week and Space Technology,* May 19, 1969, p. 20.

[18] There are other examples in the debate, as discussed in section IV B of this report.

[19] Most of the "reprogrammed" warheads would be replacing launch or earlier failure, not in-flight failures as suggested by Wiesner.

[20] *See* discussion, p. 1207 ff.

[21] The difference becomes noticeable only when the number of reprogrammed RVs is almost an exact integer multiple of the number of targets. We do not have such a situation here. When that case does arise, the "expected value" approach slightly underestimates the size of an attacking force needed to achieve a given effectiveness.

[22] We are rounding these numbers to the nearest integer.

[23] Based on the Nitze testimony.

[24] Also note Laird's release of April 23 on the number of USSR Yankee-class subs.

[25] Which is more restrictive than Wiesner's assumptions of simultaneous launch and launches destributed over three minutes.

[26] Secretary Laird stated before the Mahon Subcommittee (p. 10) that the alert force is 40 percent of the operational inventory.

[27] Senator Brooke, Address to closed session of the Senate, July 17, 1969, *Congressional Record,* vol. 115, pt. 15, p. 19850.

[28] *Scope, Magnitude and Implications of U.S. ABM Program,* Hearings before the Subcommittee on Military Applications of the Joint Committee on Atomic Energy, 1967, p. 48.

[29] p. 360 Gore Subcommittee Hearings and p. 1253 Stennis Committee Hearings.

[30] Including RDT&E costs of $2.5 billion and AEC facility cost of $1 billion that would be incurred even without a deployment decision (*see* page 29 of Mahon Subcommittee Hearings).

[31] He also suggests waiting and then increasing Minuteman if necessary; ". . . we could afford to wait several years because production time of the additional Minuteman missile is very much shorter than for the new, complex ABM defense." Remarks prepared for the San Francisco Democratic Forum, May 20, 1969 (Stanford University News Service News Release, May 21, 1969).

[32] Critique of Pentagon ABM White Paper.

[33] Gore Subcommittee Hearings, Part I, p. 260.

[34] Ibid, p. 286.

[35] Based on the Nitze testimony.

[36] According to the released copy of his speech, Department of Defense News Release No. 381–69, Dr. Foster stated, "Second, it is important to maintain continuity of this hedge against the still evolving threats. You should realize that ever since the approval by Congress, and Secretary McNamara's decision in 1967, we have been building up our capability to produce and deploy these components. If authorization to continue deployment were delayed until next year, the current capability would decay, and we would lose not just one year but two or more years. Without authority for production and deployment, we would have to close our developmental production lines, discharge our production personnel, and cease our engineering on sites. Later, when authority was granted to reinitiate production, site acquisition, and on-site engineering and construction, we would re-engage the necessary personnel and train them before productive work could be accomplished. This means that the first two sites could not be in operation until 1976 at the earliest, instead of 1974. If at the same time, the Soviets continue on their present course, they could have another hundred SS–9 missiles making a total perhaps of 600, with up to 1800 warheads to attack our 1000 Minuteman. We would then be defending with too little too late."

OREGON OTTER TRAWL RESOLUTION

Mr. HATFIELD. Mr. President, recently I received a resolution adopted by the Oregon Otter Trawl Commission. Over the years—both as Governor and as Senator—I have worked closely with this group, and I want to tell Senators how many advances our State fishing industry owes to the dedicated work of the Otter Trawl Commission.

I have spoken before in the Senate about the dismal future facing our domestic fishing industry unless steps are taken to protect the resource from pillaging—and that is the word I want—our fish off our east and west coasts.

I ask unanimous consent that the resolution of the Oregon Otter Trawl Commission be printed in the RECORD.

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

RESOLUTION

Whereas, the Conference on Law of The Sea is to be held in Geneva in 1973, and

Whereas, rules and regulations governing fishing in international waters will no doubt be laid down, and

Whereas, among Maritime Nations the position of the United States in fishery has deteriorated in twenty-five years from a front-runner to a tail-ender, and

Whereas, distant water fishing fleets of foreign powers are pillaging the fish resources off our shores, and have virtually wiped out

the once abundant rockfish populations off the Oregon and Washington coasts, and

Whereas, the deterioration of the United States fishery, and especially the trawl fishery, will continue at an accelerated pace unless immediate steps are taken to halt this downward plunge, now therefore be it

Resolved, that the Otter Trawl Commission of Oregon go on record in support of the program of the National Federation of Fishermen as proposed at their meeting in San Francisco in June 1971, which is as follows:

I. COASTAL SPECIES

Coastal nations shall have the ownership of all the fish and shellfish resources which live on or above or are dependent upon the Continental Shelf and slope adjacent to the coastal nation and/or the waters above the shelf and slope for the reproduction and/or survival during the major part of their life.

When stocks of fish are underharvested by the coastal nation to which they belong, provisions shall be made for harvesting by other nations subject to licensing and control by the coastal nation.

II. ANADROMOUS SPECIES

Anadromous fish shall be the property of the coastal nation of origin. No nation shall harvest anadromous species of fish without express consent and approval of country of origin. Where anadromous fish is habitating and is harvestable in territorial waters of a country other than the country of origin, it shall be mandatory upon the nations involved to work out harvesting rules consistent with conservation with due regard to the rights of each nation to its proper share of the allowable catch.

III. HIGH SEAS SPECIES

All species of fish not included in paragraphs I and II and in particular, fish of oceanic origin and habitat, shall not be subject to ownership and control by the coastal nation. The conservation and management of such species shall be the responsibility of multi-national control to be exercised jointly by the harvesting countries and by countries whose coast borders the distribution of such fish stocks, and be it further

Resolved, that copies of this Resolution be sent to the Hon. William P. Rogers, Secretary of State, Sen. Mark O. Hatfield, Sen Robert W. Packwood, Governor Tom McCall, Representative Wendell Wyatt, Fish Commission of Oregon and the Game Commission of Oregon.

Passed at the Otter Trawl Commission of Oregon meeting in Newport, Oregon on September 24, 1971.

COLUMN OF JACK ANDERSON

Mr. McCLELLAN. Mr. President, the October 2 column of Jack Anderson contained a malicious and false personal attack upon the chief counsel of the Subcommittee on Patents, Trademarks, and Copyrights, Thomas C. Brennan. This column was apparently timed to coincide with the final processing by the subcommittee of the legislation for the general revision of the patent laws, including significant amendments proposed by the minority leader. In the column of October 2 and earlier columns, Mr. Anderson has indicated his strong opposition to the amendments proposed by the minority leader.

The gist of Mr. Anderson's attack is that the counsel improperly and without authorization made available to the relevant committees of the American Bar Association and the national patent bar associations the text of a staff prepared working draft of the proposed new title 35 of the United States Code. It was alleged that the consultation with the bar associations was not authorized by me and that the counsel was "slipping the patent lobby restricted data from committee files."

The falsity of these allegations is a matter of public record of long standing. If Mr. Anderson had read the public hearings on the legislation which he discusses in such a glib fashion, he would have been aware that I as chairman of the subcommittee publicly invited the technical assistance of the patent bar associations at the time of the markup of the legislation.

At the completion of the testimony of the then president of the American Patent Law Association, Mr. Eben M. Graves the following colloquy occurred:

Senator McCLELLAN. Do I understand you will supply the committee with one of your technicians, counsel, to advise with the committee when it undertakes to mark up the bill?

Mr. GRAVES. Yes, sir. I think it would be possible.

Senator McCLELLAN. We appreciate that offer and may very well take advantage of it. I don't say this just for the interests you represent or for whom you testify this morning but we would welcome the best counsel and the best technicans that can be made available to us. This is not an area where any of us, so far as I know, have any personal feelings or concepts that are not subject to reevaluation. What we want to do is to get the very best system we can for our country.

Mr. GRAVES. That is certainly true, Mr. Chairman, and we would be happy to recommend someone, and I am sure the other bar associations would do the same.

Senator McCLELLAN. That is right. Very well.

(Part 2, Hearings on Patent Law Revision of the 90th Congress, page 538)

Even if I had not specifically and publicly endorsed consultation with the bar associations, it would have been the responsibility of the staff to have the language of the proposed new title 35 reviewed by the Patent Office and by the technicians of the patent bar. Because of the issues presented by the amendments of the minority leader sections of the proposed title were also made available for review by the relevant committee of the section on antitrust law of the American Bar Association. The draft was properly labeled as constituting a working draft prepared by the staff and not representing the views of the subcommittee. It was indicated that the draft was made available strictly for the purpose of personal review and comment on the proposed language.

The Sunday Star of October 3 contains a balanced discussion of the issues presented by the amendments of the minority leader. In the course of that story Mr. Brennan summarized his attitude toward the patent bar associations. He stated—

You recognize and you accept their expertise. But when it's a question of resolving policy disputes, then you have to recognize their special interest.

Certain of the issues presented by this legislation, particularly the amendments of the minority leader, involve complex issues of public policy in which competing rights and philosophies are involved. The integration of the patent system and the antitrust law is not an easy task, and there is ample ground for honest differences of opinion. The case of the opponents is not advanced by muckraking. It is to be hoped that the subcommittee can now proceed to resolve the remaining contested issues solely on the merits of the competing viewpoints.

The readers of Mr. Anderson's column are entitled to more accurate and reliable reporting than is contained in his column of October 2.

Mr. President, Mr. Anderson's column places great stress on the comments submitted informally by the Committee on Legislation of the Patent, Trademark, and Copyright Section of the District of Columbia Bar Association. A review of these comments indicates that all of the suggestions of the committee were of a technical nature and do not relate to the amendments of the minority leader. I ask unanimous consent that there be printed at this point in the RECORD the comments submitted informally by the District of Columbia Patent Trademark and Copyright Section Committee on Legislation.

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

COMMENTS BY THE DISTRICT OF COLUMBIA PATENT, TRADEMARK AND COPYRIGHT SECTION COMMITTEE ON LEGISLATION

PAGE 5, SECTION 11, PUBLICATIONS

In subsection (a) "The Commissioner *shall* . . .", in subsection (b) "The Commissioner *may* . . .", it is suggested that classification manuals and indices (line 20) must needs be printed or otherwise published so that the storehouse of knowledge which it is the Patent Office function to produce and to disseminate can be effectively used. It has been suggested consideration be given to place lines 20 and 21 as a numbered paragraph under subsection (a) as by insertion following line 11.

PAGE 6, SECTION 23, EVIDENCE IN PATENT OFFICE CASES

"The Commissioner *shall* establish regulations . . ."

Question was asked why has this been made mandatory by use of the word "shall." As printed S. 643 read "may." It is assumed Congress upon enactment will have foreclosed possibility of wide open presentation and production of evidence, as taken in conjunction with section 24, last sentence, last phrase beginning ". . . insofar as . . ."

PAGE 9, SECTION 41(a)

Historically, the Bar has supported 50% recovery. The essential service of the U.S. Patent Incentive System is that it secures disclosures and puts invention into public domain. Both attorneys in private practice and corporate practice voiced concern that funds are limited, that balance between information to public and costs to applicant should hold down fees.

Nothing in 41(a) gives instruction as to proportion certain kinds of services shall bear to the "overall recovery", there specified, i.e., should Commissioner be required to distribute between services and examination on a certain proportion basis?

Commissioner has no control over costs. He is "locked in" on his costs.

With respect to estimates to clients, the point is raised that "just one more item of expense remains uncertain" because no one knows what a Commissioner may do in any two-year period. The prosecution of an application could extend over several such pe-

riods. Inflation and other matters were considered.

It was expressed that if Congress sets the appropriations, Congress should set the fees.

D.C. Bar reportedly took position that they really did not care for any amount or percentage of recovery but if there had to be one, it should be 50%.

It was recognized the Commissioner can allocate expenses in three different categories, but the bill as marked up does not control or call for such allocation. We are trending toward 100% recovery. It becomes increasingly expensive to deal with Patent Office.

MAINTENANCE FEES

The suggestion was made that the climate is somewhat warmer on maintenance fees. Why not remain silent on this point? This, ultimately, might permit lowering fees at least up to time of disclosure when patent issues, i.e., ultimately maintenance fees may be charged. It is recognized that there is considerable opposition to maintenance or "deferred" fees.

It was noted that the Bar Association never favored putting such a statement in the bill.

It is understood that the word "designed" permits flexibility in that it broadens whatever range is stated. Thus, what is stated is a goal, i.e., the language is *not* "fees shall effect on overall recovery".

The recovery should be based upon ". . . costs of operation of the Patent Office," based on the most recent completed fiscal year. Page 10, lines 5–8 are noted. Perhaps (a) and (c) on pages 9 and 10 respectively, when read together, take care of the suggestion here reported.

PAGE 10, SECTION 42

There appears an omission at end of Section 42. See S. 643, as printed, page 11, lines 8 and 9.

PAGE 12, SECTION 102(C)(5)

It was suggested that language appearing here might be clarified to state in line 4 of (5) that the "time of the invention" is when it ". . . was made . . ."; please note ". . . was made . . ." in line 2 of (5). The word "invention can include conception, possible diligence and reduction to practice. One person thought that in line 4, after "invention" there might be inserted—was completed—.

The foregoing sufficiently points out the question.

However, another suggestion was made that line 4 read ". . . at the time the invention was made, which invention is the subject of the application;".

Another suggestion was that line 4 begin with the word "then" so that lines 3 and 4 would read for the pertinent part ". . . does not then stand abandoned . . ." The remainder of the phrase would be suitably adjusted.

PAGE 12, SECTION 103, LINE 25

It was suggested that the phrase "obvious from such prior art be discussed in the report stating that only clarification and no substantive law change is intended.

PAGE 20, SECTION 131(C), EXAMINATION

With respect to 131(c), there is the problem which may arise with respect to statements or arguments made at a time when *all* of the prior knowledge in the art has not been available but later becomes available. A statement made with respect to some art could well have a different meaning when all of the art has become available. It might be considered that a statement arguing patentability may involve matter which is included only because the maker of the statement was unaware of other art which later has become available and, therefore, chose language which unknown to him was unacceptable. Had he known of all of the art, he would have made his statement differently. Will such a statement be available as "a ground for holding a patent invalid."

I understand that when patentability briefs were being considered on a voluntary basis, it appeared ⅓ of the Examiners said they helped, ⅓ said they took more time and ⅓ did not care. This information was elicited by a question asked: "Would this (the patentability brief) effect savings in costs of operation of Patent Office?"

It can be seen that in court a statement made with respect to some art would be argued as an admission against interests with respect to art becoming available after the statement was made. A simple example is now given. The patentability brief states that reference A does not show element X. The later available art shows element X. Had art becoming available later been available, the attorney might well have said that reference A does not show element Y.

While this situation on its facts of substance does not differ from that in which the Examiner having shown element X is given the further argument that the reference does not show element Y, there is at least the psychological effect which might be produced on a court.

PAGE 27, SECTION 183, RIGHT TO COMPENSATION

The suggestion is made that this section could be made into several subsections so that "The right to compensation for use . . ." now in line 34 would be a subsection and so that "A patentee receiving a settlement . . ." in the last line would also be a subsection. This would separate ". . . . compensation for use . . ." and ". . . settlement . . . for damages . . ." because of an order of secrecy.

It is understood that damages which may be awarded because of order of secrecy would compensate for lack of ability to license to non-government licensees.

PAGE 30, SECTION 192, PUBLIC USE, AND SO FORTH

In (a)(1) ". . . such application for patent . . ." does not appear to have an antecedent.

On page 31 of S. 643, as introduced, none of the three subsections (a)(1), (2) and (3) made reference to ". . . application for patent . . ."

PAGE 37, SECTION 271(f), LINE 4

"validity" should be changed to "invalidity".

PAGE 39 UNDER "CHAPTER 29"

In the listing of sections, Sections 294 and 295 no doubt are intended to be listed.

OREGON AND FOREIGN TRADE

Mr. HATFIELD. Mr. President, I wish to address a few comments to the subject of foreign trade as it affects my home State of Oregon.

I have spoken here many times before about our State's role in foreign trade and the specifics involved in our trade with countries of the Pacific Basin, particularly Japan.

The disasterous effects of the dock strike and the imposition of the 10-percent import surtax renew the need to examine the role of Oregon in foreign trade.

I have tried many avenues which I hoped would assist in reaching an end to the dock strike. Before the August recess, I wrote Ambassador Nobuhiko Ushiba to ascertain his views on the efforts of the strike on our Japanese trade.

I ask unanimous consent that my letter to the Ambassador and his response be printed at this point in the RECORD.

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

U.S. SENATE,
Washington, D.C., August 2, 1971.

His Excellency NOBUHIKO USHIBA,
Ambassador of Japan,
Embassy of Japan,
Washington, D.C.

DEAR MR. AMBASSADOR: As you are aware, my state of Oregon has a vital interest in insuring the continuance of good economic relations with your country. One of the greatest contributions of Oregon to our mutual trade is in the area of agriculture exports.

I am writing to ascertain your views on the current West Coast dock strike—and the rail strike as well—and its effects on the commerce between our countries.

While I personally am well aware of the current impact of the strikes on the export of wheat and feed grains, I would like to know your thinking on its effect thus far, as well as what will happen if the strike continues for a long duration.

Have these strikes had an impact on your country's economy? How will it increase as the strike continues?

Can you comment on the effect of the strike on the export of logs and other forest products from our West Coast?

While I believe we face an immediate crisis as far as this summer's crops are concerned, I also am troubled by potential long term effects of these strikes. I would be very interested in your thoughts on the future impact—and the potential—to our agriculture exports that these strikes are having.

Naturally, I also would welcome any further comments you have that I have not raised.

If you have no objections, I would like to make public your response. In view of the critical time factor, I look forward to hearing from you at your earliest convenience.

Thank you for your attention to these points.

Sincerely,

MARK O. HATFIELD,
U.S. Senator.

EMBASSY OF JAPAN,
Washington, D.C., August 5, 1971.

Hon. MARK HATFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HATFIELD: Thank you for your letter of August 2. I am very aware of the fact that your state of Oregon and my country have long benefitted from our mutual trade. In 1970, Portland shipped $296.1 million worth of goods to Japan and imported $149.1 million worth of goods from us. I believe that the continuation of these good economic relations is most desirable for both of us.

In your letter, you asked my views on the current West Coast dock strike and its effects on the commerce between our countries. I am happy to inform you of the following facts:

(1) Since the storage capacity for wheat in Japan is limited to about one month's consumption, Japanese purchases of West Coast wheat have been obliged to shift their source of supply to Gulf ports as well as to Canada, Australia, etc. Already about 100,000 tons of wheat have thus been purchased from other countries. If the dock strike continues, it is possible that such a shift to other supply sources will take place on a much larger scale.

(2) Other American exports to Japan are likewise adversely affected. For example, the exports of fresh grapefruit, whose import into the Japanese market was liberalized on June 30 of this year by my Government have been adversely affected, much to the disappointment of the Japanese consumers, who had looked forward to price reductions because of the liberalization. It is reported that Japanese importers are now considering imports of fresh grapefruit from South Afri-

ca as alternative sources of supply. Likewise, if the strike continues for a long period, the stock of American logs in Japan presently available in two months' supply, will be depleted, and it is expected that the Japanese importers of this commodity will also be obliged to look to other supply sources.

(3) Generally speaking, experience tells us that once a market has been lost because of a shift in supply sources, it is difficult for the exporter to regain them. This is particularly true with respect to agricultural products. I am afraid that such development may harm the long-term interest of the United States.

I hope that the above information answers your questions.

Yours sincerely,

NOBUHIKO USHIBA,
Ambassador of Japan.

Mr. HATFIELD. Mr. President, a recent article in the Capital Journal, in Oregon, also discussed the impact of the dock strike. I ask unanimous consent that portions of that article be printed at this point in the RECORD.

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

WEST COAST DOCK STRIKE COSTING MILLIONS

The West Coast longshoremen's strike, entering its fourth month, has cost Oregon forestry, agriculture and shipping about $135 million.

And Oregonians have lost $50–60 million in personal income, estimates the chief economist for the U.S. National Bank of Oregon.

The agricultural community is hardest hit in Oregon commerce, sustaining daily losses of about $1 million—an estimated $90 million loss in farm revenues since the strike began.

Farmers hope to recapture this loss next year, but revenue lost during the strike is irreplaceable because Japan and other Far Eastern countries have turned to Canada and Australia for their wheat imports.

Irvin Mann Jr., director of the Oregon Department of Agriculture, says the most acute problem is the danger of downgrading the entire Oregon wheat crop by mixing rain-damaged and low grade wheat with higher grades.

Farmers are being forced to store their harvested wheat on open ground during the rainy season because grain elevators on docks and across the state are overflowing. The quality of grain mixed as such would not meet Japanese standards, effectively eliminating any chance to make up lost revenue even after the strike is ended.

Oregon farmers also produce 97 per cent of the domestic bent grass seed market, 85 per cent of which normally is exported to Europe. Mann estimates seed growers are dropping $300,000 in that market alone.

Elsewhere in Oregon's export trade, manufacturers of wood products are forfeiting markets to the Soviet Union and Canada.

Bill Carey of Western Wood Products Association says he doubts if missed revenue in lumber exports will be made up after longshoremen return to the docks.

Oregon is suffering two-thirds of the losses in the lumber and chip industry on the West Coast. The financial toll averages $630,000 in Oregon each day. The total West Coast loss is $943,000 a day.

So far, the dock tie-up has resulted in a $41 million loss in revenue to lumber and chips firms in Oregon. The total West Coast figure exceeds $61.3 million.

Experiencing less severe difficulties are plywood producers, who do not normally move their shipments by sea.

The American Plywood Association says firms use the rails as the main means of transporting plywood to domestic markets, which comprise 98 per cent of the total industry. Only two per cent of total plywood output is exported, largely to Europe.

A severe shortage of rail boxcars and increased competition for boxcar space from strike-affected industries has put pressure on plywood producers to meet housing market demands. The APA expects the industry to yield 16 billion square feet of softwood plywood this year, 50 per cent of which goes to residential building markets.

At dockside in Oregon, port officials are feeling a direct financial bite as they watch idle ships anchored in the harbors. The Ports of Portland and Astoria have lost about $4 million in berth fees and other revenue simply because the ships cannot tie up to the dock.

In Astoria about 18 ships lie at anchor, 6,000 tons of flour and newsprint wait on the docks for export, and one million bushels of grain spill over the grain elevators. The strike has cost the Port of Astoria an estimated $325,000.

A total of 15,000 West Coast dock workers have lost $45 million in personal income while striking.

The main issue blocking settlement of the walkout is a dispute with the Pacific Maritime Association over which union handles containerized cargo—the teamsters or the longshoremen.

Mr. HATFIELD. Mr. President, Mr. Frank Galloway, executive director of the World Affairs Council of Oregon, has written a fine article on the impact of foreign trade on Oregon. While it does not cover all areas, it does give a broad picture of the role in our State played by foreign trade.

I ask unanimous consent that this article, published in the Capital Journal of October 1, 1971 be printed in the RECORD.

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

[From the Capital Journal, Salem, Oreg., Oct. 1, 1971]

FOREIGN TRADE IS VITAL TO OREGONIANS

(This analysis of the impact of foreign trade on Oregon was written for the Capital Journal by Frank Galloway, executive director of the World Affairs Council of Oregon)

When the subject of foreign trade comes up for discussion, Oregonians are inclined to give the world outside a shoulder-shrugging dismissal.

That may not be very surprising in a state that still enjoys plenty of open space, where people still have a sense of pioneer independence and a healthy desire to mind their own business and have others do the same.

To acknowledge that the attitude is not surprising isn't to say the attendant misapprehensions can, or should, continue, for Oregon is mightily dependent on foreign trade.

How dependent?

The latest figures (1969) indicate 4.2 per cent of total employment is in foreign trade. By use of the commonly accepted mutliplier of 2.5 percent, the employment impact of foreign trade is 9.4 per cent of total employment and the number of supported or dependent population is 319,000 persons. That means that almost every seventh person in the state is fed and sheltered by foreign trade.

These figures do not reflect the current anomalies created by the recent railroad strike. The impact of these domestic wage and jurisdictional confrontations cannot be assessed at this time. In the short run it creates hardship and worse for many who have no direct stake in the eventual settlement, but are dependent upon the orderly and timely flow of imports and exports through Oregon's ports. In the long view, the strike may represent only a momentary dislocation in what has been a remarkable period of growth in both imports and exports.

It should be noted that certain agriculture products, such as wheat, have suffered loss of markets that may be unrecoverable. Thinking wheat growers are beginning to look for synergistic product mixes, taking them out of the subsidized and perilous "one crop Johnny" class. That a strike might hasten such a move is ironic but not unreasonable and the long term benefits east of the Cascades may be great.

One major farmer has already, in a matter of three years, moved from a net wheat exporter to a "'self-feed" grower. In beef, poultry and other forms of animal life, he expects to locally consume his wheat, thus producing an exportable product with a naturally higher profit margin. The scale upon which he is doing this is part of the new agri-business. The use of economic feasibility techniques, the magnitude of the dollar investment, and the use of joint venture devices with overseas corporations is substantial in a way that makes agriculture resemble our large manufacturing industries.

It is a dramatic move and if it is as successful as current projections indicate, it may well mean significant increases in both employment and capital investment east of the Cascades, with a great deal of the cash flow and profit derived from foreign trade.

Oregon enjoyed a substantial growth in international trade in the past decade. We have done this while maintaining a favorable balance of trade, which is to say, Oregon sells more than it buys. The Oregon customs district covers more than the state of Oregon. The state's Economic Development Commission estimates that of the customs district's total figures, Oregon alone represents 67.5 per cent. Under that assumption, the following emerges:

In 1960 export dollars totaled $248 million and by 1969 they had climbed to $449.5 million.

While imports have increased we have maintained a net $200 million advantage of exports over imports. This favorable balance is deceiving in a fashion because by far the bulk of our trade is essentially colonial.

Historically, colonies provide raw materials and function as granaries for the "mother country." In turn, the colony buys manufactured goods. Oregon's favorable trade comes largely in "low end" raw materials (wood) and bulk agriculture (wheat) and what we purchase abroad arrives as finished products.

Two tons of steel is a relatively cheap product with a relatively small profit to the producer and is a minimum multiplier of dollars. Two tons of automobile, however, reflects all the multipliers, mining, milling, machining, assembly, transportation, advertising and a higher per unit mark-up. Just think of the jobs, salaries and purchases involved. It is readily apparent that selling raw materials doesn't support as many people as will the production of finished goods.

Lest the environmentalists and James G. Blaine Society members take wing in a cloud of umbrage, let it be made clear that what is needed and wanted is clean industry, not steel mills, and jobs for our 6-plus per cent of unemployed, not migrations of unemployed Californians.

Oregon now is observing Japan Week. While this observance—ending Sunday—is centered in Portland, it really is for all of Oregon. Unfortunately, down state and east of the Cascades interest can be safely described as minimal. In fact, most Oregonians, including many Portlanders, can't quite understand the intensity of interest in things Japanese such a major cultural and commercial effort represents. Aside from the beauty of their ancient arts and crafts, filthy lucre is a major reason. The impor-

tance of our commercial relations with Japan reach deep into the lives of everyone in Oregon.

In 1970, Japanese-Oregon trade totalled nearly $500 billion. Oregon's total foreign trade was slightly over $1 billion in that same period. Obviously, any nation that represents nearly 50 per cent of your action is pretty important. The significance of Japan to the future economic welfare of Oregon will be even greater in dollars. It is hoped, however, that their percentage of our overseas trade will diminish as Oregon business becomes more sophisticated and aggressive in the Pacific Rim markets.

On Aug. 15, President Nixon changed the rules of the international trade game. The eventual outcome is still veiled but some facts about Japan-U.S. trade clearly indicate why the Japanese Minister of Labor, Mr. Hara, said in Portland recently: "We are at the moment suffering from Nixon shock. It will take time to discover the proper course of action, but we are very disturbed about the 10 per cent import surcharge and sincerely hope that it will be temporary."

The spectre of a tariff war, he intimated, filled the Japanese government with dread. Thoughtful Americans who have studied or remember the disastrous effects of the Smoot-Hawley tariff bills on world trade in the 30s share that dread.

Why are the Japanese concerned about the surcharge? An examination of the relative value of Japanese-U.S. trade for 1969 illuminates their concern quickly. Thirty-one per cent of Japan's total exports went to the U.S. A ten per cent surcharge on almost one-third of your overseas business is a cause for concern for any nation, company or individual.

The United States' treasurer recently returned from a meeting in London with financial representatives of the ten leading non-Communist industrial nations. This nation was adamant in its position that it would not devalue the dollar in relation to gold ($35 per ounce) and that our friends must simply revalue their currencies upward. The meeting accomplished little or nothing with our friends saying, in effect: "This is not right. Your house is not in order and you want us to pay for it. You should devalue the dollar as it is the "sick" currency and you should not bend the intent of GATT (General Agreement on Trade and Tariffs) with your surcharge of 10 per cent."

Not too surprisingly, the U.S. position is: "If our currency is 'sick,' it is because we have for far too long carried your burdens, underwritten your financial and industrial development, and paid the cost of your military protection. Twenty-five years is too long. Now you help us for awhile."

If the top ten industrial nations accept our dicta and revalue their currency upward, it means the yen would be worth up to 18 per cent more in relation to the dollar. So far the Japanese have grudgingly inched the yen up about 6 per cent following the "Nixon shock."

In a land of almost continuous earth tremblors "shock" is a particularly accurate and poignant word to describe what the U.S. has done to the facade of their economy. Already there have been both bankruptcies and suicides among the small and middle-sized exporters.

In the long view what may we expect? Doomsayers offer one of the alternate future projections and in it, the U.S. does not remove the surcharge soon enough to fit other countries' interpretations of "temporary" and, in consequence, world trade begins to wither as its circulation is proscribed by even higher tariffs raised between nations seeking to give their economies parity, if not advantage, in the market.

A factor in the above would be all or a few of the major ten refusing to let these currencies float upward, thus compelling the U.S. (in its view) to continue the surcharge as a method of creating the revaluation by fist as opposed to revaluation by "float" or free market. There is no question that either the dollar is overvalued and should be deflated or that the mark, yen, franc and others are undervalued and must go up in relation to the dollar. The "correct" assessment depends upon what name your currency bears.

It is axiomatic that internal political tranquility depends to a large degree upon a stable currency. The average man anywhere prefers that his money be predictable and safe. He plans, saves and invests on that assumption. This nation with a near trillion dollar gross national product is economically stronger than any of our friends. Perhaps our view will prevail. If not, trouble may lie ahead, for no U.S. president up for re-election will willingly saddle himself with the emotion-laden stigma of devaluing the dollar.

It is the 10 per cent surcharge on imports of all Nixon's program, that gains unanimous dismay abroad. It can and will bring to many nations increased unemployment. Japan may move from approximately 2.4 to 3.4 per cent unemployment. It is not an increase that will cause the U.S., suffering as it is with 6 per cent unemployment, any twinge of concern. But will the surcharge really help the U.S. by making the price of foreign manufactured goods on our market more nearly equal the price of comparable domestic manufactured? The answer is an unequivocal maybe. As a matter of pure mathematics, a $1,900 Japanese two-door sedan now will cost $1,800 plus 10 per cent, or $1,980, while the competing American manufacturers will move from $2,000 less 7 percent excise tax, to $1,860. Great! Now, "buy American." It's $100 cheaper.

Is it really? Some Japanese cars carry as standard what U.S. makes sell as options. Further, buying habits are often more emotion than price oriented. If that is not enough to muddy the water, consider what happens if the Japanese manufacturer and his American dealers each take a 2½ per cent cut in gross profit? Will Toyota, Datsun or even Volkswagen fail to consider narrowing, hopefully temporarily, their profit in order to protect American buying habits so painstakingly and expensively created? It would be a rash man who would say, absolutely, "No."

Since 1950 the United States has followed a policy that has seen the restoration of shattered industrial complexes to not only our allies of World War II, but also the axis powers we so bitterly fought. In some circles this is considered proof of Uncle Sam, the sucker, in others of our enlightened application of the Judeo-Christian ethic. Those among us of a more cynical bend see it as enlightened self-interest, both from the standpoint of political buffers between ourselves and potential enemies of enormous size and also economically profitable to ourselves.

As one participant at the World Affairs Council's annual "Salishan Conference" (Protectionism, Nationalism and the Multinational Corporation, April, 1971) said, "There's no market for my high-end technological product in poor or undeveloped countries; you need rich, developed countries for good trade."

Much blame for our current domestic economic woes is laid upon our Vietnam involvement, and much is laid at the door of labor. Unquestionably these are important factors. However, elements of our basic industries' leadership should also share the blame.

For example, at the end of World War II, the U.S. had the largest and only intact steel industry. Twenty years later its leaders asked for and got government protection from foreign steel through the device of U.S. government negotiated "voluntary quotas" on Japanese and German steel imports to this country. U.S. Steel, America's largest, built following World War II the Benjamin Fairless Works, the "largest in the world" at the time. Unfortunately, they designed and built it on engineering and production concepts of the thirties. Even though a far cheaper and faster smelting process was known to exist.

So-called growth industries, such as electronics and chemicals, re-invest nearly all their gross profits but the steel industry continued to pay out dividends sanctified by tradition even as they saw foreign steel makers invest in equipment that would inevitably give them an edge on the world market and, alas, even the U.S. In far too many cases our vaunted ingenuity and free enterprise competitiveness have been honored by word at National Association of Manufacturers' convocations and the like while in practice, industry stood bound by traditions of capital use and in unwillingness to accept innovations created by other nations.

Arguments advanced by U.S. interests that claim our problems are largely due to our role as protector of the "free world," a protector who has been over-generous to client nation trading interests, are incomplete truths. The amount of finger-pointing and elsewhere blame-laying engaged in by American business, labor and government would not be tolerated by any parent among his children.

President Nixon called for a new national spirit with his price freeze. So far, it has not emerged. "Equity of application" is disturbing labor while others seek "adjustments" not possible under the existing executive order: All of which indicate a current unwillingness in this nation to put our house in order. It is a serious source of complaint among the Common Market nations and Japan.

Several months prior to Nixon's freeze, West Germany attempted to meet the growing international monetary crisis by letting the mark "float." This did not sit well with the French, among others. Germany nevertheless decided to take one of the tentative first steps toward meeting the problem. A member of the German Finance Ministry was quoted at the time as saying: "The U.S. economy is much like sleeping with an elephant. No matter how friendly he is, there is always the danger he will roll over." Well, the elephant has rolled over.

Enough time has elapsed for the free world economies to take stock of the damage the elephant has done. Now, they are beginning to respond. In Europe the comments, largely hostile, are open and often the speaker is identified. The Japanese, however, have kept a more serene public posture. Privately, the Japanese are far from serene and politically the Japanese are the only nation likely to have a change of government as a result of recent U.S. actions. The aging and able Premier Sato anticipated retiring with a safe nomination for his chosen successor, who would continue his policy of close, friendly U.S. relations.

Nixon's discourtesy, failing to consult on the China visit, and the ten per cent surcharge have changed the probabilities. It may well be that the next Japanese Diet will reflect a less conciliatory economic policy toward the U.S.

Oregon is but one of the 50 states, yet the above is of particular importance when you consider that Japan is our own bread and butter account and any diminishment in our exports could be more catastrophic here than the scrapping of the SST was to our sister state.

Let us speculate:

A new Japanese government, chafing at the surcharge and resentful of the externally forced upward revaluation of the yen, looks elsewhere for forest products. Meanwhile U.S.-China relations continue to improve and an anxious Russia begins courting the Japa-

nese as a counter-balance. Commerce is often the balm that softens old political scars and Siberian timber out of Vladivostock could make Oregon smart something awful.

To shift from possible external threats to the viability of the Oregon economy as an exporter, let us look at Oregon's largest single employer. Tektronix has established overseas manufacturing operations to avoid certain international trade restrictions. Recently, Oregon has benefited substantially in a manner not foreseen at the time Tektronix established its overseas facilities. The recent U.S. recession hit particularly hard the electronics and space industries and Tektronix's domestic sales declined sharply.

After much agonizing and several stop-gap attempts to maintain their employment in Oregon at a constant level, Tektronix's management reluctantly reduced their domestic work force this summer. The results were painful for the community, but if it were not for the over 40 per cent of total income from overseas, the employment drop would have been disastrous.

The fact that they were able to sustain people, now unemployed, as long as they did was because the overseas market held up as the domestic market went into a tailspin. Moreover, management says that their foreign operation contributes directly to domestic employment that would not exist had they no overseas manufacturing centers.

One example in this case does not equate with "one swallow not making a summer"; it does in a classic way point out the dynamics of international trade and how very important it is to Oregon, this nation, indeed, the world.

Oregon's relation to foreign trade is far more significant to this state than foreign trade is to the U.S. as a whole. Total U.S. foreign trade represents less than 6 per cent of our gross national product. Oregon's sensitive position in part reflects our poor product mix or lack of diversification. As mentioned above, it is vital to this state's economic welfare that we gain a stronger manufacturing base that multiplies employment both directly and indirectly. Oregon's 6 per cent unemployed possess to a large degree the requisite skills or the intelligence to learn skills. They should have the opportunity to work. Not all industry is terribly polluting, not all change is bad. What is bad, what is a gross pollution, is a stagnant economy that breeds despair and revolution among those who want and need work.

It behooves the Oregon Legislature, the Port of Portland and other interested parties to communicate a willingness to welcome clean industry. It is regrettable that for several years the development of an International Trade Center has been beached on the shoals of politics. The Seattle International Trade Center, a cooperative venture of the Port of Seattle and the state government, came into existence and there was subsequently an increase in port business that Oregon's principal port failed to match. This is but one example of how to create a good "climate" for trade. Another is to say, "Welcome, Mr. Manufacturer, Oregon's a great place to live and prosper. We have good workers, a clean climate, an open door to the Orient and half the world's people. We are growing up now, we know times change, if you join us we can both prosper and you can enjoy our beautiful country but of course, you must care about the quality of life as we do."

SENATOR ALLEN J. ELLENDER

Mr. INOUYE. Mr. President, I wish to join Senators in extending to our distinguished dean of the U.S. Senate my best wishes for his 81st birthday. It is only from his honored position in this body—certainly not from his appearance and demonstrated youthful vigor, that one can judge him so senior. He has the demeanor of a much more youthful man.

Senator ALLEN ELLENDER came to this body while I was still a young boy in my early teens. For more than a third of a century he has given to our Nation, through his service here, his dedicated courage and vision. He has been a major architect of many of our Nation's laws—particularly those dealing with agriculture, and has given untiringly of his energy on behalf of the people of his State in service to our Nation.

As one of the newest members of the Committee on Appropriations I particularly want to thank him for his help and for his counsel. As chairman of our committee he has demonstrated his great energy and drive in moving the business of that committee forward with dispatch.

Senator ELLENDER has established a record of which he can be justly proud and which others will gladly emulate. Despite his years he is a young man in spirit, in energy, in capacity for work and in his interest in new ideas and new experiences. These characteristics he combines with a wisdom based upon his many years of participation. He is indeed a most valuable Member of this body, and I am personally privileged to extend to him my greetings on the occasion of his birthday anniversary this year. May he be with us for many, many more.

DEATH OF WILLIAM O. COWGER, LOUISVILLE, KY.

Mr. COOPER. Mr. President, I join with my colleague from Kentucky (Mr. COOK) in expressing deep sorrow over the death of William O. Cowger of Louisville, Ky. He was a remarkable mayor of Louisville, leading that city and its people to the greatest progress achieved in any 4-year period.

In the House of Representatives in which he served 4 years—although it was a short period in time—he attracted the respect of its Members for his progressive outlook and accomplishments.

This enlightened approach to human problems—those of the people—marked him a great man as well as a great leader, and at a later date I shall endeavor to speak in more detail of his record.

In a very personal way, I found William Cowger to be one of the truest, warmest friends of my political life.

His death is a loss to all those who knew him. Our hearts go out to his children and family.

DEATH OF ADM. RICHARD HARRISON JACKSON, OF ALABAMA

Mr. ALLEN. Mr. President, on Sunday, October 3, 1971, at the age of 105, Adm. Richard Harrison Jackson, a native son of Tuscumbia, in northwest Alabama, died. Until his death he was the oldest military officer in the United States.

A much-decorated hero, Admiral Jackson's service began when sails still provided the power for most of our Navy, and he lived to see the successful use of nuclear energy for vessels of our fleet.

Alabamians, while saddened at his death, are proud of the long record of heroism and achievement which he established. His dedication to God and country should be goals which each of us should strive for.

Mr. President, I ask unanimous consent that the Navy's official biography of this distinguished Alabamian and distinguished American be printed in the RECORD along with the news story of his death as it was published in the Washington Post of October 4.

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

ADM. RICHARD H. JACKSON, U.S. NAVY, RETIRED

Richard Harrison Jackson was born in Tuscambia, Alabama, on May 10, 1866, and entered the U.S. Naval Academy, Annapolis, Maryland, on appointment of the Honorable Luke Prior of the Eighth Alabama District on June 4, 1883. Completing the four-year course in June 1887, he served the then required two years as Passed Midshipman in USS *Boston* and USS *Trenton*. When *Trenton* was wrecked in the Samoan Hurricane of March 1889 he distinguished himself by leading crewmen in manning the yards to form a human sail that allowed the ship to be beached instead of sinking with great loss of life. Not among the few selected for commissioning, he was honorably discharged from the Navy on June 30, 1889. He entered the University of Virginia Medical College that fall and was graduated the following June with the MD degree. Meanwhile, in recognition of his gallantry in Samoa, the Congress passed special legislation to commission him an Ensign in the Navy, to date from July 1, 1890. When he decided to make a career in the Navy rather in civilian medicine, he became the only officer ever to be commissioned by Special Act of Congress.

Receiving progressive promotions he attained the rank of Captain on July 11, 1915. Appointed Rear Admiral (temporary) on June 30, 1919, he was commissioned in that rank on June 3, 1921. He served in the rank of Vice Admiral from October 5, 1925 to July 24, 1926, and that of Admiral from July 24, 1926 to July 9, 1927. Transferred to the Retired List of the Navy, in the rank of Rear Admiral, upon reaching the statutory retirement age of sixty-four, on May 10, 1930, he was advanced to the rank of Admiral (the highest rank in which he had served), on the Retired List (by Congressional legislation), on June 16, 1942. He is now the oldest living graduate of the Naval Academy and the oldest living officer in any service.

After his return to the service, he was ordered on October 17, 1890, to the USS *Yorktown* in which he served as Watch and Division Officer until October 1892. He served as Assistant Inspector and later Inspector at the Midvale Steel Works, and on March 5, 1896 joined the USS *Cushing*, transferring successively to the USS *Puritan*, USS *Foote*, and USS *Gwin* before completing that period of service afloat in the spring of 1900.

In June 1900 he was ordered to the Training Station, San Francisco, California, for passage to Asiatic Station, and on July 31, joined the USS *Nashville*, in which he served for three years. He reported to the Naval Academy on October 1, 1903, for duty as an Instructor in the Department of English and Law, and on January 12, 1905, assumed command of the USS *Atlanta*, in reserve there. He served as Navigator and later as Executive Officer of the USS *Colorado* and, returning to the United States, reported on May 20, 1908 for duty as Assistant to the Inspector

of Ordnance in Charge, Naval Proving Ground, Indianhead, Maryland. He served as Inspector in Charge before his detachment in August 1909, for duty at Hampton Roads, Virginia, in connection with Atlantic Fleet target practice.

Again ordered to the Asiatic Fleet, he sailed for Manila, Philippine Islands, on November 29, 1910, serving first at the Navy Yard, Cavite, and from August 12, 1911 until September 1912 in successive command of the USS *Albany* and the USS *Helena*. He had brief duty in the Navy Department, Washington, D.C., and after serving from December 1912 to April 1913 at the Naval Academy, returned to the Navy Department for two years' duty in connection with the General Board.

On May 16, 1915 he assumed command of the USS *Virginia*. On June 2, 1917, soon after the United States entered World War I, he went to Paris, France, reporting to Commander U.S. Naval Forces Operating in European Waters, for duty as Liaison Officer with the French authorities. In March and April 1918 he had additional temporary duty in London, England, in connection with the Inter-Allied Naval Council Meeting, and served from May of that year until after the Armistice as Naval Attache, Paris.

He was awarded the Navy Cross and cited "For distinguished service in the line of his profession as Naval Attache and Liaison Officer at Paris, France," and was made an Officer of the Legion of Honor by the French Government as "Naval Attache at Paris during the most trying period, manifested great devotion to duty and the highest efficiency."

Returning to the United States, he reported on December 3, 1918 to the Office of Naval Intelligence, Navy Department, Washington, D. C., and on January 26, 1919, he reported as Senior Officer, U.S. Naval Forces in Bermuda. From April 8, until November 5, 1919, he commanded the Azores Detachment of the U.S. Fleet. The ships under his command there assisted in guarding the NC planes on the first trans-Atlantic flight. For his service to that country he was awarded the decoration of Grand Official of the Military Order of Aviz by the Government of Portugal.

After brief temporary duty with the Naval Examining Board and the Naval Retiring Board, Navy Department, he had a years' instruction at the Naval War College, and was graduated with the Class of December 1920. Thereafter, until December 1921, he had duty for a year each as a Member of the General Board, and of the Naval Retiring Board, Navy Department.

Ordered next to duty as Commander Battleship Division Six, Pacific Fleet, Admiral Jackson commanded that division, and later Division Three, of Battleship Divisions, Battle Fleet, until May 12, 1923, when he returned to Washington, D.C., for duty as Assistant Chief of Naval Operations. On August 26, 1925, he was designated Commander, Battleship Divisions, Battle Fleet, with the rank of Vice Admiral, and hoisted his flag on the USS *Maryland* on October 5. On September 4, 1926, he was appointed Commander in Chief, Battle Fleet, with the rank of Admiral, and served as such until July 1927 when he returned to the General Board in his permanent rank of Rear Admiral.

On February 4, 1930 he was ordered relieved of active duty pending his retirement on May 30, that year.

In addition to the Navy Cross and French Legion of Honor, and the Order of Aviz by Portugal, Admiral Jackson had the Spanish Campaign Medal; the Philippine Campaign Medal; the China Relief Expedition Medal; and the World War I Victory Medal with Overseas Clasp.

[From the Washington Post, Oct. 4, 1971]

ADM. R. H. JACKSON, 105, OLDEST MILITARY OFFICER

SAN DIEGO.—Retired Navy Adm. Richard Harrison Jackson, whose heroism saved a warship in 1889 and won a special commission from Congress, died yesterday at 105—the oldest military officer in the United States.

A spokesman for Balboa Naval Hospital said Jackson succumbed of heart failure. He was hospitalized two weeks ago after breaking his hip in a fall at his home.

The Alabama native, born a year after President Lincoln's assassination, was a 23-year-old midshipman aboard the Trenton when the full-rigged sailing ship foundered in a hurricane off Samoa. Using 20 seamen, Adm. Jackson rigged a human sail that allowed it to be beached instead of sinking at great loss of life.

In 1930, when retired as commander of the U.S. Battle Fleet, Adm. Jackson was 64. His wife Catherine died in 1924.

An aide and housekeeper cared for the aging admiral in recent years in a two-story house across from a golf course in Coronado, a San Diego suburb.

NUTRITION LABELING

Mr. MOSS. Mr. President, on September 8, Giant Foods, Inc., through its consumer adviser, Esther Peterson, announced a new program of nutrition labeling. The Senator from Michigan (Mr. HART) and I were hosts at a reception and news conference at the time Giant Foods introduced this innovation, because we considered this new nutrition labeling program as a very significant advance, and we felt the Senate should indicate clearly its pleasure when businesses make significant consumer protection advances.

For that reason, Mr. President, I ask unanimous consent that several articles be printed in the RECORD.

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

[From the Advertising Age, Sept. 13, 1971]

GIANT LAUNCHES LATEST "MEANINGFUL" CONSUMER MOVE: NUTRITION LABELING

(By Stanley E. Cohen)

WASHINGTON, Sept. 8.—Not every company can announce new marketing programs at a news conference and reception in the offices of the Senate commerce committee, with tv cameras grinding and with prominent senators as hosts. But not every company employs Esther Peterson as its specialist on consumer affairs.

Unusual access to top government quarters is one of the pluses which have accrued to the Giant food chain here during the past year since Mrs. Peterson left the Amalgamated Clothing Workers of America to join the chain's executive group. Giant, with 94 stores and a half billion dollar volume, is a regional chain that just makes the top 20 list in the food field, but with the addition of Esther Peterson it has become a recognized pacesetter on consumer matters, commanding official recognition that frequently upstages the industry's trade associations and leaders.

Sen. Philip Hart (D., Mich.), for example, opened today's news conference. He recalled that he first met Esther Peterson nearly a decade ago when she was supporting his truth-in-packaging bill. He said he was there to applaud Giant's new nutritional labeling program, the subject of the news conference. "It's a very significant consumer advance," the senator said. "No politicians had anything to do with it. I wish they had. Because it is a good idea." Sen. Frank Moss (D., Utah), chairman of the Senate's consumer subcommittee, joined Sen. Hart in hosting the reception.

Also assembled to help launch the chain's latest consumer project were Dr. Jean Mayer, professor of nutrition at Harvard, and former chairman of the White House conference on food, nutrition and health; James Turner, former Nader Raider, who wrote Nader's report on the Food & Drug Administration, "The Chemical Feast"; and Dr. Ogden Johnson, director, division of nutrition, Bureau of Foods, Food & Drug Administration.

The nutritional labeling experiment is the latest in a series of moves by Giant during the past year since Esther Peterson joined the company with a pledge to develop "real and meaningful programs" to implement the consumer's "right to be informed," "right to safety," "right to choose," "right to be heard," "right to redress" and "right to service." Among those moves: One of the most comprehensive unit pricing programs in the food retailing industry; extensive open dating; and aggressive efforts to respond to environmental problems, including non-polluting detergents and private brand recycled paper.

Mrs. Peterson had returned to the labor movement after serving as White House advisor on consumer affairs, and Assistant Secretary of Labor during the Johnson administration. When she took a leave of absence to join Giant a year ago, it was "on approval"—for both parties to the contract—with Giant assuring her that she would find that the best opportunities to contribute to the solution of consumer problems exist in the business community.

She said today that it has worked as Giant promised, and that both she and Giant are pleased with the way things are going. She has just officially notified the union she won't be coming back.

At the news conference today, Mr. Turner said one of the most significant things about Giant's nutritional program is that it was developed for the company by an advisory committee which draws on informed consumer representation. "It's the beginning of an important change in our economic system," Mr. Turner said. "in which consumers and retailers join together to let manufacturers know their need. We are seeing here an example of citizens coming together with business to solve problems rather than waiting for government or the court."

Esther Peterson and Giant share this view. In addition to the widely publicized consumer programs like nutritional labeling, unit pricing and open dating, Giant is quietly using its economic muscle of function as the consumer's purchasing agent in dealing with food industry sources.

It is notifying some of the biggest food, drug, vitamin and soap makers that it won't carry specific items where it feels that packaging or other factors raise questions of safety or deception. In some instances where producers resist, there are reports Giant has hinted it will run counter-ads explaining why Giant won't stock the item.

A few months ago Giant surprised the food industry by officially endorsing a move by LABEL, a group of George Washington University students, organized by John Banzhaf III, to require full ingredient labeling on foods, even though they conform to official government standards. In short order, other chains and leading industry associations announced they will voluntarily adopt new labels providing the kind of information LABEL proposed.

The nutritional labeling program announced today uses labels and posters. It provides nutritional data on labels of 10 house

brand canned foods. In addition, posters strategically located in Giant stores give similar information for 48 meat, dairy, produce and frozen food products.

The advisory committee, under Dr. Mayer, which developed the program, involved leading names from a wide range of activist consumer groups, as well as labor and professional groups, and a representative of the National Canners Assn. Mrs. Peterson said today that the committee is also working on new approaches to percentage disclosure of ingredients. She said this proved to be a more difficult problem than nutritional labeling, so it was temporarily shunted aside.

Mr. Johnson, the FDA representative on Giant's committee, said Giant's nutritional labeling program is one of six experiments which his agency is monitoring, including test programs now getting under way at Jewel, First National, Kroger and the Berkeley Co-op. He said FDA will be examining consumer reaction to the various approaches, as a basis for developing a national nutritional labeling program after the research results are in next year.

Giant's public announcement of the nutritional labeling included a half hour special on WMAL–TV, and full-page newspaper ads. Officials stressed they are not expecting miraculous public response. "It'll be a total marketing program, built around the nutritional labeling symbol," a top Giant merchandiser said. "It may not catch on with many of the older housewives," he said, "but we are looking to the long run, when younger women, who may be more sensitive to this need, will be using it."

Dr. Mayer said changing food technology creates a situation where the industry must either support educational programs like nutritional labeling, or submit to stringent government regulations which dictate food enrichment requirements.

Summing up her first year at Giant, Mrs. Peterson said she feels her experience has effectively disposed of the fear that consumerism is bad for business. "If people agree in principle," she said, "you can follow up with meaningful action."

In the same vein, she agrees that marketplace tests are often preferable to legislative action in dealing with some types of consumer problems. She cites current tests of unit pricing as an example. "If the food industry had experimented with consumer packaging problems before the battle 10 years ago," she said, "we would have done a much better job in writing the truth-in-packaging legislation."

She says Giant was right when it told her the best opportunities for dealing with consumer problems now are often inside business.

She finds the programs are good for Giant in terms of impact on the public, as well as its acceptance in government circles. "I'm beginning to experience the kinds of responses I have not had since I was in the White House," she said. "People stop me on the street or in the stores. Today at the stockholders' meeting (where Giant reported sales for its latest fiscal quarter up 14% over the comparable quarter of 1970), one man said, 'I bought Giant stock because of you'."

Giant's president, Joseph B. Danzansky (who is also president of the Washington Board of Trade, and who is currently negotiating to buy the Washington Senators baseball team), reflected the "no nonsense" attitude toward consumerism after a reporter noted the industry has frequently contended in the past that changes in labels required by government add to costs. Mr. Danzansky said the additional costs of nutritional labels "is minimal. We have to have labels anyway."

Asked why Giant adopted the nutritional he explains, adding that it would be easier for consumers to understand the nutritional content of foods with percentage labeling. Believing that "it is difficult for consumers to understand the nutritional labeling," he is concerned that educating them will be "a futile and massive problem."

Neither Dr. Mayer nor Mrs. Peterson is opposed to ingredient labeling, but Mayer says because of the "technically more difficult problem" it will require more study.

Whether the consumer accepts and utilizes the nutritional information being made available—other chains are already or soon will be testing other labeling systems—Dr. Mayer has no doubt that it eventually will become a governmental requirement, especially since more and more synthetic foods are coming to the market place. "The cost of labeling," he says, "should be nil because the information is available anyway."

The only alternative he sees is "to regulate enrichment and fortification with every type of nutrient needed in every food." His feeling is that most people find this alternative undesirable because "it is too much regulation."

In conducting this year-long test during which researchers will conduct shopper surveys Giant is making available an eight page chart listing the 58 foods and their nutritional content. It provides the nutrition-conscious shopper with some surprising information.

"An apple a day keeps the doctor away," becomes a useless myth when compared with the other fruits listed. Of vital nutrients, it offers only ½ unit of Vitamin C while watermelon offers 5 units of Vitamin A and C, ½ each of B1 and B2 and 1 of iron. Dr. Mayer says he is eating more watermelon and fewer apples because of the chart.

KALE OVER CABBAGE

Kale has far more nutritive value than cabbage, offering 8 units of Vitamin A, 6 of Vitamin C and 1 of calcium while cabbage has only 4 units of Vitamin C.

And it turns out that cheese pizza isn't such a poor nutritional value after all, having 1 unit of Vitamin A, ½ each of Vitamin B1 and 2, niacin and Vitamin C and 1 unit of calcium.

The chart also backs up the contention of all health food aficionados that beef liver is one of the most important sources of nutrients in the diet, offering 5 units of protein and Vitamin C, 10 units of Vitamins A and B2, 2 of Vitamin B1, 9 of niacin and 6 of iron. And to get all that one need eat only ¼ pound.

The reaction of a handful of shoppers to the program has been positive, but restrained. All think it is a public service, but several question whether the consumer will use it. One however, said that it was just the impetus she needed to become nutrition-oriented. "I think I could educate myself with this. I have two small children and I always mean to learn about nutrition. I will do it now."

[From the Washington Post, Sept. 9, 1971]

NUTRITIONAL LABELING PILOT PROGRAM

(By Carole Shifrin)

Washington's first pilot program in nutritional labeling of foods was started yesterday by Giant Food, Inc., in its 93 area stores.

Ten house-brand canned foods went on sale with labels designed to tell the shopper at a glance exactly how much of the average person's daily requirement of certain nutrients he is getting for his money.

Nutritional information about 48 other food items—frozen foods, meats, dairy products, baked goods, fruits and vegetables—is on posters displayed near the items.

Giant has picked out ten nutrients, including protein, vitamin A, thiamin (b1), riboflavin (B2), niacin, vitamin C, calcium,

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[From the Evening Star, Sept. 8, 1971]

READ LABELS FOR NUTRITION

Giant Foods has undertaken an ambitious and complex experimental program of educating the public about the nutritional content of various food products.

Beginning today its stores will carry nutritional labeling on 48 items: 10 products canned under their own brand name and 48 meat, dairy, bakery, produce and frozen food items.

Spearheaded by Esther Peterson, the chain's consumer advisor, a committee of nutritionists, consumers, and representatives of industry and government worked in cooperation with the FDA under the chairmanship of Dr. Jean Mayer, professor of nutrition at Harvard and chairman of the White House Council on Food, Nutrition and Health. Committee members were to meet with the press this afternoon at a briefing sponsored by Sens. Philip Hart and Frank Moss.

The system, one of six the FDA is considering in determining guidelines, lists eight of the essential nutrients that an adult needs each day and the amount of each contained in a stated portion of food. The committee has worked out a method equating 10 units of each nutrient with the recommended daily dietary allowance for adults. A rating of one unit indicates there is at least 10 percent of the recommended allowance; a rating of 5 means 50 percent. The nutrients listed are proteins, Vitamin A, Vitamin B1 (thiamin) B2 (riboflavin) and niacin, Vitamin C, calcium and iron. In addition, the grams of protein, carbohydrates and fat, plus the calorie count for each portion, are included.

A pie-shaped symbol divided into five colored wedges indicates the product contains this nutritional information.

TOO COMPLEX

When it was suggested to Dr. Mayer that the labeling scheme might be too complicated for the average consumer to understand, he said the idea did not disturb him because he sees the program as "more educational than informative." The four traditional basic food groups bear less and less relationship to the increasing number of processed foods consumed, he explained and "the consumer must be reeducated". To illustrate his point he is fond of asking "what food group is pizza?

"We are looking 15 to 20 years ahead," the nutritionist says. "If only people who are recent high school and college gradautes take advantage of the information, it would be worth it. A whole program of education in the stores, on radio and television is necessary" for the labeling scheme to work.

Helen Nelson, another member of the advisory committee who is associate director of the center for consumer affairs at the University of Wisconsin, considers the present scheme "a fairly simple procedure." It's the kind of information that "once absorbed will not have to be reabsorbed each time."

She sees an additional merit in the nutritional labeling because "it will serve to encourage the manufacturer to be cautious about reducing protein content of (processed) foods like soup and chicken pot pie. I think it will put a floor under the deterioration of quality in complex foods" the economist says.

Consumer author and committee member, Sidney Margolius, is not so sure. Margolius and several committee members "had been fighting for percentage labeling of ingredients" because nutrition labeling "might lead to economic deception."

INGREDIENT LABELING

In order to have foods of sufficient nutritional value, Margolius thinks manufacturers

iron, carbohydrates, and fat, for its labeling program.

Dr. Jean Mayer, professor of nutrition at Harvard University and chairman of Giant's nutritional labeling advisory committee, said yesterday that listing all the vitamins and minerals available in foods would have been impossible. "If you eat a varied diet, balanced in remiss too seriously on the others," he assured.

Giant's system of providing nutritional information is somewhat different from other programs being tested in markets throughout the country. Instead of telling the consumer that a serving of the food will provide a certain percentage of the recommended dietary allowance of a vitamin or mineral, Giant has placed the nutrients on a scale of 10.

Getting 10 units of Vitamin C in a serving of a food, for instance, would mean that the consumer would have all he needed of that vitamin for the day. Getting 3 units of the vitamin would mean he was receiving 30 per cent of the recommended dietary allowance.

This is what a consumer can expect to find:

The label on Giant's "California tomato juice" tells consumers they should eat a variety of foods in order to obtain a total of 10 units of each nutrient listed.

Then it lists the units of each nutrient available in a 6-ounce serving of the tomato juice:

Protein	—
Vitamin A	3
Thiamin (B1)	½
Riboflavin (B2)	—
Niacin	½
Vitamin C	4
Calcium	—
Iron	½

In addition, it tells consumers the serving contains 2 grams of protein, 8 grams of carbohydrates, no grams of fat, and 35 calories.

This means that by drinking six ounces of the tomato juice, the consumer gets 30 per cent of the vitamin A he needs that day, 40 per cent of the vitamin C, and 5 per cent of the thiamin, niacin, and iron. He gets no protein, no riboflavin, and no calcium from the juice.

"The label says what is in that product as well as what is not there," Esther Peterson, consumer adviser to the president of Giant Food, pointed out.

Giant's program—which is an experiment, they say—is one of six being tested in markets around the nation. All the programs are being watched closely by the Food and Drug Administration, which has said it would eventually like to see some form of uniform nutritional labeling system adopted throughout the nation. Dr. Ogden Johnson, director of the Division of Nutrition of the FDA's Bureau of Foods and a member of the Giant advisory committee, said yesterday the programs vary a great deal.

The program run by the Jewel Co. in Illinois, for instance, uses percentages of daily requirements of nutrients. First National in Boston is using words to tell the consumer a product is a "good" or "excellent" source of the nutrients listed. A program run by Co-op Markets in California is more complicated and comprehensive.

The FDA is trying to evaluate consumer response to each of the programs by interviewing shoppers in the markets to see whether they undertsand and use the labeling information. The FDA expects to have by April of next year enough information to determine which program is the best.

[From the Daily News, Sept. 9, 1971]

STORES TELL NUTRIENT CONTENT: GIANT STEP TAKEN ON FOOD LABELS

(By Ann McFeatters)

Giant Food, Inc., a 94-store food chain here, today began showing shoppers some of its products aren't very nutritious.

Giant, which operates from Richmond to Baltimore swung its long-awaited nutrition labeling program into operation by listing either on the label or an accompanying poster the amount of nutrients in an average serving of 58 items.

For example, one-half cup of Giant's canned Cling peaches, the same as most brands, supplies 10 per cent of the vitamin A each person needs a day and 5 per cent of the vitamin C, plus 26 grams of carbohydrates and 100 calories. But the peaches supply no protein, thiamin, riboflavin, niacin, calcium or iron which are also required for a good daily diet.

BALANCED DIET

The shopper is supposed to check different categories of food and buy enough of the proper food groups to provide a balanced diet.

Eventually the Food and Drug Administration, which worked closely with Giant, hopes consumers across the country will be able to tell at a glance the nutritional value of what they're eating.

Experiments similar to Giant's, announced last February, have or will be undertaken by Jewell Companies in the Midwest, First National Stores in Boston, a co-op system in Berkeley, Calif., Kroger Food Stores and by Consumer Research Institute in projects in Bridgeport, Conn., and Atlanta.

RESULTS BY APRIL

Dr. Ogden Johnson, FDA nutrition director, predicted results of these various experiments should be known by April. The FDA then will choose a labeling system for nationwide use.

Sen. Philip Hart, D-Mich., a leading consumer advocate in Congress, called the Giant program a "significant consumer advance." But he said it would be "unrealistic" to expect Congress to pass laws for nutritional labeling, which some congressmen want. Voluntary approaches would be better and Congress wouldn't know enough about setting up such a program, he said.

Esther Peterson, former President Johnson's consumer adviser for three years and now Giant's consumer adviser, says consumers are "nutritionally illitreate" mostly from lack of information at the stores. She has called for a nationwide nutritional education program and disagrees with skeptics who say consumers won't use the information.

COSTS "MINIMAL"

Giant President Joseph Danzansky said the cost of the labeling is "minimal."

The Giant program was worked out by a government-business-consumer committee. It included Dr. Jean Mayer, Harvard University nutritionist and chairman of the White House Conference on Food, Nutrition and Health, and Jim Turner, author of the Ralph Nader critique of the FDA, "The Chemical Feast."

Dr. Mayer said nutritional labeling is essential because:

Food undergoes so much processing—frozen french fries replace fresh potatoes, frozen spinach souffle replaces fresh spinach, textured vegetable proteins will replace $5 billion worth of meat by 1980.

The traditional patterns in which people have fed themselves have changed—40 per cent of all meals are eaten outside the home and many eaten inside are snacks only.

He said the next step must be percentage ingredient labeling so the shopper can tell at a glance what ingredients are in a product and in what amounts—how much sugar, how much water, how much salt, how much chemical.

But a government-business-consumer committee working on percentage labeling says the food industry is opposed to the idea. And the FDA director of the bureau of foods said the FDA is not interested in it now.

JUSTICE TOM C. CLARK AWARD TO OLNEY B. OWEN

Mr. COOPER. Mr. President, on June 3, 1971, the Honorable Olney B. Owen, Chief Benefits Director, Veterans' Administration, of the national office in Washington, received the "Justice Tom C. Clark Award" for 1971. I am very proud that Olney Owen is a Kentuckian and that he started his remarkable career with the Veterans' Administration in Louisville, Ky. But beyond the personal gratification and joy that all of us who have known Olney for so many years have for his deserved recognition, it is the fact that he has been honored for his loyal service to the Veterans' Administration and his devotion to the needs of our veterans, their dependents, and beneficiaries.

The award makes us remember also the great service of Justice Tom C. Clark as a member of the U.S. Supreme Court, and that he has maintained his deep interest in career lawyers in Federal Government and for so many worthy causes of our country.

I ask unanimous consent to have printed in the RECORD the commendation and certificate of award received by Olney B. Owen.

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

COMMENDATION

This certificate is awarded to Olney B. Owen in recognition of his contributions to the Veterans Administration as Chief Benefits Director. Under his leadership, improvements have been achieved in each program of the Department of Veterans Benefits. In addition he and his program advisors developed a legislative program that was highly responsive to the needs of veterans, their dependents, and beneficiaries. These accomplishments led to his nomination by the agency for the 1971 Justice Tom C. Clark award for outstanding career lawyers in the Federal Government.

Given at Washington, D.C. this 3rd day of June, 1971.

DONALD E. JOHNSON,
Administrator of Veterans' Affairs.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

MILITARY PROCUREMENT AUTHORIZATIONS, 1972

The PRESIDENT pro tempore. Under 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.

AMENDMENT NO. 430

THE PRESIDENT pro tempore. On the pending amendment, amendment No. 430, there is a limitation of debate of 3 hours.

The assistant legislative clerk proceeded to read the amendment.

The PRESIDENT pro tempore. Without objection, the text of the amendment will be printed in the RECORD.

The amendment is as follows:

TITLE VI—PAY INCREASES FOR CERTAIN PAY GRADES OF THE UNIFORM SERVICES

SEC. 601. (a) That portion of the pay table contained in section 203(a) of title 37, United States Code, relating to the pay of commissioned officers in pay grades O–5, O–4, O–3, and O–2, with four years of service or less, is amended as set forth below together with pay grade designations and appropriate hearings from such table:

"COMMISSIONED OFFICERS

"Pay grade	"Years of service computed under sec. 205		
	2 or less	Over 2	Over 3
O–5	$922.20	$980.70	$1,047.90
O–4	825.00	867.60	914.40
O–3 [1]	738.90	772.50	789.90
O–2 [1]	674.10	706.80	748.20"

(b) That portion of the pay table contained in section 203(a) of title 37, United States Code, relating to the pay of commissioned officers in pay grade O–1, is amended as set forth below together with the pay grade designation and appropriate headings from such table:

"COMMISSIONED OFFICERS

"Pay grade	"Years of service computed under section 205				
	2 or less	Over 2	Over 3	Over 4	Over 6
O–1 [2]	$593.10	$629.79	$653.40	$653.40	$653.40
	Over 8	Over 10	Over 12	Over 14	Over 16
O–1 [2]	$653.40	$653.40	$653.40	$653.40	$653.40
	Over 18	Over 20	Over 22	Over 26	Over 30
O–1 [2]	$653.40	$653.40	$653.40	$653.40	$653.40".

(c) That portion of the pay table contained in section 203(a) of title 37, United States Code, relating to the pay of commissioned officers who are in pay grade O–1 with fourteen years of service or less, and who have been credited with over four years' active service as enlisted members, is amended as set forth below together with pay grade designation and appropriate headings from such table:

"COMMISSIONED OFFICERS WHO HAVE BEEN CREDITED WITH OVER 4 YEARS' ACTIVE SERVICE AS ENLISTED MEMBERS

"Pay grade	"Years of service computed under section 205				
	Over 4	Over 6	Over 8	Over 10	Over 12
O–1	$653.40	$679.20	$702.90	$724.50	$747.30"

(d) That portion of the pay table contained in section 203(a) of title 37, United States Code, relating to the pay of warrant officers in the pay grade of W–1, with two or less years of service, is amended by striking out "441.90" and inserting in lieu thereof "465.60".

(e) The pay tables contained in section 203(a) of title 37, United States Code, relating to the pay of enlisted members are amended to read as follows:

"ENLISTED MEMBERS

"Pay grade	"Years of service computed under section 205				
	2 or less	Over 2	Over 3	Over 4	Over 6
E–9 [1]					
E–8					
E–7	$443.40	$478.50	$496.20	$513.60	$531.30
E–6	392.10	417.90	435.00	453.00	470.40
E–5	359.70	378.60	393.90	409.80	426.90
E–4	333.60	351.30	368.70	389.40	405.00
E–3	320.10	336.60	351.00	367.20	367.20
E–2	306.90	306.90	306.90	306.90	306.90
E–1	291.00	291.00	291.00	291.00	291.00
	Over 8	Over 10	Over 12	Over 14	Over 16
E–9 [1]		$756.90	$774.30	$792.00	$809.70
E–8	$635.10	652.80	670.20	687.90	705.30
E–7	548.10	565.50	583.50	609.60	626.70
E–6	487.50	505.20	531.30	548.10	565.50
E–5	444.00	461.70	478.50	487.50	587.50
E–4	405.00	405.00	405.00	405.00	405.00
E–3	367.20	367.20	367.20	367.20	367.20
E–2	306.90	306.90	306.90	306.90	306.90
E–1	291.00	291.00	291.00	291.00	291.00
	Over 18	Over 20	Over 22	Over 26	Over 30
E–9 [1]	$827.70	$843.90	$888.60	$975.00	$975.00
E–8	722.10	740.10	783.60	870.90	870.90
E–7	644.10	652.80	696.90	783.60	783.60
E–6	574.50	574.50	574.50	574.50	574.50
E–5	487.50	487.50	487.50	487.50	487.50
E–4	405.00	405.00	405.00	405.00	405.00
E–3	367.20	367.20	367.20	367.20	367.20
E–2	306.90	306.90	306.90	306.90	306.90
E–1	291.00	291.00	291.00	291.00	291.00

[1] While serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is $1,185 regardless of cumulative years of service computed under section 205 of this title."

SEC. 602. The table contained in section 403(a) of title 37, United States Code, relating to basic allowance for quarters, is amended by striking out

"E–4 (Over 4 years' service) 81.60 121.50"

and inserting in lieu thereof the following:

"E–4 (Over 4 years' service) 86.10 126.90".

SEC. 603. Section 3 of the Dependents Assistance Act of 1950 (50 App. U.S.C. 2203) is amended to read as follows:

"SEC. 3. For the duration of this Act, section 403(a) of title 37, United States Code is amended by striking out that part of the table which prescribes monthly basic allowances for quarters for enlisted members in pay grades E–1, E–2, E–3, and E–4 (four years' or less service) and inserting in lieu thereof the following:

"E–4 (4 years' or less service)	$86.10	$126.90
E–3	76.20	114.00
E–2	70.20	105.00
E–1	60.00	105.00".

SEC. 604. The amendments made by this title shall become effective on November 16, 1971.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time not be taken from either side.

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

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr ALLOTT. Mr. President, I yield myself such time as I may use.

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

Mr. ALLOTT. Mr. President, the Senate is about to vote on my amendment No. 430 concerning military pay.

The vote will be a second emphatic Senate endorsement of an idea whose time has come. This idea is that we must respect our military men and women, and we must demonstrate this respect by paying them at a respectable rate.

The purpose of the amendment is to bring spending for military pay increases back up to the level voted by the Senate 51 to 27 on June 8. It will restore to the men in the lower ranks the increases that were eliminated by the draft bill conference committee. It will bring military pay into line with the pay schedules I outlined under the category "Suggested compromise" in my Senate remarks on September 13. These new rates will go into effect November 16. Relevant details of the various pay plans we have considered this year are contained in tables following.

Amendment No. 430 was prepared at my request by professionals in the Department of Defense. This guarantees that the compensation schedules are internally valid. That is, they, avoided, by reason of that professional assistance, inversions in pay.

THE SUPPORT FOR AMENDMENT 430

This amendment has the full and reiterated support of the President of the United States. Both he and Mr. George Shultz, the Head of the Office of Management and Budget, desire and expect the amendment to be passed.

The Department of Defense has strongly endorsed this amendment. In addition, I have a commitment for this amendment from the distinguished chairman of the Senate Committee on Armed Services (Mr. STENNIS) which was done at the time just prior to the passage of the draft bill.

Mr. President, it is easy to understand the widespread support for this amendment.

The President recognizes that the amendment is a necessary step toward achieving his great goal of making a prompt and orderly transition to an all-volunteer armed force.

Senators know from their mail that simple justice demands that we begin to provide decent pay for the men in the lower ranks. I know that every Senator receives a lot of very moving and dismaying mail describing the hardships of the life lived by military families who must subsist on what we pay the lower ranks.

The pay raise that was passed as part of the draft extension bill was defended

on the ground that it virtually eliminates military personnel from welfare.

Mr. President, that is not good enough. I do not think any Senator is satisfied with pay provisions which are so disrespectful of the military. The military profession is among the most honorable in our society. Yet we continue to degrade it by actually forcing military men and women to draw welfare.

In addition, the condition of our men overseas is especially deplorable. Consider the plight of the military people and their dependents in Germany. For some while the German mark has been floating up in value, the dollar floating down; serious inflation continues in Germany and nobody has "frozen" German prices and rents.

Let us not flinch from the facts. There are Americans, at home and overseas, who face grinding poverty because they are in the service of their country. And the poverty is inflicted as a matter of policy by the country they are serving.

We are told that the recent military pay raise was a large one, and that is true. But that does not mean that amendment 430 is not needed.

On the contrary, it is some measure of the glaring inadequacy of our record regarding military pay that we can pass such a substantial amendment and find that we are still not paying our military men and women enough to get all of them off welfare.

It goes without saying that we are not yet paying the men in the lower ranks at a rate comparable to the earnings of their peers in similar civilian positions. And needless to say, this makes the armed services extremely uncompetitive when it comes to attracting young people who are beginning careers.

Mr. President, the matter of military manpower policy has received uncommonly thorough examination in the Senate this year. As a result of this fit and proper treatment, the Congress and the administration have reached remarkable accord on what was, just a few months ago, a controversial subject.

Specifically, there is broad agreement on four points. They are the following:

First. Military compensation, and especially compensation for the men in the lower ranks, is not what it ought to be, and has been inadequate for many years.

Second. Improved compensation—in the form of basic pay and various allowances—is the key to attempting an orderly and prompt transition to an all-volunteer armed force.

In fact, Mr. President, in my opinion, a revision of the present pay schedule is absolutely necessary if we are even to think in terms of pride to achieve an all-volunteer armed force.

Third. Such an attempt is greatly desired by the overwhelming majority of Americans.

Fourth. Even those who do not favor an all-volunteer armed force do recognize that simple justice demands that we pay our soldiers at a rate comparable to pay for comparable civilian employment.

I do not need to call to the attention of the Senate the alarming and discouraging reports of declining morale in the armed forces. The recent uncertainty about desperately needed pay raises has only aggravated this condition.

I do not need to remind the Senate that the unfortunate delay of the draft bill, with its flawed but necessary pay increases, handicapped the Armed Forces during the peak summer recruiting season. Prompt enactment of my amendment will do much to strengthen the Armed Forces' recruiting efforts.

The reasons for this delay are well known, and do not need recounting here. The basic point is that on June 8, the Senate voted 51 to 27 to raise military pay in accordance with the recommendations of the President's Commission on an all-volunteer armed force—the so-called Gates Commission Report. This vote was an historic step toward equitable treatment for the military, and toward ending the draft.

Earlier the House of Representatives also had voted for military pay increases, costing approximately what the Senate plan would have cost—$2.7 billion. The conference committee that met to iron out the differences between the two versions cut the total by more than $300 million under what either House wanted to spend. These cuts came, unfortunately, at the expense of those who both Houses most wanted to help—the men in the lower ranks. Amendment 430 will correct this unfortunate result by putting $381.1 million back into the pay for the lower ranks.

The conference decided the new pay rates it favored should become effective on October 1. The fiscal year 1972 cost of that conference compromise—October through June—would have been $1.8 billion. But with amendment 430 and a mid-November effective date, our spending for pay increases will promote the basic goals of the original Allott amendment and will cost less—only approximately $1.7 billion from mid-November 1971—at the end of the wage price "freeze"—through June 30, 1972. Thus we can adopt as of now more equitable pay rates; we can take a giant step toward ending the draft; and we can do this while spending less money than we agreed to spend just a few weeks ago when we adopted the draft bill conference report.

These, then, are the facts.

On June 8 the Senate voted resoundingly for spending for military pay increases at a level of $2.768 billion on an annualized basis. My amendment will bring new spending for pay increases to $2.747 billion on an annualized basis, which is of course lower.

On June 8 some Senators voted against substantial pay raises because they and the President had doubts as to whether we could afford it. For the rest of fiscal 1972, costs of pay increases, including those continued in my amendment, will be $1.717 billion—a billion dollars less than the Senate originally voted to spend.

WHY AMENDMENT 430 IS NEEDED

In establishing a sense of the issues and stakes in the dispute about military pay, it is useful to consider this question. After two decades of neglect of the men in the lower ranks; with morale in the lower ranks suffering; with the public urgently and properly anxious to make the transition to an all-volunteer armed force—with these conditions obtaining, is it reasonable to believe that today generals deserve larger pay raises than privates?

All those who think that is unreasonable should reaffirm the Senate's judgment of June 8 by supporting amendment 430.

Mr. President, so that all Senators can have before them the relevant facts about the various military pay plans that have been before Congress this year, including the pending amendment, I ask unanimous consent to have printed in the RECORD at this point the following tables:

First. A breakdown of the cost of amendment 430.

Second. A comparison of the total costs of the final administration House and Senate pay plans, and the cost of the pay plan devised by the draft bill conference committee and supplemented by amendment 430.

Third. Basic pay comparisons between the original Senate plan, the plan devised by the draft bill conference committee and supplemented by amendment 430; the original House plan, pay rates presently in effect, and the number of persons affected in each pay grade.

Fourth. A comparison of average regular military compensation under the rates presently effective, the original House and Senate plans, the plan devised by the draft bill conference committee, and the conference committee plan supplemented by amendment 430.

Fifth. Comparison of the original House and Senate plans, and draft bill conference committee's plan supplemented by amendment 430, as regards drill pay for reservists and National Guardsmen.

Sixth. Comparison of BAQ rates under the plan devised by the draft bill conference committee, and under that plan as supplemented by amendment 430.

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

TABLE 1.—*Fiscal year 1972 cost of amendment 430 (Nov. 16, 1971—June 30, 1972)*

	Million
Basic pay	$225.4
Dependents Assistance Act	11.7
Basic allowance for quarters	1.1
Basic allowance for subsistence	0
Enlistment bonus	0
Recruiter expenses	0
Optometrists	0
DAA reservists	0
Total	238.2

TABLE 2.—COMPARISON OF THE COST OF THE ORIGINAL HOUSE AND SENATE PLANS; THE PLAN ADOPTED BY THE DRAFT BILL CONFERENCE COMMITTEE; THE DRAFT LAW PLAN AS SUPPLEMENTED BY AMENDMENT 430

[Based on 2,553,000 average force as stipulated by the Senate and as accepted in conference]

				Draft bill		New draft law increases as supplemented by amendment 430	
	Administration	House (annual total)	Senate (annual total)	Conferees agreement (annual total)	Conferees agreement (cost from Oct. 1)	Annual cost	Cost from mid-November
Basic pay	900.9	1,811.2	2,646.2	1,811.2	1,358.4	2,171.8	1,357.4
Dependents Assistance Act	78.4	182.7	78.4	105.1	[1] 105.1	123.8	77.4
Basic allowance for quarters	0	635.1	0	406.6	305.0	408.4	255.2
Basic allowance for subsistence	0	37.5	0	0	0	0	0
Enlistment bonus	40.0	0	40.0	20.0	[1] 20.0	20.0	12.4
Recruiter expenses	2.9	2.9	2.9	2.9	[1] 2.9	2.9	1.8
Optometrists	0	.5	.6	.6	.5	.6	.4
DAA Reservists	20.0	20.0	0	20.0	14.9	20.0	12.4
Total	1,042.2	2,689.9	2,768.1	2,366.4	1,806.8	2,747.5	1,717.0

[1] Retroactive to July 1.

TABLE 3.—BASIC PAY COMPARISONS BETWEEN ORIGINAL SENATE PLAN FOR INCREASES; RATES ACHIEVED WITH THE ALREADY VOTED PAY INCREASE PLAN AMENDMENT 430; THE ORIGINAL HOUSE PLAN; AND PRESENT RATES (BEFORE THE RAISE IN THE DRAFT LAW BECOMES EFFECTIVE)

Pay grade and plan	Under 2	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14
O-5: Lieutenant colonel-commander:									
Senate plan	$941.40								
New rates with No. 430	$942.20								
House plan	$834.60								
Present	$834.60								
Number	0								
O-4: Major-lieutenant commander:									
Senate plan	$834.20	$886.80							
New rates with No. 430	$825.00	$867.60							
House plan	$704.10	$856.50							
Present	$704.10	$856.50							
Number	0	0							
O-3: Captain-lieutenant:									
Senate plan	$758.10	$791.70	$809.10						
New rates with No. 430	$738.90	$772.50	$789.90						
House plan	$654.30	$731.10	$781.20						
Present	$654.30	$731.10	$781.20						
Number	781	2,343	15,253						
O-2: 1st lieutenant-lieutenant (jg.):									
Senate plan	$693.30	$726.00							
New rates with No. 430	$674.10	$706.80							
House plan	$570.30	$622.80							
Present	$524.40	$622.80							
Number	13,726	26,103							
O-1: 2d Lieutenant-ensign:									
Senate plan	$612.30	$648.90	$672.60						
New Rates with No. 430	$593.10	$629.70	$653.40						
House plan	$495.00	$515.40	$622.80						
Present	$450.60	$499.20	$622.80						
Number	33,511	2,821	2,828						
O-1E: O-1 with 4 years previous enlisted service:									
Senate plan				$672.60	$698.40	$722.10	$743.70	$766.50	$790.50
New rates with No. 430				$653.40	$679.20	$702.90	$724.50	$747.30	$773.10
House plan				$622.80	$665.10	$690.00	$714.60	$739.80	$773.10
Present				$622.80	$665.10	$690.00	$714.60	$739.80	$773.10
Number				9	121	193	162	274	293
W-2: Chief warrant-commissioned warrant:									
Senate plan	$544.10	$576.60	$576.60						
New rates with No. 430	$530.40	$573.60	$573.60						
House plan	$530.40	$573.60	$573.60						
Present	$530.40	$573.60	$573.60						
Number	21	924	851						
W-1: Warrant officer:									
Senate plan	$484.80	$517.20	$517.20						
New rates with No. 430	$465.60	$507.00	$507.00						
House plan	$441.90	$507.00	$507.00						
Present	$441.90	$507.00	$507.00						
Number	949	558	109						
E-7: Sergeant 1st class-chief petty officer:									
Senate plan	$445.80								
New rates with No. 430	$443.40								
House plan	$443.40								
Present	$399.00								
Number	5								
E-6: Staff sergeant-petty officer, 1st class:									
Senate plan	$411.30	$431.70	$448.80	$463.20	$480.30	$497.40	$514.20		
New rates with No. 430	$392.10	$417.90	$435.00	$453.00	$470.40	$487.50	$505.20		
House plan	$382.80	$417.90	$435.00	$435.00	$470.40	$487.50	$505.20		
Present	$344.10	$417.90	$435.00	$435.00	$470.40	$487.50	$505.20		
Number	180	911	1,051	6,813	17,358	24,347	30,821		
E-5: Sergeant-petty officer, 2d class:									
Senate plan	$378.90	$397.80	$413.10	$429.00	$446.10	$462.90	$479.70	$496.80	$505.50
New rates with No. 430	$359.70	$378.60	$393.90	$409.80	$426.90	$444.00	$461.70	$478.50	$487.50
House plan	$336.30	$366.00	$383.70	$400.50	$426.60	$444.00	$461.70	$478.50	$487.50
Present	$297.30	$366.00	$383.70	$400.50	$426.60	$444.00	$461.70	$478.50	$487.50
Number	38,331	63,262	74,315	79,211	50,229	28,368	24,214	15,497	57,706
E-4: Corporal-petty officer, 3d class:									
Senate plan	$352.80	$370.50	$387.90	$405.30	$421.20	$430.20			
New rates with No. 430	$333.60	$351.30	$368.70	$389.40	$405.00	$405.00			
House plan	$323.40	$341.40	$361.20	$389.40	$405.00	$405.00			
Present	$249.90	$312.90	$330.90	$356.70	$374.40	$374.40			
Number	243,071	174,196	118,420	27,785	8,910	8,700			
E-3: Private-1st class-seaman:									
Senate plan	$336.90	$353.40	$367.80	$384.00	$392.40				
New rates with No. 430	$320.10	$336.60	$351.00	$367.20	$367.20				
House plan	$311.10	$328.20	$341.10	$354.60	$354.60				
Present	$180.90	$252.30	$269.70	$287.40	$287.40				
Number	292,749	55,928	16,709	6,445	2,453				

Pay grade and plan	Under 2	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14
E–2 private-seaman apprentice:									
Senate plan	$320.70	$336.60	$353.70						
New rates with No. 430	$306.90	$306.90	$306.90						
House plan	$299.10	$299.10	$299.10						
Present	$149.10	$208.80	$208.80						
Number	219,692	9,752	2,225						
E–1 (over 4): Recruit-seaman recruit:									
Senate plan	$310.80	$326.40							
New rates with No. 430	$291.00	$291.00							
House plan	$268.50	$268.50							
Present	$143.70	$191.10							
Number	40,083	3,300							
E–1 (under 4): Recruit-seaman recruit:									
Senate plan	$301.50								
New rates with No. 430	$291.00								
House plan	$268.50								
Present	$134.40								
Number	89,928								

TABLE 4.—COMPARISON OF AVERAGE REGULAR MILITARY COMPENSATION [1]

	House plan	Senate plan	Draft law conferees agreement	New draft law rates supplemented by amendment 430	Present (Jan. 1, 1971) rates		House plan	Senate plan	Draft law conferees agreement	New draft law rates supplemented by amendment	Present (January 1, 1971) rates
Pay grade—											
O–10	$43,872	$40,827	$42,725	$42,725	$40,827	W–3	$14,537	$13,097	$14,023	$14,023	$13,097
O–9	39,169	36,319	38,107	38,107	36,319	W–2	12,299	11,108	11,859	11,859	11,104
O–8	35,772	33,042	34,751	34,751	33,042	W–1	10,138	9,195	9,738	9,814	9,033
O–7	31,654	29,065	30,689	30,689	29,065	E–9	14,919	13,417	14,392	14,392	13,417
O–6	27,197	24,850	26,389	26,389	24,850	E–8	12,812	11,571	12,334	12,334	11,571
O–5	21,821	19,796	21,122	21,122	19,796	E–7	11,063	9,980	10,634	10,634	9,980
O–4	18,234	16,527	17,630	17,630	16,527	E–6	9,550	8,647	9,160	9,160	8,611
O–3	15,025	13,591	14,501	14,536	13,516	E–5	7,691	7,248	7,356	7,445	6,889
O–2	11,474	11,138	11,045	11,754	10,166	E–4	6,457	6,329	6,189	6,363	5,253
O–1	8,985	9,611	8,659	9,782	7,807	E–3	5,893	5,831	5,663	5,850	3,931
W–4	17,653	16,088	17,074	17,074	16,088	E–2	5,484	5,530	5,311	5,488	3,345
						E–1	5,036	5,320	4,872	5,150	3,165

[1] Regular military compensation is defined as basic pay, basic allowances for quarters, basic allowances for subsistence and the tax advantage which accrues because the allowances are not subject to Federal income tax.

TABLE 5.—EFFECT OF PAY PROPOSALS ON DRILL PAY FOR RESERVISTS AND NATIONAL GUARDSMEN

Longevity	Present drill pay for 1 weekend drill (MUTA–4)	House plan	Senate plan	New rates supplemented by amendment 430
Pay grade—				
O–3 Under 2 years	$87.24	$87.24	$101.08	$98.52
O–2 do	69.92	76.04	92.44	89.88
O–1 do	60.08	66.00	81.64	79.08
E–7 do	53.20	59.12	59.44	59.12
E–6 do	45.88	51.04	54.84	52.28
E–5 do	39.64	44.84	50.52	47.96
E–4 do	33.32	43.12	47.04	44.48
E–3 do	24.12	41.48	44.92	42.68
E–2 do	19.88	39.88	42.76	40.92
E–1 do	19.16	35.80	41.44	38.80
E–1 Under 4 months	17.92	35.80	40.20	38.80

TABLE 6.—COMPARISON OF BAQ RATES—CONFERENCE AGREEMENT IN THE DRAFT LAW; AND THOSE RATES SUPPLEMENTED BY AMENDMENT 430

Pay grade—	Without dependents		With dependents		Pay grade—	Without dependents		With dependents	
	Conference agreement	Supplemented by amendment 430	Conference agreement	Supplemented by amendment 430		Conference agreement	Supplemented by amendment 430	Conference agreement	Supplemented by amendment 430
O–10	$230.40	$230.40	$288.00	$288.00	W–2	$137.10	$137.10	$173.70	$173.70
O–9	230.40	230.40	288.00	288.00	W–1	123.90	123.90	160.80	160.80
O–8	230.40	230.40	288.00	288.00	E–9	130.80	130.80	184.20	184.20
O–7	230.40	230.40	288.00	288.00	E–8	122.10	122.10	172.20	172.20
O–6	211.80	211.80	258.30	258.30	E–7	104.70	104.70	161.40	161.40
O–5	198.30	198.30	238.80	238.80	E–6	95.70	95.70	150.00	150.00
O–4	178.80	178.80	215.40	215.40	E–5	92.70	92.70	138.60	138.60
O–3	158.40	158.40	195.60	195.60	E–4	81.60	86.10	121.50	126.90
O–2	138.60	138.60	175.80	175.80	E–3	72.30	76.20	105.00	114.00
O–1	108.90	108.90	141.60	141.60	E–2	63.90	70.20	105.00	105.00
W–4	172.50	172.50	207.90	207.90	E–1	60.00	60.00	105.00	105.00
W–3	155.40	155.40	191.70	191.70					

Mr. ALLOTT. These tables—and especially table 2—reveal that in compromising the basic pay differences between the original House and Senate pay plans, the conference committee on the draft bill took the low House figure, and did not give the Senate a single dollar. As the following chart reveals, E–1's, E–2's, E–3's, E–4's, O–1's, and O–2's received less total compensation than they would have under either the House or the Senate version.

I ask unanimous consent that a chart designated as table 7 be printed in the RECORD at this point.

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

TABLE 7.—COMPARISON OF AVERAGE REGULAR MILITARY COMPENSATION

Pay grade	House plan	Senate plan	Conference compromise in the draft law
O–10	$43,872	$40,827	$42,725
O–9	39,169	36,319	38,107
O–8	35,772	33,042	34,751
O–7	31,654	29,065	30,689
O–6	27,197	24,850	26,389
O–5	21,821	19,796	21,122
O–4	18,234	16,527	17,630
O–3	15,025	13,591	14,501
O–2	11,474	11,138	[1] 11,045
O–1	8,985	9,611	[1] 8,659
W–4	17,653	16,088	17,074
W–3	14,537	13,097	14,023
W–2	12,299	11,108	11,859
W–1	10,138	9,195	9,738
E–9	14,919	13,417	14,392
E–8	12,812	11,571	12,334
E–7	11,063	9,980	10,634
E–6	9,550	8,647	9,160
E–5	7,691	7,248	7,356
E–4	6,457	6,329	[1] 6,189
E–3	5,893	5,831	[1] 5,663
E–2	5,484	5,530	[1] 5,311
E–1	5,036	5,320	[1] 4,872

[1] Conference compromise falls below both House and Senate versions.

Mr. ALLOTT. It will be noted that under the House plan, and O–1, for example, would have received $8,985; under the Senate plan, he would have received $9,611; and under the conference compromise, $8,659, or about $950 less a year than he would have received under the Senate plan.

And in the enlisted ranks, for example, on an E–4, under the House plan, he would have received $6,457; under the Senate, $6,329; and under the conference report, $6,189. So, from a comparison of the figures in table 7, it will be seen that the conference compromise, for E–1's, E–2's, E–3's, and E–4's, and for O–1's and O–2's, fell under the amount fixed in the House bill and under the amount fixed in the Senate bill.

The significance of this is clear. The privates and corporals and sergeants and lieutenants—those who have been shortchanged again and again and again in pay raises dating back to World War II—were the only losers. A private first class received less of a raise than a one- or two-star general.

As you can see by table 2—above—the pay increases in the new draft law involve over $323.5 million less on an annualized basis than either House voted, and $401.7 million less than the Senate voted. This is particularly important to note because the cuts come from the paychecks of our first-termers. Only the E–1's through E–4's and O–1's and O–2's received less in average regular military compensation than either the House or Senate passed. It is these men, and these men alone, who suffered from the conference compromise on the draft bill. The restoration of that money, as proposed by my amendment 430, returns to them the compensation they have lost since the draft bill first left the floor of the Senate.

Mr. President, there is no mystery about why the conference committee did the kind of economizing it did. All economizing is an attempt to save money. That is a noble objective—until it leads us to consistently take the savings out of the pocketbooks of those who can least afford it.

What is most striking now is how unnecessary and self-defeating this type of economizing is. Consider the facts as they stand today, after much delay, and in the middle of a wage-price freeze.

The Department of Defense has planned all along to spend $2.7 billion in pay increases, but over a 2-year period. The spending for the remainder of fiscal year 1972 should be the focus of our interest because DOD's announced intention is to reach the $2.7 billion level of pay increases in a two-step period, the second step coming in fiscal year 1973. Remember that one of the central reasons for making the $2.7 billion increase in one step was to give us a more decisive, dramatic and informative test of the usefulness of decent pay as an incentive for volunteers.

Remember that the "savings" exacted from the paychecks of the lowest ranks almost certainly will be false savings, because they will have costs—economic and otherwise—which stem from delay in achieving the more efficient volunteer armed force. Remember that the administration budgeters originally planned for the administration's proposed $1.049 billion increase to become effective May 1. Thus the delay in passing the draft bill, and the wage-price freeze mean that there has been an unanticipated windfall for the Government involving a 6½-month saving.

Remember these facts. And then consider the following one point, which demonstrates that we can afford amendment 430. The point dramatizes the fact that amendment 430 will bring fiscal year 1972 spending for military pay raises to a level that is still much less than both bodies of Congress originally wanted to spend this fiscal year and the fiscal year 1972 cost of the pay increase incorporated into the draft law plus the fiscal year 1972 cost of amendment 430 will be less than the amount of money which the draft bill conference report called upon us to spend.

The point is this.

The pay compromise improvised by the draft bill conference committee, and scheduled to become effective October 1, would have cost $1,807 million in fiscal year 1972. The fiscal year 1972 cost of pay increases with amendment 430, effective in mid-November, will be $1,717 million. Thus, the compromise I will suggest would cost $89.8 million less than we voted to spend under the terms of the draft bill conference report; and I must remind the Senate that at that time we had already cut back on the salaries of these people.

At this point, Mr. President, we should remember that the military has already lost the cost-of-living increase that had been scheduled for January 1, 1972. And it is important to understand why cost-of-living increases, while necessary, are not responsive to the real problem.

All cost-of-living increases are inadequate because the objective of such increases is to maintain pay for the military in whatever relation exists at a given time with regard to rising pay in the private sector during a period in which the cost-of-living is rising. But this mechanism for maintaining the status quo does nothing to close the deplorable gap between military pay and pay for similar skills and employment in the private sector.

The cost-of-living increases are necessary to prevent a further deterioration of existing deplorable conditions. The purpose of my amendment is to improve the conditions. It is obvious that the cost-of-living increases are mere holding actions on behalf of hard-pressed people.

Fortunately, Congress is acting responsibly by not relying on cost-of-living increases. Congress is legislating where legislation is clearly needed.

For years we have refused to give the average GI the pay he deserved. This year we will do better. When both Houses of the Congress agreed that spending for military pay should be increased by $2.7 billion this fiscal year, this constituted an implicit promise to the men and women in uniform. Amendment 430 enables us to keep that promise.

Were we not to keep that promise—were we to neglect again the men most in need of help—two kinds of bad consequences would result. Morale in the military would suffer another unnecessary blow; and young men who are considering volunteering for service—and perhaps for a military career—would lose interest. After all, who wants to join the armed forces if Congress does not respect those forces enough to pay them decently?

Young men in the military, and young men considering the military, are watching what we do with regard to pay for the lower ranks.

In a speech on July 27, Secretary of Defense, Mr. Laird, said the following:

> We believe we can move away from selective service to zero draft calls and an all-volunteer armed force. The most important thing which we must do in the period of the nineteen seventies and beyond is to see that the military service is recognized by all sections of society as a contribution which is being made by men and women to the peace forces of this nation and the peace forces throughout the world so that the mistakes of the seventies, the mistakes of the fifties and the mistakes of the sixties are not repeated again.

Mr. President, I agree with the Secretary of Defense. I agree that the key to achieving an all-volunteer armed force is regaining for the military the respect which properly is owed it by this Nation. I agree with the Secretary that we can only help the military if we avoid past mistakes. And the worst mistake we could make would be to end this year without making amends to the men in the lower ranks.

Consider the following report by Air Force Times Editor Bob Schweitz in the February 3, 1971, issue. These, perhaps, are some of the most significant words that can be said in support of this program.

> From 1952 to 1965 there were no pay raises for enlisted men with fewer than two years of service. The raises for all other grades since 1952 have more than doubled those for the "under two's."
>
> Overall, the military force has received a cumulative pay hike of 154.3 percent since

1952, while the junior enlisted men have received only 86 percent, including the raise effective January 1, 1970. . . .

At this point I should emphasize that the fact that we are voting on military pay raises during a wage-price freeze is significant and should cause Senators to ponder past policies regarding military pay. It is significant in the sense that this freeze although necessary, is unfair to many people. It is unfair to persons who are in an unfair economic position when the freeze is imposed; such persons are frozen into their disadvantaged positions.

The case of men and women in lower ranks in the military is a poignant illustration of the unavoidable unfairness of a freeze. And the unfairness they are suffering should spur us on to the completion of the task we began June 8—the task of ending the unfairness inherent in current pay policies. We should be powerfully moved by the remainder that the unfairness the military experiences during the freeze is derivative from the unfairness which we in the legislative branch have inflicted on them through more than two decades of unfair pay policies. Given these facts it is not surprising that we have had trouble recruiting volunteers. What is gratifying is the fact that, because we are moving toward decent pay for the military, we are clearly advancing to our goal of zero draft quotas.

When we get proper pay provisions, the pace of recruiting will quicken beyond the rate currently projected by DOD. We will just have to wait and see how many draftees are needed to meet transitional manpower needs as the armed forces manpower is phased down to the 2.407 million figure by June 30, 1972.

But whatever the transitional figures may be, clearly we are nearing the end of the draft. I have reluctantly recognized the need for a 2-year extension of the draft at this time. Mr. President, no man can say, in this great, uncertain, turmoil infested world—and I want to make my position very clear—what the needs of this Nation will be in the future. But, barring some unforeseen deterioration of relations between nations, I do not expect the draft will need to be renewed 2 years from now.

Thus, I and kindred spirits attach special importance to pay provisions; to the question of simple decency and due respect for the military; and to all other matters which are vital to the prospects of an all-volunteer armed force.

The President has given his unqualified support to my amendment. It is my hope that every Senator will support it. Then I am sure the amendment will receive the prompt and favorable attention of the House, and we all will have made a mighty contribution to ending the draft.

We will all have made a great contribution to moving toward a volunteer force, which many of us would like to do. The only way we can find out whether we can have a volunteer force is by raising the pay in the E–1, E–2, E–3, and E–4 and the O–1 and O–2, which are the lower grades of the enlisted men and the officers.

But above all, if anyone has visited any of our bases and posts and has seen these young men—some of whom enlisted voluntarily, some of whom enlisted because they knew that they might be drafted and that by enlisting they could control the tempo and the scheduling of their life, some of whom were drafted—and has seen the way some of these people have lived and have had to live, under the demands we have placed on them—you and I—then there would be no choice except to vote for my amendment.

Mr. President, I ask unanimous consent to have printed in the RECORD the following tables:

A. Detailed Cost Analysis.
B. Basic Pay Comparison.
C. BAQ/DAA Comparison.
D. Average RMC Comparison.
E. Distribution of Cost by Pay Grade.
F. Disposable Income Comparison.
G. Selected Examples of Annual Compensation.
H. Selected Examples of Annual Compensation for Members with Less Than Two Years Service.
I. Estimate of Personnel Affected.
J. Effect on Reservists and National Guardsmen.
K. Basic Pay Table.
L. Average Basic Pay Increases since 1952.

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

COMPARISON OF COST OF ALLOTT AMENDMENT, H.R. 8687, AND PRESENT, H.R. 6531

[Millions of dollars—2,553,000 force]

	Under 2 years of service		Over 2 years of service		Total
	Amount	Percent	Amount	Percent	
I. Annual cost of Allott amendment, H.R. 8687 over Jan. 1, 1971:					
Basic pay	$1,730.9	79.7	$440.0	20.3	$2,171.8
Dependents Assistance Act	84.5	68.3	39.3	31.7	123.8
Basic allowance for quarters	21.4	5.3	387.0	94.7	408.4
Total	1,836.8	67.9	867.2	32.1	2,704.0
II. Annual cost increase of present, H.R. 6531 over Jan. 1, 1971:					
Basic pay	1,561.6	86.2	249.6	13.8	1,811.2
Dependents Assistance Act	68.8	65.4	36.3	34.6	105.1
Basic allowance for quarters	21.4	5.3	385.2	94.7	406.6
Total	1,651.8	71.1	671.1	28.9	2,322.9
III. Incremental cost increase (annualized) of Allot amendment (H.R. 8687) over the present (H.R. 6531):					
Basic pay	$169.3	46.9	$191.3	53.1	$360.6
Dependents Assistance Act	15.7	84.0	3.0	16.0	18.7
Basic allowance for quarters	0	0	1.8	100.0	1.8
Total	185.0	48.5	196.1	51.5	381.1
IV. Incremental cost increase of Allott amendment (H.R. 8687), over present (H.R. 6531), implementation, Nov. 16, 1971:					
Basic pay	105.8	46.9	119.6	53.1	225.4
Dependents Assistance Act	9.8	84.0	1.9	16.0	11.7
Basic allowance for quarters	0	0.0	1.1	100.0	1.1
Total	115.6	48.5	122.6	51.5	238.2

BASIC PAY COMPARISON BETWEEN PRESENT (H.R. 6531) AND ALLOTT AMENDMENT TO H.R. 8687

Pay grade	Under 2	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14
O–5:									
Allott proposal	$922.20								
Present (H.R. 6531)	$834.60								
Dollar difference	$87.60								
No. of personnel	0								
O–4:									
Allott proposal	$825.00	$867.60							
Present (H.R. 6531)	$704.10	$856.50							
Dollar difference	$120.90	$11.10							
No. of personnel	0	0							
O–3:									
Allott proposal	$738.90	$772.50	$789.90						
Present (H.R. 6531)	$654.30	$731.10	$781.20						
Dollar difference	$84.60	$41.40	$8.70						
No. of Personnel	781	2,343	15,253						
O–2:									
Allott proposal	$674.10	$706.80							
Present (H.R. 6531)	$570.30	$622.80							
Dollar difference	$103.80	$84.00							
No. of personnel	13,726	26,103							

BASIC PAY COMPARISON BETWEEN PRESENT (H.R. 6531) AND ALLOTT AMENDMENT TO H.R. 8687—Continued

Pay grade	Under 2	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14
O–1:									
Allott proposal	$593.10	$629.70	$653.40						
Present (H.R. 6531)	$495.00	$515.40	$622.80						
Dollar difference	$98.10	$114.30	$30.60						
No. of personnel	33,511	2,821	2,828						
O–1 E:									
Allott proposal				$653.40	$679.20	$702.90	$724.50	$747.30	$773.10
Present (H.R. 6531)				$622.80	$665.10	$690.00	$714.60	$739.80	$773.10
Dollar difference				$30.60	$14.10	$12.90	9.90	$7.50	0
No. of personnel				9	121	193	162	274	293
W–1:									
Allott proposal	$465.60								
Present (H.R. 6531)	$441.90								
Dollar difference	$23.70								
No. of personnel	949								
E–6:									
Allott proposal	$392.10								
Present (H.R. 6531)	$382.80								
Dollar difference	$9.30								
No. of personnel	180								
E–5:									
Allott proposal	$359.70	$378.60	$393.90	$409.80	$426.90				
Present (H.R. 6531)	$336.30	$366.00	$383.70	$400.50	$426.60				
Dollar difference	$23.40	$12.60	$10.20	$9.30	$.30				
No. of personnel	38,331	63,262	74,315	79,211	50,229				
E–4:									
Allott proposal	$333.60	$351.30	$368.70						
Present (H.R. 6531)	$323.40	$341.40	$361.20						
Dollar difference	$13.20	$9.90	$7.50						
No. of personnel	243,071	174,196	118,420						
E–3:									
Allott proposal	$320.10	$336.60	$351.00	$367.20	$367.20				
Present (H.R. 6531)	$311.10	$328.20	$341.10	$354.60	$354.60				
Dollar difference	$9.00	$7.80	$9.90	$12.60	$12.60				
No. of personnel	292,749	55,928	16,709	6,445	2,453				
E–2:									
Allott proposal	$306.90								
Present (H.R. 6531)	$299.10								
Dollar difference	$7.80								
No. of personnel	231,669								
E–1:									
Allott proposal	$291.00								
Present (H.R. 6531)	$268.50								
Dollar difference	$22.50								
No. of personnel	133,311								

BAQ AND DAA COMPARISON BETWEEN PRESENT (H.R. 6531) AND ALLOTT AMENDMENT TO H.R. 8678 [1]

Pay grade	With dependents			Without dependents		
	Present	Allott	Dollar increase	Present	Allott	Dollar increase
E–4	$121.50	$126.90	$5.40	$81.60	$86.10	$4.50
E–3	105.00	114.00	9.00	72.30	76.20	3.90
E–2	105.00	105.00	0	63.90	70.20	6.30
E–1	105.00	105.00	0	60.00	60.00	0

[1] E–4 with over 4 years of service receive BAQ; whereas E–4 with less than 4 years service, E–3, E–2, and E–1 receive DAA allowances.

COMPARISON OF AVERAGE REGULAR MILITARY COMPENSATION [1]

Pay grade	Jan. 1, 1971 rates	Present (H.R. 6531)	Allott amendment H.R. 8687	Pay grade	Jan. 1, 1971 rates	Present (H.R. 6531)	Allott amendment H.R. 8687
O–10	$40,827	$42,725	$42,725	W–2	$11,104	$11,859	$11,859
O–9	36,319	38,107	38,107	W–1	9,033	9,738	9,814
O–8	33,042	34,751	34,751	E–9	13,417	14,392	14,392
O–7	29,065	30,689	30,689	E–8	11,571	12,334	12,334
O–6	24,850	26,389	26,389	E–7	9,980	10,634	10,634
O–5	19,796	21,122	21,122	E–6	8,611	9,160	9,160
O–4	16,527	17,630	17,630	E–5	6,889	7,356	7,445
O–3	13,516	14,501	14,536	E–4	5,253	6,189	6,363
O–2	10,166	11,045	11,754	E–3	3,931	5,663	5,850
O–1	7,807	8,659	9,782	E–2	3,345	5,311	5,488
W–4	16,088	17,074	17,074	E–1	3,165	4,872	5,150
W–3	13,097	14,023	14,023				

[1] Regular military compensation is defined as basic pay, basic allowance for quarters, basic allowance for subsistence and the tax advantage that accrues because the allowances are not subject to Federal income tax.

DISTRIBUTION OF COST BY PAY GRADE—ALLOTT AMENDMENT TO H.R. 8687

[In millions of dollars]

	Basic pay	Basic allowance for quarters	Total		Basic pay	Basic allowance for quarters	Total
Pay grade—				Pay grade—			
O–3	$3.52		$3.52	E–2	$21.38	$0.30	$21.68
O–2	43.07		43.07	E–1	35.71		35.71
O–1	44.10		44.10				
W–1	.28		.28	Total	286.23	20.53	306.76
E–6	.02		.02	Related costs [1]			74.01
E–5	38.23		38.23				
E–4	60.24	$11.90	72.14	Total			380.77
E–3	39.68	8.33	48.01				

[1] Related costs are increases in cost of items related directly to the levels of basic pay, such as reenlistment bonus, Government contribution to FICA, pay for Reserve and National Guard, separation payments, pay of cadets and midshipmen, and death gratuities.

DISPOSABLE INCOME COMPARISON[1] (TYPICAL EXAMPLES)

Pay grade	Years of service	Number of dependents	Jan. 1, 1971	Present (H.R. 6531)	Allott (H.R. 8687)
O-10	35	2	$29,464	$30,508	$30,508
O-9	32	2	26,912	27,956	27,956
O-8	29	3	25,169	26,213	26,313
O-7	27	3	22,662	23,706	23,706
O-6	25	3	18,938	19,997	19,997
O-5	17	3	15,552	16,529	16,529
O-4	12	3	13,460	14,305	14,305
O-3	7	3	11,438	12,225	12,225
O-2	2	1	8,251	8,428	9,745
O-1	0	0	6,042	6,714	7,615
W-4	24	3	13,075	13,830	13,830
W-3	19	3	11,026	11,767	11,767
W-2	7	2	$8,374	$9,019	$9,019
W-1	0	0	5,964	6,428	6,637
E-9	23	3	11,123	11,894	11,894
E-8	20	3	9,636	10,263	10,263
E-7	18	3	8,617	9,175	9,175
E-6	10	3	7,241	7,720	7,720
E-5	5	2	6,092	6,495	6,583
E-4	2	0	4,488	5,002	5,145
E-3	1	0	3,262	4,619	4,747
E-2	0	0	2,958	4,411	4,557
E-1	0	0	2,804	4,083	4,290

[1] Disposable income is the cash pay an individual has remaining after deductions for Federal income tax and FICA.

SELECTED EXAMPLES OF MILITARY COMPENSATION[1]

[By pay grade, longevity and number of dependents]

Pay grade and title	Years of service	Number of dependents	Basic pay	Basic Allowance for quarters	Basic Allowance for subsistence	Federal Tax advantage	Regular military compensation	
							Monthly	Annual
O-10—General/admiral:								
Allott	30	2	$2,967.60	$288.00	$47.88	$257.35	$3,560.83	$42,730
Present			2,967.60	288.00	47.88	257.35	3,560.83	42,730
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
O-9—Lieutenant general/vice admiral:								
Allott	30	2	2,618.40	288.00	47.88	225.73	3,180.01	38,160
Present			2,618.40	288.00	47.88	225.73	3,180.01	38,160
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
O-8 Major general/rear admiral (upper half):								
Allott	30	3	2,361.00	288.00	47.88	199.30	2,896.18	34,754
Present			2,361.00	288.00	47.88	199.30	2,896.18	34,754
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
O-7—Brigadier general/rear admiral (lower half):								
Allott	28	3	2,052.60	288.00	47.88	170.87	2,559.35	30,712
Present			2,052.60	288.00	47.88	170.87	2,559.35	30,712
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
O-6—Colonel/captain:								
Allott	24	3	1,662.60	258.30	47.88	123.20	2,091.98	25,104
Present			1,662.60	258.30	47.88	123.20	2,091.98	25,104
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
O-5—Lieutenant colonel/commander:								
Allott	21	3	1,421.10	238.80	47.88	100.91	1,.08.69	21,704
Present			1,421.10	238.80	47.88	100.91	1,808.69	21,704
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
O-4—Major/lieutenant commander:								
Allott	19	3	1,230.30	215.40	47.88	83.30	1,576.88	18,923
Present			1,230.30	215.40	47.88	83.30	1,576.88	18,923
Dollars increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
O-3—Captain/lieutenant:								
Allott	8	3	938.70	195.60	47.88	65.27	1,247.45	14,969
Present			938.70	195.60	47.88	65.27	1,247.45	14,969
Dollars increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
O-2—1st lieutenant/lieutenant (junior grade):								
Allott	4	1	773.10	175.80	47.88	52.24	1,049.02	22,588
Present			773.10	175.80	47.88	52.24	1,049.02	12,588
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
O-1—2d lieutenant/ensign:								
Allott	0	1	593.10	141.60	47.88	37.52	820.10	9,841
Present			495.00	141.60	47.88	37.91	722.39	8,669
Dollar increase			98.10	0	0	−.39	97.71	1,172
Increase (percent)			(19.8)	(0)	(0)	(−1.0)	(13.5)	(13.5)
W-4—Chief warrant/commissioned warrant:								
Allott	24	3	1,056.00	207.90	47.88	73.83	1,385.61	16,627
Present			1,056.00	207.90	47.88	73.83	1,385.61	16,627
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
W-3—Chief warrant/commissioned warrant:								
Allott	21	3	897.90	191.70	47.88	61.31	1,198.79	14,385
Present			897.90	191.70	47.88	61.31	1,198.79	14,385
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
W-2—Chief warrant/commissioned warrant:								
Allott	18	3	781.20	173.70	47.88	48.05	1,050.82	12,610
Present			781.20	173.70	47.88	48.05	1,050.82	12,610
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
W-1—Warrant officer/warrant officer:								
Allott	14	3	673.20	160.80	47.88	41.32	923.20	11,078
Present			673.20	160.80	47.88	41.32	923.20	11,078
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)

Footnotes at end of table.

SELECTED EXAMPLES OF MILITARY COMPENSATION [1]

[By pay grade, longevity and number of dependents]

Pay grade and title	Years of service	Number of dependents	Basic pay	Basic Allowance for quarters	Basic Allowance for subsistence	Federal Tax advantage	Regular military compensation	
							Monthly	Annual
E-9—Sergeant major/master chief petty officer:								
Allott	20	3	$843.90	$184.20	$46.23	$54.94	$1,129.27	$13,551
Present			843.90	184.20	46.23	54.94	1,129.27	13,551
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
E-8—Master sergeant/senior chief petty officer:								
Allott	19	3	772.10	172.20	46.23	43.94	984.47	11,814
Present			722.10	172.20	46.23	43.94	984.47	11,814
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
E-7—Sergeant, 1st class/chief petty officer:								
Allott	18	3	644.10	161.40	46.23	41.12	892.85	10,714
Present			644.10	161.40	46.23	41.12	892.85	10,714
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
E-6—Staff sergeant/petty officer, 1st class:								
Allott	14	3	548.10	150.00	46.23	37.11	781.44	9,377
Present			548.10	150.00	46.23	37.11	781.44	9,377
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
E-5—Sergeant/petty officer 2d class:								
Allott	10	3	461.70	138.60	46.23	35.53	682.06	8,185
Present			461.70	138.60	46.23	35.53	682.06	8,185
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
E-4—Corporal/petty officer, 3d class:								
Allott	5	1	389.40	121.50	46.23	35.11	592.24	7,107
Present			389.40	121.50	46.23	35.11	592.24	7,107
Dollar increase			0	0	0	0	0	0
Increase (percent)			(0)	(0)	(0)	(0)	(0)	(0)
E-3—Private 1st class/seaman:								
Allott	1	0	320.10	76.20	46.23	31.66	474.19	5,690
Present			311.10	72.30	46.23	30.28	459.91	5,519
Dollar increase			9.00	3.90	0	1.38	24.28	171
Increase (percent)			(2.9)	(5.4)	(0)	(4.6)	(5.3)	(5.3)
E-2—Private/seaman apprentice:								
Allott	1	0	306.90	70.20	46.23	29.60	452.93	5,435
Present			299.10	63.90	46.23	27.99	437.22	5,247
Dollar increase			7.80	6.30	0	1.61	15.71	188
Increase (percent)			(2.6)	(9.9)	(0)	(5.8)	(3.6)	(3.6)
E-1—Recruit/seaman recruit:								
Allott	0	0	291.00	60.00	46.23	26.82	424.05	5,089
Present			268.50	60.00	46.23	26.22	400.95	4,811
Dollar increase			22.50	0	0	.60	23.10	278
Increase (percent)			(8.4)	(0)	(0)	(2.3)	(5.8)	(5.8)

[1] Present refers to the rates prescribed in H.R. 6531.

SELECTED EXAMPLES OF ANNUAL COMPENSATION FOR MEMBERS WITH LESS THAN 2 YEARS SERVICE (FOR PAY GRADE AFFECTED BY ALLOTT AMENDMENT, H.R. 8687)

Pay grade	Title	Number of dependents	Basic pay	Basic allowance for subsistence	Basic allowance for quarters	Federal tax advantage	Regular military compensation	
							Monthly	Annual
O-3	Captain/lieutenant:							
	Allott (H.R. 8687)	1	$738.90	$47.88	$195.60	$55.43	$1,037.18	$12,454
	Present (H.R. 6531)		654.30	47.88	195.60	50.00	947.78	11,373
	Dollars difference		84.60	0	0	5.43	90.03	1,081
	Percent difference		(12.9)	(0)	(0)	(10.9)	(9.5)	(9.5)
O-2	1st lieutenant/lieutenant (junior grade):							
	Allott (H.R. 8687)	1	674.10	47.88	175.80	45.95	943.73	11,325
	Present (H.R. 6531)		570.30	47.88	175.80	44.30	838.28	10,059
	Dollar difference		103.80	0	0	1.65	105.45	1,266
	Percent difference		(18.2)	(0)	(0)	(3.7)	(12.6)	(12.6)
O-1	2d lieutenant/ensign:							
	Allott (H.R. 8687)	1	593.10	47.88	141.60	37.52	820.10	9,841
	Present (H.R. 6531)		495.00	47.88	141.60	37.91	722.39	8,669
	Dollar difference		98.10	0	0	−.39	97.71	1,172
	Percent difference		(19.8)	(0)	(0)	(−1.0)	(13.5)	(13.5)
W-1	Warrant officer/warrant officer:							
	Allott (H.R. 8687)	1	465.60	47.88	160.80	43.28	716.56	8,599
	Present (H.R. 6531)		441.90	47.88	160.80	42.74	693.32	8,320
	Dollar difference		23.70	0	0	−.46	23.24	279
	Percent difference		(5.4)	(0)	(0)	(−1.1)	(3.4)	(3.4)
E-6	Staff sergeant/petty officer 1st class:							
	Allott (H.R. 8687)	1	392.10	46.23	150.00	40.76	629.09	7,549
	Present (H.R. 6531)		382.80	46.23	150.00	40.80	619.83	7,438
	Dollar difference		9.30	0	0	−.04	9.26	111
	Percent difference		(2.4)	(0)	(0)	(−.1)	(1.5)	(1.5)
E-5	Sergeant/petty officer 2d class:							
	Allott (H.R. 8687)	1	359.70	46.23	138.60	38.69	583.22	6,999
	Present (H.R. 6531)		336.30	46.23	138.60	38.64	559.77	6,681
	Dollar difference		23.40	0	0	.05	23.45	318
	Percent difference		(7.0)	(0)	(0)	(.1)	(4.2)	(4.2)
E-4	Corporal/petty officer, 3d class:							
	Allott (H.R. 8687)	1	333.60	46.23	126.90	36.31	543.04	6,516
	Present (H.R. 6531)		323.40	46.23	121.50	35.17	526.30	6,316
	Dollar difference		10.20	0	5.40	1.14	16.74	200
	Percent difference		(3.2)	(0)	(4.4)	(3.2)	(3.2)	(3.2)

Pay grade	Title	Number of dependents	Basic pay	Basic allowance for subsistence	Basic allowance for quarters	Federal tax advantage	Regular military compensation	
							Monthly	Annual
E–3	Private 1st class/seaman:							
	Allott (H.R. 8687)	0	$320.10	$46.23	$76.20	$31.66	$474.19	$5,690
	Present (H.R. 6531)		311.10	46.23	72.30	30.28	459.91	5,519
	Dollar difference		9.00	0	9.30	1.38	14.28	171
	Percent difference		(2.9)	(0)	(5.4)	(4.6)	(3.1)	(3.1)
E–2	Private/seaman apprentice:							
	Allott (H.R. 8687)	0	306.90	46.23	70.20	29.60	452.93	5,435
	Present (H.R. 6531)		299.10	46.23	63.90	27.99	437.22	5,247
	Dollar difference		7.80	0	6.30	1.61	15.71	188
	Percent difference		(2.6)	(0)	(9.9)	(5.8)	(3.6)	(3.6)
E–1	Recruit/seaman recruit:							
	Allott (H.R. 8687)	0	291.00	46.23	60.00	26.82	424.05	5,089
	Present (H.R. 6531)		268.50	46.23	60.00	26.22	400.95	4,811
	Dollar difference		22.50	0	0	.60	23.10	278
	Percent difference		(8.4)	(0)	(0)	(2.3)	(5.8)	(5.8)

COMPARISON OF PERSONNEL AFFECTED

Pay grade	Estimate of personnel affected by— Present, H.R. 6531	Allott amendment H.R. 8687
O–10		
O–9		
O–8	152	
O–7	296	
O–6	8,782	
O–5	24,063	
O–4	39,945	
O–3	55,431	18,234
O–2	39,173	39,518
O–1	38,426	38,893
W–4	1,569	
W–3	1,829	
W–2	8,500	
W–1	2,503	942
Subtotal	220,669	97,587

Pay grade	Estimate of personnel affected by— Present, H.R. 6531	Allott amendment H.R. 8687
E–9	8,954	
E–8	24,586	
E–7	89,810	
E–6	164,381	179
E–5	234,740	302,966
E–4	576,550	560,607
E–3	371,365	371,365
E–2	229,862	229,862
E–1	132,271	132,271
Subtotal	1,832,519	1,597,250
Total	2,053,188	1,694,837

EFFECT OF PAY PROPOSAL ON DRILL PAY FOR RESERVISTS AND NATIONAL GUARDSMEN FOR 1 WEEKEND DRILL (MUTA 4)

Pay grade	Longevity	Jan. 1, 1971	Present (H.R. 6531)	Allott (H.R. 8687)
O–3	Under 2 years	$87.24	$87.24	$98.58
O–2	do	69.92	76.04	89.88
O–1	do	60.08	66.00	79.06
E–5	do	39.64	44.84	47.98
E–4	do	33.32	43.12	44.40
E–3	do	24.12	41.48	42.62
E–2	do	19.88	39.88	40.98
E–1	do	19.16	35.80	38.82
E–1	Under 4 months	17.92	35.80	38.80

BASIC PAY TABLE IN SUPPORT OF ALLOTT AMENDMENT TO H.R. 8687

Pay grade	Years of service: Under 2	2	3	4	6	8	10	12	14	16	18	20	22	26
Commissioned officers:														
O–10	$2,111.40	$2,185.80	$2,185.80	$2,185.80	$2,185.80	$2,269.50	$2,269.50	$2,443.50	$2,443.50	$2,618.40	$2,618.40	$2,793.30	$2,793.30	$2,967.60
O–9	1,871.40	1,920.60	1,961.70	1,961.70	1,961.70	2,011.20	2,011.20	2,094.60	2,094.60	2,269.50	2,269.50	2,443.50	2,443.50	2,618.40
O–8	1,695.00	1,745.70	1,787.40	1,787.40	1,787.40	1,920.60	1,910.60	2,011.20	2,011.20	2,094.60	2,185.80	2,269.50	2,361.00	2,361.00
O–7	1,408.20	1,404.20	1,504.20	1,504.20	1,571.10	1,571.10	1,662.60	1,662.60	1,745.70	1,920.60	2,052.60	2,052.60	2,052.60	2,052.60
O–6	1,043.70	1,147.20	1,221.90	1,221.90	1,221.90	1,221.90	1,221.90	1,221.90	1,263.30	1,463.10	1,537.80	1,571.10	1,662.60	1,803.30
O–5	[1] 922.20	980.70	1,047.90	1,047.90	1,047.90	1,047.90	1,080.30	1,137.90	1,213.80	1,304.70	1,379.70	1,421.10	1,471.20	1,471.20
O–4	[1] 825.00	[1] 867.60	914.40	914.40	930.60	972.30	1,038.30	1,097.10	1,147.20	1,197.00	1,230.30	1,230.30	1,230.30	1,230.30
O–3	[1] 738.90	[1] 772.50	[1] 789.90	864.90	906.00	938.70	989.10	1,038.30	1,063.80	1,063.80	1,063.80	1,063.60	1,063.80	1,063.80
O–2	[1] 674.10	[1] 706.80	748.20	773.10	789.30	789.30	789.30	789.30	789.30	789.30	789.30	789.30	789.30	789.30
O–1	[1] 593.10	[1] 629.70	[1] 653.40	[1] 653.40	[1] 653.40	[1] 653.40	[1] 653.40	[1] 653.40	[1] 653.40	[1] 653.40	[1] 653.40	[1] 653.40	[1] 653.40	[1] 653.40
Commissioned officers with over 4 years active service as an enlisted member:														
O–3	0	0	0	864.90	906.00	938.70	989.10	1,038.30	1,080.30	1,080.30	1,080.30	1,080.30	1,080.30	1,080.30
O–2	0	0	0	773.10	789.30	814.20	856.50	889.80	914.40	914.40	914.30	914.40	914.40	914.40
O–1	0	0	0	[1] 653.40	[1] 679.20	[1] 702.90	[1] 724.50	[1] 747.30	773.10	773.10	773.10	773.10	773.10	773.10
Warrant officers:														
W–4	666.30	714.60	714.60	731.10	764.40	798.00	831.00	889.80	930.60	963.90	989.10	1,022.10	1,056.00	1,137.90
W–3	605.70	657.00	657.00	665.10	673.20	722.40	764.40	789.30	814.20	838.80	864.90	897.90	930.60	963.90
W–2	530.40	573.60	573.60	590.40	622.80	657.00	681.90	706.50	731.10	756.60	781.20	806.10	838.80	838.80
W–1	[1] 465.60	507.00	507.00	549.00	573.60	598.50	622.80	648.30	673.20	698.10	722.40	748.20	748.20	748.20
Enlisted members:														
E–9	0	0	0	0	0	0	756.90	774.30	792.00	809.70	827.70	843.90	888.60	975.00
E–8	0	0	0	0	0	635.10	652.80	670.20	687.90	705.30	722.10	740.10	783.60	870.90
E–7	443.40	478.50	496.20	513.60	531.30	548.10	565.50	583.50	609.60	626.70	644.10	652.80	696.60	683.60
E–6	[1] 392.10	417.90	435.00	453.00	470.40	487.50	505.20	531.30	548.10	565.50	574.50	574.50	574.50	574.50
E–5	[1] 359.70	[1] 378.60	[1] 393.90	[1] 409.80	[1] 426.90	444.00	461.70	478.50	487.50	487.50	487.50	487.50	487.50	487.50
E–4	[1] 333.60	[1] 351.30	[1] 368.70	389.40	405.00	405.00	405.00	405.00	405.00	405.00	405.00	405.00	405.00	405.00
E–3	[1] 320.10	[1] 336.60	[1] 351.00	[1] 367.20	[1] 367.20	[1] 367.20	[1] 367.20	[1] 367.20	[1] 367.20	[1] 367.20	[1] 367.20	[1] 367.20	[1] 367.20	[1] 367.20
E–2	[1] 306.90	[1] 306.90	[1] 306.90	[1] 306.90	[1] 306.90	[1] 306.90	[1] 306.90	[1] 306.90	[1] 306.90	[1] 306.90	[1] 306.90	[1] 306.90	[1] 306.90	[1] 306.90
E–1	[1] 291.00	[1] 291.00	[1] 291.00	[1] 291.00	[1] 291.00	[1] 291.00	[1] 291.00	[1] 291.00	[1] 291.00	[1] 291.00	[1] 291.00	[1] 291.00	[1] 291.00	[1] 291.00

[1] Amounts affected by proposed increase.

Note: C/S 3,000.00; M/S 1,185.00.

[In percent]

	Under 2		Over 2	
	Enlisted	Officer	Enlisted	Officer
AVERAGE BASIC PAY INCREASES				
1952	4.0	4.0	4.0	4.0
1955	0	0	12.2	12.2
1958	0	0	8.4	12.8
1963	0	0	15.5	18.8
1964	0	8.5	2.5	2.5
1965	17.3	22.0	11.0	6.0
1966	3.2	3.2	3.2	3.2
1967	5.6	5.6	5.6	5.6
1968	6.9	6.9	6.9	6.9
1969	12.6	12.6	12.6	12.6
1970	8.1	8.1	8.1	8.1
1971	7.9	7.9	7.9	7.9
H.R. 6531	61.2	9.1	3.0	0
Allott amendment (H.R. 8687)	3.8	18.9	1.0	.9
CUMULATIVE PERCENTAGE INCREASES				
Jan. 1, 1971	79.4	102.5	144.5	149.4
H.R. 6531	189.2	120.9	151.8	149.4
Allott amendment	200.2	162.7	154.3	151.6

Mr. ALLOTT. Mr. President, I yield the floor.

QUORUM CALL

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

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

The legislative clerk proceeded to call the roll.

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

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

Who yields time?

Mr. STENNIS. Mr. President, am I in control of this time?

The PRESIDING OFFICER. The Senator has 90 minutes remaining.

Mr. STENNIS. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 15 minutes.

Mr. STENNIS. Mr. President, I am in favor of the pending amendment. I do not believe we will have any trouble on it.

Mr. President, I have a brief statement to make on the pending amendment. I have a communication here from the General Counsel of the DOD which purports to speak for the administration and the President regarding the matter. But first I want to bring forward a statement I made on the floor of the Senate on September 16, 1971, during debate on what is known as the extension and revision of the Draft Act. This matter came up when the Senator from Colorado was making his arguments against the conference report, and in favor of tabling it the remarks I made were based on the fact that the conference report would be agreed to, as it now has been, and signed by the President, and be the law of the land.

I stated at that time:

If the President says that in order to make the plan work that is in the conference report—in order to make it work and carry it out—this manpower plan needs the additional money—he has not said this in his other recommendations to us—but if he does make that recommendation, I will favor it and support his recommendation. This is entirely in line with my position all the time to favor giving him the necessary funds to solve the manpower problem in our service.

This, I have assured the Senator, and am glad to assure anyone, that I would look with greatest interest on an amendment to fill out what the President now thinks is necessary, should the plan not stand up under examination. I would do this even if the amendment had to come in on the military procurement bill, because of the time elements, there being no other salary bill up this year.

I speak only for myself, though, in saying that I can support it.

So, Mr. President, as I shall show later, the President has made such a recommendation in a letter addressed to me through the Counsel for the DOD.

Now a few preliminary remarks:

Mr. President, I would like to make a few brief comments on the amendment offered by the Senator from Colorado (Mr. ALLOTT). This amendment would add $381.1 million on an annual basis to the $2.4 billion increase in military pay under the conferees' agreement. I have a chart here that compares the total costs, on an annual basis, of the original administration, House and Senate pay proposals, the conferees' agreement, and the Allott amendment.

The rates proposed by Senator ALLOTT would, of course, more closely approximate the increases originally voted by the Senate when it accepted the Gates Commission pay rates. Of the $381-million increase under this amendment, about $360 million or 95 percent will go into basic pay primarily for junior officer and junior enlisted personnel, that is, first termers. For example, the E–1—recruit—will receive $291 under this amendment, an increase of $156.60 or 116 percent over the present rate of $134.40 and an increase of $22.50 or 9 percent over the conferees' rate of $268.50. An O–1—2d lieutenant—with under 2 years of service, will receive $593.10 under this amendment, an increase of $142.50 or 32 percent over the present rate of $450.60, and an increase of $98.10 or 20 percent over the conferees' rate of $495. As one can see, the present amendment would provide fairly sizable increases for the first termers over what the conferees' had proposed.

Now, Mr. President, I have a letter here from the General Counsel of the DOD, Mr. J. Fred Buzhardt, which I should like to read into the RECORD. The letter is dated September 23, 1971. It is addressed to me as chairman of the Committee on Armed Services, and it reads:

This is in response to your request for the views of the Executive Branch with respect to Amendments No. 430, intended to be proposed by Senator Allott, for himself and others, to H.R. 8687.

The amendment would provide pay increases estimated to cost $381 million for the armed forces on an annual basis. Of this amount, about $185 million would go to personnel with less than two years' service; and about $196 million to personnel with more than two years' service. Almost all of the proposed increase would be placed in basic pay.

There is no way to determine at this time the precise levels of pay that might ultimately be required to achieve an all-volunteer force; or even the most efficient allocation of such pay among the various elements of military compensation, including the special and incentive hazarous duty pays.

It is possible to determine with reasonable accuracy, however, particularly at the entry level, the compensation required to be reasonably competitive with civilian pay alternatives for personnel with qualifications similar to those needed by the armed forces. We believed that the pay provisions in the conference report on H.R. 6531 met the tests of equity and competitiveness. For that reason we strongly supported the conference report.

During the course of Senate and House consideration of the conference report on H.R. 6531 various members of Congress expressed strong support for even higher pay increases than were contained in the report. Although the Department of Defense fully supported the conference report, we concur in the additional increases proposed to be provided in Mr. Allott's amendment.

The Office of Management and Budget advises that, there is no objection to the presentation of this report and that adoption of the amendment would be in accord with the Program of the President.

Sincerely,

J. FRED BUZHARDT.

Mr. President, that is the ordinary way of making a budget recommendation by the President under circumstances of this kind. Ordinarily what we call a budget recommendation is his request for money to carry out existing law. But this amendment is not law. This is just a code. So it does not come in the ordinary request for the money. It comes in the form of requests here that the Office of Budget and Management provide for this if there is no objection to the presentation. It also advises that agreement to the amendment would be in accord with the program of the President.

It would have to have the approval of the President. I am advised by the staff members who are very familiar with all of the customs and precedents that this is a recommendation of the President for the authorization of this pay scale, and that he in turn would ask for the money.

If there is any question here of any percentage reductions or anything that would apply to a freeze or anything of that kind, if this becomes law, it would apply to this part as well as the other.

Mr. President, this presents the matter. I am not speaking for the committee

on this, as I have said. I am speaking, as I was the day that I made this statement on the floor.

Under these circumstances and in the light of the Presidential report on the amendment, I will vote for it. I support it in that way.

Mr. President, unless there are some questions, I yield the floor, but before doing so I ask unanimous consent that a comparison of the original Senate amendment, the present Allott amendment, and the conference report rate of basic pay be printed in the RECORD.

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

ANNUAL COST OF ORIGINAL ADMINISTRATION, HOUSE AND SENATE PAY PROPOSALS, CONFEREES AGREEMENT AND ALLOTT AMENDMENT

[Based on 2,553,000 average force as stipulated by the Senate and as accepted in conference]

	Administration	House	Senate	Conferees agreement	Allott amendment
Basic pay	900.9	1,811.2	2,646.2	1,811.2	2,171.8
Dependents Assistance Act	78.4	182.7	78.4	105.1	123.8
Basic allowance for quarters	0	635.1	0	406.6	408.4
Basic allowance for subsistence	0	37.5	0	0	0
Enlistment bonus	40.0	0	40.0	20.0	20.0
Recruiter expenses	2.9	2.9	2.9	2.9	2.9
Optometrists	0	.5	.6	.6	.6
DAA Reservists	20.0	20.0	0	20.0	20.0
Totals	1,042.2	2,689.9	2,768.1	2,366.4	2,747.5

Mr. MOSS. Mr. President, will the Senator from Mississippi yield me 5 minutes?

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from Utah.

Mr. MOSS. Mr. President, the Senator from Maryland (Mr. MATHIAS) and I have been discussing a proposed amendment by the Senator from Maryland. I would like to inquire of the Senator from Maryland whether he proposes to call the amendment up during the debate today, or what is his plan concerning the amendment that the Senator from Maryland has to offer?

Mr. MATHIAS. Mr. President, I am glad to respond to the question of the distinguished Senator from Utah.

I have stated often in the past weeks that I support the President's new economic policies. I believe the times called for bold, decisive action, and that the President responded appropriately. I hope that the three major pieces of legislation which he recommended—the job development credit, the repeal of the auto excise tax, and the acceleration of the standard personal income tax exemption—will be approved by the Congress in the very near future.

I believe very deeply, with the President, that both the benefits and the burdens associated with the new policies must be shared equitably by all Americans. But it is becoming clear that under the temporary order first announced, civilian employees of the Federal Government will be singled out to shoulder special burdens without commensurate benefits. The President has declared that the wage-price freeze will terminate in mid-November. Yet the freeze on the legislatively enacted raises for civilian Federal employees is still slated to last until July 1 of next year. Congress provided for these pay increases to bring the level of Federal salaries more in line with those of private industry. But now our public servants are asked to go to the end of the line and stand hat-in-hand for 8 more months. This is unfair to the individuals and families involved who should not be favored over other Americans, but who also should not be prejudiced by the fact that they spend their lives in public service.

I have an amendment which is prepared containing additional language and will follow the pending amendment, the so-called Allott amendment.

It would have the effect of permitting Federal civilian employees to receive such additional compensation as is contemplated by the existing act of Congress which called for a pay increase at the end of the current year, but only to the extent, Mr. President, that Phase II of the President's economic program allows increases to anyone else in the country. In other words, the purpose is to confine the Federal employees to the scope of the President's overall economic stabilization plan. It is not punitive as far as they are concerned. It does not say that, regardless of what happens to other Americans, they can get a pay raise. At the same time, it does not say that they will get a pay raise if other Americans are being held down.

It merely phases all Federal employees into the President's economic program and treats them exactly the same as everyone else.

If no one else gets a pay raise, the Federal employees would still be frozen even if the amendment were agreed to. However, if the economy becomes more flexible and other Americans are given greater compensation, the Federal employees would be compensated accordingly.

In response to the question the Senator propounded, I have the amendment at the desk. However, after some previous conversations with the Senator from Utah and with the distinguished Senator from Wyoming (Mr. MCGEE), the chairman of the Committee on Post Office and Civil Service, and the distinguished Senator from Mississippi (Mr. STENNIS), the chairman of the Armed Services Committee and the manager of the pending bill, I see that there are some advantages in not calling the amendment up as part of the debate on the Allott amendment.

I am advised that there will be 3 hours left on the bill after the scheduled vote on the Fulbright amendment on Wednesday and that it would be possible to call it up at that time.

This would give an opportunity for the Senate Committee on Post Office and Civil Service to consider a resolution of disapproval with either a straight resolution or with some language such as mine which folds it into the President's program.

It also contemplates the fact that in the other body there is expected to be a vote sometime this afternoon which may lift this whole problem out of our hands.

It would be my contemplation that I would have the amendment printed and that it would be available to be called up, and that I would call it up during the remaining time for debate. However, I would be governed by the action on the Senator's amendment and the action of the other body in the meantime.

Mr. MOSS. Mr. President, I thank the Senator from Maryland for his response.

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

Mr. STENNIS. Mr. President, I yield 5 additional minutes to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized for 5 additional minutes.

Mr. MOSS. Mr. President, I want to make it clear that I agree entirely with the objective of the Senator from Maryland. I think it is very inequitable and there is no justification to single out Federal employees for a special freeze and delay the achieving of pay comparability.

There would be inequity involved if one section of the economy were to continue to receive increases while the wages of Federal employees were to remain frozen. This becomes especially inequitable if one considers that the pay increase already enacted by Congress and signed into law to become effective in January was simply to attain comparability and bring wages into line with the private sector. To single out the Federal employees and delay this any longer is certainly inequitable.

Therefore, on the 17th of September of this year, I submitted Senate Resolution 169 which is now pending before the Senate Committee on Post Office and Civil Service.

I have assurances from the chairman of that committee that a meeting will be called this week, depending again on what happens in the other body today, and that this matter could then be reported and the Senate would have its option then to vote up or down on this particular issue.

I, therefore, commend the Senator from Maryland in his willingness not to press the matter at this time until we see if this issue can be presented in this open manner directly, and not involved in the particular bill before us.

There are certain disabilities to attaching the amendment to this bill because the bill would have to go to conference and through all the hurdles to eventually become law, whereas if the Senate decides it wants to free the Federal employees and give them equity and adopt the resolution, that would settle the matter there. I think the matter should be presented squarely on the merits.

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

Mr. MOSS. I am glad to yield to the Senator from Maryland.

Mr. MATHIAS. Mr. President, I have before me an editorial which was printed in the New York Times today. I think the editorial states the matter so succinctly that it is worth quoting from. I will read one paragraph from the editorial:

But it is perfectly plain that the guidelines to govern wages in Phase Two of the

stabilization effort will permit moderate increases, primarily geared to productivity. There is no earthly justification for shutting Federal employes out of such increases, especially since the whole basis for the raise they are now slated to get is comparability with increases already in effect for similar work in the private economy.

I think that is the case we have to make and will make in support of the amendment.

Mr. President, I ask unanimous consent to have the editorial from the New York Times of October 4, 1971 printed in the RECORD.

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

[From the New York Times, Oct. 4, 1971]

EQUITY FOR FEDERAL EMPLOYES

A quality of near-hysteria seems to have entered the Administration's campaign to win Congressional approval for the unequal sacrifices the White House seek to inflict on Federal civilian and military employes as part of the national war against inflation. In a week end statement President Nixon asserted that efforts to restore prosperity would be "torpedoed" if Congress upset his order to defer for six months the 6 per cent pay increases Federal workers are scheduled to get Jan. 1.

If Mr. Nixon were proposing that the scheduled increase be made subject to whatever restraints apply to all wages after the present nationwide freeze expires Nov. 13, his statement would be absolutely correct. No group—public or private, civilian or military—should be exempt from the general incomes policy established to check the spiral of wage-price inflation.

But it is perfectly plain that the guidelines to govern wages in Phase Two of the stabilization effort will permit moderate increases, primarily geared to productivity. There is no earthly justification for shutting Federal employes out of such increases, especially since the whole basis for the raise they are now slated to get is comparability with increases already in effect for similar work in the private economy.

The Government's best hope for an effective fight against inflation lies in convincing all Americans that its program is based on equality of sacrifice. That means no loopholes for overly powerful industries or unions and, by the same token, no double burdens for those deprived of economic weapons by a legal ban on strikes.

AMENDMENT NO. 455

Mr. MATHIAS. Mr. President, if the Senator will yield further, I will now send the amendment to the desk and request that it be printed. In line with our previous colloquy on this subject, I will be prepared to call it up after the vote on the Fulbright amendment Wednesday.

The PRESIDING OFFICER (Mr. BENTSEN). The amendment will be received and printed, and will lie on the table.

Mr. MOSS. I thank the Senator for his response to my original question. I think the record is now clear as to what we might expect on the matter of the freeze of Federal salaries and what the options will be in this body in dealing with that problem.

I want to proceed as I indicated with the Committee on Post Office and Civil Service, hoping to have a resolution before it and to the floor and ready for action prior to midnight Thursday which is the deadline by which this body may act.

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

Mr. MOSS. Mr. President, if I may have 30 seconds more, midnight Thursday is the deadline by which this body must act if it is going to act under the provisions of the act which provide comparability and, therefore, the matter would have to be called up sometime on Thursday or earlier.

I thank the Chairman of the Committee on Armed Services for yielding to me.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum, and it may be a live quorum.

Mr. STENNIS. There are other speakers to whom I wish to yield time.

The PRESIDING OFFICER. Does the Senator from Colorado withhold his request?

Mr. ALLOTT. Mr. President, I withhold my request.

Mr. STENNIS. Mr. President, I am glad to yield 5 minutes to the distinguished Senator from Maine and such additional time as she may desire.

Mrs. SMITH. Mr. President, I am constrained to oppose the Allott amendment now before us even though I am sure that it will pass. The genesis of the Allott amendment now before us came this past June when the House and Senate conferees were in conference trying to come to an agreement with respect to the different versions of the draft extension bill as passed by each body. A major difference between the House bill and the Senate bill related to proposed pay between careerists and so-called first termers as provided in the original Allott amendment that was adopted by the Senate over the opposition of the President, the chairman of the Senate committee, myself, and others.

On June 16, 1971, Mr. Labre Garcia and Mr. Charles J. Conneely of the staff of the Senate Committee on Armed Services presented to me for my consideration a draft of a compromise proposal to be offered to the conferees, of which I was one. This proposed compromise had been worked out with Lt. Col. (then major) Paul Arcari of the office of the Deputy Assistant Secretary of Defense for Military Personnel Policy.

After studying the proposal, I notified Mr. Garcia and Mr. Conneely on June 26, 1971, that I had decided not to offer the proposal. I stated that I preferred to stay with the President's position on the issue and that I felt it more appropriate to let the chairman take the lead in this matter in conference. That proposal which I rejected is identical with the present and new Allott amendment now before us.

I say that I believe the Allott amendment will pass simply because I recognize that it is the price to be paid for his withdrawal of his opposition to the draft extension conference report when there was serious doubt as to the adoption of the report because of Senator ALLOTT's opposition and when Senator ALLOTT agreed to withdraw his opposition if the Allott amendment now before us would be placed as a rider to the military procurement bill.

Senator ALLOTT came to me on the Senate floor prior to his withdrawal of his opposition to the draft extension conference report and asked me if I would agree to support his new amendment, which is now before us, as a rider to the military procurement bill. I told Senator ALLOTT that I had opposed his amendment because the President had opposed it in his economic policy and that I would not change my position unless the President himself asked me to do so. I made the same statement to Mr. Clark MacGregor, Counsel to the President for Congressional Relations, as did my assistant to Mr. Tom C. Korologos of the White House Senate liaison staff.

The President has not asked me to change my position and support the Allott amendment. I first decided to oppose this proposal and so expressed myself to Mr. Garcia and Mr. Conneely back on June 26, 1971, when they presented the identical proposal as contained in the Allott amendment presently before us.

We have already voted in the adoption of the Draft Extension Conference Report the largest military pay increase in history. It is not only equitable but it is truly competitive with wagelevel s in the civilian economy.

I cannot believe that the President really deep down in his heart favors the Allott amendment but, rather, to use his own words, considers it to be "political profiteering" because it clearly runs contra, and very seriously so, to his economic policy of greater austerity in trying to fight inflation by cutting down Federal expenditures. Perhaps he does now officially support the Allott amendment after his original opposition to it—his support being the price paid to get the draft extension bill finally passed.

But the price to be paid is too high for me to be willing to agree to pay—for that price is an estimated additional annual cost of $381 million. I just do not think this is in the best interest of the American people, whether they be taxpayers or not, because it will further fan the fires of the inflation Americans are suffering from, whether it be in the prices they pay for goods and services or it be in the jobs they have lost to lower price foreign markets.

The additional compe nsation increases now proposed by the Allott amendment would, among other things, add approximately $15 to $16 per month to the pay authorized young enlistees with less than 2 years of service. Now I just cannot believe that adding only 50 cents a day to the pay of young potential enlistees would materially affect their decision to either enter or remain in the career military service and guarantee a successful manning of an all-volunteer Armed Force.

In the recent past, the Senate Armed Services Committee set a precedent of opposing personnel action riders on military procurement legislation when it refused to agree to the then proposed three-star rank for the Chief of the National Guard Bureau even though the then Chairman of the House Armed Services Committee militantly insisted upon such acceptance. I think the committee acted wisely in refusing to combine personnel riders with hardware procurement legislation. I think it unwise to do so in this case.

Mr. STENNIS. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I certainly appreciate the sentiments and statements of the Senator from Maine and can fully understand her reasoning and her position.

I wish to reiterate a point I made when this matter came up on September 16, as reflected by the RECORD at page 32215. When the pay scales become law, which are included in this amendment, I certainly will not yield one bit on my insistence that we go after quality men. With these high pay scales for the lower grades, I think the Army can be filled up with category 4, the lowest category that is eligible to be taken in. They can earn all this money, and we still will not have an Army and we will not have the material that will make an Army. I insisted that it not be done just to make a plan work or make a showing about what can be done with these increased salaries. I am going to have a special statement to make along that line elaborating more on the same principle as soon as we pass the bill on Wednesday.

I want to make that clear. I do not waive my position or any of my beliefs on the matter of quality people only. I think virtually all of the members of the full committee will feel the same way.

There is one other point about the amendment. It runs the money up somewhat, but I conceded the fact when I agreed to support it. That was in line with an amendment that had been adopted by a majority of the Senate. I had resisted it at the time, but, after all, it was adopted. When we went to conference, I thought that the best adjustment we could get was the one we did get, and we got some of the quarters allowances increased, which I thought was important, and brought that back as a part of the compromise.

The PRESIDING OFFICER. The Senator's 3 minutes have expired.

Mr. STENNIS. Mr. President, I yield myself 2 more minutes.

Of course, those figures stay in the law, because the conference report was adopted, and this measure will be in addition.

I think the big point here is the type of people we are going to take in. No service has to take any person, and I am going to urge the changing of a rule—it is not the law, but there is a rule—that they have to take a certain percentage of these low-category people. I thought it was a great mistake then. I think it is now. I will urge that it at least be changed.

Mr. President, that concludes my remarks. I yield back the remainder of the 2 minutes I allotted myself.

Mr. ALLOTT. Mr. President, I have listened with great interest to the remarks of the distinguished ranking member of the Armed Services Committee, and I think it is incumbent upon me to say I never did have any commitment from her for support of this amendment. So her statement, of course, is entirely correct. I never did.

I would just like to make one or two statements that it occurs to me I need to make in commenting on her remarks. The Senator from Maine made the remark that 50 cents does not mean much, and that is quite true. Fifty cents a day does not mean much to one unless he is close to a poverty level, and that is where we have been keeping these people. I have been there. I know. I have seen the time when 50 cents a day would look awfully good to me, and I am sure it will look good to some of these people.

The ones the Senator from Maine is talking about are recruits, and they are recruits for only 3 or 4 months, and then they go up proportionately.

I note that for a second lieutenant with one dependent my amendment means an increase in regular military compensation of $1,172, or 13.5 percent, which brings these people up to where I think they belong.

I made the point particularly at the time the Allott amendment originally came up that one does not have to be for a volunteer army to be for the Allott amendment. I think it is the only thing that will make a volunteer army halfway feasible. But whether one is for a volunteer army or whether one is against it, as some with whom I have talked outside are, we now have a commitment from the chairman of the Armed Services Committee that he will hold hearings on that matter next year. Whether one is for it or against it, one thing is certain, and that is that we simply cannot continue to raise the pay of military people by percentages, because when we do that, the rich get richer and the poor get children. That is all they get—they do not get money.

As I pointed out a few minutes ago, between 1952 and 1965 I believe these lower grades went without any increase at all.

Let us look at the record and take a look at this evidence. Since the passage of the original Allott amendment, I have talked with hundreds of people here, which I do not think is necessarily a cross-section of the country, but also in other places, and particularly in my own State. I naturally would expect the young men to agree with my amendment, because they are the ones who either through volunteering, or volunteering because the draft is imminent, or because they are going to serve as a result of the draft, are going to serve in these grades. I would naturally expect their support and their approbation, but the thing that has been outstanding to me, Mr. President, about this is the experience I have had with other people and the number of people in my State of middle age—and when I say middle age I am talking about people from 40 to 60 years of age—who have no idea of ever being in the military service again, who have come up to me and said, "This is the greatest thing. We are all for you. It ought to have been done a lone, long time ago."

Then, Mr. President, I was equally astounded just a week ago when I had an occasion to be in a group of very high ranking military people—and I mean high ranking—and I was again pleasantly and happily surprised to find several—at least seven or eight—two-, three-, and even four-star generals, and some brigadiers, who said to me that I was pursuing the right path, and that they were glad to see me waging this fight.

So, taken all in all, I do not think we have to get into a numbers game here. All I am trying to do, and all I have ever tried to do by this proposal, is bring a very simple sense of ethics and fairness to the treatment of these men in the lower grades, the E–1's, 2's, 3's, and 4's, and the O–1's and 2's.

Mr. President, if the distinguished chairman of the committee is ready, as far as I know, I have no further speakers on this side, and I would be amenable to a quorum call. First, however, the matter to which I referred the Senator a while ago is that in my amendment, on page 3, in the table between lines 2 and 3, in the O–1 category, for those over 2 years, the figure is $629.79. The Government Printing Office seems to have run out of ink and it is a little faint at this point, but I believe the figure shown is $629.79 That figure should be $629.70, and I modify my amendment accordingly.

The PRESIDING OFFICER. Is there objection to the Senator's modifying his amendment? The Chair hears none, and it is so ordered.

Mr. BEALL. Mr. President, almost 2 years ago, former Secretary of Defense, Thomas Gates, chaired a commission that studied in depth, the feasibility of establishing an all volunteer Army. The President, a long time backer of the concept of a volunteer military, made this report available to the appropriate committees of the Congress shortly after it was completed. I regret to say that we were slow to respond to this proposal, thus making the recent extension of the draft a necessity.

The pay provisions contained in the recently enacted Selective Service Act of 1971 were an important first step. Our distinguished colleague, the Senior Senator from Colorado, made a clearly significant contribution to that legislation by successfully guiding through the Senate a military pay raise proposal that was designed to bring the greatest possible benefits to the men in the lowest grades. Differences between the House and Senate passed pay raise proposals obligated the conferees to seek a compromise. I commend the Senate conferees lead by the distinguished chairman of the Armed Service Committee, Senator STENNIS, and the able ranking member, the senior Senator of Maine, Mrs. SMITH, for their fairness and tenacity in putting forth the Senate position relative to this issue.

I rise today, Mr. President, to announce my firm support for Senator ALLOTT's second military pay raise amendment which will, if enacted, became an integral part of the military procurement bill which is presently pending before this body.

I have long favored the concept of a volunteer army. The draft is at best a necessary evil, which I believe, to be a basically ineffective and inefficient method of providing the manpower needed to guarantee our national secu-

rity. It may, from time to time, be necessary for the Congress to authorize the President to induct men and women into our Nation's military forces but I think that it is equally incumbent upon Congress to do everything in its power to see that our manpower needs are met in a less distasteful fashion.

I believe that Senator ALLOTT's pay raise proposal is the second significant legislative step that is necessary to achieve the objective of a volunteer army. We now have the opportunity to approve this amendment and hopefully gain the concurrence of the House of Representatives so that this higher pay scale can go into effect as soon as the present wage-price freeze expires on November 13.

Today, we have an opportunity to improve the quality of our Nation's military forces, to strengthen our national defense, to reward in a fashion commensurate with their responsibilities and their sacrifices the men who seek to defend the freedom of all Americans and last but not least to seek to promote and expand to the greatest degree possible the concepts upon which our Nation was founded.

Mr. President, I believe that the enactment of this legislation is of vital importance to the well-being of our Nation and I would hope that the overwhelming majority of my colleagues will join me in supporting the amendment offered by our able colleague from Colorado.

Mr. BROOKE. Mr. President, I am pleased to join with Senator ALLOTT and others of my colleagues in urging the adoption of this most important amendment to the military procurement bill.

For many years, I have urged the termination of our present unfair selective service system, and the institution of an all volunteer Armed Force. Before such a transition can be accomplished, however, it is absolutely imperative that the military pay scale be increased to the point where military service will be economically attractive to the potential volunteers. Nowhere is a substantial increase in pay more essential than in the lower ranks, where men and women receive their introduction to military life.

At the present time, a recruit receives an annual salary of $3,245 per year—including quarters allowance and other benefits. Under the bill which passed the Senate on June 24, persons in this rank were to be paid $5,320 per year; the House approved a pay rate of $5,036 per year. Yet the conferees approved a pay rate of only $4,872 per year, or an annual salary barely above the poverty line. Similar transformations occurred in the pay rates approved for others of the lower ranks: privates, PFC's, and corporals. Not until the rank of sergeant is reached do the figures adopted by the conference committee represent a true compromise between the House and Senate figures, and therefore an amount which represents an essentially equitable rate of pay.

The fact that the amounts approved by the conference committee represent an increase of as much as 50-percent over present pay rates is, in my judgment, insufficient reason for the retention of the conference figure. We are primarily concerned with making military pay comparable to salaries in the civilian sector, not to previously inadequate levels of military compensation.

The pending Allott amendment seeks to correct this serious inequity in the military pay scale. It would include many of the rates previously approved by the Senate, with certain modifications to accommodate increases which have already been approved for certain of the higher ranks. The bulk of the increase, however, would go to the lower ranks where it is most needed. At a cost of $238 million for the first year—a cost which the President has already said he is willing to accept—we can remove our lower-ranking servicemen and their families from the welfare rolls, we can grant to military service the dignity and the selfsufficiency which it truly deserves, and we can correct a longstanding injustice to the young men of our Nation, both those who serve and those who choose not to do so.

I am pleased to join with my distinguished colleague from Colorado, once again, in support of this measure. I strongly urge the adoption of the pending amendment.

Mr. STAFFORD. Mr. President, the progress this administration and this Congress have made toward ending draft calls and creating an all-volunteer armed force is historic.

The Department of Defense has undertaken a massive program designed to create a more professional, efficient, and effective Armed Force while at the same time eliminating much of the irrelevant, but harrassing aspects of military life. I appreciate the fact that the armed services are currently going through a period of upheaval. Winding down from a 3½-million-man force to under 2½ million men is a logistics problem of momentous proportions. Nevertheless, the services are to be credited for making the needed effort to modernize and to gear up for a volunteer force. The recruiting command is expanding; new enlistment options are becoming available; reforms of procedures and routines of daily life are moving ahead. More is needed, but the administration has demonstrated its commitment by a most auspicious beginning.

Mr. President, it is against this backdrop, that I would hope the Senate would accept the amendment offered today by Mr. ALLOTT. Passage of this amendment will demonstrate that Congress is willing to do its share to move this Nation closer to the goal of a volunteer Armed Force.

The Military Selective Service Act which was signed by the President just last week takes several steps toward ending draft calls. It provides for an experimental program of enlistment bonuses; it provides a reimbursement for recruiters for out-of-pocket expenses; and it sets new, realistic limits on the active duty strengths for the Armed Forces.

Most significant, however, is the pay raise provided in that bill. The President signed into law last week the largest pay raise for military personnel in history. Yet, the Senate now has before it an amendment to correct a deficiency in those rates. The distinguished Senator from Colorado has made it perfectly clear why this amendment is necessary.

There are two points, however, which I feel deserve special attention. First, is the issue of pay for the first-termer. For too long, since 1948 to be exact, Congress has taken advantage of the presence of a draft to depress unnecessarily the pay for our first-term personnel to a level far below that of their civilian counterparts. It is time this inequity is eliminated completely. If we fail to pass this amendment today, every time we give the military an across the board cost-of-living increase, we will be punishing the first-termer. This is true because without this amendment, that first-termer will still lag significantly behind his civilian counterpart. And every time there is a pay raise, the percentage increase given to everyone will be applied to a basic pay rate which, for the first-termer, is too small, and thus the increase will be too small. In fact, we will be compounding our error. It is time now that we correct that pay curve, so we will not be continuing our inequity day after day.

The earlier we correct these pay tables, the earlier we will remove the penalty for enlisting in the Armed Forces now placed upon our young men. This amendment gives us the opportunity to end the financial sacrifice we require of those who would serve our Nation in uniform; and the longer we delay, the more difficult it is to correct our errors.

The second point I want to raise, Mr. President, is a simple one of arithmetic. The President's freeze of the recently passed pay raise will save approximately $328 million for the current fiscal year. The cost of the Allott amendment is $238.2 million for the remainder of this fiscal year. Thus, we are in fact spending less than the total Congress just enacted. We are spending some $90 million less. So no one can claim that the cost of this amendment is violating the President's economic program; no one can claim that a correction in a 23-year inequity is doing damage to our economic health.

Mr. President, just last week President Nixon made this statement in signing the draft measure:

> I am most hopeful that this is the last time a President must sign an extension of draft induction authority.

In order to help him fulfill that goal, I want to add my support to that of the President's, the distinguished chairman of the Armed Services Committee and to many others for passage of this amendment.

Mr. BAKER. Mr. President, I cannot express too strongly my support for the pending amendment.

Although the Congress has just extended the authority of the President to draft American men into the Armed Forces of the United States, it is the stated policy of the President to reduce draft calls to "zero" well before the expiration of this new draft authority. In this regard, I am encouraged by recent estimates that the calendar 1971 draft totals are likely to be the lowest since 1962.

Historically, enlisted men in the lowest pay grades—and the same is generally

true for officers in the most junior grades—have been paid at extremely low rates. These subsistence rates have been possible, because of the draft. Draftees and draft-induced volunteers, having had no choice with respect to entering the service, have consequently had little to say about their pay scales. The fact that men are inducted against their will and then paid far less than comparable exertions and responsibilities would earn them in a competitive economic arena is not the least of the inequities that characterize the draft.

Now that this Nation is moving toward "zero draft calls" and an all-volunteer army, it is imperative that the conditions of service be made more attractive to the potential volunteer. All other Federal pay scales are based on the principle of comparability. The same yardstick can and must be applied to the lower military pay grades.

At a time when urgent and serious questions are being raised about the adequacy of our national defense capability vis-a-vis that of the Soviet Union, it is essential that the strength of our Armed Forces be bolstered, not only through the authorization of necessary hardware, but through the development of a highly trained, highly motivated corps of well-paid military personnel.

I commend the distinguished Senator from Colorado, Senator ALLOTT, for his unflagging efforts in promoting this amendment, and I unreservedly support its prompt enactment.

Mr. HATFIELD. Mr. President, I would like to state my support for the pay increases recommended by the President's Commission on an All-Volunteer Armed Force—Gates Commission—as embodied in the Allott amendment 430 to the military procurement authorization bill, H.R. 8687. Everyone familiar with this issue has been aware of the 4-year battle to implement pay increases for military personnel, salaries that would make military pay roughly comparable with its civilian counterparts.

Mr. President, I need not, at this point, reiterate in detail the numerous reasons for making military salaries equitable. It has long been realized that military personnel, particularly the first-term enlistee, have been severely discriminated against in this area. On grounds of equity alone, these pay increases should be effected. Besides this, however, military pay has been maintained on an inequitable basis for over two decades because the Armed Forces had a cheap and virtually unlimited source of manpower—the draft.

It is a further sign of hope to me that the Senate has seen fit to change its position on this issue since August 1970, as well as during the previous years. It is also a further source of hope that the administration and the Defense Department have changed their positions on this matter. With the support of the President, the Office of Management and Budget, and the distinguished chairman of the Senate Armed Services Committee, the recommendations of the Gates Commission, and others before it, seem in all probability to be verging on implementation.

If the pay increases become effective November 16, 1971, as anticipated, the country will have been relieved of a significant injustice. Furthermore, those who look forward to the abolition of the draft and total reliance on voluntary enlistments will look with the utmost of interest to the effects of the pay increases on the accession rates during the upcoming months.

Mr. President, I would like to compliment the distinguished Senator from Colorado (Mr. ALLOTT) for his adroit and articulate presentation of this issue to the Senate. And I would like to serve notice on my colleagues that if the pay increases have the consequences that have been predicted, an effort will be made at the appropriate time during the next session to create an all-volunteer military.

Mr. ALLOTT. Now, Mr. President, I am ready, if the distinguished Senator from Mississippi, the chairman of the committee, is ready, and I am perfectly willing to ask for a quorum call to be taken out of both sides. I want to be sure that we have a recorded vote on this matter, and when we have enough Senators in the Chamber, we can ask for yeas and nays.

The PRESIDING OFFICER. The yeas and nays have previously been ordered.

Mr. ALLOTT. If they have been ordered, Mr. President, I think we should have a short quorum call. 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. ALLOTT. 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. ALLOTT. If it is agreeable to the chairman of the committee, the manager of the bill, I am willing to yield back the remainder of my time, if he is willing to yield back his, and we can then proceed, the yeas and nays having been ordered, to vote on amendment No. 430.

Mr. STENNIS. Mr. President, if there is no one who wishes time, I am ready to yield back the remainder of my time.

Mr. ALLOTT. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. BENTSEN). All remaining time having been yielded back, the question is on agreeing to the amendment No. 430 of the Senator from Colorado, as modified. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Dakota (Mr. BURDICK), the Senator from West Virginia (Mr. BYRD), the Senator from Idaho (Mr. CHURCH), the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Alaska (Mr. GRAVEL), the Senator from Michigan (Mr. HART), the Senator from Indiana (Mr. HARTKE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Louisiana (Mr. LONG), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MONDALE), the Senator from Connecticut (Mr. RIBICOFF), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Nevada (Mr. CANNON) are necessarily absent.

I also announce that the Senator from Wyoming (Mr. MCGEE), the Senator from New Mexico (Mr. MONTOYA), and the Senator from Georgia (Mr. TALMADGE) are absent on official business.

I further announce that, if present and voting, the Senator from North Dakota (Mr. BURDICK), the Senator from Alaska (Mr. GRAVEL), the Senator from Washington (Mr. MAGNUSON), the Senator from Wyoming (Mr. MCGEE), the Senator from Connecticut (Mr. RIBICOFF), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. HUMPHREY), and the Senator from New Mexico (Mr. MONTOYA) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Utah (Mr. BENNETT) is absent on official business.

The Senator from Oklahoma (Mr. BELLMON), the Senator from New Hampshire (Mr. COTTON), the Senator from Kansas (Mr. DOLE), the Senator from Michigan (Mr. GRIFFIN), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Tennessee (Mr. BROCK), and the Senator from Connecticut (Mr. WEICKER) are detained on official business.

If present and voting, the Senator from Tennessee (Mr. BROCK), the Senator from Kansas (Mr. DOLE), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY), and the Senator from Texas (Mr. TOWER) would each vote "yea."

The result was announced—yeas 65, nays 4, as follows:

[No. 247 Leg.]

YEAS—65

Aiken	Fannin	Nelson
Allen	Fong	Packwood
Allott	Gambrell	Pastore
Anderson	Goldwater	Pearson
Baker	Gurney	Pell
Bayh	Hansen	Proxmire
Beall	Harris	Randolph
Bentsen	Hatfield	Roth
Bible	Hruska	Saxbe
Boggs	Hughes	Schweiker
Brooke	Inouye	Scott
Buckley	Jackson	Spong
Byrd, Va.	Jordan, N.C.	Stafford
Case	Jordan, Idaho	Stennis
Chiles	Mansfield	Stevens
Cook	Mathias	Symington
Cooper	McClellan	Taft
Cranston	McGovern	Thurmond
Curtis	Metcalf	Tunney
Dominick	Miller	Williams
Ellender	Moss	Young
Ervin	Muskie	

NAYS—4

Fulbright	Smith	Stevenson
Kennedy		

NOT VOTING—31

Bellmon	Church	Griffin
Bennett	Cotton	Hart
Brock	Dole	Hartke
Burdick	Eagleton	Hollings
Byrd, W. Va.	Eastland	Humphrey
Cannon	Gravel	Javits

Long	Montoya	Talmadge
Magnuson	Mundt	Tower
McGee	Percy	Weicker
McIntyre	Ribicoff	
Mondale	Sparkman	

So Mr. ALLOTT's amendment (No. 430) was agreed to.

Mr. DOLE subsequently said: Mr. President, this morning I was unavoidably detained in returning to Washington from Kansas and narrowly missed the rollcall on the amendment sponsored by the distinguished senior Senator from Colorado (Mr. ALLOTT). Had I been present it would have been my privilege to join with the overwhelming majority of my colleagues in approving the Senator from Colorado's proposal to provide substantial pay increases to members of the armed services. Having voted in favor of the earlier, Senate-passed version of the pay increase, I was gratified that Senate approval of this measure was achieved today.

It is important to keep in mind that raising military pay scales is a matter of high national priority for two very crucial reasons. First, by increasing the pay of our men and women in uniform we fulfill an obligation to recognize and reward the contributions they are making to the maintenance of our national defense. In many cases their pay is woefully inadequate and totally unjustified in terms of the responsibilities they bear and the obligations they owe to themselves and their families. And second, by putting military pay in closer competition with civilian wages we take a significant step toward ending the draft and creating an all-volunteer military force. For, only by making a military career attractive and secure monetarily, can we hope to draw to it the type of individuals needed to fulfill the requirements of modern national defense.

I commend the Senator from Colorado for his leadership in seeking to upgrade the pay scales of the Armed Forces and for his longstanding concern and devotion to the men and women who wear the uniform of the United States so proudly and with such great distinction to themselves and their Nation.

ORDER FOR STAR PRINT OF S. 2620

Mr. MOSS. Mr. President, I ask unanimous consent that a star print be ordered for S. 2620, the East-West Trade Exchange Act of 1971, introduced by the Senator from Washington (Mr. MAGNUSON) on Thursday, September 30, 1971. Due to an inadvertence, an incorrect text was attached when the bill was introduced for referral.

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

MILITARY PROCUREMENT AUTHORIZATIONS, 1972

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

AMENDMENT NO. 434

The PRESIDING OFFICER (Mr. STEVENSON). Pursuant to the previous order, the Senate will now proceed to the consideration of amendment No. 434 by the Senator from Missouri (Mr. SYMINGTON), which the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri (Mr. SYMINGTON) proposes amendment No. 434 as follows:

At the end of the bill add a new section as follows:

"SEC. 505. (a) Notwithstanding any other provision of law, no funds authorized to be appropriated by this or any other Act may be obligated or expended in any amount in excess of $200,000,000 for the purpose of carrying out directly or indirectly any economic or military assistance, or any operation, project, or program of any kind, or for providing any goods, supplies, materials, equipment, services, personnel, or advisers in, to, for, or on behalf of Laos during the fiscal year ending June 30, 1972.

"(b) In computing the $200,000,000 limitation on obligation and expenditure authority under subsection (a) of this section in fiscal year 1972, there shall be included in the computation the value of any goods, supplies, materials, or equipment provided to, for, or on behalf of Laos in such fiscal year by gift, donation, loan, lease, or otherwise. For the purpose of this subsection, "value" means the fair market value of any goods, supplies, materials, or equipment provided to, for, or on behalf of Laos, but in no case less than 33⅓ per centum of the amount the United States paid at the time such goods, supplies, materials, or equipment were acquired by the United States.

"(c) No funds may be obligated or expended for any of the purposes described in subsection (a) of this section in, to, for, or on behalf of Laos in any fiscal year beginning after June 30, 1972, unless such funds have been specifically authorized by law enacted after the date of enactment of this Act. In no case shall funds in any amount in excess of the amount specifically authorized by law for any fiscal year be obligated or expended for any such purpose during such fiscal year.

"(d) The provisions of subsections (a) and (c) of this section shall not apply with respect to the obligation or expenditure of funds to carry out combat air operations over the so-called Ho Chi Minh trails in southern Laos, and over areas immediately adjacent to such trails, by United States military forces.

"(e) After the date of enactment of this Act, whenever any request is made to the Congress for the appropriation of funds for use in, for, or on behalf of Laos for any fiscal year, the President shall furnish a written report to the Congress explaining the purpose for which such funds are to be used in such fiscal year.

"(f) The President shall submit to the Congress within thirty days after the end of each quarter of each fiscal year, beginning with the fiscal year which begins July 1, 1971, a written report showing the total amount of funds expended in, for, or on behalf of Laos during the preceding quarter by the United States Government, and shall include in such report a general breakdown of the total amount expended, describing the different purposes for which such funds were expended and the total amount expended for such purpose."

The PRESIDING OFFICER. The time on the amendment is limited to 5 hours. Who yields time?

PRIVILEGE OF THE FLOOR

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

Mr. SYMINGTON. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that James Lowenstein, Richard Moose, and Katherine Nelson, staff assistants of the distinguished Senator from Missouri (Mr. SYMINGTON) be granted the privilege of the floor during the debate on the amendment.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALLOTT. 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. ALLOTT. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. STENNIS. Mr. President, I move to lay that motion on the table.

Mr. PASTORE. Mr. President, I move to lay the motion on the table.

The PRESIDING OFFICER. Another amendment is pending at the moment, and it will take unanimous consent to reconsider.

Mr. ALLOTT. Mr. President, I ask unanimous consent that I may move to reconsider the vote by which the amendment was agreed to.

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

Is there a motion to table?

Mr. PASTORE. I so move.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONTROL OF THE COST OF THE SECRET WAR IN LAOS

Mr. SYMINGTON. Mr. President, today I would propose for the Senate's consideration a revised version of an amendment to the military procurement authorization bill which I proposed originally during consideration of the bill by the Armed Services Committee.

This amendment, with one exception, would establish a ceiling of $200 million on U.S. expenditures in Laos during the fiscal year 1972 for economic aid, military assistance, and all other U.S. activities. That exception would be costs connected with combat air operations by U.S. forces over the Ho Chi Minh trail area in Southern Laos.

We now know that for at least 10 years

the U.S. Government has been conducting a war in Laos. I might add, inasmuch as the Secretary of Defense testified before the Committee on Foreign Relations of the Senate that he was not conducting military operations in Laos, it is clear that the functioning of this war has been directed by the Central Intelligence Agency. We have been using funds provided by American taxpayers and appropriated by the Congress without the authorization of the Congress; and largely without the knowledge—therefore obviously without the consent—of either the Congress or the American people.

During these 10 years the cost and the scope of that war have expanded steadily behind a screen of official secrecy.

In recent months some of the facts regarding the participation of this Nation in this war in Laos have been revealed. Those facts prove conclusively that there has been a continuing and growing American involvement.

The only conclusion that can be drawn would appear to be that if there is to be any limit on the increasing cost and scope of our involvement in Laos, it will have to be obtained through the Congress by means of its constitutional right to appropriate, with understanding, the funds necessary to conduct war.

It is now clear that for years the Congress has been appropriating money in the blind to finance this Laotian war. We have not had knowledge of how much money was actually being spent; nor have we had knowledge of how any money spent was expended.

The purpose of the amendment which I offer today is to place the Congress in a position to exercise its constitutional responsibilities with regard to U.S. activities in Laos; an objective which can only be achieved provided the Congress places some overall ceiling on the amount of money that can be spent in Laos and also takes steps to know, both before and after the fact, the nature of our activities in Laos.

Until now, there has been no ceiling whatever on the amounts this Nation could spend in this war; indeed, there has been little information available about what our representatives have been doing. As a result, the costs of this undeclared Laotian war to the American taxpayer have risen steadily as our involvement in Laos—both our direct involvement and our indirect involvement through the use of Thai troops—has steadily deepened.

I believe that many in this chamber will be surprised, even now, to learn the degree of the rise in the costs and our activities, year by year.

The figures on the cost of the military assistance program that were obtained by the staff of the Subcommittee on U.S. Security Agreements and Commitments Abroad from our officials in Laos do provide one index.

In 1963, the year in which the military assistance program began, the staff was told that the cost—the amount actually spent—was $11.9 million.

During the following year, 1964, the cost rose to $21.4 million.

In 1965, that cost reached $40.8 million; in 1966, $59.7 million, and in 1967, $80.8 million.

By the fiscal year 1971 the cost had risen to $162.2 million.

Finally, for fiscal year 1972, while the executive branch has asked for $138.5 million in new obligational authority, the Armed Services Committee has been told that the program cost—that is the amount which actually will be spent—will be $221.2 million.

In other words, the cost of military assistance to Laos doubled between the fiscal year 1963 and fiscal year 1965, doubled again between 1965 and 1967; and in the current year, if some limitation is not imposed, it will be almost three times as large as it was in the fiscal year 1967; and nearly 20 times as large as it was when it all began in secrecy 9 years ago.

Mr. PASTORE. Mr. President, will the Senator yield so that I may ask a question?

Mr. SYMINGTON. I am glad to yield to the Senator from Rhode Island.

Mr. PASTORE. I would like to ask the distinguished Senator from Missouri whether this limitation would in any way impede or contribute to the danger of our troops that are being withdrawn from Vietnam. The argument would be made and I wonder what the Senator's reaction would be to that question.

Mr. SYMINGTON. I would say to my able friend from Rhode Island that we have been careful to exclude the bombing of the Ho Chi Minh Trail in order that we would not be justifiably criticized for doing anything to affect the withdrawal of our troops from Vietnam. The position taken by the administration in this matter is that any limitation of any kind on what we are doing over there is wrong.

I worry about this a great deal. The Prime Minister of Laos, who is currently in town, asked the People's Republic of China to build roads in northern Laos for him, and they are now doing so. Therefore, in areas adjacent to where our bombers and fighters are operating in northern Laos, we are running the danger of hitting some of those thousands of Red Chinese in northern Laos.

Our operations in northern Laos have little to do with the operations going on in southern Laos, hundreds of miles away and, therefore, are separate from our operations in South Vietnam.

Few, if any, Members of this body could have been aware of the steadily mounting cost of our military program in Laos, because before this year the actual costs of the total program had never been assembled and presented to the Congress; or even to the Armed Services Committee.

The actual costs were, of course, readily available to the executive branch had they chosen to share them with the Congress. Instead they presented only estimates of obligations against single year authorizations.

Each year for the past few years the Senate Armed Services Committee has been asked to recommend to the Senate the authorization of specific amounts for military assistance to Laos; and the committee has regularly complied, apparently in the belief that the amounts of new obligational authority requested constituted at least a rough index of the size of the program involved.

We now know just how wrong that assumption was. In presenting its justification for authorizations to support free world forces in Vietnam, Laos, and Thailand in the fiscal year 1970, the Defense Department told the Armed Services Committee that it needed $74.2 million for military assistance to Laos; but the recently declassified figure for the actual cost of the Laos military assistance program was $146.4 million.

For the fiscal year 1971, $117.3 million was sought; but the actual costs that year were $162.2 million.

On May 6 of this year, Defense Department witnesses discussed the Laos military assistance program before the Armed Services Committee in terms of a new authorization of $125.8 million. At roughly the same time, two members of the staff of the Subcommittee on U.S. Security Agreements and Commitments Abroad of the Foreign Relations Committee were in Vientiane; and there learned that the estimate of the 1972 military assistance program actually being planned for Laos was nothing like the $125.8 million, but actually was $252.1 million, just twice the amount described to the Armed Services Committee.

Prior to this year, the only figures available to Senators, even on a classified basis, for the cost of the U.S. Laotian operations were the amounts of the classified requests for new obligational military assistance authority and the public figure for the AID program. The total of these two figures revealed a cost much greater than anything the public could have known, but this amount was still only a portion of what was actually being spent in Laos.

In the fiscal year 1971, for example, as noted above, $117 million in new obligational authority was requested for military aid and $52 million for economic aid, for a total of $169 million. Following the secret session of the Senate, in which I discussed the report of our subcommittee staff, the Secretary of State acknowledged in a press conference on June 15 that the total of U.S. expenditures in Laos, excluding U.S. Air Force operations in both northern Laos and the Ho Chi Minh Trail area, was not in the realm of $169 million, but was actually more than double that, "in the neighborhood of $350 million." That was twice the amount previously given on a classified basis to the few Members of the Senate.

Although, as mentioned, the Secretary did not give figures for the cost of air operations in either northern Laos or the Ho Chi Minh Trial area, in testimony before the Armed Services Committee on this year's defense authorization bill, it was revealed that U.S. expenditures in Laos will actually total $490.2 million in this fiscal year. That figure includes $143.4 million for U.S. air support excluding the Ho Chi Minh Trail area.

It is clear, therefore, that the Senate has been kept in the shadows as far as actually knowing how much we are spending in Laos is concerned. It is clear also that the public has been kept completely in the dark.

Prior to this year the only figure the public knew was the annual cost of the economic assistance program, which has been running at about $52 million a year since the fiscal year 1969.

Think of that, Mr. President. We live in a democracy where the people have the right to know. Actually, we have spent over $1.5 billion in Laos, if we count the bombings of the Ho Chi Minh Trail; yet the only figure the American people knew about was $52 million.

Those few members of the press and public who have followed this subject closely might have learned from reading the published hearings of the Subcommittee on U.S. Security Agreements and Commitments Abroad that military assistance costs in Laos for fiscal year 1970 were estimated by Defense officials at about $90 million. It subsequently developed that they were $146.4 million; and there were no official figures generally available to the Congress or the public for total U.S. expenditures in any previous fiscal year prior to the Secretary of State's admission, which he made last June 15, that costs for the last fiscal year in that little country, and exclusive of any air operations, were "in the neighborhood of $350 million."

Not only was the cost of our Lao operations concealed before this spring, but the scope and character of the war—and the details of our participation in it—were not acknowledged until recently.

In a statement on March 6, 1970, President Nixon provided the American people with what he described as a "precise description of our current activities in Laos." According to the President, the pertinent facts were:

First. The United States was providing regular and irregular Lao forces with equipment, training, and logistics support.

Second. The United States was conducting air operations to interdict the Ho Chi Minh Trail, reconnaissance flights in northern Laos; and, on request from the Lao Government, combat support missions for Lao forces.

While this description of our activities in Laos went beyond previous acknowledgments of such activities, it glossed over the following details which subsequently came to light through the work of our Commitments Subcommittee:

First. Most of the war in Laos is coordinated through and by the American Embassy in Vientiane.

Second. The United States trains, arms, and feeds the Lao Army and Air Force.

Third. The United States, through the Central Intelligence Agency, trains, advises, pays, supports, and coordinates an irregular army, elements of which are deployed in four of the five military regions in Laos.

Fourth. The United States, through the Central Intelligence Agency, and in cooperation with the Thai Government, trains, pays, supports, and coordinates a growing force of Thai soldiers in Laos.

Fifth. In addition to interdiction operations over the Ho Chi Minh Trail, the U.S. Air Force flies hundreds of combat air missions throughout Laos in close support of Lao regular and irregular ground combat forces. These missions are also coordinated by the American Embassy in Vientiane. Included in this American air effort are strikes by B–52 bombers in northern Laos, far from the Ho Chi Minh Trail area.

There is considerable doubt in my own mind whether the Congress, if presented with a straightforward proposal to spend half a billion dollars to carry on such activities, would have agreed to do so; but insofar as we can determine, no congressional committee, before this year, was ever given any comprehensive picture of our operations in Laos. The two committees of the Senate most directly involved, the Armed Services and Foreign Relations Committees, have been given only a partial and, therefore, misleading, picture of what has been going on in that country.

The history of Thai forces in Laos provides an excellent example. It is a history replete with missing pages—written in large part in invisible ink.

During the last session of the Congress, a law was passed prohibiting U.S. support for Vietnamese or other free world forces—this is the law—"in actions designed to provide military support and assistance to the Government of Cambodia or Laos." The intent of the sponsors of this legislation is beyond question. One of their specific purposes was to preclude U.S. financing of Thai forces to fight in Laos.

Despite the passage of this law, it has now become public information that there are thousands of Thai fighting in Laos. The executive branch now acknowledges the presence of these forces, although claiming they are all "volunteers" serving under Lao military command.

The Department of State has also recently acknowledged, in a letter which I will ask be printed in the Record at the conclusion of these remarks, that most of these Trai have served in the Thai Army; that the units in question are formed in Thailand and include volunteer officers and NCO's who have severed their connections with the Thai armed forces; that there are Thai officers, including a general, stationed in Thailand who perform liaison functions with the Lao government; and that the Thai units in Laos include an "artillery capability composed of individuals with previous artillery experience."

At no point in the State Department letter is the claim made that the Thai in question are ethnic Lao. Nor is it explained why some of these Thai have said, in various interviews with journalists—where we get most of our new information—that they are regular Thai army troops who were asked to accept special assignment in Laos for extra pay.

The administration has now acknowledged publicly that the cost of this extra pay, as is true of the other expenses involved in this program of Thai forces being sent to Laos, are borne by the United States.

Up to now, however, the administration has refused to make public any additional details as to the specific numbers of Thais now involved, or the number it is planned to have involved in the future. Nor has it said any more about the arrangements for recruiting, organizing, directing and financing these forces.

Nevertheless, the executive branch is now asking the Congress, in this bill to authorize additional funds so as to continue, even expand, this program of Thai forces in Laos; in fact, based on what we can learn, three times as many additional Thais are to be financed for fighting in Laos, which will require three times as much U.S. money in the fiscal year 1972 as was used for this purpose in the fiscal year 1971.

In an article in the September 23 issue of the Washington Evening Star, written from Vientiane by Tammy Arbuckle, he reports that—

> American official sources confirmed that 12,000 Thais will be available to meet the expected dry season offensive by the North Vietnamese early next month.

Mr. Arbuckle notes that—

> This will more than double the current force of between 5,000 and 6,000 Thai army troops deployed in Laos.

Mr. President, I am a member of the Senate Committee on Foreign Relations, and I heard the debate in that committee. We passed this legislation through that committee, which was ultimately made law, passed by both Houses and signed by the President, and I know that what we were doing there was an effort to prevent such activities as Thai troops fighting in Laos.

In addition to the highly dubious legality of our paying for these Thai soldiers in the face of the legislation passed last year, there are the policy risks entailed by drawing the Thais, to whom we have a defense commitment under SEATO, into more direct conflict with the North Vietnamese.

There would also seem to be something grossly out of line about the costs to the American taxpayer of these Thai mercenaries. While I am not at liberty to make public the exact figures involved, I can tell the Senate, on the basis of testimony by the U.S. Ambassador in Laos before the Foreign Relations Committee, that the proposed expenditures for supplying Thai soldiers to fight in Laos in fiscal year 1972 are 25 percent higher than the proposed military assistance program for the Royal Lao Army itself—30 percent higher than the cost of the Lao irregulars—and this despite the fact that the number of Thai soldiers involved is far less than a quarter and less than half the strength of the total strength of the Lao Army the Lao irregulars.

This brief review of the major facts which underlie current U.S. operations in Laos should be sufficient to demonstrate why the time has come for the Congress to place at least some restraints upon the conduct of this undeclared and uncontrolled war.

The amendment which I offer, therefore, would place a limit of $200 million on all U.S. expenditures in Laos, exclusive, I emphasize, of the air operations over the Ho Chi Minh Trails area. This amount is sufficient to cover all amounts which the executive branch requested and justified at the outset of the Armed Services Committee's consideration of this bill this year.

Since the time when the committee initially considered the Southeast Asia portion of the military procurement authorization bill, for this fiscal year, the administration has agreed that the cost of U.S. operations in Laos in the coming year—again exclusive of air operations over the Ho Chi Minh Trails area—is nearly $500 million—$490.2 million to be exact—of which $221.2 million will be expended for the military assistance program. Note that in May the estimated amount of new money need for the fiscal year 1972 military assistance program in Laos, as presented to the Armed Services and Foreign Relations Committees, was $125.8 million.

I believe it entirely fair to assume that this new figure for the cost of our Lao operations would not have come to light if members of the staff of the commitments subcommittee had not made an extended actual visit to the area in question. Following a report of their findings to a secret session of the Senate on June 6, with subsequent inquiries by Armed Services and Foreign Relations for additional details of expenditures in Laos, executive branch witnesses again appeared before the Armed Services Committee on July 22; and at that meeting, the true dimensions of the Laos program began to emerge for the first time.

The justification then presented for an expenditure of $490.2 million was essentially the same as that offered in May. No different explanation was offered to justify an increase in the military assistance program to $221.2 million than that presented in May when the program was being described in terms of $125.8 million.

Year after year the Defense Department has had enough excess money and material available to support a program much larger than that authorized—sometimes twice as large. Similarly, there was no explanation, whatever, offered as to how the anticipated costs of the Thai mercenaries—a category of expenditure not even mentioned in the earlier session—had been computed.

It was acknowledged that the per man cost of the Thai was somewhat higher than that of the Lao irregulars, but there was no emphasis of the fact the real ratio is 33 percent more money for less than half as many Thai troops as Lao irregular troops, both of which groups we finance and train. This fact did not become clear until administration witnesses testified before the Foreign Relations Committee later on the same day.

There are many other gaps in this effort to justify a half a billion dollars for Laos, exclusive of the trails. To the best of my knowledge, at no point have the costs of the CIA operations in Laos been explained as a separate item to any congressional committee. Neither has the nature of U.S. air operations in northern Laos ever been fully described to any committee.

As noted earlier, the President has referred to combat support missions which have been flown at the request of the Royal Lao Government. The fact is that the U.S. Air Force is engaged in an around-the-clock campaign of intensive combat operations of all sorts throughout Laos, ranging from the stationing of forward air controllers and aircraft to B–52 strikes in the northern portion of Laos, hundreds of miles from the Ho Chi Minh Trails, and far closer to the boundary of the People's Republic of China.

In short, none of the above activities has as yet been described to Congress in sufficient detail—nor has the derivation of the costs of these activities yet been explained in a manner which would support any such appropriation. In effect, all that Congress has been told is that the United States is conducting many more programs in Laos than were known before; therefore, twice as much money is required.

This new information which has come to light, coupled with the now universally admitted serious economic problems we face here at home, makes me even less willing than before to continue expenditures in Laos at this steadily higher level. I believe that any American policy in Laos which costs more than $200 million to support is too expensive, or too dangerous, or both.

This belief is reinforced by the acknowledgement of administration witnesses before Armed Services that, notwithstanding all we are currently doing in Laos—there could not be a more important point—the North Vietnamese and the Pathet Lao presently have the capability, if they so chose, at any time to complete their takeover of Laos.

In the face of this admitted fact, the waste and futility of this effort becomes all too apparent.

Surely, Congress has the right to receive from the executive branch justification for specific additional authorization requests, plus an explanation of the reasons why such additional authority is needed. Section (e) of my amendment would establish a requirement for a written explanation of the purposes for which any future funds for Laos are requested.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the amendment.

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

SEC. 505. (a) Notwithstanding any other provision of law, no funds authorized to be appropriated by this or any other Act may be obligated or expended in any amount in excess of $200,000,000 for the purpose of carrying out directly or indirectly any economic or military assistance, or any operation, project, or program of any kind, or for providing any goods, supplies, materials, equipment, services, personnel, or advisers in, to, for, or on behalf of Laos during the fiscal year ending June 30, 1972.

(b) In computing the $200,000,000 limitation on obligation and expenditure authority under subsection (a) of this section in fiscal year 1972, there shall be included in the computation the value of any goods, supplies, materials, or equipment provided to, for, or on behalf of Laos in such fiscal year by gift, donation, loan, lease, or otherwise. For the purpose of this subsection, "value" means the fair market value of any goods, supplies, materials, or equipment provided to, for, or on behalf of Laos, but in no case less than 33⅓ per centum of the amount the United States paid at the time such goods, supplies, materials, or equipment were acquired by the United States.

(c) No funds may be obligated or expended for any of the purposes described in subsection (a) of this section in, to, for, or on behalf of Laos in any fiscal year beginning after June 30, 1972, unless such funds have been specifically authorized by law enacted after the date of enactment of this Act. In no case shall funds in any amount in excess of the amount specifically authorized by law for any fiscal year be obligated or expended for any such purpose during such fiscal year.

(d) The provisions of subsection (a) and (c) of this section shall not apply with respect to the obligation or expenditure of funds to carry out combat air operations over the so-called Ho Chi Minh trails in southern Laos, and over areas immediately adjacent to such trails, by United States military forces.

(e) After the date of enactment of this Act, whenever any request is made to the Congress for the appropriation of funds for use in, for, or on behalf of Laos for any fiscal year, the President shall furnish a written report to the Congress explaining the purpose for which such funds are to be used in such fiscal year.

(f) The President shall submit to the Congress within thirty days after the end of each quarter of each fiscal year, beginning with the fiscal year which begins July 1, 1971, a written report showing the total amount of funds expended in, for, or on behalf of Laos, during the preceding quarter by the United States Government, and shall include in such report a general breakdown of the total amount expended, describing the different purposes for which such funds were expended and the total amount expended for such purpose.

Mr. SYMINGTON. In addition to establishing a requirement for written explanations in connection with any future fund requests for Laos, section (c) of the amendment would prohibit the obligation or expenditure of funds for any purpose after the date of enactment of the amendment unless such funds have been specifically authorized by law.

As noted earlier, in the past the amounts of money specifically identified in requests to Congress as being for use in Laos have constituted only a portion of the total cost of U.S. operations in that country. The purpose of section (c) of the amendment is to insure that Congress knows when it is authorizing or appropriating money for this country; and, conversely, to prevent the diversion to Laos of funds appropriated for other purposes.

Mr. President, what is wrong with that? What is wrong with our being told as to what they did with the money requested, particularly if they did not do with it what was asked for when it was authorized and appropriated? In my opinion, that could well be the basic thrust of my remarks.

Mr. AIKEN. Mr. President, will the Senator yield, so that I may ask three or four questions to clarify the amendment somewhat?

Mr. SYMINGTON. I am happy to yield.

Mr. AIKEN. Does the Senator's amendment affect the expenditures now being carried out by the CIA in Laos?

Mr. SYMINGTON. That would be covered by the amendment.

Mr. AIKEN. Does the Senator think that would affect the operations of the CIA?

Mr. SYMINGTON. In Laos?

Mr. AIKEN. Yes.

Mr. SYMINGTON Inasmuch as the Secretary of Defense testified that he was

conducting no military operations in Laos, the only conclusion I can draw from that, based on my experience, is that the Central Intelligence Agency is conducting these operations under the direction of the State Department, and funds for such operations are included in this ceiling

Mr. AIKEN. I understand that a great many more Laotians now live in Thailand than remain in their home country and that considerable recruiting is done in Thailand for the purpose of strengthening the comparatively weak forces they have at home. Would this amendment also apply to the recruiting now done in Thailand if such recruits were paid by the United States?

Mr. SYMINGTON. The word "ethnic" is the only way, I say to my able friend, that the administration can justify what it is doing on any basis. Otherwise, it is clearly breaking the law.

I would say if there were people who had lived in Thailand for a period of years and the United States claimed that, because their grandfather or their great-grandfather originally came from Laos, we could, therefore, under the law, pay, train, and finance them to fight in Laos, that interpretation of the law is certainly in violation of the interest of the Congress.

Mr. AIKEN. I understand that about three or four times more Laotians are now living in Thailand than the number living in Laos, and the Laotian Army depends on them for the Laotian forces to maintain their numbers—I do not know for sure though.

Mr. SYMINGTON. I believe that the figures the Senator presents are correct.

Mr. AIKEN. How would this amendment affect the air cover which is now provided for the Laotians in the Plain of Jarres, which I believe is considered a crucial area in that country?

Mr. SYMINGTON. Mr. President, before answering that, I would like to mention that at no time has the executive branch ever contended to me or to the subcommittee that the so-called volunteers are ethnic Lao; and, based on other testimony we have received, I think that might be difficult for them.

Mr. AIKEN. They are Laotian in the same sense that a third or fourth generation European living in America now is loyal to the old country, their great-grandfather's country. Is that correct?

Mr. SYMINGTON. I believe so.

In the statements by the Secretary of Defense and the Under Secretary for Political Affairs, before the Armed Services Committee, there was considerable discussion of the Thai forces in Laos, about how they are all volunteers—that was the big word—and how they have severed their connection with the Thai Armed Forces. But there was no mention whatever of the fact that they are ethnic Lao. I think if the Senator looks at the record, he will see that because what they have done is pretty clear, they have constantly raised new justification for it.

Mr. AIKEN. Frankly, I do not know, and that is why I raised the question. I also asked about the air cover for the Plaine of Jarres, which is considered a crucial area in defense of the whole country.

Mr. SYMINGTON. I think that any support that Vang Pao can get he will welcome. Therefore, any support we give—including in the Plaine of Jarres—would be better for him. I do not think it would have much to do with the question of whether the country will exist as a country under the present government, because, as mentioned, we have had testimony that any time the North Vietnamese and the Pathet Lao under Souvanna Phong, want to take the country over, they can do so.

Mr. AIKEN. The reason I asked is that there seems to be some apprehension that they would take the country over quickly if Laos lost the protection of our Air Force over the Plaine of Jarres.

Mr. SYMINGTON. I think we have a great deal of apprehension about what would happen in South Vietnam, what would happen in Cambodia, and what would happen in Laos. There is no doubt that pretty soon we would have the same story told to us about Burma and Thailand.

May I say to my good friend that this amendment does not cut out air support in northern Laos, but merely puts a limit on what we can spend. So what the amendment does is to force a little discrimination with respect to how the money will be used; and to provide the Congress with knowledge to that end. I know the Senator from Vermont would agree with me that we should have knowledge of what we appropriate.

Mr. AIKEN. The Senator is saying that if we should spend $20 million or $30 million to complete a hydroelectric plant, that same money could not be spent for any other purpose.

Mr. SYMINGTON. A hydroelectric plant in Laos?

Mr. AIKEN. Yes. I think there is one there.

Mr. SYMINGTON. Money spent for that plant would fall under the limitation. One of the reasons I am keen for the amendment is that we need a little money back in my State.

Mr. AIKEN. The next question is, if the Government of Laos should fall to the enemy, with the North Vietnamese leading the enemy forces, what does the Senator think would be the result on our position in South Vietnam? Would it make our withdrawal more likely, less likely, or what?

Mr. SYMINGTON. When we get into the question of what government we support, which is the question that comes up in so many countries where we invest American taxpayers' money, we run into a problem of decision as to what would be the reasons. I personally heard the Prime Minister of Laos in Washington some months ago, stating frankly that when he first thought he had trouble, he applied to the North Vietnamese for arms. He said that that was rejected, so he left it there; but the presumption was that if the United States did not continue to support him in the way he felt was right, he would apply to them again for arms. As the able Senator knows, it is difficult in a country like this, which is a tribal country with a king we do not hear much about, to really know what is going on. We know, as an example, that the present prime minister has asked the People's Republic of China to build roads in his country and that there are thousands and thousands of Chinese now quite close to the capital of Laos. Because of all these factors, therefore, I honestly cannot answer a question like that.

Mr. AIKEN. One last question and this is the last one. The Peoples Republic of China is supporting the North Vietnamese at this time, and we are told that Russia is also giving them support—I do not know how much from each country—but except for the support from Russia and China, it is likely that the North Vietnamese could actually threaten to take over Laos itself, assuming that we withdraw all our military strength from South Vietnam. Does the Senator from Missouri believe that Russia and China would withdraw much of their support from those forces which are harassing Laos at the present time?

Mr. SYMINGTON. Well, Mr. President, based on the briefings which cannot be discussed on the floor of the Senate today, and at which the able Senator from Vermont and I have been present, I would say that problems between the Soviet Union and the People's Republic of China are such that whatever one of the two countries did with respect to Laos, the chances are the second country would take a directly reverse position.

Mr. AIKEN. It would appear to me, however, that if we withdraw, the pressure on Laos from the Pathet Lao, supported by Russia, and China, or both, would be somewhat reduced, would it not?

Mr. SYMINGTON. Would the Senator please repeat that.

Mr. AIKEN. It appears to me that if we should withdraw from South Vietnam, the pressure—the support, rather, that Russia and China are giving the North Vietnamese and the Pathet Lao, would be somewhat—if not wholly reduced—at least substantially reduced. Am I thinking in the right direction?

Mr. SYMINGTON. I do not think there is any question about that. I would think, if we left South Vietnam, the chances are a good many to one, that President Thieu would go with us. Thus I think that the North Vietnamese, the Viet Cong, the National Liberation Front and the South Vietnamese would, in a period of weeks, if not days, take over South Vietnam and get rid of the present government.

Mr. AIKEN. Does it appear to the Senator from Missouri that our unfortunate venture in Indochina, South Vietnam particularly, is largely responsible for the very great difficulties that Laos and Cambodia find themselves in now?

Mr. SYMINGTON. I think that is a logical conclusion.

Mr. AIKEN. That is my last question.

Mr. SYMINGTON. Mr. President, I thank the able senior Senator from Vermont, and may I present to him and to the Senate that there is no one in this body for whom I have greater respect. As is seen clearly in the testimony on the pending legislation before the Armed Services Committee, the administration contends that it cannot be bound within a fixed budget for Laos; and the preference of the executive branch to have no budgetary restrictions or limitations is

understandable. That position is tantamount, however, to saying that the authority to appropriate, given to the Congress by the Constitution, nevertheless should not be taken seriously.

Section (f) of the present amendment would require quarterly reports to the Congress showing the total amount of funds expended in, for, or on behalf of Laos.

In the past, the Department of Defense has furnished quarterly reports of obligations against those funds authorized under the Defense procurement bill for the support of free world forces in Vietnam, Laos, and Thailand; and although frankly we had not realized it before this year, the latter reports represented a far from complete picture of the cost of military assistance to Laos. This experience furnishes evidence that a more complete and detailed accounting by the executive branch is essential if the Congress is to have any assurance that it knows what is going on; and that is the purpose of section (f).

As noted earlier, the present amendment excludes any obligations and expenditures incident to U.S. air operations over the Ho Chi Minh Trail area because it is maintained by the administration that these operations are essential to the safety of American troops in South Vietnam and also to the successful implementation of the Vietnamization program.

Successive administrations have been able to pursue these policies and programs in Laos because there have been virtually no public or congressional restraints upon that policy. The absence of any restraints has been due, in large part, to the fact that for some 10 years neither the public nor the Congress has known anything about what was going on.

In other words they are operating without the approval and without the knowledge of Congress; and this despite the clause which specifically states our rights when it comes to participation in foreign policy decisions. What is the purpose of our being here if when we send out able members of the various committee staffs of the Congress, we find out there are different sets of facts from those given by the Executive when we were asked to first authorize and then appropriate the money.

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

Mr. SYMINGTON. I am glad to yield to the able chairman of the Foreign Relations Committee.

Mr. FULBRIGHT. Mr. President, the Senator asked concerning our relevance and why we are here. I suggest that we do play a role, because our being here makes most of the people of the country think we have a role. It gives a kind of facade behind which the executive branch can do as it pleases without taking responsibility for it.

The Senator from Missouri and I have a responsibility. We try to make the executive take some responsibility. However, the executive does not even write any more letters. The Secretary of Defense and the Secretary of State rarely answer a letter inside of 3 or 4 months, and that is usually to say why they cannot supply the information to the Senate.

As the Senator well knows, at the beginning of September when we pressed hard enough to get answers relevant to the matter of foreign aid, the administration refused the information and pleaded executive privilege. That is the first time they did it so formally. They do not have to do it by delay. They just do not come.

Mr. SYMINGTON. The Senator from Arkansas is primarily responsible for their taking executive privilege because for the first time we said, "If you don't take executive privilege, you won't get the money." So, that was a banner day for Congress.

Mr. FULBRIGHT. Mr. President, I congratulate the Senator for his many accomplishments. He has done so much to get information to the committee. And he has done so much to bring into the public domain what information has been found.

On the pending amendment, I will wait until the Senator completes his statement which is nearly completed before I ask further questions.

Mr. SYMINGTON. Mr. President, I appreciate the remarks of the able Senator from Arkansas. I will not be much longer.

Mr. President, we now know far more than before about what is going on in Laos, therefore are in a better position to reach judgments about the future course of U.S. policy. We have also discovered just how much we did not know, and accordingly have a clearer idea about what information we need to have in the future if we are to exercise our constitutional responsibilities. The amendment which I offer is a vehicle for assuring a continuing flow of information to the Congress with reepect to our Laos operations.

No war should be planned and conducted without the knowledge and authorization of Congress, especially when one considers the risks such wars may entail in terms of the involvement of other nations.

The purpose of this amendment is not to put an immediate end to the war in Laos. Desirable as that objective would be, it is not a realistic possibility at the present time. But the amendment does represent an opportunity and a challenge to the Senate to both accept and exercise its full responsibilities in the constitutional process.

Surely the Congress should not appropriate money without knowledge of the purposes for which it is being used; and now that we do know what has been happening in the past, I believe we should bear our full share of responsibility for what will follow in the future.

I ask unanimous consent that the following material be printed in the RECORD at this point: My letter of August 10 to Secretary Rogers; the article in the August 9 Washington Post by D. E. Ronk entitled, "CIA Backed Thais in Laos Say They Are Regular Army;" Mr. Abshire's reply of September 24; also the article in the September 23 issue of the Evening Star by Tammy Arbuckle entitled, "Thai Combat Troops for Laos Expected To Double by March."

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

CIA-BACKED THAIS IN LAOS SAY THEY ARE REGULAR ARMY

(By D. E. Ronk)

VIENTIANE, LAOS.—Thai soldiers serving with the CIA-supported irregular forces in Laos say they are regular army troops of Thailand, asked to accept special assignment in all Thai battalions.

Their assertion contradicts a Senate Foreign Relations Committee staff report made public last week. The report, prepared by Committee staff members James G. Lowenstein and Richard M. Moose referred to Thai troops in Laos as "irregulars."

Heavily censored in most of its references to Thais serving in Laos, the report said the Thai fighting men "are recruited for service in Laos from outside the regular Thai army."

Speaking to a reporter, several Thai soldiers said they were asked to accept an assignment in Laos after the advantages of such service were explained. They have the option of refusing, they said.

According to the Lowenstein-Moose report, "the CIA supervises and pays for the training of these irregulars in Thailand and provides their salary, allowances (including death benefits), and operational costs in Laos."

Their units are formed in Thailand with Thai commissioned and non-commissioned officers and are given special training for Laos.

They arrive in Laos aboard CIA-supported Air America planes from Udorn airbase in Northern Thailand. All orders, from the battalion level down, are issued by Thais, the soldiers said. Only at the very top, with Gen. Vang Pao, the Meo commander of Laos Military Region Two, and the CIA's Armee Clandestine, is there interference with the Thai chain of command, they said.

Vang Pao does not command the Thais, they said, but consults with Thai officers and the CIA "case officers" who actually make the decisions.

The Thai soldiers agree with press reports that there is at least one Thai general in Laos, using the code name Nai Caw. This is the equivalent of John Doe. The Thai troops say he is a lieutenant general.

Code names are frequently used by and for Thai troops in Laos. Reliable sources in Thailand say that until recently all wounded Thais treated in the U.S. hospital at Udorn Airbase were listed as John Doe One, Two, Three, etc. to hide their national origins.

At present the troops say, there are 10 or 12 Thai battalions in Laos, or about 4,800 men. Two Thai battalions are at Pakse, in southern Laos, and "about ten" in northern Laos, with headquarters at Long Cheng, the soldiers said.

Reliable sources in Bangkok say, moreover, that another Thai artillery battery has either just entered Laos or shortly will, accompanied by an American major. The U.S. officer is to advise them on the operation of unfamiliar equipment, believed to be aiming devices.

Official U.S. sources deny knowledge of such a unit, that an American officer has been given such an assignment, and that a new American officer has arrived or is expected, even on temporary duty.

The Bangkok sources say the officer will be traveling on a civilian passport and in civilian clothing.

A Thai soldier now stationed in Pakse outlined the sequence of events in his assignment to Laos. Returning to Thailand from duty in South Vietnam, he said, he was sent for advance training in Thailand following a 30-day leave. He was told the training was for assignment to Cambodia, he said.

Following the training, he was told his assignment was changed to Laos, but that

he could refuse to go and remain in Thailand.

After the pros and cons were explained he decided to accept and became a volunteer.

Following formation of a special battalion," he was sent to Udorn, then to Long Cheng. At Long Cheng, the unit was engaged in defense of that headquarters. The Thais fought in one "heavy" battle in a sector called "Skyline" by U.S. personnel.

Shortly before the fall of the Bolovens Plateau in southern Laos to North Vietnamese forces last May the Thai battalion was flown to Ubon Air Base in Thailand then to Pakse, where they were airlifted to the vicinity of Ba Houei Sai, on the Bolovens Plateau.

As a result of the Hanoi offensive, they withdrew to Pakse. The soldiers said they are not deeply involved in the current counter offensive to recapture the Bolovens, though some of them are used as forward air guides, relaying bombing targets from ground to air.

Recent visitors to Pakse say the Thai soldiers are very much in evidence in hotels and bars. They do not wear Thai army markings on their uniforms and the soldiers say they carry no identification, on orders from their officers.

AUGUST 10, 1971.

Hon. WILLIAM P. ROGERS,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: The Washington Post of August 9 contains an article from Vientiane, Laos by Mr. E. E. Ronk which includes several statements dealing with Thai troops in Laos. Mr. Ronk notes in his story that statements made by Thai soldiers in Laos contradict the recent report of the staff of the Subcommittee on United States Security Agreements and Commitments Abroad concerning Laos. Because the information in the staff report concerning Thai troops was based on information provided by United States officials I would appreciate receiving your comments on the substance and the details of the following portions of Mr. Ronk's story:

1. "Thai soldiers serving with the CIA supported irregular forces in Laos say they are regular army troops of Thailand, asked to accept special assignment in all Thai battalions."

2. "Their units are formed in Thailand with Thai commissioned and non-commissioned officers . . ."

3. "All orders from battalion level down, are issued by Thais . . ."

4. "Vang Pao does not command the Thais . . . but consults with Thai officers and the CIA case officers . . ."

5. "The Thai soldiers agree with press reports that there is at least one Thai general in Laos, using the name Nai Caw."

6. "Reliable sources in Thailand say that until recently all wounded Thais treated in the U.S. hospital at Udorn Airbase were listed as John Doe One, Two, Three, etc. to hide their national origins."

7. "Reliable sources in Bangkok say, moreover, that another Thai artillery battery has either just entered Laos or shortly will, accompanied by an American major."

8. "A Thai soldier now stationed in Pakse outlined the sequence of events in his assignment to Laos. Returning to Thailand from duty in South Vietnam, he said, he was sent for advance training in Thailand following a 30 day leave. He was told the training was for assignment to Cambodia," he said.

"Following the training, he was told his assignment was changed to Laos, but that he could refuse to go and remain in Thailand."

9. ". . . some of (the Thai soldiers) are used as forward airguides, relaying bombing targets from ground to air."

10. ". . . the (Thai) soldiers say they carry no identification, on orders from their officers."

I am confident that you share my desire that the official record dealing with the facts of the nature, composition and command arrangements of Thai forces in Laos should be as accurate as possible. With this end in mind, I look forward to receiving your comments on Mr. Ronk's story.

Sincerely,

STUART SYMINGTON,
Chairman, Subcommittee on U.S. Security, Agreements and Commitments Abroad.

SEPTEMBER 24, 1971.

Hon. STUART SYMINGTON,
Chairman, Subcommittee on U.S. Security Agreements and Commitments Abroad, Committee on Foreign Relations, U.S. Senate

DEAR MR. CHAIRMAN: The Secretary has asked me to reply further to your letter of August 10, 1971, citing a newspaper article concerning Thai volunteers in Laos, and to your followup letter of September 22.

On the basis of information available to us here the following comments are made on the article:

The Thai forces in Laos are composed exclusively of volunteers, most of whom have served in the Thai Army, but have been discharged. The voluntary character of this program is illustrated by the fact that Thai personnel are free to leave their units in Laos and return to Thailand before their contract period ends without penalty or punishment by Thai authorities. Many have in fact done so, as noted in the article.

In view of its importance to the security of Thailand, the Thai volunteer program in Laos has the approval and support of the Thai government. Cooperation between the Lao and Thai governments has facilitated the formation of Thai volunteer units in Thailand, thus obviating many of the problems that would develop if the Thai units had to be organized from scratch after the individual Thai volunteers arrived in Laos. These units are fully staffed—to include volunteer officers and volunteer NCO's who have severed their connections with the Thai Armed Forces.

General Vang Pao controls the use of Thai volunteers in Military Region II. Like any effective military commander, Vang Pao consults with a number of individuals. Among these are Thai military officers stationed nearby in Thailand who perform liaison functions with the Lao government. One of these is a Thai general officer. Vang Pao also consults with the CIA officers advising his forces, but it is he who makes the military decisions involving the Thai volunteer units.

There are no Thai generals stationed in Laos.

Thai volunteers were treated on an emergency basis at the U.S. hospital at Udorn but this service has been discontinued.

The Thai volunteer units in Laos include a modest and rather thinly spread artillery capability composed of individuals with previous artillery experience. There are no American military personnel with any of the Thai volunteer units.

It is true that all of the Thai in the Lao irregular program are under no legal military or other enforceable obligation to serve in Laos or to remain in the program for any specified length of time.

It is also true that some of the Thai volunteers like their Lao counterparts are used as forward airguides, relaying bombing targets from ground to air. I am not familiar with the identification procedures used by the Thai volunteers in Laos but it would not be surprising, in view of the Thai and Lao desire to keep the Thai volunteer program as low profile as possible, if the volunteers did not carry ID cards.

I hope the above information will be helpful to you and the Subcommittee.

Sincerely,

DAVID M. ABSHIRE,
Assistant Secretary for Congressional, Relations.

[From the Evening Star, Sept. 23, 1971]

THAI COMBAT TROOPS FOR LAOS EXPECTED TO DOUBLE BY MARCH

(By Tammy Arbuckle)

VIENTIANE.—Twelve thousand Thai troops will be available for combat in Laos by March 1, high-ranking Lao military sources say. This will more than doube the current force of between 5,000 and 6,000 Thai army troops deployed in Laos.

American official sources confirmed that 12,000 Thais will be available to meet the expected dry season offensive by the North Vietnamese early next year, but they said that "all of these Thais will not be in Laos at the same time. Units will be rotated to Thailand for rest and rehabilitation."

The additional troops will come from Thailand's Black Leopard Division which is withdrawing from South Vietnam. Headquarters will be at Kanchanaburi, northwest of Bangkok and many hundreds of miles from Thailand's border.

The Bangkok Post, an English language daily, has quoted government sources as saying the new troops will be used as a guerrilla force within Thailand to counter the Communist insurgency problem in Thailand.

Lao military sources said there would be an announcement telling of the formation of the Thai guerrilla force to fight in Thailand, but that the troops actually are destined to fight in Laos.

Thus American officials handling funds would be able to disburse money to the Thais, although they would be paying for troops in Laos.

The reason for this is that administration officials are trying to get around the congressional ban on the use of Defense Department funds to pay for mercenaries in Laos. As part of this, U.S. government officials here and in Washington describe the Thais as "volunteers" and ethnic Lao from northeast Thailand.

In reality, however, the Thais serving in Laos are regular members of the royal Thai army who volunteered to serve in Laos for extra pay.

Eight Thai soldiers who were interviewed confirmed the arrangement. Three of the soldiers came from Bangkok or its sister city, Thonburi, one was from Nonthaburi and the others were from north or northeast Thailand.

The Thais have their own command system and have almost nothing to do with the royal Lao army. The only Lao military decision which affects them is by a Lao regional commander who may ask American officials to deploy the Thais in a certain place as part of an over-all Lao army operation.

U.S. administrators have claimed the Thais are part of the royal Lao army, but none of the eight Thais spoken to considered themselves as such. American officials attempting to circumvent the congressional restriction deserve some sympathy, for their problem is a difficult one.

The Thais are essential to the survival of the royal Lao forces against the North Vietnamese. The Lao army is sadly depleted, with its casualties running at 10 men killed in action a day.

This year the Thais have been involved in most major action in Laos. They fought at Houei Sai on the Bolovens Plateau when it fell. They took part in the Plaine of Jarres operation, helping the Lao recapture the area. Thai artillerymen are manning firebase Lion on the plain now.

The Thais also took the responsibility for clearing out a new enemy position at Pak Song last week, freeing sufficient Lao troops for a helicopter lift to take Pak Song from the east.

The high Lao casualties at Pak Song (1,262, including 212 killed and 295 missing out of a force of fewer than 3,000) make it likely that Thais will be needed in the southern Laos Bolovens Plateau.

QUORUM CALL

Mr. SYMINGTON. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time for the quorum call not be charged against my time.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

[No. 248 Leg.]

Allen	Hansen	Mathias
Bentsen	Harris	Metcalf
Boggs	Hruska	Miller
Chiles	Hughes	Moss
Curtis	Jackson	Packwood
Ervin	Jordan, N.C.	Roth
Fannin	Magnuson	Stennis
Fulbright	Mansfield	Symington

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the presence of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After some delay, the following Senators entered the Chamber and answered to their names:

Aiken	Dominick	Pearson
Allott	Ellender	Pell
Anderson	Fong	Proxmire
Baker	Gambrell	Randolph
Bayh	Goldwater	Saxbe
Beall	Gurney	Schweiker
Bible	Hart	Scott
Brock	Hatfield	Smith
Brooke	Humphrey	Spong
Buckley	Inouye	Stafford
Burdick	Jordan, Idaho	Stevens
Byrd, Va.	Kennedy	Stevenson
Case	McClellan	Taft
Cook	McGovern	Thurmond
Cooper	Mondale	Tunney
Cotton	Muskie	Weicker
Cranston	Nelson	Williams
Dole	Pastore	Young

The PRESIDING OFFICER (Mr. BEALL). A quorum is present.

Who yields time?

Mr. HUGHES. Mr. President, the distinguished Senator from Missouri (Mr. SYMINGTON) agreed to yield me 10 minutes on his time.

The PRESIDING OFFICER. The Senator from Iowa may proceed.

Mr. HUGHES. Mr. President, I am pleased to join the distinguished senior Senator from Missouri (Mr. SYMINGTON) in this effort to put a $200 million ceiling on American expenditures in Laos. We should all be grateful for the persistence which he has shown in prying the facts about our involvement there from our secrecy-ridden Government and then in bringing these facts before the Senate and the American people.

In an important sense, the principle of establishing some ceiling is even more urgent than the precise figure. If the Congress is to exercise its duty of authorizing and appropriating funds, we must know how much is being spent and for what purposes. The burden of developing and justifying programs falls on the executive branch, but the Congress can and should decide how much may be spent and under what restrictions.

Gradually, in recent years, the Congress has done what successive administrations failed to do: Put limits on the conflict in Southeast Asia. First, we forbade extension of U.S. ground combat operations into Laos and Thailand. Then we set clear limits to the war in Cambodia. For several years, we have imposed a ceiling on the amount of money which could be spent for support of South Vietnamese and other forces in South Vietnam.

Amendment 434 is the next step in this process—and it is a necessary step if we are to prevent the shifting into neighboring countries of the tragic violence which has scarred Vietnam. If we really believe in "winding down the war," as virtually every Member of this body favors, then we must cap the volcano in Laos.

The administration argues that a ceiling would somehow "cut the ground" out from under our friends in Laos, I do not follow that logic. Is there any evidence, for example, that our $2.5 billion limitation on overall military aid to Indochina has made the South Vietnamese less willing or able to fight? If conditions change, and there is persuasive new evidence of need, surely the Congress can add to the $200 million figure established by this amendment.

One of the most attractive features of the Symington amendment is that it sets a total, all-inclusive limit to U.S. expenditures in Laos. The only exception is for the cost of bombing along the Ho Chi Minh trails, which the State Department admits is related to the conflict in South Vietnam and is separate and distinct from the other war in Laos. This amendment reaches across the many separate and even secret bills and line items which have hitherto prevented the Congress from assessing the totality of our involvement in Laos.

Until a few months ago, the Congress did not even have a full and accurate picture of U.S. expenditures in Laos. If one looks at the budget submission for total economic and military assistance for Laos planned for fiscal year 1972, the figure is a seemingly modest $178 million. As recently as June 7, when this body met in secret session, the admitted cost of our economic and military assistance was put at $284 million. Barely a week later, Secretary of State Rogers announced that the total for U.S. expenditures in Laos, exclusive of bombing, was $350 million. Thus, in fact, the American people have been paying over twice as much to support the war in Laos as they had initially been led to believe.

Even these costs are rising. In July, Secretary of Defense Laird said that planned expenditures for fiscal year 1972 would reach the staggering level of $490 million. In other words, we will be spending 40 percent more this year than last. And the total cost will be more than twice the gross national product of that poor country.

I am pleased that the administration is now more open about the costs of our involvement in Laos. I am still waiting, however, for a persuasive justification of the need for such increased expenditures. In military aid alone, the U.S. Government plans to spend nearly three times as much in 1972 as it did in 1969.

When we consider what we are really buying with these expenditures, I believe that few people will see the need for such increases. In fact, one might well conclude that we are pouring money into a futile and destructive effort.

In a nation where perhaps one-third of the people have been refugees at some time in recent years, the overwhelming desire is for peace. Our own Ambassador told the Armed Services Committee last July that "the Lao have been bled white by this war."

The truth of this statement can be seen in the casualty figures. Our people are upset, and justifiably so, when American deaths are 29 per week, as they were last week. Yet in Laos, with only one-one-hundredth our population, the death toll on the Royal Government side averages out to about 70 per week, according to calculations based upon the Moos-Lowenstein report. In other words, the Lao casualty rate is the equivalent of 1,000 Americans dying every day.

We must put a halt to this killing. Even though we may think we have the best of motives, I do not believe that the United States should be financing suicide.

Much of our aid has gone for the tough, patriotic Meo tribesmen. But a decade of vicious war, prolonged by strong U.S. support, has seen that tribe lose a huge percentage of its population—perhaps one-fourth. Reports from Laos now say that 12- and 13-year-old boys have been pressed into service. At least one report last month said that rice supplies were being withheld from Meo who refused to send their sons to fight.

To keep the war effort going, the United States is financing Thai soldiers who fight alongside the Lao. Although the administration claims that these troops are not regular Thai military personnel, Ambassador Godley admitted that assistance has been sought from the Thai Government "in facilitating the volunteering" of its people. By paying for these foreign troops, we are perpetuating the historic struggle between Thailand and Vietnam for dominant influence in Laos.

Besides financing protracted conflict, our funds also support the logistics of the Lao military, yet persistent reports from journalists and knowledgeable officials contend that much of the opium and its derivatives, which ultimately is the heroin consumed by U.S. forces in Vietnam, travels through Laos on the planes and trucks which America pays for. This is a question that has neither been adequately pursued nor answered by our Government.

There must be some limit to this conflict. If the President is unwilling to draw the line, then I believe it is time that the Congress must.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GOLDWATER. Mr. President, will the distinguished Senator from Virginia yield me 5 minutes?

Mr. BYRD of Virginia. Mr. President,

I yield 5 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 5 minutes.

Mr. GOLDWATER. Mr. President, having visited Laos and South Vietnam quite a few times and having witnessed the operations over there, I am more than a little bit aware of what is going on.

I am quite disturbed by this amendment and the effect it could have. We have to keep in mind, Mr. President, that we have been unmercifully bombing part of Laos for the past 10 years. It is a very important part of the South Vietnam operation. Without that bombing and without tactical air attacks on the so-called Ho Chi Minh Trail, the enemy never could have been contained by the South Vietnamese or by us.

I have felt all along that we certainly owe something to that country for the destruction we have wrought in the eastern part of it. The help we have been giving Laos in a military way, I think, is a method of repaying it for the debt we owe by reason of using their country to fight a war involving other countries. I would have to see this combination upset.

I think if the amendment were agreed to, we could almost judge the time that Laos would fall as a country to either Red China or North Vietnam. And, I have to add, this would be just the beginning of the failures over there, because Thailand would be next. The Red Chinese have now completed a road to the Burmese border. And certainly they have not built that road just for an exercise in highway construction.

I think their ultimate aim—as I have felt for a long time—is the domination of Southeast Asia and then the domination of all of Asia.

If we allow this to happen, I think we can very safely foresee the beginning of another world war, because Red China with domination over Asia will then be a serious threat to Russia on Russia's southern border. We, by that time, would have vacated the world leadership spot, which we seem to be in a great hurry to do. The world leadership would start us on another war. And the conflict would start between Red China and their then acquired land and the Soviet Union who would resist this effort.

Mr. President, I would hate to see the amendment agreed to. I know that it is a very attractive one. I know that it means the saving of money. However, the saving of money and the saving of a country and the saving of our country from participation in a third world war, I think, is an entirely different subject.

Mr. President, I yield the floor.

Mr. MONDALE. Mr. President, I strongly support Senator SYMINGTON'S amendment to the military procurement authorization bill establishing a $200 million ceiling in fiscal year 1972 on U.S. expenditures in Laos for economic aid, military assistance, and all other U.S. activities. This ceiling would not apply to costs connected with U.S. combat air operations over the Ho Chi Minh Trail area in southern Laos.

More than any Member of the Senate, Senator SYMINGTON has tried to alert the Congress and the American public to the "secret war" in Laos and America's increasing involvement in that war. We are still a long way from knowing the full truth about America's participation in that war; but what we have learned is a result of Senator SYMINGTON'S persistent efforts to get at the truth. I believe that his work in trying to curtail this undeclared and uncontrolled war will be regarded as one of the major contributions in the distinguished career of our colleague from Missouri.

For years, Congress has appropriated funds to finance this Laotian war without knowing how much money was being spent or how his money was being used.

Because of Senator SYMINGTON'S investigation, we now know that our military assistance program to Laos has skyrocketed from $11.9 million in 1963 to the $221.2 million requested for fiscal year 1972.

And this $220 million is only part of the story. According to Senator SYMINGTON, the administration had admitted that the cost of all U.S. operations in Laos in fiscal 1972—exclusive of operations over the Ho Chi Minh trails area—is approximately $490 million.

These figures were only made available this year. Thus, a program we knew virtually nothing about has been vastly expanded over the past several years.

In part, this increase is a result of the United States subsidizing the use of thousands of Thai mercenaries in Laos—a fact which I revealed on January 19, 1971. In using U.S. Government funds to pay for these Thai troops, the executive branch ignores Congress prohibition of U.S. support for Vietnamese or other free world forces "in actions designed to provide military support and assistance to the Government of Cambodia or Laos."

While we have learned somewhat more about our involvement in Laos, neither the cost of CIA operations in that country nor the nature of U.S. air operations in Northern Laos have been fully described to any congressional committee.

We do know that the U.S. Air Force is engaged in an around-the-clock bombing in Laos—hundreds of miles from the Ho Chi Minh trails. While the full impact of this bombing is not yet clear, there are ample news stories documenting the destruction and devastation of Laotian villages and the suffering of the Laotian people.

Without any real understanding or approval by the Congress or the American public, U.S. military forces are deeply involved in still another Asian war. After our Vietnam experience, we are entitled to ask "Where does it all stop?"

The limited assistance to South Vietnam led to American "advisers" and the bombing of the North.

We know where those so-called limited commitments took us.

Is there any reason to believe that our limited commitment to Laos will not take us down the same path—will not lead us to an ever-increasing involvement in that war?

Since our commitment to Laos continues to escalate, it is imperative that Senator SYMINGTON'S amendment be adopted. For if this amendment becomes law, the Congress will make it clear to the executive branch that Laos will not become another Vietnam—and that the United States will not be dragged into another Southeast Asian quagmire.

As Senator SYMINGTON has pointed out, this amendment will not put an immediate end to the war in Laos. But it will prevent the executive branch from unilaterally expanding U.S. involvement in that war—without the knowledge and approval of the Congress.

In addition to limiting U.S. expenditures in Laos, the amendment would require the executive branch to submit a written explanation describing the purposes of any future funding requests for Laos. And the amendment would prohibit the obligation or expenditure of funds for any purpose in Laos unless such funds have been specifically authorized by law.

For too long now, the Congress—and particularly the Senate—has abdicated its constitutional powers. We have authorized and appropriated funds in the dark—without even the most minimal knowledge of how these funds were being used.

America's involvement in Laos—perhaps more than any other event—has clearly demonstrated the atrophy of congressional power.

This amendment offers us the opportunity to accept and exercise our constitutional responsibilities.

In meeting our responsibilities, we may prevent another tragedy in Indochina.

Mr. DOLE. Mr. President, I rise to urge that this body reject the original amendment offered by the distinguished Senator from Missouri. This amendment, if passed, would have the effect of undermining the chances for a careful withdrawal of U.S. forces from Vietnam. It would also contribute to the political deterioration of the Laotian Government at a time when its stability and endurance could lead to enhanced prospects for political negotiation in Indochina as a whole. The Senator from Kansas believes that the pending amendment would thereby constitute a double disservice to the interests of the United States as we seek to both stabilize and disengage ourselves from Southeast Asia.

The original amendment to the Defense Procurement Act would set a ceiling of $200 million on all U.S. assistance to Laos, both economic and military, with the exception of U.S. air interdiction efforts against the Ho Chi Minh Trail. The restriction would cover (a) AID, (b) MASF * for the Royal Lao Army, (c) the Lao irregular program, (d) support for Thai volunteers in the irregular forces in Laos, (e) U.S. air activities in support of Lao regular and irregular forces, and (f) U.S. support for ground actions—for example, by GVN forces—in the trail area. The administration believes that such an amendment would not contribute to the attainment of U.S. foreign policy objectives in Southeast Asia.

*U.S. Military Assistance Funding.

NIXON DOCTRINE

The Nixon doctrine provides for the replacement of U.S. direct participation in Asian defense by greater indigenous efforts with U.S. support. It has been deemed advisable to reduce the numbers of American soldiers as Southeast Asians themselves acquire the capability to defend themselves effectively against external aggression. It is therefore clear that under the Nixon doctrine the costs of U.S. assistance to foreign governments may have to increase as American forces are withdrawn; it would be unreasonable to attempt to reduce both the American participation and American material support for Asia's defense. For example, an important part of our efforts to increase the capability of the Lao to permit them gradually to replace U.S. efforts in the area is building up the Lao air force. This would entail an increase in ordnance expenditures significantly as an item in the MASF program for Laos. An element of the Nixon doctrine is U.S. support for regional cooperation in defense. One example of assistance to regional cooperation is U.S. support for Thai volunteers serving in irregular forces in Laos under the command of the Royal Lao Government.

The original Symington amendment would directly reduce our ability to act without delay and as required to respond to surges in North Vietnamese attacks in Laos. The ceiling proposed is quite inadequate to continue essential ongoing operations in Laos which facilitate our general objectives in Southeast Asia, including Vietnamization and withdrawal of U.S. forces. The administration has accepted overall limitation on MASF funds for Vietnam, Laos, and Thailand. Imposition of a subceiling for Laos alone would limit dangerously U.S. ability to respond to North Vietnamese actions there. As President Nixon noted in his October 7 peace proposal, the current struggle in Indochina is basically indivisible. As reductions are made in other areas, particularly South Vietnam, it may become necessary to maintain expenditures in Laos. In any event, any amendment whose limitations include expenses for U.S. air support for Lao regular and irregular forces would be difficult to implement. Although it is possible to devise a rough estimate for the costs of an average sortie and to multiply this estimate against the total number of sorties which are considered to have been in support of Lao forces rather than interdiction efforts against the trail, it would be in practice difficult to devise bookkeeping which could satisfy the Congress that the intent of this amendment was being observed. In any case, a ceiling of $200 million which would include U.S. air operations—except against the Ho Chi Minh Trail—would be highly unrealistic. As Secretary Rogers has noted, the value of support in Laos for fiscal year 1971 is $350 million, exclusive of all U.S. air operations. If the level of North Vietnamese activities is not reduced through some agreement or at least a local cease-fire, the arbitrary cut in Lao effectiveness through such a drastic cut in U.S. assistance could almost inevitably result in a political as well as military collapse in Laos.

EFFORT TO REACH A SETTLEMENT IN LAOS

We are encouraging the Royal Laotian Government's current efforts to explore actively with the Lao Communists the possibility of arriving at some form of a settlement which would permit the reduction of the level of hostilities in North Laos. There are indications that the Government of North Vietnam now recognizes that there are mutual advantages in a local cease-fire. If progress can be made on this front, it should be possible gradually to reduce U.S. support for activities in Laos—outside the trail area—to a level which could be within a $200 million ceiling. However, if such a congressional limitation were passed while the negotiations are underway, it would be clearly seen by the enemy as having drastically reduced the ability of the Royal Laotian Government to defend itself, and hence the Communists would considerably harden their negotiating position to the detriment of the Royal Laotian Government. The Royal Laotian Government would be unable to exact concessions from the Government of North Vietnam in return for reductions in U.S. military support—such as a bombing halt and withdrawal of Thai volunteers. An unfavorable settlement would have serious consequences for the ability of other friendly governments in the area to resist North Vietnamese expansionism, and could affect Vietnamization and thus the withdrawal of U.S. forces.

LAOS—CRUCIAL NEGOTIATING PERIOD

Since March 1970 Lao Prime Minister Souvanna Phouma has been actively engaging in internal talks with the Lao Communists. The talks have proven to be a useful way of defining the basic positions of each side and of furthering contacts which, at an appropriate point, might assist in arriving at a settlement in at least North Laos. In addition, such a settlement could spread to other areas of Laos, and the form of political accommodations might be precedence for settlements elsewhere in Indochina. It is important that the Lao prime minister and other non-Communists be in a position to hold out for a settlement which does not compromise basic Lao national interests—nor those of Thailand, South Vietnam or Cambodia. For the example of Berlin shows that continued firmness may indeed encourage the Communists to abandon extreme positions which they have insisted on, sometimes for years, and enter into serious negotiations.

The coming year will be a crucial one for Indochina. Even without formal progress in the Paris talks, it is obvious that other changes in Indochina will have an impact upon the development of a solution there. The President's trip to Peking, the continuing progress of successful Vietnamization and withdrawal of U.S. forces, the increased competence and capability of the Cambodian Government, and the increasing Thai efforts to deal with their concern about threats to their own security, all will have an important effect upon Laos. In view of the Communists continued assurances of support for the Geneva agreements of 1962 and its internal arrangements, the principal elements for a possible Lao solution acceptable to both the Communists and to the non-Communists are available. The North Vietnamese desire to reach an overall settlement in the area. Such a settlement could begin with progress in Laos and create movement toward an Indochina solution.

Delicate political negotiations leading to shifts and maneuvers will take place during the crucial year of 1972. It would take unilateral military steps which woul seem highly inadvisable for this body to take unilateral military steps which would disrupt the negotiating position of the Royal Lao government or undermine that government's very stability. Drastic cuts in U.S. support or the elimination of U.S. support for Thai assistance with volunteers could undermine totally the Royal Lao government's defensive position during the coming dry season. If Lao Prime Minister Souvanna Phouma were faced with military disaster, he could well decide to resign. Souvanna is the symbol of Lao neutralism and would be indispensable to any attempt to return to the framework of the Geneva agreements. He will also be a crucial figure in efforts to move toward a solution of the conflict on the Indochinese Peninsula. His disappearance from the scene could only reduce drastically the chances for a settlement of the conflict in Laos which in turn could complicate the solution of the rest of the conflict in Indochina.

The Senator from Kansas urges that this body reject the pending amendment which can only serve to undermine our goals of withdrawing from Southeast Asia and of creating a viable political situation as we do so. The amendment would be a critical blow against the Nixon doctrine and against the interests of the United States.

Mr. SYMINGTON. Mr. President, I yield to the Senator from Arkansas whatever time he desires.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, the principle of the amendment of the Senator from Missouri, I support.

The distinguished Senator from Missouri has done more work, I think, in trying to enlighten, and in enlightening, the Senate, the committee, and the public about the war in Laos which this and the predecessor administration has gone to such length to keep secret from the Congress and the public. He deserves great credit.

I agree with the principle in this amendment that attempts to limit our involvement in Laos. When I finish my prepared remarks, I wish to elaborate upon that idea.

Mr. President, the amendment offered by the Senator from Missouri puts a limitation—where there has been no limitation—on our steadily increasing involvement in Laos and which requires—where there has been no requirement—that the Congress be kept informed of the purposes for which public moneys are being spent in Laos. The amendment has been proposed by the Senator who, perhaps more than any other, has demonstrated a consistent concern with regard to the war in Laos and a persistent determination to find out what was going on in that country and to insure that the

American people, whose tax moneys pay for the war, are made privy to as much of this information as possible. Without his efforts, in the last few years through the Subcommittee on U.S. Security Agreements and Commitments Abroad, we in the Senate would still be in the position of approving the expenditure in Laos of far more money than we thought we had appropriated for military activities of which we were barely aware.

One reason the war in Laos remained unnoticed for so long, and unexamined after it had been noticed, was that it has been and still is overshadowed by the war in Vietnam. The situation in Laos, like that in Cambodia, is, of course, intimately related to the war in Vietnam. In these other two countries of Indochina we see reflected the false hopes and mistaken judgments that led us into the quagmire of Indochina in the first place and that continue to keep us there. I find it cause for serious concern, for example, that since the policy known as Vietnamization began, Cambodia has become engulfed in war and is now virtually entirely dependent upon the United States both militarily and economically. The costs to the American taxpayer of our involvement in Cambodia are increasing rapidly, and the outlook for the immediate future is that these costs will continue to increase.

In Laos, too, our costs have never been greater. Yet the situation of the Royal Lao Government has never been weaker. I gather that the most that can be hoped for militarily is that the Royal Lao Government can maintain its hold on the one-third of its territory that remains under Government control, and even this objective will require a continued heavy American investment and an increasing Thai involvement for which the United States must pay.

The Senate has been tardy, if not derelict, as far as the war in Laos is concerned. Until recently we could plead ignorance, although ignorance of a war is no more valid an excuse for avoiding the consequences than is ignorance of the law. Now, however, due principally to the efforts of the senior Senator from Missouri and his subcommittee, we no longer have that excuse. Yet the war continues without any real authorization by the Congress except in the annual appropriations we have voted, appropriations which mask the scope and details of our involvement and which do not represent an accurate measure of the expenditures involved. We are now considering the latest of these appropriations but we are doing so, for the first time, with sufficient information to enable us to debate and decide whether we wish to exercise some control over what has been essentially an uncontrolled war.

It seems that the only way in which we will be able to exercise some control over, and impose some limitations on, our activities in Laos is through the appropriations process. We tried last year by legislation to prevent our underwriting third country participation in the war in Laos because it was our judgment that this was not a wise course of action for the United States. That legislation was not respected. It was circumvented by the executive branch through the device of calling the Thai forces that were sent into Laos, and who were paid by the U.S. "local forces" in Laos. It is now contended that they are "local forces" because they had severed their connections with regular Thai military and had "volunteered" for service in Laos. We learn from the press, however, that this is not what the volunteers themselves think they have done. They still appear to believe that they remain in the regular Thai army.

The cost of this program of underwriting Thai forces to fight in Laos will increase in this fiscal year. The program began because there was no longer sufficient Lao manpower to defend what remained of the territory under Royal Lao Government control, as Ambassador Godley made clear in his testimony before the Armed Services Committee. If the fighting in Laos continues, and there is no prospect that it will not, Lao manpower will be further depleted and even more Thai may be needed at even higher costs to American taxpayers. That is precisely the situation the Senate attempted, through legislation last year, to prevent.

We have not used the appropriation process before to attempt to control our involvement in Laos. Before the staff of the Subcommittee on U.S. Security Agreements and Commitments Abroad submitted their report on Laos to the subcommittee, we did not even know the rough order of magnitude of U.S. spending in Laos, for that figure had never before been announced. Now we do know, and the costs in this fiscal year will be almost half a billion dollars, not including the cost of bombing the Ho Chi Minh Trail.

Surely these costs are too high. Even administration witnesses before the Armed Services Committee admitted that if the North Vietnamese wished to devote sufficient resources, they could take Laos any time they wished to. Thus, in the long run it would make little difference whether we were to appropriate $100 million or $200 million or a billion for, as the subcommittee staff report on Laos stated:

> Perhaps the only real protection the Laos have is whatever limits the North Vietnamese wish to place on themselves.

Large amounts of American economic and military assistance, and an intimate American involvement in military operations in that country, have not brought peace to Laos. There are now twice as many North Vietnamese forces in Laos as there were three and a half years ago. The bloodshed and destruction continue, exacting a terrible price from the Lao people.

I believe that the emphasis must shift in Laos from military confrontation to political accommodation and that this shift will not take place as long as we continue to underwrite the war without limitation. It is, of course, not only in Laos that there must be a shift in emphasis but within this government as well and that shift, it appears, can only be achieved if we in the Congress force it.

There is no evidence that the United States has ever seriously considered a negotiated settlement in Laos. The Pentagon papers indicate that in the past the United States deliberately undercut efforts to attain such a settlement. The negotiating alternative has never been taken seriously because the executive branch has never been constrained in any way in prosecuting the war in Laos. The public did not know how extensive the American involvement in the war was, and the Congress had no idea of the costs involved.

In addition to reversing the trend of American expenditures, and forcing a shift in emphasis from the military to the political sphere, the amendment proposed by the senior Senator from Missouri would impose certain requirements on the executive branch to keep the Congress informed. I believe those requirements are of utmost importance. Without them, there is every indication that the executive branch will continue to keep the Senate in the dark. As those who attended the secret session of the Senate on June 7 will remember, the senior Senator from Missouri pointed out, at the beginning of that session, that on January 27 of this year I wrote the Secretary of Defense asking for statistical information relating to the military situation in Laos and Cambodia similar to that information regularly supplied to the committee with regard to Vietnam. Mr. G. Warren Nutter, Assistant Secretary of Defense for International Security Affairs, replied on April 14 and said that he was unable to comply with my request because—

> It would not be at all appropriate to discuss or disclose outside the Executive Branch highly sensitive information on military combat operations of the kind which your questions would elicit if answers were to be provided.

I then wrote Mr. Nutter on April 20 and asked whether he could provide the committee with a list of the items requested which he considered to be in the category of "highly sensitive information on military combat operations" which it would not be "appropriate to discuss or disclose outside the executive branch."

He replied on May 5, and said in his letter:

> The information required to respond to questions concerning the size and combat readiness of indigenous armed forces, their air and ground combat operations, the enemy forces they encounter and the casualties they inflict and sustain, etc., is normally provided through U.S. military personnel acting in a military advisory assistance role who accompany the host country forces on combat operations. However, the Geneva Accords, the so-called Cooper-Church Amendment and certain other restrictions imposed by the Congress in enacting the Defense Authorization Bill have, in combination, prohibited by law the presence of U.S. military advisory in Laos and Cambodia which, in turn, effectively precludes reliable reporting to the Department of Defense of information of that nature.

I then wrote to Mr. Nutter again on August 9, renewing my request on Laos on a monthly basis. I said in my letter that since the exchange of correspondence had begun, two members of the subcommittee staff had visited Laos and had obtained answers to virtually all of the questions regarding the situation in Laos which I had asked. I also noted that their report had now been declassified and

published, after review by the Departments of State and Defense and the Central Intelligence Agency, and that it thus did not seem to me any longer credible to claim that he could not provide answers to these questions on the ground that it would not be "appropriate" to discuss or disclose this information outside the executive branch or that the information was not available because we did not have U.S. military personnel Laos "acting in a military advisory assistance role who accompany the host country forces on combat operations."

As I said, my most recent letter to Mr. Nutter on this subject was dated August 9. Today is October 4. I have not yet received a reply to my letter. Apparently, the Department of Defense cannot decide how to respond to, or perhaps it should be said how to avoid meeting, a simple request to be provided with an updating of information which the committee staff has already been able to obtain on its own. If that is the kind of cooperation that we can expect to receive, it seems to me that we must compel the executive branch by law, as would the amendment before us, to provide the kind of information which they are obviously unwilling to provide otherwise.

I ask unanimous consent that my exchange of correspondence with the Department of Defense on this subject be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. FULBRIGHT. Mr. President, but to leave the question of information and to return to the question of controlling the war, if this amendment is adopted the options of the executive branch in Laos will be limited to those which the Congress has decided we can afford. This amendment represents the first application of precise fiscal controls to the war in Laos. It is, of course, opposed by the Defense Department which argues that a budgetary ceiling is unthinkable as well as unworkable and, for that reason, has not been imposed before.

It is a new departure for the Congress to attempt to impose fiscal controls on our activities in Laos. But this is a practice which the Congress follows, and the executive branch is compelled to observe, in all of our domestic programs. We regularly decide how much we can afford to spend on the war against poverty and in the war against crime. If we can place limits on how much we can spend and for what purposes on problems such as these, which are of such enormous consequence to us at home, what earthly argument can there be for not placing similar limitations on the war in Laos.

Mr. President, the amendment of the Senator from Missouri provides for a substantial reduction in the amount which the administration proposes to spend and no doubt will spend. It is true that I and some of my colleagues have almost been reduced to the situation where it makes no difference what is put into the law, the administration will not abide by it. We had a restriction on the employment of Thai troops in Laos, but the Executive did so any way. This being a political question, I do not see how it could be brought into the courts. If we passed a clear expression, even over a presidential veto, that there should be no bombarding in the north, I am sure the Executive would continue to bomb and call them protective reaction strikes.

I do not know how to deal with a Government in which there is no respect between the legislative and the executive branches, when there is no respect with regard to waging war and the law. With regard to the Cooper-Church amendment, the Executive ignored the restrictions on limiting the number of Americans in Cambodia.

I hold in my hand an article with a Phnom Penh dateline; which was published in The New York Times on September 20, 1971. I ask unanimous consent that the entire article may be printed in the RECORD.

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

MILITARY GAINS GROUND IN U.S. EMBASSY IN CAMBODIA

(By Craig R. Whitney)

PNOMPHENH, CAMBODIA, Sept. 17—United States Embassy officials who wanted to keep the supporting American military presence here down to a bare handful have lost some ground that they considered important.

These Americans, led by Jonathan F. Ladd, the embassy political-military counselor and former commander of United States Army Special Forces in Vietnam, have been outmaneuvered, and now, according to diplomatic sources, have less influence in the embassy than the 50-man Military Equipment Delivery Team headed by Brig. Gen. Theodore C. Mataxis.

General Mataxis, who used to spend a couple of days a week in Pnompenh and the rest in Saigon, has now moved to Pnompenh with his staff and has more than doubled the size of the Pnompenh contingent of the team. When it moved to Cambodia in January he had 16 men. In May it was expanded to 23.

There are also 63 other men attached to the team but based in South Vietnam, where most Cambodian soldiers get their basic training from the South Vietnamese and are issued equipment—field radios, M–16 rifles, and uniforms—by the Americans. The total of 113 men in Pnompenh and Saigon has been the same since May.

Helped by the equipment, the Cambodian Army has been winning back some territory lost to the enemy.

American military advisers were prohibited in Cambodia by Congress last year. According to a United States official in Pnompenh, the members of military equipment delivery teams are not advisers, and are not engaged in training Cambodian troops. "They perform a certain logistic advisory function, seeing that the right equipment gets to the right units and is used properly," the official said.

FACT SHEET ISSUED

A Department of Defense fact sheet issued in Saigon today and in Washington yesterday emphasized that the team is "operating with the Congressionally approved military advisory training team in Cambodia" and said that it was deliberately organized with a lower number of personnel than would eventually be needed."

In addition to the team's members there are 25 servicemen in the office of the American military attaché, Col. Harry Q. Amos.

So far that is all, but one disgruntled advocate of a smaller American establishment here said the other day, "the next thing they'll want is M.P.'s, then a PX, then a moviehouse, and next thing you know there will be a thousand men here."

Authoritative American sources here say that is not likely, but the pressure is on the embassy for still more staff members. The team, while operating under the supervision of Ambassador Emory C. Swank, comes under the commander in chief of the Pacific in Hawaii.

The American military aid program last year consisted of $180-million, which included both the expenses of training and equipping Cambodian troops in South Vietnam and delivering other equipment to Cambodia.

This year's request by the Administration is for $200-million, 60 per cent of which goes toward ammunition.

"The guidance from Washington is to help them maintain a light infantry force, modestly supported by artillery and air," one aide said. "In other words, not to make them a goddam conquering army."

The Cambodians have been given six helicopters and six T–28 propeller-driven bombers. They also get air support from American jets based in Vietnam and Thailand. The money for those air strikes is not accountable to the military assistance program here.

According to official sources, the team members make field trips in unmarked American helicopters that come from Vietnam but only to inspect the military equipment and how it is used. Before each trip Ambassador Swank is informed, the sources say.

The four officers on Colonel Amos's staff also make field trips to gather information, the sources said. Colonel Amos does not wear a uniform in Pnompenh but in his second floor office last week several majors in combat green uniforms came in to make reports.

"Those guys have to grit their teeth when they can't advise," one civilian observer said. "Now they've got a flag officer here, next they'll want a major general, then a lieutenant general, and it'll end up being MACC," or Military Assistance Command Cambodia.

So far, however, the Cambodians have not asked for that, and Ambassador Swank an advocate of the low profile for the American presence here is likely to hold the day—at least for now.

Mr. FULBRIGHT. Mr. President, the point is that the military team in Cambodia has just recently been doubled. I will read part of the article:

United States Embassy officials who wanted to keep the supporting American military presence here down to a bare handful have lost some ground that they considered important.

These Americans, led by Jonathan F. Ladd, the embassy political-military counselor and former commander of United States Army Special Forces in Vietnam, have been outmaneuvered, and now, according to diplomatic sources, have less influence in the embassy than the 50-man Military Equipment Delivery Team headed by Brig. Gen. Theodore C. Mataxis.

General Mataxis, who used to sped a couple of days a week in Pnompenh and the rest in Saigon, has now moved to Phompenh with his staff and has more than doubled the size of the Pnompenh contingent of the team. When it moved to Cambodia in January he had 16 men. In May it was expanded to 23.

There are also 63 other men attached to the team but based in South Vietnam.

The fact is that I realize as a Senator we have to keep up the appearance of dealing with these laws trying to restrict them, even though the executive department refuses to take them seriously and abide by them.

I have mixed feelings about the amendment I shall support the $200 million limitation. I shall not, however, support the amendment which gives the administration the equivalent of the $490 million,

or the $350 million, exclusive of bombing. This would be no restriction on the amount; but I predict the other portions of the amendment requiring reports, and so forth, they will pay no attention to.

The basic law on foreign aid today requires the Executive to submit all relevant documents on foreign aid. It says so in the law in very broad language. It could not be any broader. So when we ask for the documents, the President refuses to send them to us on the ground that they are internal working documents and claims Executive privilege. I do not agree that such privilege is applicable to matters of this kind. I think it is an absolute distortion of the whole concept. I do not think there is any legal basis for it. It is a clear violation of the clear requirements of the law.

Now the Senator from Missouri puts in this requirement, and I am for that, of course, because, as a Senator, I have to proceed as if this were still a law-abiding country and that people abide by the law, even though I strongly suspect that some will not do so if it is inconvenient to them, just as they have not abided by the law in the case of the Cooper-Church amendments, and the amendment limiting use of Thai troops, or requirements for furnishing information to the Senate on foreign aid.

The real reason why this executive has such contempt for the Congress and the law is that it believes it controls the Congress. With the Democrats split about 50–50 and the Republicans standing close together, the administration thinks anything it considers important will pass, anyway; so why should it respect a body which has no role? I can understand that. I, nevertheless, believe that, in the long run, when this war is over, this country will return to its senses and we will then have an opportunity to resurrect the basic principles of law on which this country was founded.

But as long as the war is going on, I realize that the administration does not have to pay attention to those in Congress or the Senate who disagree with its views, because the administration has the votes, and it does not make any difference what they think about the providence of the war in Laos or Cambodia. Just as was true of the preceding administration, as long as the administration has the votes it will do as it pleases.

I want to read one other paragraph from this article:

> In addition to the team's members there are 25 servicemen in the office of the American military attaché, Col. Harry O. Amos. So far that is all, but one disgruntled advocate of a smaller American establishment here said the other day, "the next thing they'll want M.P.'s, then a PX, then a movie-house, and next thing you know there will be a thousand men here."

That is exactly what happened in Vietnam. The President committed himself in the last election to get our troops out of Vietnam. What he appears to be doing now is gradually, but too gradually, much too slowly, moving soldiers, although he held that up until that election yesterday. That was a very enlightening election. One cartoon said, "One man, one vote. What could be more democratic?"

That is what it was—it was a very democratic election—one man, one vote. Mr. Thieu did not get as many votes as Hitler did. Hitler got 99 percent of the votes. The president of South Vietnam got 89 percent, I believe, so he is 10 percent off Hitler's record. But I say with a tone of sarcasm it was a great election, and I suppose it is being celebrated both in Saigon and downtown as a great victory which has now given South Vietnam the opportunity for self-determination, which is the way the administration, I believe, has described it.

The President has never made a commitment, as far as I know, to get out of Cambodia or Laos. That is the reason they are doubling—and they are doubling—the size of our military contingent in Cambodia. I want to predict now that Cambodia will turn out to be more sensitive, in many respects, than Vietnam.

Mr. Sihanouk, both hereditary and elected ruler of Cambodia, resides in Peking today. There are many indications that the Chinese regard Cambodia more or less as a ward. One reason is Prince Sihanouk. There are other reasons. Cambodia has been under the influence of the Chinese in the past. The Cambodians have always regarded themselves as a people of superior culture to the people of Vietnam. They have great pride in the former kingdom of the Khmers which resulted in Angkor Wat, and so forth. They have a history somewhat different from that of Vietnam and I think a history of close association with the Chinese. The Chinese have regarded them as a tributary state but, nevertheless, have regarded them as a state for which they have a responsibility.

I think it is very dangerous for us to escalate the war in Cambodia, in some cases more dangerous, on ideological and psychological grounds, than in Laos. It is a great tragedy that we are escalating the extension of the war and the cost of the war in Laos as well as Cambodia. I understand they will be spending some $200 million or more in Cambodia this year. We never know how much, because the actual amounts are never carried in a way that one can recognize them in the budget itself. There is so much that is secret. So much of it is spent through the CIA or some other activity of this kind and it is mixed up with the cost in Vietnam. Some of the Army men who are serving much of the time in Cambodia are based in Vietnam and no doubt they show up in the costs of Vietnam itself.

I shall support the amendment limiting aid to Laos to $200 million. I am not sure, since the Senator has sent another amendment to the desk, if it increases it to the current amount. If so, I cannot vote for it. There is no point in my voting for an amount which means a great escalation. I do not want to vote for any amendment, because there are those who later will look at this RECORD and say "Look, you voted for authority for war in Laos." I do not want my vote to be interpreted as authority for war in Laos. Of course, in a technical sense, it could be that I voted for it. But this amendment should be viewed as an attempt to restrict, restrain, and prevent an escalation of the war in Laos.

That is exactly how the Tonkin Gulf resolution was presented to us. It was presented as a way to prevent a layer war in Southeast Asia. President Johnson and his advisers said—

> If you will give us this quickly, it will show the solidarity of the Congress behind the President. This is the only way to discourage the North Vietnamese from escalating the war. This is the way to prevent a widening of the war. If you do not give us this authority, then the war will inevitably escalate because they will not have any fear or concern about what we will do in Southeast Asia. We have got to impress the Vietnamese with our determination and our strength, and this is the way to stop the war in Vietnam. This is the way to prevent the North Vietnamese for enlarging their activities.

That was the whole thrust of that program.

Of course, I have always been criticized, and still am—every day, practically, someone in this body or somewhere else who says:

> Did you not vote for the Gulf of Tonkin Resolution?

Well, they will say in this case:

> Did you not vote for the authority for the Laotian war?

This measure is not intended as authority for the war. They are already spending this money. They are going to spend much more if they can. I have no confidence that they will pay any attention to restrictions in any way. Nevertheless, for the sake of appearance, I have to support an amendment to restrict not only the amount of money but the way they report it and their activities in addition to spending the money.

I know this is going to be considered a cynical speech—"You do not have any confidence in our system," and so forth. Well, it is not that I have no confidence in the system. In wartime our democratic procedures break down. They have always done so throughout history. We delegate power. This has been done. That is the way it goes.

I have no doubt that we could get this war over if we do not keep backing widening the war into Laos and Cambodia. If we can stop the war in Vietnam, I believe this country will return to a democratic, law-abiding community. But we cannot make much progress doing that until we get the war in Vietnam over, and the wars in Cambodia and Laos stopped also.

This amendment is an effort to stop the war, to restrict the war in Laos, not to authorize it. What has been going on there has not been authorized, not even acknowledged. The support of the Meo army has been primarily through the CIA, which they do not acknowledge. We all know it, but they do not admit it. It is like Radio Free Europe; the CIA paid for it, but they pretended the public paid for it.

Here the CIA has paid for the war and we have never acknowledged support for it publicly. The Senator from Missouri produced evidence in a hearing that is very persuasive to that effect, and no man in his right mind can say it is not public knowledge now. But I do not think there has ever been a law passed authorizing so much money for a war in Laos. If I am wrong, I am will-

ing to stand corrected. I do not think there has been authorization to carry on a war in Laos.

Those wishing to make capital of it could say this amendment is an authorization for the war in Laos, just as those who wish to take advantage of the technicality said the Gulf of Tonkin resolution was an authorization for the war in Vietnam, whereas its purpose was the prevention of a wider involvement in Southeast Asia.

But in order to get a $200 million limitation, I said I would vote for the Senator's amendment; but I cannot vote for any larger sum than that.

[EXHIBIT 1]

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
January 27, 1971.

HON. MELVIN R. LAIRD,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: As you know, at the request of the Committee on Foreign Relations the Department of Defense has, for some time, been supplying it with monthly statistical data relating to the situation in Vietnam. This information has proved to be extremely valuable in following developments there.

The Committee is finding it increasingly difficult to keep abreast of the rapid developments in Cambodia, Laos, and North Vietnam, and I believe that a monthly report containing data relating to those countries would be helpful. The Committee would, therefore, appreciate the Department's cooperation in supplying, on a monthly basis, the information requested on the enclosed list.

I, of course, have no objection to your making this information available to other interested congressional committees, as was done in the case of the Vietnam reports.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

[Enclosure]

MONTHLY DATA ON MILITARY OPERATIONS IN SOUTHEAST ASIA

Cambodia

1. Size of Cambodian Armed Forces:
(a) Trained and Combat Ready;
(b) In training (specific location if outside Cambodia) or other;
(c) On duty outside Cambodia (other than training).
2. Number of friendly foreign troops in Cambodia:
(a) South Vietnamese;
(b) Other (specify).
3. Number of enemy troops in Cambodia;
(a) North Vietnamese/Viet Cong;
(b) Cambodian Communist;
(c) Engaged in combat operations:
1. against Cambodian forces;
2. against South Vietnam forces.
4. Combat air operations in Cambodia:
(a) Sorties flown by:
1. U.S. planes;
2. Sorties flown by Cambodian planes;
3. Sorties flown by South Vietnamese planes;
4. Sorties flown by Thais or other forces;
(b) Ordnance expended (bomb tonnage and other) by U.S. aircraft in Cambodia:
1. B–52.
2. other fixed wing aircraft;
3. helicopter gunships, etc.
5. Casualties (military):
(a) Enemy killed, wounded and captured;
(b) Cambodian killed, wounded and missing;
(c) South Vietnamese killed, wounded and missing;
(d) U.S. casualties or missing as a result of air or other operations.
6. Transport and Supply Operations:
(a) Number of flights flown by U.S. military transport aircraft to Cambodian airports;
(b) Number of U.S. helicopter transport flights flown in Cambodia;
(c) Number of air drop missions flown by U.S. aircraft in Cambodia;
(d) Number of transport flights by U.S. non-military aircraft (Air America, etc.);
(e) Number of transport flights by South Vietnamese or other aircraft;
(f) Number of supply missions by South Vietnamese naval vessels;
(g) Please provide copies of any contracts or agreements with foreign government or private entities relating to supply or transport operations in Cambodia, including data on amounts paid or reimbursed for such services and the sources of the funding.
7. Payments made by the United States to South Vietnam or other countries for operations in or services rendered in behalf of Cambodia:
(a) Amounts or any such payments and the purpose;
(b) Provide copies of any agreements entered into by the United States concerning payments to foreigners for services rendered in or in behalf of Cambodia and the source of the funding.
8. Number of U.S. personnel involved:
(a) Number of U.S. personnel attached permanently or temporarily to the U.S. Embassy in Cambodia—civilian, military;
(b) Number of visits in Cambodia by U.S. personnel in a TAD or other temporary status and total number of days of such duty by all personnel during the month;
(c) Number of U.S. personnel in South Vietnam, Thailand, or Laos whose duties relate to operations in Cambodia, including training and logistics operations.
9. U.S. Naval operations:
(a) Number and type of U.S. ships operating in or near Cambodian waters during the month engaged in operations relating to Cambodia;
(b) Number of visits to Cambodian ports by U.S. naval vessels engaged in supply or transport operations.
10. Estimated number of U.S. prisoners held in Cambodia:

Laos

1. Number of United States personnel in Laos:
(a) Civilian (government employees);
(b) Military;
(c) Personnel on temporary duty, civilian and military (total number of man-days);
(d) Contractor employees (Air America, etc.).
2. Number of friendly military forces:
(a) Regular Laotian Armed Forces;
(b) Irregular Forces;
(c) Thai Forces in Laos;
(d) Other Forces in Laos (Cambodian, South Vietnamese, etc.).
3. Enemy forces in Laos:
(a) Pathet Lao;
(b) North Vietnamese;
(c) Viet Cong.
4. Air Operations in Laos:
(a) U.S. air sorties over Northern Laos and munitions expended;
1. B–52;
2. Other aircraft.
(b) U.S. air sorties over Southern Laos and munitions expended;
1. B–52;
2. Other aircraft.
(c) Air sorties by Laotian forces and munitions used.
5. Casualties—killed or wounded:
(a) United States;
(b) Laotian;
(c) Other friendly;
(d) Enemy.
6. Incursions into Laos from South Vietnam or Cambodia:
(a) Purpose, date and number of U.S. and foreign personnel involved in each incursion.
7. Please provide copies of any contracts or agreements entered into during the month between the United States and other countries or private parties relating to military operations in Laos.
8. Estimated number of U.S. prisoners held in Laos:

North Vietnam

1. U.S. air operations over North Vietnam:
(a) Number of reconnaissance flights flown;
(b) Number of escort sorties flown;
(c) Number of helicopters or other manned aircraft sorties flown;
(d) Number of drone flights.
2. Enemy actions and U.S. losses:
(a) Number of times U.S. aircraft were fired upon while over North Vietnam;
(b) Number of times U.S. aircraft were fired upon from North Vietnam while over Laos;
(c) Number of U.S. aircraft lost (by type) over North Vietnam due to enemy fire;
(d) Number of U.S. aircraft lost over North Vietnam (by type) not as a result of enemy fire;
(e) U.S. personnel losses.
3. Retaliatory action taken:
(a) Number of times North Vietnam targets were attacked;
1. Number of aircraft involved in retaliatory actions;
2. Quantities of munitions used in retaliatory action.
4. Description of actions by Southvietnamese or other forces in North Vietnam.
5. Estimated number of U.S. prisoners held in North Vietnam.

ASSISTANT SECRETARY OF DEFENSE,
INTERNATIONAL SECURITY AFFAIRS,
Washington, D.C., April 14, 1971.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: Secretary Laird has asked me to respond to your letter of 27 January in which you requested that the Senate Committee on Foreign Relations be furnished, on a continuing basis, a detailed monthly report on military operations in Southeast Asia.

I regret that we are unable to comply with your request in this instance. Deputy Secretary Packard's letter to Senator Symington of 11 June 1970, a copy of which Senator Symington forwarded to you, pointed out that it would not be at all appropriate to discuss or disclose outside the Executive Branch highly sensitive information on military combat operations of the kind which your questions would elicit if answers were to be provided.

Sincerely,

G. WARREN NUTTER.

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., June 11, 1970.

Hon. STUART SYMINGTON,
Chairman, Subcommittee on U.S. Security Agreements and Commitments Abroad, Senate Committee on Foreign Relations, Washington, D.C.

DEAR SENATOR SYMINGTON: I understand that when Generals Burchinal and Polk appeared as witnesses before your Subcommittee in late May, they were requested to make available to the Subcommittee copies of written instructions they had received both in connection with the European trip of staff members Pincus and Paul and with reference to their testimony before your Subcommittee.

I am sure you will appreciate that those instructions, by definition, were documents intended solely for internal use within the De-

rtment of Defense and I would hope that u would agree with me that such docuents should not be distributed outside the xecutive Branch.

From your personal experience as a former cretary of the Air Force, you are well acainted with the fact that, on the basis of stom, tradition, usage and precedent, the gislative and Executive Branches have me to accept and recognize that there are rtain matters which, for varying reasons, e not normally discussed outside the Exutive Branch. The instructions in question ntained topics meeting that general deription for the most part and included such ems as military contingency plans, National curity Council documents, Inspector-Genal Reports of investigations, matters still in e planning, proposal stage upon which no cision has been reached, operational produres and methods involving the risk of e or safety of military personnel and so rth.

Early in the Subcommittee hearings, a misnderstanding apparently developed in conection with the handling or manner of eatment of information on nuclear weapns, a misunderstanding which, as I underand it, has been resolved by the briefing ven to the Senate Committee on Foreign elations on 27 May 1970.

These categories of information are those hich have become widely accepted and genally recognized as topics which in the naonal interest, should be strictly limited in ther dissemination or discussion. Be asred that any prohibitions against disussing such topics apply to all testimony nd were not, of course, restrictive solely witnesses appearing before your Subommittee.

Secretary Laird asked me to convey his ology for the delay in responding to your quest, a delay whcih was occasioned by he urgency of preparing for his trip to urope.

I trust that you will find this responsive your Subcommittee's interest in this atter.

Sincerely,

DAVID PACKARD.

APRIL 20, 1971.

on. G. WARREN NUTTER,
ssistant Secretary for International Security Affairs, Department of Defense, Washington, D.C.

DEAR MR. NUTTER: I wish to acknowledge our letter of April 10 in reply to the Comittee's request for a monthly report on ertain developments in Cambodia and Laos.

You state that the information requested ould involve "highly sensitive information n military combat operations" which would ot be "appropriate to discuss or disclose outde the Executive Branch." Would you please rovide the Committee with a list of the ems requested which you consider to be in his category. In order to avoid further delay nd without passing on the merits of the epartment's position on those items, would appreciate your providing the Comittee with monthly reports on the other ems not in this category.

Sincerely yours,

J. W. FULBRIGHT, *Chairman.*

SSISTANT SECRETARY OF DEFENSE,
INTERNATIONAL SECURITY AFFAIRS,
Washington, D.C., May 5, 1971.

on. J. W. FULBRIGHT,
hairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This will acknowlge the receipt of your letter of April 20, 971, relative to our exchange of correspondnce in connection with the request of the enate Committee on Foreign Relations to e provided a monthly report on a continung basis of certain military combat operaons conducted by U.S. forces and the indigenous forces of the governments of Laos and Cambodia.

The information required to respond to questions concerning the size and combat readiness of indigenous armed forces, their air and ground combat operations, the enemy forces they encounter and the casualties they inflict and sustain, etc., is normally provided through U.S. military personnel acting in a military advisory assistance role who accompany the host country forces on combat operations. However, the Geneva Accords, the so-called Cooper-Church Amendment and certain other restrictions imposed by the Congress in enacting the Defense Authorization Bill have, in combination, prohibited by law the presence of U.S. military advisory personnel in Laos and Cambodia which, in turn, effectively precludes reliable reporting to the Department of Defense of information of that nature.

Additionally, there are a number of other questions that were posed such as those relating to U.S. civilian personnel in Laos and Cambodia who are employed either by other U.S. Government agencies or by private contractors that do not fall under the cognizance of the Department of Defense.

Finally, the possibility that identical or similar missions are military operations may be required in the same general geographical area at some indefinite future date creates a sensitivity that precludes discussing, outside the Executive Branch, specific details with respect to cross border incursions by allied forces, intelligence gathering operations, frequency and area of coverage of reconnaissance and attack sorties, types of aircraft employed and types and tonnages of ordnance expended, etc.

Again, I regret that we are unable to respond to your Committee's request in this instance.

Sincerely,

G. WARREN NUTTER.

AUGUST 9, 1971.

Mr. C. WARREN NUTTER,
Assistant Secretary for International Security Affairs, Department of Defense, Washington, D.C.

DEAR MR. NUTTER: On January 27, 1971, I wrote Secretary Laird, noting that the Department of Defense had been supplying the Committee for some time with monthly statistical data relating to the situation in Vietnam and asking for a monthly report relating to developments in Cambodia, Laos and North Vietnam. You replied, for Secretary Laird, on April 14 and said that you were unable to comply with my request because "it would not be at all appropriate to discuss or disclose outside the Executive Branch highly sensitive information on military combat operations of the kind which your questions would elicit if answers were to be provided."

I then wrote you on April 20 and asked whether you could provide the Committee with a list of the items requested which you considered to be in the category of "highly sensitive information on military combat operations" which would not be "appropriate to discuss or disclose outside the Executive Branch."

You replied on May 5, saying in your letter:

"The information required to respond to questions concerning the size and combat readiness of indigenous armed forces, their air and ground combat operations, the enemy forces they encounter and the casualties they inflict and sustain, etc., is normally provided through U.S. military personnel acting in a military advisory assistance role who accompany the host country forces on combat operations. However, the Geneva Accords, the so-called Cooper-Church Amendment and certain other restrictions imposed by the Congress in enacting the Defense Authorization Bill have, in combination, prohibited by law the presence of U.S. military advisory in Laos and Cambodia which, in turn, effectively precludes reliable reporting to the Department of Defense of information of that nature."

I now renew my request for the information on Laos on a monthly basis requested in my original letter of January 27, 1971. Since our exchange of correspondence, two members of the Committee staff have visited Laos and they have obtained the answers to virtually all of the questions regarding the situation in Laos in the enclosure to my letter of January 27. Furthermore, as you know, their report has now been declassified and published, after review by the Departments of State and Defense and the Central Intelligence Agency. Thus, it does not seem to me any longer credible to claim that you cannot provide answers to these questions on the ground that "it would not be at all appropriate to discuss or disclose outside the Executive Branch highly sensitive information on military combat operations of the kind which your questions would elicit if answers were to be provided." Nor, it seems to me, can you sustain the argument that "The information required to respond to questions concerning the size and combat readiness of indigenous armed forces, their air and ground combat operations, the enemy forces they encounter and the casualties they inflict and sustain, etc., is normally provided through U.S. military personnel acting in a military advisory assistance role who accompany the host country forces on combat operations."

Semantic arguments aside, the fact of the matter is that the information I have requested is available because it has been provided to members of the Committee staff. I would now like to receive this information on a monthly basis.

I am enclosing a copy of the questions I sent the Department of Defense regarding Laos as an enclosure to my letter of January 27.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

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

Mr. FULBRIGHT. I yield.

Mr. SYMINGTON. I congratulate the able Senator for the way he has presented his case. It is true that money has not been authorized, but it is also true that it has been appropriated.

Mr. FULBRIGHT. And spent. I agree with that.

Mr. SYMINGTON. It sort of makes one wonder what the system is. I respectfully commend the able Senator, for he is the one who has consistently, with great courage, pointed out the tragic mess that we have gotten ourselves into in Southeast Asia.

With respect to this amendment, to be frank, my thinking goes along the line, at this point, that it is better to have half a loaf than none at all.

I agree with the Senator that whether my amendment said $200 million, or $350 million, or $490 million, sometime someone might get up and say, "You voted money for a war in Laos, and therefore, in effect, you were for the war in Laos."

On the other hand, the perfecting amendment, and on which I shall ask for a vote, if I may run through it a bit with the able chairman, would be as follows.

We say:

Notwithstanding any other provision of law, no funds authorized to be appropriated by this or any other Act

The word "obligated" is taken out for technical reasons.

may be expended in any amount in excess of $350,000,000 for the purpose of carrying out directly or indirectly any economic or military assistance, or any operation, project, or program of any kind, or for providing any goods, supplies, materials, equipment, services, personnel, or advisers in, to, for, or on behalf of Laos during the fiscal year ending June 30, 1972.

One reason for the perfecting amendment is that under the continuing resolution and at this point in the fiscal year, a substantial part of this money has already been spent. Another thought is that, after discussing it with some of my colleagues, it is my opinion there would be no possibility of getting the controls which we do by this amendment if we did not raise that figure.

On page 2, we continue with the concept of eliminating the word "obligation." On page 3, lines 2 and 3, we strike out:

Over the so-called Ho Chi Minh trails in southern Laos, and over areas immediately adjacent to such trails,

And insert:

In or over Laos

Which would signify that we would place no restriction on bombing the Ho Chi Minh Trails or in Northern Laos.

Then subsection (e), which is very important to me as a member of the committees involved:

After the date of enactment of this Act, whenever any request is made to the Congress for the appropriation of funds for use in, for, or on behalf of Laos for any fiscal year, the President shall furnish a written report to the Congress explaining the purpose for which such funds are to be used in such fiscal year.

Then the next paragraph, and it is not long:

The President shall submit to the Congress within thirty days after the end of each quarter of each fiscal year, beginning with the fiscal year which begins July 1, 1971, a written report showing the total amount of funds expended in, for, or on behalf of Laos during the preceding quarter by the United States Government, and shall include in such report a general breakdown of the total amount expended, describing the different purposes for which such funds were expended and the total amount expended for such purpose.

My point is that if we tried to tie the executive branch to $200 million—and I fully sympathize with the able chairman's position—the $200 million figure could be a little unrealistic because of the amount of money that has already been spent. If we make the change about combat air operators over Laos, we would, in effect, be giving the administration more along the lines of what they asked for, but we would also be establishing, for the first time, controls on this unfortunate operation. Would not the able Senator agree with me on that?

Mr. FULBRIGHT. I would if I had any confidence that controls would be respected. Putting it all together, to give them all the money in return for the controls, which are certainly proper controls, would enable them to say they have a certain lawful authority if they spend more. It is a matter of degree, it is true. They will use about $490 million, as the Senator knows, to effectuate present plans. They could go through the ceiling; it could be twice that, and the Senator has no way of stopping it.

Mr. SYMINGTON. The Senator implies that by taking the air out, exclusive of the trails, it would be $490 million instead of $200 million; but for the first time we would have direct controls.

Mr. FULBRIGHT. If you expect them to be observed.

Mr. SYMINGTON. If you do not believe that, you might as well not have any amendment at all.

Mr. FULBRIGHT. I think the Senator's purposes are good, and you never know what will happen. I said I would support the $200 million. The only reason I support the $200 million is because of the controls that the Senator has in there. But I do not want us to become more involved there. We are already in——

Mr. SYMINGTON. The only reason that I would change the $200 million is that I have now found out there would be little or no chance of getting it through the Senate. If we could agree on the compromise figure, it would not only get through the Senate, but as a conferee I would hope we could uphold it in conference as a sound and constructive move.

Mr. FULBRIGHT. I would expect the greatest value of offering it is at least getting the expenditures on the record—in trying once more to draw to the attention of the country, the press, and the people—what is going on. I do not think most people have been aware of what has been going on. I do not think they approve it. Even Members of Congress certainly have not been aware of it until very recently, if at all.

So I think it serves a very good purpose to discuss this subject, whether or not this amendment is enacted, because I myself cannot imagine that the House of Representatives, with the attitude they have taken toward the war, would accept this amendment and when they are as determined as they have been on a very simple statement of policy such as the Mansfield amendment to the draft bill, and resist that, then you can imagine what they will do to something substantive dealing with money.

That is the explanation for my lack of enthusiasm for an amendment which is certainly justified on all grounds to be enacted as far as the restrictions go—on all grounds other than giving them a lot of money to carry on an unwanted war. The argument that this authorization is necessary for the protection of the withdrawal of our troops is absurd, however. It is about as absurd as the South Vietnamese elections yesterday.

One of the justifications for this activity was that it would help us get the troops out of Vietnam safely. If anybody believes that, he is liable to believe anything.

Mr. SYMINGTON. I suggest to the Senator from Arkansas that without the controls that are in here, even though the amendment is agreed to the way he wants it, if that were defeated—and I am afraid it would be—we would have no control over expenditures.

Mr. FULBRIGHT. I do not want to discourage the Senator. I will support his first amendment, simply because it i substantial reduction in the amount; a I think the one thing—the only thing that the administration is likely to ab by is the lack of money.

I have never figured out how they a able to spend money that has neith been authorized nor appropriated. Th have ways of drawing on unexpend funds. I imagine there is at least $50 b lion of unexpended funds in the pipeli as they call it, as reserve for the Pe tagon.

So I would not be sure that even wit prohibition against the appropriation any money, they could not find some i very short time.

I wonder if the Senator would allow to ask a question or two about Th troops.

It was my amendment originally th I believe prohibited the hiring of Tha to fight in Laos. Can the Senator tell why, with one-fourth as many Th troops as there are in the Royal L Army, they cost 25 percent more? Th would indicate that they pay two or thr times as much to a Thai fighting in La as to a Lao fighting in Laos. Is that fact?

Mr. SYMINGTON. Not only tha there is more to it than that. For exam ple there are less than one-half as ma Thais as there are Lao irregulars, b the Thais cost 33 percent more. Ther fore, there is a very great difference b tween what the Thais, who are subs dized to fight in Thailand, receive against what we pay for the Laotian regulars.

Mr. FULBRIGHT. The Senator w recall that I had another amendme which prohibited the practice of payi foreign troops brought into Vietnam t special allowances which at that tim gave them more than was given to American soldier. Does the Senator r call that?

Mr. SYMINGTON. Yes, I do.

Mr. FULBRIGHT. In this case, b cause we had no war—acknowledg war—at that time in Laos, I assume th take the position that that restricti does not apply to Laos. Is that correc

Mr. SYMINGTON. I would think did, yes. But it was my understandi that we were not going to support a Thais in either Laos or Cambodia, or a mercenaries in either Laos or Cambod and it was my understanding that th is what our amendment was design to do, as I said on the floor earlier t day.

On the other hand, the press is n reporting that it is planned to finan and train 12,000 Thai to fight in La and I imagine the executive bran will continue to handle this matter ju about the way they see fit. That is w I am particularly anxious for the di tinguished chairman—who has done much in this field as I have—to agree modifying the money. I agree with hi that we may be accused, somewhat, ev if we vote for the money involved. B at least for the first time we would setting some controls, so that the who operation of the Senate will not be farce, as it has been in the past; becau no Member of the Senate, including m

f, a member of the Foreign Relations mmittee, a member of the Armed Serves Committee, and a member of the bcommittee on the CIA until recently s had the faintest knowledge of what as going on in Laos.

If it had not been for the able group investigators who went to Laos, it is ry possible—in fact, I think, probable—at we would not yet know what we do w.

Mr. FULBRIGHT. The Senator has id that although there is an existing ovision of law prohibiting the hiring mercenaries, they are hiring them. hy does the Senator think they will spect his restrictions any more than ey respected that restriction?

Mr. SYMINGTON. It is a good question, and I would answer it in this way. First, they claim—I do not justify the aim; I simply state their claim—that ey are all volunteers, that they volunered to go there. Inasmuch as we found it that many of them were regulars in e Thai military, including at least one neral officer in Laos, and that they ere given bonuses to go to Laos and eir families were given privileges if ey did go or were wounded, it is hard follow that argument.

On the other hand, they also use the stification that they are ethnic Lao. he testimony is that twice as many Lao re actually living in Thailand as are ving in Laos, and three times as many re living in Thailand as are controlled the present government in Laos that e support.

These are the reasons they give to stify the Thai forces in Laos, despite e amendment that the able Senator om Arkansas succeeded in having dopted, for which I voted and which, to y mind, said they should not do what ey are apparently doing.

Mr. FULBRIGHT. So, the Senator hinks that for some reason they might spect his restrictions, although they ave not respected that one?

Mr. SYMINGTON. The Senator is aking a very tight argument. I would y that they have just as much chance respecting the $350 million amendent as they would the $200 million mendment.

Mr. FULBRIGHT. I would grant the enator that.

Why do they feel that they have to ire Thais who are so expensive? Why an they not hire somebody else at half e price? That seems an exorbitant um, if it is 3 or 4 times as much as they ay the Laotians.

Mr. SYMINGTON. I have always ound that people in government are not s good traders as people in private busiess. Perhaps they could have made a etter deal with the Thais.

This deal, to my mind, is not nearly as dvantageous to the Thais as the deal as for the Filipinos who went into Vietam under the previous administration, ecause they went in with heavy bonuses, lus the assurance that under no cirumstances would they ever have to go nto combat. At least, this is a better deal han the one that was made with the hilippines.

Mr. FULBRIGHT. I think that is damning with faint praise. Nobody I know of justifies the Philippine deal as other than a very crude shakedown.

Mr. SYMINGTON. It was a deal that was made secretly. The reason I am giving consideration to a perfecting amendment—in fact, I will offer one—is that at least we would get this matter out in the open, and we do get into the question of expenditures, which brings in the very powerful Appropriations Committees in both Houses. I think that if we support it, there will be a good chance of getting it through conference with the House.

Mr. FULBRIGHT. Does the Senator not think that supporting one army would be more efficient than supporting three? We have the Thai, the Royal Laotion Army, and the Lao regulars. To have three different armies in Laos, all of them supported by the United States, seems to me to be very improvident. Can we not operate the way mergers are effected in the business field and merge them into one army and have only one officer corps and thereby save a great deal of money? Would that not be much wiser?

Mr. SYMINGTON. It would be much wiser, but it would be much more difficult. I recall that 10 years ago, when I was going through Thailand to get to Saigon, the Thais and the Cambodians were practically at war. These being tribal countries, I believe there would be great difficulty in having officers that could serve with all three armies.

The Senator's point is well taken, however, and I would hope that we could get better organized out there with these mercenaries.

Mr. FULBRIGHT. I think we ought to come home. I think that is the only answer.

Mr. SYMINGTON. I would agree with that, but I thought the Senator was talking about troops from other countries.

Mr. FULBRIGHT. I was. I said that is what I would like to do.

Mr. President, I should like to close by citing a short article published in the Washington Post for September 1, 1971, headlined, "China Says U.S. Eyes Laos Move."

It reads:

China accused the United States today of plans to send more Thai troops into Laos to expand the war there.

An editorial in the Official Peking People's Daily said the United States showed its intention on Aug. 9 when it accused North Vietnam of a "massive" invasion of Laos.

"It is futile for the U.S. government to try and cover up its own aggression with the guise of an alleged 'invasion' of Laos by the Democratic Republic of Vietnam," said the editorial. It charged that the United States is planning to send "still more Thai accomplice troops to Laos to expand the war of aggression there."

Mr. President, that shows that the Chinese have their eye on Laos and Cambodia.

I repeat, Cambodia is much more sensitive in the eyes of China than Laos. We are taking grave risks in escalating the war in Cambodia and Laos as we pull our troops out—very gradually—out of Vietnam.

Mr. SYMINGTON. May I ask a question of the able chairman?

Mr. FULBRIGHT. Yes, indeed.

Mr. SYMINGTON. Does it not run through the Senator's mind that perhaps the basic plan, especially as we talk so much about getting out of Indochina, is to "hole up," we might say, on the Southeast Asian mainland by establishing a bastion in Thailand where we have superb fighter bases—six to be exact—and, in addition, one of the finest strategic bomber bases in the world, south of Bangkok; and might it not be that the great interest we have built up in Laos and Cambodia, at the same time we emphasize we are going out of South Vietnam as quickly as possible, is that we have the SEATO agreement with Thailand, and might that not be one of the reasons why we are operating the way we are?

Mr. FULBRIGHT. It well might be, although the SEATO agreement would not require that we do anything with Thailand, but we can do what we like with Thailand as long as Thailand is agreeable. It would not exclude that at all. Cambodia is completely dependent upon us. We pay for everything. It is a pawn in our hands, whereas Thailand retains a government of its own and, except for our vast expenditures there, they could assert their independence again. Cambodia and Laos are, I think, in a much weaker position.

If we are concerned about the Laotian people, we could make a serious effort to bring about an agreement between Souvanna Phouma and the Pathet Lao—they are led by half-brothers, as the Senator knows, they are close ethnically, as the Senator has said. But we have not made much of an effort to do that. I think it would be far wiser to do that than to continue to escalate the war and spend half a billion dollars this year in this poor little country. It is going to be an ever more burden on this country, as the Senator has said. Much more so than in times gone by, given our present financial situation. It seems incredible that we are called upon to continue this kind of expenditure in a little, mountainous country 10,000 miles away from us. It makes absolutely no sense from any point of view to spend $490 million on such a futile undertaking.

Mr. SYMINGTON. I certainly agree with the Senator from Arkansas. One of my constituents wrote me recently, asking why I spend so much time on Laos, and I said the more time I spend on Laos and all these other overseas expenditures, and try to get them reduced, the more money will be available to do the things which are needed so desperately back in Missouri.

Mr. FULBRIGHT. What we are doing is keeping the Laotian people involved in a war that is decimating them, making refugees out of them, and ruining their country for nothing that can possibly benefit them.

Mr. SYMINGTON. I thank the distinguished Senator from Arkansas.

Mr. President, I send a perfecting amendment to the desk and ask that it be considered as an amendment to my present pending amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment as follows:

On page 1, line 3, strike out "obligated or".

On page 1, line 4, strike out "$200,000,000" and insert in lieu thereof "$350,000,000".

On page 2, line 4, strike out "200,000,000" and insert in lieu thereof "$350,000,000".

On page 2, lines 4 and 5, strike out "obligation and".

On page 2, line 16, strike out "obligated or".

On page 2, line 23, strike out "obligated or".

On page 3, line 1, strike out "obligation or".

On page 3, lines 2, 3, and 4, strike out "over the so-called Ho Chi Minh trails in southern Laos, and over areas immediately adjacent of such trails," and insert in lieu thereof the following: "in or over Laos".

On page 3, line 20, strike out the period and insert in lieu thereof a comma and the following: "except that in the case of the first two quarters of the fiscal year beginning July 1, 1971, a single report may be submitted for both such quarters and such report may be computed on the basis of the most accurate estimates the Secretary of Defense can make taking into consideration all information available to him."

The PRESIDING OFFICER. Is there objection to the present consideration of the amendment to the amendment?

There being no objection, the amendment to the amendment was considered and agreed to.

QUORUM CALL

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

The PRESIDING OFFICER. On the Senator's time?

Mr. SYMINGTON. Yes.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. SYMINGTON. 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. SYMINGTON. Mr. President, as I said earlier the purpose of my original amendment was not to put an immediate end to the war in Laos. As desirable as that might be, it does not seem to be an immediate military or political possibility.

It is, however, possible for the Senate by its action today to place itself in the position to know what is going on in Laos, to know how much is being spent there and thereby in future years to play a more active role in the formulation of policy which may lead the United States out of the war in Laos and put an end to the fighting which has destroyed so much of that country and has decimated such a large portion of its population.

Having in mind as my primary objective the assertion of congressional authority over the conduct of the war in Laos, I have discussed my amendment with the distinguished chairman of the Armed Services Committee and have found him receptive to the idea of the spending controls and reporting requirements set forth in my amendment.

Accordingly in the belief that the principles embodied in these controls will in the long run be more important than the amount of money involved—although I continue to believe that half a billion dollars of U.S. expenditures in Laos is far too much—I have sent to the desk a perfecting amendment which would increase the ceiling for U.S. expenditures in Laos to $350 million in fiscal year 1972. At the same time it will exclude from the operation of the ceiling the cost of all U.S. air activities in and over Laos.

I am pleased that the distinguished chairman of the Armed Services Committee has indicated his willingness to support the revised amendment which provides as follows:

For the first time, a ceiling on U.S. expenditures in behalf of the Lao Government—section (a).

Requires that, in the future, any money requested for Laos must be identified and explained—section (c).

Precludes use in Laos of money authorized for other purposes—sections (c) and (e).

Requires the executive branch to submit quarterly reports on expenditures in Laos including description of purposes—section (f).

Mr. DOMINICK. Mr. President, would the Senator yield?

Mr. SYMINGTON. I am please to yield to the Senator from Colorado.

Mr. DOMINICK. Mr. President, I would like to ask the Senator from Missouri to comment on a statement he just made in which he said his amendment, as modified, would preclude use in Laos of money authorized for other purposes. It does not read that way in the original amendment. I wondered what modifications the Senator had made in the amendment.

Mr. SYMINGTON. Mr. President, the Senator is correct. The amendment as modified would eliminate from the ceiling restriction all air activity in and over Laos. Therefore on the premise that the amount of money being spent this year outside of the Ho Chi Minh Trail in the air is $140 million, it would increase it actually from $200 million in the original amendment to $490 million.

Mr. DOMINICK. Mr. President, would the Senator point out what changes he has made on page 3 of the amendment to accomplish that?

Mr. SYMINGTON. Mr. President, I would be very glad to do so. Has the Senator from Colorado got a copy of the amendment?

At the top of page 3, we would eliminate the words "obligation or" which is a technical limitation that the entire staff recommends. Then, it would read:

With respect to the expenditure of funds to carry out combat air operations in and over Laos by U.S. military force.

Mr. DOMINICK. I thank the Senator. That clarifies that point. The only problem I still have is that I find it difficult to reconcile this with the fact that a great number of us were critical when the previous administration was directing tactical operations when we were already in hostilities. I find it difficult to determine why 535 Members of the Congress should try to do it.

It is my understanding that t amendment, as modified, contains t amount of money for Laos that has be requested.

Mr. SYMINGTON. The Senator is co rect. I emphasize that, because we a compromising on a reduction of t money in order to get the controls th the dignity of the Senate requires.

I am confident that the able Senat from Colorado, with whom I have t honor to serve on the Armed Servic Committee, does not like to authori money when he does not know, as I ha not known in the past, how that mon is to be used.

Mr. DOMINICK. I thank the Senat for his comments. I have some difficul in interpreting the last statement becau I know that the distinguished Senat from Missouri—as well as I—has bee briefed on this matter on a great numb of occasions, including times by the pr vious Ambassador when we were in Vie tiane on a number of occasions. Howeve despite that fact, it seems to me the pro lem is whether we should try to exerci congressional control over the present a tivities or over some future activities.

Mr. SYMINGTON. I would say to th distinguished Senator that sections (e and (f) justify the amendment. All the sections of the amendment, I thin with the modifications, would give u better control.

Mr. DOMINICK. I thank the Senat from Missouri.

Mr. SYMINGTON. Mr. President, whi I continue to believe that it would ha been highly desirable to more severel limit the amount of money to be spe in this fiscal year, I believe that th amendment in its revised form co stitutes a significant assertion of ou rights and our responsibilities here in th Senate.

I am very pleased, but not surprised, t be joined in urgent adoption of th amendment as perfected by the abl chairman of the Armed Services Commit tee. His role in overseeing the activitie of the Department of Defense is on which should have earned him the ad miration, if not the sympathy, of all th Members of this body.

His support is appreciated and in tur I will appreciate the support of all Mem bers of this revised amendment.

The PRESIDING OFFICER. Wh yields time?

Mr. STENNIS. Mr. President, I sug gest the absence of a quorum.

The PRESIDING OFFICER. On whos time?

Mr. STENNIS. On my time.

The PRESIDING OFFICER. The cler will call the roll.

The legislative clerk proceeded t call the roll.

Mr. STENNIS. Mr. President, I as unanimous consent that the order fo the quorum call be rescinded.

The PRESIDING OFFICER. Withou objection, it is so ordered.

Mr. STENNIS. Mr. President, this en tire subject matter pertaining to mili tary aid and economic aid in Laos is very involved and rather complicate matter, and the money has grown t rather large amounts. Before thi

amendment is voted on I hope there is some way yet to get this information before the membership of the Senate. I had been thinking I might ask for a closed session, primarily to get the membership into the Chamber, so we could talk about the high points, but I do not think it is necessary to have a closed session this afternoon.

The amendment has been offered by the Senator from Missouri, who, I am glad to say, has done a great deal on this subject. I am pleased that he has. It is hard, difficult work, and he stayed with it. He has made more than one trip, to Laos and to other places in the area, and he is entitled to credit on this subject matter.

Mr. President, we have had requests this year for items that go to make up these military programs, and also for economic aid in Laos. In a few minutes I will go into the figures. The original amendment of the Senator from Missouri limited these programs to $200 million, excluding the cost of bombing on the Ho Chi Minh Trail. The proposal in his modified amendment not only leaves out the cost of that part of the bombing, but also the costs for bombing and other air activities, in and over all of Laos. The air activities is not all bombing. Some of it is strafing and some of it is close air support. The cost of all that is excluded now.

For economic aid, we have the Agency for International Development—the AID program. That is listed here at $50.5 million.

All of those programs outside the bombing and the other air activities add up to $350 million. So the Senator has modified that provision which we limited to the total expenditures. This pertains to expenditures for fiscal year 1972.

I could not have supported the amendment at $200 million under any circumstances. One reason was that almost that much already has been spent or will be spent under continuing resolutions.

By the time the appropriation bill leaves the President's desk almost one-half of the programed amount will have been spent under the continuing resolution. In conversation with the Senator from Missouri I brought up the question of these requested amounts, the question with reference to the committee's responsibility, and also the question of having these matters identified. I told the Senator if he saw fit to modify his amendment, putting it at $350 million for the fiscal year 1972, that I could support it and that I would.

I do wholeheartedly support the modified amendment. I do think we have a control problem here. I think the President has a problem. I think this is the best way for us to get on, and I hope there will be a good strong vote here. I hope the Senate will pass this amendment which relates to expenditures and values of equipment that may be sent in or supplies that we have already used. It provides a total amount of $350 million. At the same time it gives legislative recognition to the fact that these funds are needed and it gives us a start toward a consideration of this matter for next year.

We do have the unusual matters that come up. The Senator from Missouri and I, should there be an unusual development or added need before this bill leaves Congress, agree that it could be considered. That added figure could be considered in conference although I do not expect anything like that to happen. It is covered, anyway.

I think this has been a misunderstood matter. Incidentally, we have the money totals that related to this amendment in the present form. Some of the information is classified. I cannot read it all. We had these figures this year in our files. We have made headway within the last 3 years in getting more and more accurate information with respect to the expenditures. It is a very difficult matter to keep up with these war expenditures. We have requested it and the utmost effort is being made to get these matters before Congress.

The total is about 20 percent above the amount for these items for fiscal year 1971, the fiscal year that closed June 30. The modified amendment carries a figure that is 20 percent above the figure for last year. It excludes bombing and air activity over the Ho Chi Minh Trail and over any part of Laos from any limitation. The original amendment excepted only that part relating to the Ho Chi Minh Trail.

The modified amendment places a limitation on expenditures of $350 million for fiscal year 1972 on all the various programs being carried on in Laos.

That word expenditure is there, and it is interpreted to include also the values of equipment and supplies that have already been used. We have a provision in the regulations that this material cannot be valued at a very small amount, but have to be valued at least one-third of initial cost.

Limitations are placed on expenditures for these programs as compared with the original amendment, which placed the limitations on both the obligations and expenditures.

Since almost half of the fiscal year 1972 will have elapsed by the time this bill becomes law and appropriations are actually made, language has been added which would require interim estimates being made.

All this means that if this amendment, in its modified form, is adopted, it will provide, in substance, for the same money, in terms of program, that has been requested by the administration.

Another point is as follows: This amendment does not add any power to our legislative control of these matters. We have had the power and legislative control. It does outline a method of operation that goes deeper into these matters and it sets a pattern for the committee to follow in the future.

Frankly, Mr. President, as chairman of the committee, I welcome a chance here to have such a pattern, a program, a method that can more clearly and more definitely go into these matters.

These funds, at the beginning, were emergency funds to meet specific situations, but this has now been going on a good while. I do not know whether this is classified, or what has come out, but this has gone on for many years, without anyone being at fault. Nothing wrong has been done. No law has been violated. But I think this amendment is a satisfactory way, since all these matters have been brought out, of settling it. It will be fair to the administration and to the legislative branch of the Government, and will not put any impediments that I can see in the path of those representing us in the war in Vietnam.

There is no doubt that the fighting in Laos is part of the Indochina war. No one would be approving the $350 million—the Senator from Missouri would not be offering it—he would not be approving it, I would not be, none of us would be, if this were not connected with the war in South Vietnam. I think it is a very important part of it.

I do not think that this provision will cripple anyone—the President, the administration, or the military. I think there is a better pattern of responsibility being exercised by us, a better pattern of accountability for the executive branch and the military. We have this example, and a road may be before us that will serve as a basis by which these matters will be handled.

There has been no contention about some of these measures being ill-conceived. Some persons do not approve of them, but no one says they are not relevant. No one asserts that they are not valid. Some persons think they are too much, or some persons, as a matter of principle, perhaps will not want to vote for anything in that field.

I commend the Senator from Missouri for being willing to meet the situation. He is willing to vote for money that will meet this problem, and he is willing to espouse modifications in his own name. I commend him for it.

The Senator said time had made his proposed ceiling somewhat out of date, but even with a moderate increase I would have been compelled to ask Senators to oppose it. As I see it now, I am satisfied that this is the best approach, and I think it is the best solution. I know it is no crippling device on the President. I cannot see where it possibly would be. I believe it will be helpful to us in years to come, and I think we will look back on this with considerable satisfaction. We have found a way to work it out along this line.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 123 minutes remaining.

Mr. STENNIS. I do not think we will use that time, but I would like to reserve that time for any Senator who may want to speak.

Mr. SYMINGTON. 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. SYMINGTON. 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. SYMINGTON. Mr. President, I am ready to yield back the remainder of my time, but before doing so, I would like to make a couple of observations.

Mr. President, I have been asked, with

regard to section (b) of the amendment, whether it is the intent of the sponsor to include within the ceiling the fair market value of any equipment or supplies sold for use in Laos. That is correct. Section (b) refers to transfer by gift, donation, loan, lease, or otherwise. Otherwise would certainly include sales.

I have also been asked a question regarding section (f) which requires reports on funds expended. The question is would obligations and transfers of the nature described in section (b) of the amendment also have to be reflected in the quarterly reports.

The answer is yes, we believe they would. In this sense, section (f) must be read in conjunction with section (b).

I might add with regard to another question which has been raised, that although the revised amendment which excludes combat air operations from the provision of Section (c) which requires specific authorization, requests for funds for air operations in Laos must still be so identified pursuant to section (e) and expenditures for air combat operations must still be reported under section (f).

Mr. President, I should like to bring up one other point again to submit to the Senate: Inasmuch as the Secretary of Defense testified before the Foreign Relations Committee, in open session, that the Defense Department was conducting no military operations in Laos, that means that this operation is being conducted through the ambassador, by the Central Intelligence Agency, or, if it would be preferred, directly by the President, because the Central Intelligence Agency reports to the National Security Council, which is an advisory body to the President. Under those circumstances, it seems to me that wars more properly should be handled by the Defense Department than by an agency such as the Central Intelligence Agency.

Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The yeas and nays have already been——

Mr. SYMINGTON. I am advised that the yeas and nays were ordered last week.

The PRESIDING OFFICER. That is correct.

Mr. SYMINGTON. Mr. President, I am prepared to yield back the remainder of my time.

Mr. STENNIS. I want to use 2 minutes.

Mr. President, I would like to make some other remarks about this money, but it involves classified material. I do not think it is necessary to make those remarks at this time. Therefore, I will forego doing so.

But for reasons I have already given, Mr. President, I think that this is a satisfactory disposition of the amendment as it is now modified with the budget amounts and I hope that it will get a good solid vote of the membership. I believe that it will be a framework for fuller understanding and consideration in the future, not only of the Armed Services Committee on this bill, but in the Appropriations Committee on other bills as well.

So, unless someone else wishes time to speak, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has now been yielded back.

The question is on agreeing to the amendment, as amended, of the Senator from Missouri (Mr. SYMINGTON).

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Nevada (Mr. CANNON), the Senator from Idaho (Mr. CHURCH), the Senator from Mississippi (Mr. EASTLAND), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Washington (Mr. JACKSON), the Senator from Louisiana (Mr. LONG), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Alabama (Mr. SPARKMAN), are necessarily absent.

I further announce that the Senator from Wyoming (Mr. MCGEE), and the Senator from New Mexico (Mr. MONTOYA), are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. JACKSON), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Oklahoma (Mr. HARRIS), would each vote "yea".

Mr. SCOTT. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Arizona (Mr. FANNIN), the Senator from Michigan (Mr. GRIFFIN), the Senator from New York (Mr. JAVITS), the Senator from Maryland (Mr. MATHIAS), the Senator from Illinois (Mr. PERCY) and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Arizona (Mr. FANNIN), the Senator from Maryland (Mr. MATHIAS), the Senator from Illinois (Mr. PERCY) and the Senator from Texas (Mr. TOWER) would each vote "yea".

The result was announced—yeas 67, nays 11, as follows:

[No. 249 Leg.]

YEAS—67

Aiken	Gambrell	Pastore
Allen	Goldwater	Pearson
Allott	Gurney	Pell
Anderson	Hansen	Proxmire
Baker	Hart	Randolph
Bayh	Hollings	Roth
Beall	Hruska	Saxbe
Bennett	Hughes	Schweiker
Bentsen	Humphrey	Scott
Bible	Inouye	Spong
Boggs	Jordan, N.C.	Stafford
Burdick	Jordan, Idaho	Stennis
Byrd, Va.	Kennedy	Stevens
Case	Magnuson	Stevenson
Chiles	McClellan	Symington
Cotton	McGovern	Talmadge
Cranston	Metcalf	Thurmond
Curtis	Miller	Tunney
Dole	Mondale	Weicker
Eagleton	Moss	Williams
Ellender	Muskie	Young
Ervin	Nelson	
Fong	Packwood	

NAYS—11

Brock	Cooper	Mansfield
Brooke	Dominick	Smith
Buckley	Fulbright	Taft
Cook	Hatfield	

NOT VOTING—22

Bellmon	Harris	Montoya
Byrd, W. Va.	Hartke	Mundt
Cannon	Jackson	Percy
Church	Javits	Ribicoff
Eastland	Long	Sparkman
Fannin	Mathias	Tower
Gravel	McGee	
Griffin	McIntyre	

So Mr. SYMINGTON's amendment, as amended, was agreed to.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SYMINGTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, it is my understanding that there may be a few voice votes this afternoon, but there will be no more rollcall votes this afternoon.

PROGRAM

The schedule for tomorrow is as follows:

The Senate will convene at 9 a.m. Following the recognition of the joint leadership and the expiration of any 15-minute orders for speeches which may be entered in the meantime, the Senate will then consider amendment No. 433 by Mr. Gravel, with a limitation of 2 hours thereon; and a rollcall vote is expected.

Upon disposing of the Gravel amendment, the Senate will consider the Buckley amendments Nos. 447, 448, and 449, with regard to each of which there is a limitation of 1 hour; and there may be rollcall votes thereon.

Following the disposition of Senator Buckley's amendments, and he may or may not decide to call up all of the three amendments, the Senate will proceed to consider any amendments to the military procurement bill which may be called up.

No amendment has been clocked into the schedule for Tuesday afternoon but it is hoped that Senators who have amendments will call them up.

I note from the schedule that there is no time for the conduct of morning business. I ask the Chair if an order has been entered to that effect.

The PRESIDING OFFICER. There has been.

Mr. MANSFIELD. I thank the Presiding Officer.

It is my understanding that the distinguished Senator from Illinois (Mr. PERCY) is the only Senator who has asked and been granted a special order for not to exceed 15 minutes tomorrow.

The PRESIDING OFFICER. The Senator is correct.

ORDER FOR STAR PRINT OF AMENDMENT NO. 419

Mr. MANSFIELD. Mr. President, at the request of the Senator from New Mexico (Mr. MONTOYA), I ask unanimous consent that the amendment of the Senator from New Mexico (Mr. MONTOYA), amendment No. 419, be reprinted as a star print with some minor changes that reflect the fact that the October 3 presidential elections in South Vietnam have been completed.

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

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 4, 1971, he presented to the President of the United States the enrolled bill (S. 2613) to extend for 1 month the Federal Water Pollution Act, as amended.

MILITARY PROCUREMENT AUTHORIZATIONS, 1972

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

Mr. GOLDWATER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read as follows:

On page 8, line 8, strike out the period and insert in lieu thereof a colon and the following:

"*Provided,* That $14,500,000 of funds available to the Air Force for aircraft procurement shall be available for the procurement of 30 armed STOL aircraft."

ARMED STOL AIRCRAFT

Mr. GOLDWATER. Mr. President, this amendment would provide authority for procurement of 30 armed STOL aircraft for operational testing by the Air Force. The amendment does not add any money for this purchase because prior year money is available for this purpose.

This program was submitted by the President on July 30, 1971 as an amendment to the fiscal year 1972 budget. The committee considered the program but declined to include it in the bill to permit further evaluation of the program. The Air Force has now determined that there are 1971 funds that can be reprogramed to finance the program.

Mr. President, this is a new program, and my amendment is submitted to protect the integrity of the authorization process. This amendment has the support of the chairman of the Armed Services Committee and I am informed that the reprograming subcommittee has heard testimony and I believe the subcommittee will recommend approval of use of the 1971 funds.

Let me briefly describe the armed short take-off and landing aircraft concept. What the Air Force wants to do is to buy cheap, off-the-shelf aircraft and test these aircraft to see if they can be used in a limited interdiction role in South Vietnam.

It would be my hope that eventually this would be a breakthrough for a cheaper approach for a tactical airplane for our forces.

I want to emphasize that the 30 aircraft I am speaking of are for operational tests. Whether the program goes any further will depend on the tests. The aircraft are not for Cambodia, Laos, or Thailand—they are for testing in South Vietnam.

Mr. President, one of my concerns is that time is of the essence. The Air Force wants to test this concept during the next dry season. In order to meet their schedule, the go-ahead must be given now. It's not often we see a relatively inexpensive approach such as Air Force is proposing.

I urge acceptance of this amendment.

Mr. STENNIS. Mr. President, I am glad to report that I support the amendment. I think this experiment is certainly worthy and well worth doing, and I feel we will be going down the road toward something worthwhile in this field.

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

Mr. GOLDWATER. I yield.

Mr. PROXMIRE. I understand this does not duplicate the AX.

Mr. GOLDWATER. No.

Mr. PROXMIRE. This is a one-man trainer type with a cannon. Is that correct?

Mr. GOLDWATER. The Senator is correct.

Mr. PROXMIRE. With no missile.

Mr. GOLDWATER. They call it the mini gunship. It is not a new airplane. It was originally built in Switzerland, and subsequently built by two companies in this country, both of which will participate in this effort. They have 20 millimeter cannon where the seats would go and they could fire from the side of the ship.

Mr. PROXMIRE. This would not commit us to any program in the future, it is just an experiment.

Mr. GOLDWATER. Yes. I am hopeful it might result in a real breakthrough for us.

Mr. STENNIS. The amount is $14.5 million of old money.

Mr. GOLDWATER. The Senator is correct.

Mr. STENNIS. Money already appropriated in prior years.

Mr. GOLDWATER. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona (Mr. GOLDWATER).

The amendment was agreed to.

Mr. PROXMIRE. Mr. President, I call up an amendment I have at the desk, which is called the "Bomber Hedge" amendment.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with and that the amendment be printed in the RECORD. I will explain it.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 9, line 11, strike out "2,910,744,000" and insert in lieu thereof the following: "2,912,244,000, of which amount not less than $500,000 shall be available only for a contractor study of the feasibility of equipping the B–52 G and H series aircraft with high by-pass ratio turbofan engines and not less than $1,000,000 shall be available only to carry out contractor design studies of the feasibility of modifying existing aircraft for use as stand-off missile launching strategic bombers."

Mr. PROXMIRE. This amendment has two provisions. The first would add $500,000 to the bill before us to explore the feasibility of initiating a B–52 reengining prototype program of the kind the Boeing Co. has proposed.

When it first proposed such a program, Boeing suggested that it would take about 20 months and cost $6 to $10 million to conduct. The Air Force—perhaps in an attempt to discourage the idea—now estimates a 24 month schedule and a cost of $40 million. It also suggests that the feasibility of the idea should be explored further in a 6-month study preceding prototype work.

The $500,000 provided by the first provision of my amendment would permit Boeing to undertake that study. It could be completed by early next year, at which time its conclusions regarding the ultimate costs and probable advantages and disadvantages of reengining could be made known to the Congress. I recognize that the Air Force is conducting a similar study of its own. I feel it crucial, however, that an independent study be conducted and made available to the Congress.

The second provision of my amendment would add $1 million to the bill to initiate Air Force funded contractor studies of the possibility of modifying existing airframes into stand-off missile launching bomber designs. Many experts believe that if and when we build a new follow-on bomber to replace our B–52's, this is the kind of bomber we should build. Such is the view held, for example, by the Office of Management and Budget in this administration. And we have a number of large, new airframes today which might be admirably suited to this use—the DC–10 and the Boeing 747, to name just two. In fact, the Air Force itself recently initiated a study of the 747 as a strategic tanker for the B–1.

It might be equally suited to the standoff launch of long-range attack missiles in a strategic bomber role. Several airframe alternatives could be studied with the $1 million my amendment provides for this purpose.

JUSTIFICATION

Now why am I proposing this amendment?

First, I am proposing it because I oppose the B–1 program. I believe that a reengined B–52 with SCAD missiles aboard would dramatically improve both the prelaunch survivability and the penetration capability of our present bomber force, which by the Air Force's own admission has more than 15 years of service life remaining at present utilization rates. And I believe that a standoff missile launching bomber, as an eventual replacement for the B–52, would offer virtually the same effectiveness as the

B–1 at much reduced costs, both directly and in the tanker support it would require.

But my views in this regard are well known. I have spelled them out before, most recently in an earlier speech on this bill. What I would like to talk about now are my other reasons for proposing this amendment, reasons which I hope would be persuasive to B–1 supporters and opponents alike. All of these reasons concern the advantages of having a hedge against the large number of uncertainties facing the B–1 program.

COST HEDGE

My amendment would provide a hedge against cost problems with the B–1. There is a great difference of opinion about how much the B–1 would eventually cost, with responsible estimates of direct investment costs rising as high as $20 billion and estimates including operations and maintenance costs reaching $50 billion. These estimates are not to be brushed aside lightly when our much less complex existing bomber force costs $1.3 billion per year now just to operate and maintain. I am sure there are some Members of this body who would want to buy the B–1 at any cost. But I would hope that the majority of my colleagues would like to keep their options open.

My amendment would provide a hedge also against technical problems with the B–1. I do not doubt that if we spend enough money and take enough time we can make the B–1 fly. But whether we can make it meet all its specifications is another question. Right now it has several advertised advantages over the B–52, some more critical than others. If its lower penetration altitude and higher penetration speed advantages proved difficult to attain, or if it suffered further degradation in its already limited range, a number of the present assumptions about its effectiveness would have to change. The FB–111 is a good case in point, since it is in many respects a smaller-scale version of the B–1. We know now that its payload capacity is too small to carry the large number of SRAM's and SCAD's needed for bomber penetration, and its range is so limited it would fall into the ocean halfway there if it tried to fly to Russia at the supersonic speed which was once touted as a great advantage.

My amendment would provide a hedge also against changes in the international political climate. There might be SALT agreement; for example, which diminished our need for the B–1. Or there might be changes in Soviet air defenses which negated the ability of the B–1 to penetrate and forced reliance on standoff missiles instead.

In fact, if we made clear our willingness not to commit ouselves to the B–1 only, the Russians might go slower in their bomber programs.

OPTIONS AVAILABLE

What we would need to respond intelligently in any of these situations is readily available options. We will not have those options, however, unless we make them available now. As I indicated earlier, it would take 2 years to do the R. & D. which would have to precede the reengineering of our B–52 forces. And it would require about the same length of time before we could start work on actually converting an existing airframe into a stand-off missile launching bomber.

Too often in the past we have been stuck without options. We have committed ourselves to one specific weapon system from one specific contractor and have been forced to take it regardless of the cost or technical problems involved. That is why all of us are now in favor of competitive development programs and the new prototype efforts which the Defense Department has initiated.

We cannot afford a competitive B–1 development program. That plane is simply too expensive. But we can afford the competition of a different sort which my amendment would provide.

The minor increase in this defense budget which my amendment would entail is well worth the cost. In fact, I think it would save money, even if we eventually go ahead with the B–1 and scuttle the alternatives my amendment explores. It would do this because of the incentive it provides to keep an eye on all unnecessary costs in the B–1 program. If we saved less than 1 percent of B–1 costs we otherwise would have spent, my amendment would have paid for itself.

In fact, there is really only one justification for opposing this amendment—a belief that it threatens the B–1 itself. But this is a nation and this a deliberative body which prides itself on a tradition of decisionmaking through the process of rational debate. If the B–1 cannot continue to survive this process on its own merits, if it can be kept alive only if other options are closed off, it must be a very dubious program indeed.

Mr. GOLDWATER. Mr. President, I am happy to answer my friend from Wisconsin, particularly on this matter. The reengining of the B–52 is no new concept. The Boeing study, I believe, was made in 1969. There was never a very comprehensive study; it was what I would call a sort of salesman's dream. We can understand that from one who wanted to sell more airplanes, particularly at that time, when they had not quite caught up with their domestic work. It has been given thorough study by the Air Force. It has been given thorough study by aeronautical engineers. It has been and is being given great study.

Airplanes are never things that are dreamed up overnight. The B–1's concept was studied for 10 years.

There are some problems involved in reengining, and I think the idea of reengining the B–52 has a lot of sex appeal. A lot of people think of the B–52, as they should, as one of the greatest airplanes we have ever had. Anything that might be done to make it live longer has great appeal. But there are great problems we have to recognize.

The B–52 is getting to be 18 years old. That is a long time for an airplane to live, particularly in combat, and particularly this airplane, which has what we call a droop wing. The wing tips rise 13 feet before the plane gets enough lift to get into the air. This causes a constant flexing of the wing, the strain going into the spar and also into the fuselage itself.

This plane was designed for high-altitude bombing, but it has been used in the last several years, especially in Vietnam, for low altitude bombing. So this has caused problems because of the altitudes these planes have had to fly at, and it is now becoming a problem.

While we have not checked the metal fatigue of this airplane, I can say that the B–47, which was a medium bomber which we used back in the 1950's, had a safe life of 4,000 hours. While I think the B–52 will go well beyond that, most of them have that much time on them now and some of them are going back for metal fatigue correction.

The Senator suggested that the C–5A engine, which is the engine on the C–5 transport airplane, might be used. The diameter of the nacelle of that engine is 100 inches. That is over 8 feet. That is over 2 feet taller than I am. When you take into consideration the droop aspect of the wing and you want to put two nacelles on each side of the fuselage, instead of the four we have on each side now, there is a grave question in my mind whether or not this airplane could safely operate even on the finest of runways.

An engine that is placed too low will pick up dirt and pick up objects that hurt the engine. The engine size is one of the factors that has kept the Air Force from getting too enthusiastic about it.

Another major problem in reengining the B–52 is that the B–52 has a much greater radar profile than the B–1. This is one of the major reasons for wanting a new carrier or bomber, such as the B–1, so it could go at low altitude at mach .9 or .95 with supersonic abilities at the higher altitudes. So the fact is that the probability of using low altitude bombing by the B–52 would create one of the major problems.

While the B–52 reengined would have greater range, it would not have more speed than the present B–52. In fact, there is question whether it would go as fast. I think it would. The total output of the engine would be a little more than that of the present engines, but the drag created by the larger nacelle would destroy that advantage, and, as I say, it would have no greater speed.

It is also a fact that the Air Force is now engaged in a study of this matter, not to see whether the B–52 can handle it, but to see whether this might be an idea we could apply to aircraft of the future, to see whether we can change engines as we get improved engines.

As to the assertion that the B–1 seems to be in trouble, Mr. President, I have visited the North American plant several times. I have been in constant touch with them. I cannot think of any military-management team that has worked better. The last time I visited their factory, the plane had gone up less than a million dollars, when its opponents have been talking of $50 million. There is no question that it is going to go up in price, because we do not seem to be able to stop inflation in this country, and until we can do that, we cannot say anything firm about prices.

While I have not been able to get the prices—I do not think anyone could ever actually give them—I have a feeling that if we reengined the B–52, by the time we got through restructuring the fuselage,

restructuring the wing, and adding new weapons systems, we would have as much in the B–52 as in the B–1 when they are delivered.

The function of the B–1 is not to fly supersonically at a low altitude. We use what we call high-low attack. If we had to attack targets on the continent of Europe, we would make a high-altitude approach, probably in the area of 50,000 feet, refuel at least once—once would probably do it—and then come down to form a low target, and fly at altitudes, probably, around 200 feet. This, with the B–1 profile, would make this plan admirably suited for this kind of attack.

As I say, Mr. President, the idea has a lot of appeal, and to Senators who have not made a lifetime study of aeronautics, as I have, I think it would sound good. But, Mr. President, it is an unworkable thing. It is going to be more costly in the long run than the procedures we are voting, and I hope the Senate will express its disfavor of it.

Mr. STENNIS. Mr. President, if the Senator will yield me 1 minute here, I think the Senator from Arizona has expressed the sentiment of the committee; and whatever may come out of this, the Air Force is working on it, and I do not think the cause would be served by agreeing to this amendment now. I hope the Senate will reject it.

Mr. PROXMIRE. Mr. President, let me say, before we vote on this amendment, that I am not advocating that the B–1 be scuttled. We had a vote on that, and lost that vote.

What I am saying is that we ought to have options available if the B–1 does not work out. The Senator from Arizona has just introduced an amendment, and a good one, to spend $14 million of already appropriated funds on research and development to work out plans for a better fighter. What I am suggesting is only to spend a million and a half dollars to keep our options open with regard to the B–1.

The remaining life in combat that I set of 15 years for the B–52 is a figure taken from the Air Force itself, not my calculation, but theirs.

The major part—$1 million of this $1.5 million—would be used to study the prospects of using existing airframes, such as the 747, the DC–10, and so forth, as bomber platforms to be used for standoff missile launching from air to ground. That may or may not be a practical approach, but some very capable people think it might very well be, and I think it is worth a relatively modest amount to study something that might have a very effective usefulness in strengthening our security, and also to provide an option in the event that the B–1 does not work out as we hope it would.

Mr. GOLDWATER. Mr. President, if the Senator will yield, I would like to answer a couple of those points.

The standoff bomber concept is certainly not a dead one. The Air Force is very actively interested in it. They are considering and have considered some of the larger airframes, like the DC–10, the 747, and the 1011 coming along, as possibilities.

We have, frankly, some time to go before we will have missiles that are quite ready for this concept. I am not saying that the time period of the 1980's and the 1990's might not bring forth a whole new concept of bombing, where we do away with the dropped bomb and use the standoff. But for the foreseeable future, the B–1 is the instrument that we have, and we have some standbys. We have the B–1–1, which is designed to be a fighter and tactical aircraft.

So, Mr. President, I think we are better off going the way we have.

The PRESIDING OFFICER (Mr. BEALL). The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was rejected.

AMENDMENT NO. 436

Mr. PROXMIRE. Mr. President, I call up my amendment No. 436.

The PRESIDING OFFICER. The amendment will be stated.

Mr. PROXMIRE. I ask unanimous consent that the reading of the amendment be waived.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be printed in the RECORD.

Mr. PROXMIRE's amendment (No. 436) is as follows:

On page 9, line 10, strike out "$2,376,869,000" and insert in lieu thereof "$2,401,869,000, of which not less than $25,000,000 shall be available for research and development in connection with a light fighter prototype aircraft".

LIGHT FIGHTER AMENDMENT

Mr. PROXMIRE. Mr. President, I call up at this time my amendment No. 436, which would authorize $25 million for a new light weight Navy fighter prototype development program.

When I introduced this amendment, I hoped that such a program could be initiated as a substitute for the F–14 program, which is so enormously complicated and represents such a large commitment. I offer it now as a complement to the F–14.

As I indicated the other day, one of the things which disturbs me most about the F–14 program is its force structure implications.

Since the mid-1950's, we have purchased about 1,500 F–4 and F–8 fighters for the Navy and the Marine Corps inventories. About 500 of these planes have already been lost to attrition, leaving 1,022 in the inventory as of January 31 of this year.

We are now thinking of replacing these planes with only 300 F–14's, which will suffer attrition themselves. If this plan were implemented, our new generation of fighters would have only one-fifth as many planes as our old.

PROTECT NATIONAL SECURITY

This would have serious national security implications. Even if we reduced the number of carriers in the Navy's inventory, and even if we put an engine on the F–14 which would allow it to outperform the old F–14, we could probably not get by with only 300 new Navy fighter planes. If we tried to do so, we would seriously risk a sharp numerical disadvantage in some future crisis down the road.

The answer is not simply to buy additional F–14's. It is because the F–14 costs so much per copy that the Navy has cut back on the size of its intended buy, from 710 at the beginning of the year to 301 today. If we are to solve our force structure deficiencies, it will have to be by supplementing our F–14's with additional cheaper planes.

Let us look for a moment at the arithmetic involved. I remain convinced that the unit program cost for the first 300 F–14's we buy will eventually reach $20 million. If we bought more, the unit cost would decrease, but it would stabilize in the vicinity of $15 million each. That being the case, an additional 400 F–14's would cost approximately $6 billion. If operations and maintenance costs ran the usual 100 percent of investment costs every 5 years, it would cost another $12 billion to keep these planes running until they were 10 years old. That is an $18 billion total.

By contrast, many of the contractors and Government officials connected with the Air Force light fighter prototype competition believe they could turn out 400 light fighters for $3 million each. This is probably optimistic. But even assuming the light fighters cost twice as much, or $6 million each, the investment cost for 400 planes would be $2.4 billion. Ten-year operations and maintenance costs would run $4.8 billion, for a $7.2 billion total.

SAVE $10 BILLION

In short, we could save $10 billion by supplementing a 300-airplane F–14 force with 400 light fighters instead of 400 more F–14's, even if the light fighters turned out to cost twice as much as some people now expect.

There is nothing magic about these figures—either the cost calculations or the 400 aircraft chosen for calculating purposes. But there is no disputing the basic point: We will need more than 300 new Navy fighters to maintain a viable Navy force structure and we will not be able to afford many if they are F–14's.

But force structure needs, and the order of magnitude cost advantages which a light fighter would enjoy in meeting them, are only one reason why I believe a Navy light fighter prototype program should be initiated at this time. There are many others, but I will cite only a few.

First, I remain concerned by the limited dogfighting capability of the F–14. Both we and the Soviets could build a much more maneuverable fighter. And if the Soviets did build such a fighter, and if the F–14's new Sparrow missiles prove no more effective than the old, the F–14 would fare poorly even in one-on-one encounters.

Second, I remain concerned by the prospect of technical problems with the F–14—the flat spin and directional stability problems to cite just two. These problems could further compromise the existing deficiencies of the plane.

REALISTIC FIGHTER

Third, we should recognize the kinds of involvements in which the Navy's fighters will be used. There is far more likelihood that they will face Soviet allies rather than Soviet forces directly. And these allies are bound to have cheap high-performance fighters, not the kind

of complex, multimission aircraft represented by the F–14. So even if one agrees—and I do not—that the F–14 is needed to match Soviet forces directly, we do not need F–14's for that portion of the carrier force level allocated to other contingencies.

We could protect both our pocketbooks and our security by initiating a light Navy fighter prototype development program at this time. The Air Force has recognized as much, and it has initiated a light fighter prototype program as a complement to the F–15.

The Navy, on the other hand, has shown no interest. The purpose of this amendment is to encourage such interest, by making initial funds available. If it is not accepted, we will have no alternative later but to give the Navy an Air Force developed plane.

On August 25, 1971, Secretary Packard's directions regarding the Air Force light fighter program were transmitted to the Air Force. Let me quote from these directions:

> Fund to competitive programs for an operationally suitable light weight fighter. This program will receive Navy monitoring to encourage carrier compatibility, but will have a minimum of specific requirements.

In short, there are two directions in which we can proceed in finding a light fighter complement for the Navy. This amendment can be accepted and a true Navy plane, optimized for spotting factor constraints and the rigors of carrier landings, can be developed, as additional design teams are put to work. Or the Navy can later receive a carrier compatible plane developed by the Air Force primarily for Air Force use.

That is the choice now presented. The Navy has not pushed for its own plane now. If it is given an Air Force plane later, it should not complain at that time.

Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, I yield 3 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I do not intend to defend the F–14. I have done that at great length on the floor.

The Senator is asking for $25 million to encourage the development of a lightweight fighter. I will tell the Senator that, as I understand it, next year, to encourage this prototype development, approximately $67.5 million will be recommended by the administration.

We already have at least two companies—I think three—working on a lightweight fighter with their own funds. One is Northrup, one is Lockheed, and I believe the other is Cessna. I have heard Cessna is playing around with it.

These are being developed for high speed, high rate of climb. The rate of climb is fantastic—60,000 feet a minute—with speeds in the mach 2 neighborhood. But they have a very short range.

I have to get into that briefly, because what the Navy needs is not primarily a highly maneuverable interceptor fighter type. It has to have sort of a compromise: An airplane that can go up, a good radius, and then come back, and carry air-to-air weapons that can be fired at a distant target and hit, and can also carry a cannon in case it has to get into a dogfight.

The importance of this type of fighter over the lightweight dogfight type of fighter is that whenever the enemy air gets over our Navy, our Navy is in trouble. We saw that all over the Pacific. When we developed longer range fighter planes to go out and get them before they got to us, we were able to protect our fleet.

I have to say to the Senator from Wisconsin that I have a feeling that the day of the carrier is about over. I think the Navy feels this, and I think they are realizing this in not pushing for more and more airplanes, in view of what they have today and what the chances are of prolonging the carrier fleets.

Mr. President, this is a nice sounding program, but we are already in it. Private companies are spending their own money to develop this type of fighter, and we will have more than $67 million in the budget next year, hopefully, to be used for prototyping.

Mr. PROXMIRE. Mr. President, may I say in rebuttal that the two amendments I offer are the same kind of amendments. They are designed to keep our options open on the F–14 and the B–1. The arguments are basically the same on both.

It seems clear to me that if we are going to have any utility at all in the aircraft carrier option, we ought to have a plane that can do an effective job in meeting the enemy in a dogfight without an enormous expense.

The fact is that we do not need something as elaborate and immensely expensive as the F–14 for most of the missions the aircraft carrier will have. If what the Senator from Arizona has told us is correct, if the aircraft carrier is on its way out and is going to be phased out in the next few years, it seems to me that we are really throwing enormous sums away in moving ahead with the F–14, because that is a program that is going to cost us billions of dollars.

On the other hand, if we can continue to use the aircraft carrier, as many people in the Navy and the majority in the House and the Senate believe—after all we are still building them—then I contend that we ought to have an aircraft carrier fighter than can meet the mission the aircraft carrier can best serve and that certainly is not in conflict with the Soviet Union.

The distinguished Senator from Arizona also contended that we already have a program underway with respect to a light fighter, that the private companies are engaging in this kind of study now, and that $67 million will be provided for this purpose next year. I cannot understand the timing of this. Certainly, if we are going to have options at all available to us in the future on going ahead with the enormously expensive F–14, we should make this limited commitment for an alternative fighter now. The only reason I can understand for postponing it for another year is that this will protect the F–14 from any decision in the future by Congress to reduce the program or stop it.

I think the Senate and the House of Representatives should be in a position to exercise their judgment based upon what is the best way we can have a strong military force with our available resources. In my view, the best way is to proceed with this kind of experimental program now.

Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was rejected.

DEATH OF WILLIAM O. COWGER, FIRST REPUBLICAN MAYOR OF LOUISVILLE IN OVER 30 YEARS

Mr. COOK. Mr. President, I am sad to report that William O. Cowger, former mayor of Louisville, and twice a Member of the House of Representatives from Kentucky's Third District, died of a heart attack in Louisville, Saturday night at the age of 49.

He is survived by his former wife, Cynthia, and his two children, David Cowger and Mrs. Larry Wilson. I extend to them my deepest sympathy.

On November 8, 1966, Bill Cowger was elected to the U.S. 90th Congress—House of Representatives—to represent the the Third Congressional District of Kentucky, which is the city of Louisville. On November 7, 1968, he was reelected to a second term in Congress. In 1970, he was narrowly defeated in his bid for reelection by 112 votes out of over 100,000 cast.

Bill was born in Hastings, Nebr., on January 1, 1922. He attended Hastings High School where he was on the football and debate teams. After a year at Texas A. & M., he graduated with a degree in political science from Carleton College, Northfield, Minn. Upon graduation from the Navy Midshipman's School at Columbia University, New York City, he served 20 months on an LST in the Atlantic and Pacific Oceans during World War II. He also attended graduate school at American University here in Washington and at the University of Louisville.

An energetic and dynamic personality, he was active in many business, civic, and charitable organizations. As president of the Cowger Mortgage & Realty Co., a mortgage loan company specializing in the financing of commercial real estate, he served in 1954 as president of the Louisville Mortgage Bankers Association. Recently he entered into partnership with Nelson Miller to form the Cowger & Miller Mortgage Co. He was elected president of the Louisville Junior Chamber of Commerce in 1953. In 1955, he was selected as one of Kentucky's Three Outstanding Young Men. In 1964, he was named "Louisville Realtor of the Year," and "Kentucky Realtor of the Year." Cowger was, for 2 years, Kentucky chairman for Crusade for Freedom and has served on the board of directors of United Cerebral Palsy, Louisville International Center, the Red Cross, and the Louisville Urban League. He served for 3 years as president of the Inter-American Municipal Organization and was general chairman of the Inter-American Municipal Congress held in Louisville in

1964. He was elected to the Executive Committee of the American Municipal Association—now the National League of Cities—and was past president of the Kentucky Municipal League. He was a past member of the Board of Deacons of the Fourth Avenue Presbyterian Church.

Congressman Cowger was elected in January 1967, as president of the 90th Club, which consists of 59 Republican Congressmen, representing one-third of the Republican voting strength in the 90th Congress. He served on the U.S. House of Representatives' Banking and Currency Committee and the Government Operations Committee. He also served on the Consumer Affairs, International Trade, Legal and Monetary Affairs, and Special Studies Subcommittees. In November of 1967, in recognition of his expertise in urban matters, he was appointed chairman of the Republican Task Force on Urban Affairs. In 1969, he was selected to serve on the Republican Policy Committee.

However, his greatest achievement was his 1961 election as the first Republican mayor of the city of Louisville in over 30 years. He accomplished this against a supposedly infallible political machine. With this same determination he helped make a truly outstanding record of achievement for the city of Louisville.

It was my privilege to be elected and to serve as Jefferson County judge at the same time that he was mayor. He was a progressive mayor, and one of the very first of a new breed who recognized the ills besetting our cities. He attempted to right these ills. In the urban sprawl, the city government under his leadership built a new spirit of cooperation rarely seen, either before or after, between the city and county governments.

During his innovative administration Louisville was awarded an All-American City Citation by Look magazine and the National Municipal League. Major accomplishments of his tenure were: Along with the county government, the purchase, maintenance, and promotion of the Belle of Louisville which has become a world famous attraction; the new Brown Theater was opened for Louisvillians to see orchestras, plays, and musicals; more protection in public housing projects; a successful legal fight against the State government for additional representation in the Kentucky General Assembly; the new Louisville Zoo; established the human relations commission; established the economic progress commission; established the youth commission; brought Shakespeare to central park in the summers; opened the new senior citizen's house; combined city-county departments; established one of the Nation's first learn more-earn more project; established a first-class civil defense department; worked with senior citizen's house; combined city-county library systems; developed an award winning urban renewal program; set up a central fire alarm system to stimulate lower insurance rates; opened a public information center; established open house at city hall; increased law enforcement; and consolidated Louisville Water Co. and the independent water districts for lower rates, and raised the company's contribution to city from zero to $1 million annually.

Bill was a close personal friend, as well as a political ally to me. At a time such as this, words alone are not sufficient. At his inaugural address in 1961, Bill said:

> There will be no bronze plaques or marble monuments erected in tribute to our endeavors. But in the hearts of those who truly love our Louisville, I sincerely hope we can leave a lasting impression of a "job well done."

Mr. President, I know that I am not alone when I say he has left "a lasting impression" and truly deserves the accolade a "job well done."

QUORUM CALL

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

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

THE CRITICAL SITUATION IN AMERICAN AGRICULTURE TODAY

Mr. HUMPHREY. Mr. President, the matter to which I wish to address myself this evening for a few moments is the critical situation developing in American agriculture which, regrettably, goes almost unheralded, unnoticed, and unreported in Congress and throughout the Nation.

If what is happening to our agricultural economy was happening to the American economy in general, the headlines of our newspapers would be breathing fire about the catastrophe which was befalling the economy.

Congress and this administration seems almost devoid of any concern about agriculture, yet it represents the very foundation of the American economy. Corporations like General Motors fade into insignificance compared with the invested values of agriculture. Yet, if stock in General Motors should fall, there would be headlines about it, but when something happens of critical importance to American agriculture, people just yawn.

I repeat, as we read the daily press which comes to the Senate, there is not one item, with very few exceptions, unless it is from a Midwestern community, a Southern State, or some cattle county in the Rockies, about agriculture. We seem to have forgotten our farm friends.

People wonder what has happened to jobs. Well, Mr. President, let me tell the reporters in the gallery and the people in this audience that recessions are farm fed and farm led.

Mr. President, unless there is an improvement in farm prices, President Nixon has no more chance of revitalizing the economy than he would have of walking across the Atlantic Ocean to London.

Somehow or other, basic economics seem to have fallen by the wayside and people in high places, and in less than high places, have forgotten what makes for prosperity.

The economic situation within our Nation's agriculture today is worsening daily. With bumper crops of wheat and feed grains being produced this year and further increases expected next year, something simply must be done to alleviate the depressed farm economy that is certain to follow if nothing is done.

The administration encouraged increased production of corn and wheat, fearing a reduction in feed grains. At the end of this crop year there will be a 60-million-ton carryover supply of corn and over 1 billion bushels of wheat.

This morning's Wall Street Journal reminds us that agricultural exports will drop this year approximately 12 percent below what they were last year.

It has been agricultural exports that have always been responsible for any kind of favorable balance of trade. Now there will be a drop in our agricultural exports for the first time since 1893. The United States of America, with its fabulous economy has a drop in agricultural exports at a time when we should be seeking to strengthen our balance of trade. This is much more important news than anything that the young people in our schools will be studying any time this year. However, it goes unnoticed.

Television, radio broadcasts, and newspapers do not care about farmers. Well, let me say that a lot of them will lose their jobs unless they start to care. Many U.S. Representatives and Senators do not seem to care. A few midwestern legislators and Governors care. There are not many farm people left, and there will be fewer of them at the rate of the farm mortgage failures over the last 10 years.

Corn is already selling below 90 cents a bushel in many country market points throughout the feed grain producing regions of this Nation. Wheat is down to about 2 cents per pound or $1.12 per bushel. That means about a 35- to 40-percent drop from last year.

I wonder what a worker would feel like if his wages were to drop approximately 35 or 40 percent. I would like to see what would happen if private industry's profit were to drop that much. Would it be good for the consumer? It might mean that someone would produce a better car.

Not too long ago when the Bureau of Labor Statistics released their figures, the Government said they had depended on farm prices dropping. Farmers are supposed to take it on the chin. Farm income month after month continues to decline.

I have just returned from my home State. The Government has ordered the storage bins emptied and the corn to be put on the ground. The deadline set for this action is this week. I wrote the Secretary of Agriculture and asked him if that situation could not be changed to avert the price depressing effects such action would have on farm market prices. Farmers cannot get a fair price in the market when this is happening. My letter has been ignored.

As a Member of the United States Senate, I protest the treatment, not for myself, but for one of the largest corn-producing States in the United States.

Farm income is vital to the security of this country, and the prosperity of this

land. But I see little or no concern or interest shown for the farmer.

One can go to a college campus today and cannot find a speaker who will talk about agricultural income or the plight of the rural people. They will talk about what is happening in the prisons, but not what about is happening on the farms. Both of them are in deplorable shape. I suggest that there should be a better balance established in our public concerns.

Mr. President, as I have said, feed grain prices have dropped precipitously. Corn is selling below 90 cents per bushel in many country places. Wheat is down to about 2 cents a pound or $1.12 a bushel. In 1950, wheat sold for $2 a bushel. In the 1960's it was over $2 a bushel. Now it is down to $1.12 at many country marketing points.

This morning—there was a little news item over the radio at home—because those in the Midwest know how to spell farm and farmer, words that some seem to have forgotten about in other parts of the country—relating that a merchant in North Dakota is selling color televisions, not for money but for a certain quantity of wheat. They have wheat, but they do not have money.

Mr. President, as of September 15, the farm parity ratio dropped to 68 as farm prices dropped 2 percent, the lowest since December 1970. The farm parity ratio is now at approximately what it was in the 1930's, the depression years.

Between August and September, hog prices declined 70 cents per hundredweight to $17.90.

I have news for the Senate. One cannot raise hogs for less than $18 a hundredweight. That does not include the labor or investment. That is just to feed them. They are now at $17.90 a hundredweight.

Vegetables declined 10 percent. Fruits declined 8 percent. Potatoes and beans declined 10 percent. There were declines in beef cattle, lambs, and sheep. Against these price declines, farmers were required to pay 2 percent more for farm machinery in September than in August. The tax rates and property taxes on real estate on every farm across the land have been increasing constantly.

I should like to also report that the U.S. Department of Agriculture in its July Farm Income Situation publication reports that realized net farm income for the first half of 1971 is estimated to have been at a rate of $14.7 billion as compared to the near record high during the first 6 months of 1970 of $17 billion.

While some Department spokesmen are predicting a better second half year during the last 6 months of 1971, the plummeting prices I see occurring in grains, vegetables, potatoes, and livestock today prevent me from sharing such optimism.

I would suggest that rather than looking at the farm prices from behind a mahogany desk in Washington, they should talk to the people who produce the crops and who look for a market in which to sell them.

I am convinced that we can expect at least a $2 billion drop in realized net farm income this year. And if this is allowed to happen, many thousands of family farm businesses will go out of business. That relates also to the small businessmen along main street in rural America. They will also go under.

I chair a special committee of this body known as the Rural Development Subcommittee which has to do with rural development. The farmer should receive a fair price for farm production. The ordinary farmer is entitled to it.

I notice that the newspapers talk a great deal about the dairy farmer getting a little increase in his price. However, he is still paid less than $1.10 an hour. We have a minimum wage law in this country that requires anyone who can lift up his head or hold up his arm to get $1.60 an hour. Yet, the farmer with a large investment is receiving an income on an hourly basis in this high-quality industry known as dairy farming of under $1.10 an hour.

The administration economists can help avert some of these problems if they help avert this economic crisis in agriculture. I would suggest that before the President enters into so-called phase II of his economic program, his economists can start talking to people in rural America. He has met with labor and business. The bankers are here as if they own the town. I think it is time for somebody to meet with the farm people across this country and see what we can do to bolster farm prices because there is no way this economy will produce jobs and there is no way it can grow and expand without gross distortions, unbelievable distortions, unless farm income is substantially improved.

Mr. President, earlier today I introduced a bill to establish a national reserve inventory of wheat, feed grains, and other commodities which I hope will be acted upon rapidly, indeed, as soon as possible. The purpose of the bill is to lend some stability to the market and also to protect us in case of any shortages.

The United States needs to have a constant reserve of critical food items. We are cattle producing, we are hog producing, with big farm economy in many areas, and we need reserves of grains and feedgrains.

Too often the farmer is the victim of what we call the boom-and-bust market; when he gets a lot of produce his prices go down, and when he does not get a lot of produce, the prices go up, but he has nothing to sell.

The purpose of my bill is to establish a national reserve inventory of wheat, feedgrains, and other commodities to help give some stability to the marketplace, assuring an adequate supply of goods for ourselves and our role in the world.

The House Agriculture Committee reported H.R. 1163, a bill introduced by Representative NEAL SMITH of Iowa for what is known as a strategic reserve. That strategic reserve bill was reported out of committee today and that is what prompts my remarks.

I am asking the Committee on Agriculture and Forestry of the Senate to take up my bill and other similar bills on this subject as soon as possible. In addition, I call upon the Secretary of Agriculture to institute an acreage diversion payment program for wheat and feed grains next year so that production of these commodities can be brought more in line with utilization and consumption requirements at the earliest possible date. The Secretary of Agriculture has that authority under the provisions of the Agricultural Act of 1970. No new legislative authority is required in this regard. The administration has all the authorizing legislation it needs to act now and the sooner it announces such a program, the better.

What is needed is the will to act. I intend from time to time to make comments about the agriculture economy until it get the attention it deserves. There is such a lack of attention given to farm families it is nothing but an outrage. If we had 10 students or someone else demonstrating in front of the Capitol, every television camera in town would be there. If we had someone calling people bad names, someone would report it. But the plight of the American farmer is a close-kept secret from the average American.

A bill was passed in this Congress known as freedom of information. I think that should be used to spread information about what is happening in rural America. That information is not getting out. I would like to notify my friends in Congress and the media that there is no law that prevents you from telling what is happening to rural America.

Freedom also includes consideration of the friends of the soil. So I would hope that the appropriate committees of Congress, as they look to the economy, would give some consideration to the needs of millions of people who still till the soil, still milk the cows, still feed the cattle and hogs, raise the chickens, and market the produce.

I hope we do not live to see the day when corporations take over American agriculture and there is managed control of the marketplace, because if that happens the consumer will pay through the nose, and how.

If Mr. Farmer were to be given credit for his productivity, his improvement in productivity, which is the guideline we use in all other elements of the economy, he would be getting today $6 a bushel for wheat, $3 a bushel for his corn, $50 a hundredweight for his cattle. That is what he would be getting if he were dealt with fairly, instead of $1.12 a bushel for wheat, 90 cents a bushel for his corn, and $17.90 for his hogs, and having declining cattle prices.

The Presiding Officer (Mr. Moss) understands these matters. I appreciate his attention and dedication to the welfare of the rural people of America.

QUORUM CALL

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

The PRESIDING OFFICER (Mr. Moss). The Clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ADJOURNMENT TO 9 A.M.

Mr. MOSS. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9 a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 27 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, October 5, 1971, at 9 a.m.

CONFIRMATION

Executive nominations confirmed by the Senate October 4, 1971:

U.S. COAST GUARD

The following-named officer of the Coast Guard for promotion to the grade of rear admiral:

William M. Benkert.

HOUSE OF REPRESENTATIVES—*Monday, October 4, 1971*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Live as free men, yet without using your freedom as a pretext for evil: but live as servants of God.—Peter 2: 16.

Eternal God, who has given us this good land for our heritage: We humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor, eager to do Thy will and ready to serve our fellow man. Bless our land with honorable industry, sound learning, and good manners. Save us from violence and discord, from pride and prejudice, and from every evil way. Defend our liberties and fashion us into a united people seeking the good of all men.

Endue with the spirit of wisdom those who guide our Nation that there may be justice and peace at home and in our world. In periods of prosperity fill our hearts with gratitude, and in the time of trouble let not our trust in Thee fail. In the spirit of the Lord of Life we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 157. Joint resolution to assure that every needy schoolchild will receive a free or reduced price lunch as required by section 9 of the National School Lunch Act.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair would like to announce that the Chair is going to recognize only one Member for a unanimous-consent request in order to announce the death of a former Member of the House, and will not take other unanimous-consent requests until later in the day.

The Chair recognizes the gentleman from Kentucky (Mr. MAZZOLI).

THE LATE HONORABLE WILLIAM O. COWGER

Mr. MAZZOLI. I thank you, Mr. Speaker. I am shocked and saddened that William O. Cowger, a former Member of the House, and an outstanding leader of the city of Louisville, should have been taken from us in the very prime of his life.

Few men in the recent history of Louisville have more deeply committed themselves to the service of the community that William O. Cowger.

During 8 of the last 10 years of his life, he put aside the advancement of his private business career in order to take on the burdens of a full-time public servant.

For 4 years he served as an outstanding mayor of the city of Louisville and for 4 more years he served the city as my distinguished predecessor in the House of Representatives.

His stature in Congress was such that his Republican colleagues singled him out for the chairmanship of a congressional task force on urban affairs. He also was selected by his peers to serve as the president of the GOP's 90th Congressional Club.

However, Bill Cowger's most important legacy is to be found in the contributions he made to the betterment of the city he adopted upon coming out of the naval service at the end of World War II.

Among those many achievements in behalf of his adopted city was the realization, during his term as mayor, of his longtime personal goal of obtaining for the city of Louisville a zoological garden.

The thousands of children—and the parents who accompany them—are indeed indebted to the memory of William O. Cowger for their enjoyment of the Louisville Zoological Garden.

But Bill Cowger's record of unselfish and public-spirited activity predates his elevation to high governmental offices. As a private citizen, he labored tirelessly for many worthy causes including the Red Cross and the United Cerebral Palsy.

Other organizations to which he donated his valuable services include the Louisville International Center, the Urban League, and the Fourth Avenue Presbyterian Church in Louisville, of which he was a member of the board of deacons.

William Cowger's grasp of urban problems is reflected by the leadership roles he assumed in various organizations concerned with the problems of cities. He served as president of both the Inter-American Municipal Organization and the Kentucky Municipal League. He also served on the executive committee of the American Municipal Association.

My personal association with Bill Cowger was as a political adversary; however, my respect for his accomplishments and his public spiritedness is in no way diminished.

Mr. Speaker, the Louisville, Ky., area has indeed been diminished by the loss of a truly outstanding citizen.

Mr. CARTER. I thank the distinguished gentleman for yielding.

Mr. Speaker, it was with deep personal regret that I learned of the untimely passing of our distinguished and respected former colleague, William O. Cowger.

Bill Cowger was a fine individual and had an outstanding record as mayor of Louisville. He did much to revitalize that city and it was during his administration that Louisville was designated as an all-American city. He made Louisville a better place for people of all walks of life and all races.

As a Congressman, Bill quickly won the admiration and respect of his fellow freshmen Congressmen, who elected him to head the 90th Club. His dedication and work in behalf of his constituents was not only outstanding, but inspired. His pride in Louisville was boldly proclaimed on all his official envelopes—with the seal of the all-American city.

In his own words, the most memorable aspect of public life was service to those whom he represented. To quote him directly—

I would say the most important thing is the personal satisfaction that you get out of doing things for people . . . This is the real payoff in public service.

He will be sadly missed and I extend my deepest sympathy to his family.

Mr. MAZZOLI. I thank the gentleman for his kind remarks.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. MAZZOLI. I yield to the distinguished minority leader.

Mr. Speaker, I am most grateful that the gentleman from Kentucky would yield to me on this sad occasion.

I was shocked when I learned in the paper in the last 24 hours of the passing of Bill Cowger. He came here in 1966. He immediately achieved a very fine