first step in getting the development of atomic power back in line with the public's renewed concern about safety and pollution. We assume from Mr. Schlesinger's remarks in Florida that he and his colleagues on the Commission intend to take the rest of the steps that are needed to assure the country that this vital source of energy can be handled without endangering either the public or the environment.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 22, 1972.

Dr. JAMES R. SCHLESINGER,
Chairman, Atomic Energy Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: May I again express my gratification with certain specifics of your address in Bal Harbour, Florida, earlier this week as reported in The New York Times of October 21.

Your enunciation that the Atomic Energy Commission, like any government agency, exists to serve the public interest restates the policy view that I had occasion to compliment you on in my earlier letter of August 30. It is, nevertheless, heartening and refreshing to have it stated again as firmly and unequivocally as was apparently done in Bal Harbour.

May I assure you that your view of what the correct policy of the A.E.C. should be will, in my judgment, receive general approval in Congress. There has been a widespread belief that for too long the A.E.C., and thus the Government, has been acting as technical expert, lawyer, advocate, defender of and nursemaid to private business interests and that such a policy has unfairly burdened the taxpayer and forced a government agency into positions that none should ever be in.

I look forward to a cordial relationship based on mutual trust and my belief that those of us who ask questions premised on the welfare of their constituents will no longer be treated as interlopers.

Sincerely,

JOE SKUBITZ.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 30, 1971.

Mr. JAMES R. SCHLESINGER,
Chairman, Atomic Energy Commission,
Washington, D.C.

MY DEAR MR. CHAIRMAN: I have read with great interest and approval the newspaper accounts that quote you as saying that the AEC intends to be in a position to be responsive to the concerns of environmental groups and to other members of the public.

May I take this opportunity to compliment you on this recognition of the welfare of the public. It is a refreshing departure from prior AEC attitudes that seemed to reflect primary interest in private power companies agreeing to build nuclear power plants. Your personal view also seems to indicate the possibility that the AEC may not always be correct; that its positions are not sacrosanct and that perhaps we who have had dealings with it may now expect a shade less arrogance from some of its personnel.

I am particularly pleased with your comment in recognizing the Court of Appeals decision that the new regulations make the AEC directly responsible for evaluating the total environmental impact including thermal heat effects of nuclear power plants. It would be my hope, and I am sure that of the Governor of Kansas and others concerned, that this concept be made applicable to the atomic waste plant in Kansas. The AEC's Final Environmental Statement gave scant attention to the thermal heat effects of atomic wastes on the Kansas environment.

Sincerely,

JOE SKUBITZ.

COMMUNITY COLLEGE WEEK

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. LONG of Maryland. Mr. Speaker, Governor Mandel of Maryland has proclaimed this week "Community College Week" in recognition of the services provided by Maryland's community colleges.

America prides herself on providing an educational opportunity for everyone, and for achieving this goal these schools are a great asset. Graduates of community colleges continue their education in 4-year colleges or technical schools, serve our country in the military, or are employed in full-time jobs.

The three community colleges in my congressional district, Harford Junior College, Essex Community College, and Dundalk Community College, also serve as centers for music, art, drama, and lectures on a wide variety of issues.

Community colleges provide a stairway of opportunity in the best tradition of the American educational system. They deserve the highest praise and our continued support.

SENATE—*Thursday, October 28, 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:

O Thou eternal God our Father, in whom alone we can find our strength and hope, inspire us each new day with a longing to lead humanity out of its imperfections of conduct and agony of spirit into the splendor of a new day. Give us wisdom to use all of the moral and spiritual resources available to us as we strive to bring to fulfillment a social order wherein dwelleth righteousness and peace. We pray that we may never lose heart or lose hope, never yield to doubt or despair.

"In simple trust like theirs who heard,
Beside the Syrian Sea,
The gracious calling of the Lord,
Let us, like them, without a word
Rise up and follow Thee."

—*Whittier.*

Hear us in the name of Him who came to set men free. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, October 27, 1971, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m. tomorrow.

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

VACATING OF ORDER FOR SENATOR NELSON TO SPEAK TODAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order which was entered into on yesterday for the recognition of the distinguished Senator from Wisconsin (Mr. NELSON) today be vacated.

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

A PACHYDERM ON CAPITOL HILL

Mr. SCOTT. Mr. President, it is planned, on the third day of November, following the election—so that we may avoid any partisan imprint—that the two distinguished Senators from Maryland will present, for temporary use and occupation, one available pachyderm, furnished, I believe, without charge—under eleemosynary inspiration—by the Ringling Brothers Circus. This pachyderm will be ridden by the generally inexperienced-in-that-art Senators from Pennsylvania, who will, however, rise to the occasion as high as may be necessary to achieve that end.

The whole operation is known as Operation Pirate, or a means of marking with suitable ceremony the victory of the Pittsburgh baseball team in its achievement of the world's championship in that art.

Since the Pittsburgh Pirates have proved themselves superior in skill in the game of "rounders" over any other competing agency or assortment, we thought there should be an appropriate celebration.

My appreciation is extended on behalf of my junior colleague, Mr. SCHWEIKER, and myself to the distinguished Senators from Maryland (Mr. MATHIAS and Mr. BEALL) for having sprung to the

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occasion by making possible this great national event.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business, not to exceed 30 minutes, with each Senator being limited to 3 minutes.

Is there morning business?

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar, under new reports.

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

The PRESIDENT pro tempore. The nomination on the Executive Calendar, under new reports, will be stated.

U.S. TAX COURT

The second assistant legislative clerk read the nomination of William A. Goffe, of Oklahoma, to be a judge of the U.S. Tax Court for a term expiring 15 years after he takes office.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. SCOTT. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

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

LEGISLATIVE SESSION

Mr. SCOTT. 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 FOR RECOGNITION OF SENATOR TALMADGE TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, on tomorrow, immediately following the recognition of the two leaders under the standing order, and following the order previously entered for the recognition of the Senator from Kansas (Mr. DOLE), the distinguished Senator from Georgia (Mr. TALMADGE) be recognized for not to exceed 15 minutes.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, following the remarks of the distinguished Senator from Georgia (Mr. TALMADGE) tomorrow, there be a period for the transaction of routine morning business, not to exceed 30 minutes, with statements therein limited to 3 minutes.

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

QUORUM CALL

Mr. BYRD of West Virginia. 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. SCOTT. 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.

VISIT TO THE SENATE BY THE VICE PRESIDENT OF THE GERMAN BUNDESTAG

Mr. SCOTT. Mr. President, it is my very great privilege to introduce to the Senate the distinguished Vice President of the Bundestag of the Federal Republic of Germany, the Honorable Hermann Schmitt-Vockenhausen.

Representative Schmitt-Vockenhausen is in this country representing one of our great and friendly partners in the pursuit of world peace.

It is a very great pleasure for me to introduce him to the Senate and to welcome him to this Chamber.

I have assured the Senator that I hope he understands there is an ebb and flow of Members to and from the Chamber. I trust that he will have an opportunity to meet a number of Senators if he will abide by the somewhat leisurely pace of our earlier proceedings here, as we will soon be much busier.

I am very much pleased now to introduce the Honorable Vice President of the German Bundestag.

[Applause, Senators rising.]

QUORUM CALL

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

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

ALASKA NATIVE CLAIMS SETTLEMENT ACT OF 1971—UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that time on the bill (S. 35) to provide for settlement of certain land claims of Alaska Natives, and for other purposes, be equally divided and controlled between the manager of the bill and the minority leader or his designee.

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

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

REACTION TO RECENT UNITED NATIONS ACTION ON CHINA

Mr. JAVITS. Mr. President, I had in mind making some remarks this morning about the very sensational story in this morning's paper. Even the President of the United States is "angered" at the United Nations, as depicted by his spokesman.

I think this is so dangerous a point of our national life that I wish to make some observations about it in advance of the individual amendments to which we will be addressing ourselves.

Mr. President, of course, I am thoroughly imbued with the decency and bona fides of what our country tried to do about Taiwan and, therefore, appreciate the depth of emotion which is going into the situation, which I share; but I deeply feel that we are about to take on the world, and this is a situation which I do not think the American people should undertake without at least understanding precisely what we are doing. Our desire should be not to take on the world, but to cooperate with the world—certainly not to take on the world out of petulance or resentment.

History, in my judgment, will ultimately bring Taiwan as a separate nation into the United Nations, and I do not wish to see the history of post-World War II repeated, with a great effort toward international cooperation and international advice dismantled because we get "sore" or because new nations with new representatives in international diplomatic bodies exercise such bad taste as to make merry over a situation which is construed as a defeat for the policy of the United States.

These are very superficial considerations, Mr. President, especially in view of President Nixon's statement in his own report of February 25, 1971, and I quote just one sentence and will introduce many more into the RECORD:

> The United Nations' role in facilitating international cooperation has taken on a new importance.

Indeed it has. For example, if we get out of Vietnam and prisoners are left in North Vietnam, the U.N. will be a very key element in getting those prisoners out. President Nixon again recognized the role the U.N. has played in this area in his February 25, 1971, report.

We are told that amendments will be offered to gut our support for the United Nations to show our disapproval. One such amendment would cut the U.S. funding from $130 to $37.5 million. This would be a very superficial way and a very demeaning way for our great coun-

try to show its disapproval. If anything, we would show our disapproval best by paying our installments, but insisting that the rule book be obeyed and giving notice that we will insist that the United Nations enforce its rules about those who do not pay their assessments, and so forth, and take whatever action we will take in that regard a year later, rather than now.

I would like to ask those who would like to gut the funding of the United Nations: Are you against the U.N. Children's Fund? Are you against the work the Food and Agricultural Organization is doing? Are you opposed to the U.N. program for drug abuse control? Are you opposed to the world health program? Are you opposed to the technical assistance program? Are you opposed to the United Nations development program?

This hardly seems the role of a great power. There are infinitely stronger and better instruments to fashion in order to do what we think ought to be done about the United Nations than superficial and rather commonplace reactions of cutting the appropriations to show our displeasure. If we engage in meat-ax fund-cutting here, we will be weakening our position rather than strengthening it.

The PRESIDING OFFICER. The time for the transaction of routine morning business has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time for the transaction of routine morning business be extended for not to exceed 15 minutes, and I ask that I be recognized so that I may yield my time to the able Senator from New York.

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

Mr. JAVITS. Mr. President, I thank the Senator very much. I deeply appreciate his courtesy.

Mr. President, if we do engage in meat-ax cutting of installments in various areas due to the United Nations, we will be weakening our own position in the world rather than strengthening it. We will be weakening our own position in the tation : ather than out of a sense of deep statesmanship.

I think it is a fair point to make that if the threats had not been made in advance that U.N. funding would be cut off if the China situation did not go the way we wanted, we might have had some votes which we did not have. What is more elementary, with a person or a nation, than to say, "You can't make me do that. If I want to do it, I will, but you can't make me do it by threatening me."

So we are in grave danger. The whole world is trying to read the signs, far beyond the superficiality of delegates who applauded and danced in the aisles. Hundreds of millions of people in the world are trying to read the auguries. Are we going to go isolationist or continue in world cooperation? If we go into isolationism, then we are in trouble as far as totalitarian dangers and economic dangers are concerned. If we keep our "cool" and continue to cooperate in world affairs, there is probably no more hopeful time that we can have in the 20th century. It is in that sense in which we can show the balance and maturity of the American people.

As has been our history in the past, I hope that balance and maturity will be reflected here and that we will stand against the superficialities and quick reactions which can only get us and the world into grave trouble. I ask unanimous consent that the complete text of the President's foreign policy report of February 25, 1971, entitled "U.S. Foreign Policy for the 1970's, Building for Peace," as it relates to the United Nations be placed in the RECORD at the conclusion of my remarks.

I thank the Senator from West Virginia again for his courtesy.

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

THE UNITED NATIONS

Address to the United Nations General Assembly, October 23, 1970: "As the United Nations begins its next quarter century, it does so richer in the experience and sobered in its understanding of what it can do and what it cannot; what should be expected and what should not.

"In the spirit of this 25th Anniversary, the United States will go the extra mile in doing our part toward making the UN succeed. We look forward to working together with all nations represented here in going beyond the mere containment of crises to building a structure of peace that promotes justice as well as assuring stability, and that will last because all have a stake in its lasting."

International cooperation has always been both a human dream and a human necessity. This is more true in our time than it has ever been before.

The dream is important. Mankind aspires to lasting peace, and since its founding twenty-five years ago, the United Nations has symbolized this profound wish. But while the realization of the dream remains elusive, the necessity of international cooperation for other purposes has become imperative. For the march of technology has pressed upon the world and increasing number of exigent problems which can only be solved by collaboration among governments. As a result, the United Nations' role in facilitating international cooperation has taken on a new importance.

THE PRESERVATION OF PEACE

The major task for the world community is, of course, the preservation of peace. The need for an instrument which could further this purpose was the prime motivation behind the founding of the United Nations. The UN's ability to fill this role, however, is dependent to a considerable extent on cooperation among the major powers; and a somber fact of recent history is the failure of the victorious allies of World War II to maintain their cooperation. This being true, a crucial development would be joint recognition by the United States and the Soviet Union of a common interest in strengthening the UN's peacekeeping capacities. On October 23, before many of the world's Chiefs of State and Heads of Government assembled at the UN, I called on the USSR to put our relations "on a basis consistent with the aspirations of mankind" and to join with us in developing "practical means that will enable the United Nations to move decisively to keep the peace."

Even if UN peacekeeping efforts cannot be perfected in the world as it is, they can certainly be improved. Peacekeeping in the past has depended essentially on improvisation. There were, and are, no general understandings on how these operations are to be directed or financed. One result has been that the UN has developed a large financial deficit as some countries have refused to pay their share.

We believe that a major effort should be made to reach an agreement on reliable ground rules for peacekeeping operations. Discussions are going forward directly with the Soviet Union and in a special UN Committee on this subject. One major issue is the degree of latitude which the Secretary General would have in conducting day-to-day operations, once the Security Council has authorized an undertaking. We believe he needs adequate authority to manage peacekeeping operations under the broad poliitcal supervision of the Council. While these problems have been difficult, discussions are continuing.

THE NEED FOR RESTRAINT

Because the stresses of the Cold War have limited the ability of the Security Council to play an energetic role in alleviating political crises and preserving the peace, much of the political agenda at the UN has flowed toward the General Assembly. But the operations of the Assembly have shortcomings related to the strains of a rapid growth in membership and demands for actions beyond the capacities of the United Nations.

States have traditionally addressed their foreign policies to problems affecting their own concept of their national interests. National policies were sustained, and to some extent defined and limited, by the resources which states were willing and able to commit. With all its faults, this process imposed a degree of discipline and realism upon foreign policy goals.

At the UN this pattern has been modified. Many states find themselves involved in political problems in which their own interests are very often not importantly engaged and their ability to obtain information is limited. Without self-discipline, this can easily lead the organization to adopt positions which cannot command the resources or the support required for attainment.

There are, of course, advantages in detachment, in having problems considered by a community as a whole rather than by the parties directly involved. But for this advantage to be maximized, more self-restraint is needed on the part of member states. UN members contribute best to the maintenance of peace when they examine issues on their merits instead of voting as blocs along geographical or ideological lines. And it should be remembered that problems cannot always be solved by the simple formula of choosing the middle ground between conflicting claims. To assume that justice is necessarily a middle point is to encourage adversaries to move toward extremes.

The UN does in fact mirror much of the world's social turmoil, national conflicts, and ideological differences. It has to its credit substantial accomplishments in peacekeeping, in social and economic betterment, and in drafting principles of international law. It will be strengthened to the extent that its members foreswear unrealistic rhetoric and concentrate on using the UN constructively to settle rather than publicize disputes. The UN must not become the forum where differences are exacerbated by intemperate advocacy.

HUMAN BETTERMENT

Another major function of the United Nations is to promote economic and social development. Its basic instrument for this purpose—the UN Development Program—has achieved a good record in providing technical experts and technical training to the underdeveloped countries, and in helping them survey the investment potential of their natural resources.

However, the Program has encountered two basic problems. First, its resources fall short of the job to be done. Second, even at its present level of operations, its capacity to operate efficiently is strained to the utmost. It needs to adopt improved managerial practices.

During the past year, two actions in the UN set the stage for remedying these inadequacies:

In October, the General Assembly adopted the strategy for the Second Development Decade, which began in January, 1971. The strategy set goals, the basic one being an average growth rate of 6% in developing countries, and an action program covering the spectrum of economic and social development. An important element was the affirmation by developed countries, including the United States, of efforts to achieve an aid target of the transfer of resources, government and private, equal to one percent of Gross National Product.

In December, the General Assembly approved a series of steps to improve the capacity of the UN development system to handle larger resources effectively. These reforms should ensure much tighter coordination within each recipient country of the activities of the various UN agencies.

These recommended reforms are most encouraging. We look forward to their rapid and effective implementation, which we view as a concrete test of the ability of the UN family of organizations to mold itself into a more effective instrument. Precisely because we attach great importance to the UN's role in development, we intend to apply high standards in judging its performance. The work of the United Nations and its specialized agencies is too vital to permit good intentions to substitute for accomplishment.

THE NATURE OF OUR PARTICIPATION

We intend to view the UN realistically, to face clearly what it can and cannot do, and to encourage its fullest employment on those problems of the world to which it can effectively contribute. It would be unrealistic to ignore the fact that the United Nations is not functioning as effectively as it might. But it would be equally unrealistic to view that situation as acceptable. For the United States has a transcendent interest in a more effective United Nations.

Success breeds success. If international cooperation succeeds in producing creative solutions to some of the world's pressing needs, the fabric of that cooperation will itself be greatly strengthened. This could have long-term effects beyond the solution of individual problems. For it could bring closer that lasting and general peace which has so far eluded our grasp.

We recognize that the nature of our own participation in the United Nations and its family of organizations is a central element in their health and effectiveness. In the past, particularly in the specialized agencies, our financial contributions have been too large a part of our total contribution. We intend to participate more fully in the future. We will urge that the utility of international activities be judged by the good that comes out of them rather than the good intentions that go into them.

We look forward to the report of the President's Commission for the Observance of the Twenty-Fifth Anniversary of the UN. This group of distinguished American citizens has, since last July, been studying means to enhance the effectiveness of the United Nations, and to improve U.S. participation therein. The fruit of their deliberations will receive the most serious study by my Administration.

GLOBAL CHALLENGES

The United Nations was, and is, a child of the mid-Twentieth Century. It stemmed from the perception that modern problems required a new pattern of interchange to supplement the older processes of diplomacy. Human institutions evolve in response to felt needs, and some of our most serious international needs have only recently become evident. For mankind now shares a number of new and urgent problems, which stem from the contrast between man's progress in the technological arts and his shortcomings in achieving a stable organization for international cooperation. The world has grown small, and we live increasingly in what has been described as a "global village."

The world now has community problems such as the population explosion, the uses of the oceans and seabeds, maintenance of a healthy natural environment, control of drug abuse, deterrence of airplane hijackings, and cooperation in the use of outer space.

In last year's report, and in my two speeches to the General Assembly, I suggested these problems as appropriate for UN attention. The UN has made useful beginnings on most of them, and marked progress on some. These developments are discussed in the following section of this report, along with the measures taken outside the UN. These global problems are not, of course, the exclusive property of the UN, but it is uniquely qualified to focus the energies and attention of the world on them.

I want to take particular note of one instance in which the UN did precisely that in 1970, and on a matter of the deepest interest to the American people. In October, I asked the General Assembly to express "the world interest" in the human rights of prisoners of war. I urge the Assembly to press all adversaries in the Vietnam conflict, and all other conflicts, to honor the Geneva Convention. In December, the General Assembly passed a resolution that fully met that request. This did not, of course, effect the release of our prisoners now in North Vietnam's hands, but it does bring to bear on North Vietnam the full weight of world opinion in favor of decent treatment of those prisoners. And the UN Resolution specifically called for the repatriation of seriously ill or wounded prisoners, and of all prisoners who have endured a long period of captivity. The American people, I am sure, share my gratitude to the eleven states who stood with us in sponsoring this resolution, and the fifty-five others whose support led to its passage.

THE FUTURE

In the 1970s, the United Nations faces both a challenge and an opportunity. For the member states there is a challenge to prove themselves capable of using the UN framework to meet the common needs of the international community. For the UN itself, there is an opportunity to mold itself into the efficient instrument for international cooperation which the times require.

The United States will try to meet the challenge, and to help the UN seize its opportunity.

The PRESIDING OFFICER. Is there further morning business?

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

REPORT OF DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

A letter from the Chairman, District of Columbia Redevelopment Land Agency, Washington, D.C., transmitting, pursuant to law, a report of that Agency, for the fiscal year ended June 30, 1970 (with an accompanying report); to the Committee on the District of Columbia.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. TUNNEY, from the Committee on Public Works, with amendments:

S. 1237. A bill to provide Federal financial assistance for the reconstruction or repair of private nonprofit medical care facilities which are damaged or destroyed by a major disaster (Rept. No. 92-411).

By Mr. GRAVEL, from the Committee on Public Works, with an amendment:

S. 1736. A bill to amend the Public Buildings Act of 1959, as amended, to provide for financing the acquisition, construction, alteration, maintenance, operation, and protection of public buildings, and for other purposes (Rept. No. 92-412).

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

S. 976. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 in order to promote competition among motor vehicle manufacturers in the design and production of safe motor vehicles having greater resistance to damage, and for other purposes (Rept. No. 92-413).

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1971—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 92-414)

Mr. RANDOLPH. Mr. President, earlier today Senators MUSKIE, BAKER, BAYH, BENTSEN, BOGGS, BUCKLEY, COOPER, DOLE, EAGLETON, JORDAN of North Carolina, MONTOYA, STAFFORD, TUNNEY, WEICKER, and I introduced a bill (S. 2770) to amend the Federal Water Pollution Control Act. I submit a report of the Committee on Public Works on that bill, together with supplemental views.

Mr. President, I ask unanimous consent that the Committee on Public Works be allowed until midnight tonight to file the balance of the report.

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

EXECUTIVE REPORTS OF COMMITTEES

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

By Mr. EASTLAND, from the Committee on the Judiciary:

William C. Stuart, of Iowa, to be a U.S. district judge for the southern district of Iowa; and

Earl E. O'Connor, of Kansas, to be a U.S. district judge for the district of Kansas.

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. JORDAN of North Carolina:

S. 2763. A bill to prohibit discrimination against the Lumbee Indians of North Carolina. Referred to the Committee on Interior and Insular Affairs.

By Mr. MOSS (for himself and Mr. ERVIN, Mr. GRAVEL, Mr. HART, Mr. MCGEE, Mr. METCALF, Mr. MUSKIE, and Mr. NELSON):

S. 2764. A bill to authorize the Secretary of the Interior to establish programs and

regulations for the protection of the fishery resources of the United States, including the freshwater and marine fish cultural industries, against the dissemination of serious diseases of fish and shellfish. Referred to the Committee on Commerce.

By Mr. MAGNUSON (for himself and Mr. PASTORE):

S. 2765. A bill to amend section 396 of the Communications Act of 1934 in order to extend for one year the authorization for the Corporation for Public Broadcasting. Referred to the Committee on Commerce.

By Mr. TOWER:

S. 2766. A bill to provide that certain excess, accumulated annual leave of a Federal employee shall be considered as sick leave. Referred to the Committee on Post Office and Civil Service.

By Mr. THURMOND:

S. 2767. A bill to amend chapter 67 (relating to retired pay for non-regular service) of title 10, United States Code, to authorize payment of retired pay actuarily computed to persons, otherwise eligible, at age 50, and for other purposes. Referred to the Committee on Armed Services.

By Mr. HUMPHREY:

S. 2768. A bill to require the Secretary of the Treasury to provide each taxpayer with an analysis of the proportionate dollar amounts of his tax payment which were spent by the Federal Government, during the latest fiscal year for which data is available, for certain items. Referred to the Committee on Finance.

By Mr. HUMPHREY:

S. 2769. A bill to transfer the functions of the Passport Office to a new agency of the Department of State to be known as the "United States Passport Service," to establish a Passport Service Fund to finance the operations of the U.S. Passport Service, and for other purposes. Referred to the Committee on Foreign Relations.

By Mr. MUSKIE (for himself, Mr. RANDOLPH, Mr. BAKER, Mr. BAYH, Mr. BENTSEN, Mr. BOGGS, Mr. BUCKLEY, Mr. COOPER, Mr. DOLE, Mr. EAGLETON, Mr. JORDAN of North Carolina, Mr. MONTOYA, Mr. STAFFORD, Mr. TUNNEY, and Mr. WEICKER):

S. 2770. A bill to amend the Federal Water Pollution Control Act. Referred to the Committee on Public Works.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JORDAN of North Carolina:

S. 2763. A bill to prohibit discrimination against the Lumbee Indians of North Carolina. Referred to the Committee on Interior and Insular Affairs.

Mr. JORDAN of North Carolina. Mr. President, I am today introducing legislation to prohibit discrimination against the Lumbee Indians of North Carolina.

My bill would establish as a matter of law that these people, who possess a heritage as proud and long as any in our country, are entitled to the same rights, privileges and benefits accorded other Indians not living on reservations.

The story of the Lumbee Indians is eloquent and moving, tragic and inspiring. Though they have suffered much throughout the years, that suffering has not diminished to any degree the spirit of pride, integrity, honor and kindness which has marked them as a people from the beginning and which remains the strength that is today their bond.

It is widely held that the Lumbee Indians are descendants of members of Sir Walter Raleigh's famed Lost Colony who it is thought went to live with friendly Indians, known then as Croatan for the village and island on which they lived in the late 1500's.

They later moved to settle near the Lumber River in the interior of the State in what is now principally Robeson County, an area which has been described as ". . . a unique composite of marshy lowlands and rich tobacco fields where the majority of Lumbees have lived for nearly 400 years." They own their lands, for the most part, and it is possible to ride for many miles without ever losing sight of Indian-owned farms.

It was in 1956 that Congress officially recognized them as the Lumbee Indians, 5 years after they had voted overwhelmingly to adopt that name. That law contains a sentence, which my bill proposes to repeal, that denies them the same rights, privileges and benefits accorded other Indians because of their status as Indians. They have lived with this unnecessary and unwarranted discrimination for 15 years, and I believe it is time the Congress corrected the situation.

Since 1960 a number of Federal agencies have opened their programs and services to all American Indians. This bill would assure that Lumbee Indians be treated as other Indian groups and would enable them to have full access to all Federal programs and services except those administered for reservation Indians by the Bureau of Indian Affairs.

There are some 40,000 Lumbees living in Robeson County. The hub of business and social activities for them is the town of Pembroke. It is also the home of Pembroke State University, a college originally founded by the State of North Carolina for Lumbee Indians, but now open to all races.

The Lumbee Indians represent one of the most progressive Indian tribes in the United States, and I am pleased and honored to introduce this bill in their behalf. I hope all Senators will carefully consider its merits and join me in supporting the proposal.

By Mr. MOSS (for himself and Mr. ERVIN, Mr. GRAVEL, Mr. HART, Mr. MCGEE, Mr. METCALF, Mr. MUSKIE, and Mr. NELSON):

S. 2764. A bill to authorize the Secretary of the Interior to establish programs and regulations for the protection of the fishery resources of the United States, including the freshwater and marine fish culture industries, against the dissemination of serious diseases of fish and shellfish. Referred to the Committee on Commerce.

Mr. MOSS. Mr. President, there has long been a growing concern in the United States about the threat of serious communicable disease in the fresh water and marine cultural industries. Whirling disease—so called because of the circling motion it induces in fish—is a major problem, but there are a number of other parasitic and viral infections which should be monitored and controlled to prevent situations of an epidemic nature.

This is the same kind of problem which once faced the livestock and poultry industries and which through proper Federal legislation was long ago brought under control. It is time to give the same sort of protection to our fish and shell fish industry. Our fresh water and marine resources are becoming increasingly important in the overall protein needs of mankind and well coordinated fish disease control efforts are long overdue.

In the 91st Congress I introduced a bill to authorize the Secretary of the Interior to establish programs to regulate and protect the fishery resources of the United States, and hearings were held by the Senate Commerce Committee. Some problems arose, and the bill was not reported. A new bill has been drafted which satisfies as far as possible the major objections which were raised, and I am today introducing the revised version for myself and Senator ERVIN, Senator GRAVEL, Senator HART, Senator MCGEE, Senator METCALF, Senator MUSKIE, and Senator NELSON.

I shall ask for early hearings. The problems the bill attacks are not peculiar to the United States but were cited in September as a major problem in other countries by the Food and Agricultural Organization of the United Nations. I sincerely hope that action can be taken in this Congress on this bill.

By Mr. THURMOND:

S. 2767. A bill to amend chapter 67 (relating to retired pay for nonregular service) of title 10, United States Code, to authorize payment of retired pay actuarily computed to persons, otherwise eligible, at age 50, and for other purposes. Referred to the Committee on Armed Services.

Mr. THURMOND. Mr. President, experience has shown that title III retirement at age 60 for guardsmen and reservists has not proven to be an effective retention incentive. This is significantly true among enlisted personnel where retention is most critical. If this trend is not reversed, it will never be possible to retain effective Reserve forces under a volunteer concept without a draft. I propose to help reverse this trend and create a greater incentive for enlisted personnel to remain active in the Reserve components by authorizing eligible personnel to elect retirement after age 50. The great majority of personnel currently drawing retired pay under title III are officers, and it is probable that many of these officers would have served 20 or more years even without retirement benefits.

As currently structured, retirement represents a substantial added cost without meeting the full potential return in the way of increased retention. It does, however, provide retired pay starting at age 60 for those individuals who have served their country for 20 or more years, even though all requirements have been met at an earlier age. It also provides protection for their survivors, but not until receipt of the first retirement pay check, if the eligible recipient reaches age 60.

In searching for ways to reduce the dependency of the Guard and Reserves on the draft, it is appropriate to first look at ways for enhancing current benefits and incentives to make them more effec-

tive in recruiting and retention. In this regard, the Department of Defense Five Percent Reserve Survey of 1969 indicated a surprising potential in earlier age retirement for increasing recruitment and retention in the National Guard and Reserves.

For example, only 5.2 percent of the Army Guardsmen in Grade E–1 and E–2 who were surveyed said that they would reenlist in the Guard after completing their 6 years of obligated military service without additional incentives. However, 28.8 percent of this same group indicated that they would reenlist in the Guard if retirement were to be granted at age 50. While these individuals may change their mind by the time they have served a full 6 years, the fact remains that a surprisingly high percentage of these young men were interested in retirement benefits right from the start of their military careers. As long as there is pressure by the draft, the percentage interested in earlier retirement benefits should be even higher. This interest could mean that earlier age retirement would provide an excellent "door opener" for Guard and Reserve recruiting campaigns.

This same survey showed that only 7.8 percent of the enlisted Guardsmen polled, who were in their last—sixth—year of obligated service, planned on reenlisting. However, with an earlier age retirement plan, 22.9 percent of these same personnel indicated they would reenlist. Obviously, if an earlier age retirement plan alone would increase retention by nearly 300 percent, it would provide a major incentive for attracting combat veterans separating from active service and for retaining Guardsmen who have already completed 6 years of service. Such retention would represent a major saving in tax dollars required to train new recruits, and would represent an invaluable increase of experienced personnel for the Guard and Reserves who would materially increase unit combat readiness.

Mr. President, most importantly, it is possible to evaluate the effectiveness of an earlier age retirement as a recruitment and retention incentive without significantly increasing the cost of this program. This is possible by basing earlier age retirement on an actuarial plan depending upon the individual's age at the time he elects to take his retirement. Under an actuarial plan these individuals electing to start their retirement earlier would draw proportionately less per month.

For most Guardsmen and Reservists, the option of taking their retirement at age 50 or after completion of 20 years of creditable service would be much more attractive than retirement at age 60. Age 60 does not represent a realistic incentive for today's youth. Moreover, it is not consistent with active service 20- and 30-year retirement programs.

Currently, most Guardsmen and Reservists who are required to retire because of years of service must suffer a loss in income corresponding to their Guard or Reserve pay. There is no opportunity to recover any part of this lost income through severence pay or through retired pay until age 60. Many Guardsmen and Reservists would appreciate the opportunity to arrange their retired service pay so as to commence at the time of their retirement from their primary civilian employment. Such a combination of retirement pay would provide added income at just the time when it is needed most. All of these options could be made possible under a revised earlier age retirement program.

One question concerning earlier age retirement is that it might increase turnover in the Guard and Reserve by enticing personnel to retire early so as to qualify for retired pay. While little factual data has been gathered which either refutes or confirms this possibility, it is doubtful that there would be much of an increase in early retirements resulting from earlier age retirement. This judgment is based primarily on experience with senior personnel who are forced out of the Guard and Reserve by provisions of the Reserve Officers Personnel Act—ROPA. It should be noted, however, that any added early retirements resulting from earlier age retirement pay would have offsetting value in that they would tend to stimulate promotions in the higher grades thus alleviating a current serious problem in selected Reserve units.

Mr. President, in addition to enhancing recruitment and retention, earlier age retirement would provide the individual with a means for closing the gap in protection for his survivors by reducing the period between 20 qualifying years for retirement and the time at which he receives his first retirement pay check. This added survivors protection should be of great significance in gaining support for continued military careers from the wives of Guardsmen and Reservists.

The pay increases for personnel in their initial years of military service already provided by the Congress will help attract new nonprior service personnel. A reenlistment bonus covering up to the 10th or 12th years of service would provide a strong motivation for retention during the first half of a member's service.

Mr. President, I previously introduced legislation to accomplish this objective. This legislation, S. 1470, is being favorably considered by the Defense Department. The additional incentive of early age retirement, which supplements S. 1470, could provide much greater motivation for retaining members during the last half of their career.

In conclusion, my proposal for an earlier retirement program for the Reserve components can be provided without significant cost increases. It offers a greater opportunity to enhance the attractiveness of service to our country and greatly strengthens our defense posture. There is nothing to be lost by passage of this legislation which I now introduce.

Mr. President, I request that this bill be appropriately referred and ask unanimous consent that it be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

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

S. 2767

A bill to amend chapter 67 (relating to retired pay for non-regular service) of title 10, United States Code, to authorize payment of retired pay actuarily computed to persons, otherwise eligible, at age 50, and for other purposes.

Be it enacted by the Senate and the House of Representatives of the United States in Congress Assembled, That section 1331(a) of title 10, United States Code, is amended by adding the following flush sentence to the end:

"However, a person who is under the age prescribed in clause (1), but is at least 50 years of age, is entitled to retired pay computed under section 1401 of this title, based upon mortality rates, among those who are currently retired, actuarily computed and prescribed for his age in the following table:

"For ages:	*Rate/$100.00 of retired pay*
50	$49.19
51	52.44
52	55.97
53	59.83
54	64.06
55	68.68
56	73.77
57	79.37
58	85.55
59	92.40"

SEC. 2. Section 1335(a) of title 10, United States Code, is amended by striking out "60" and inserting in place thereof "50".

SEC. 3. The enactment of this Act does not reduce or increase the retired or retainer pay to which a member or former member of an armed force was entitled on the day before its effective date.

SEC. 4. This Act becomes effective on the first day of the first calendar month beginning after the date of enactment.

By Mr. HUMPHREY:

S. 2768. A bill to require the Secretary of the Treasury to provide each taxpayer with an analysis of the proportionate dollar amounts of his tax payment which were spent by the Federal Government, during the latest fiscal year for which data is available, for certain items. Referred to the Committee on Finance.

TAX EXPENDITURE AWARENESS ACT OF 1971

Mr. HUMPHREY. Mr. President, I am today introducing the Tax Expenditure Awareness Act of 1971. This legislation would require the Federal Government to provide each taxpayer with a dollar by dollar accounting of exactly how and on what functions his or her individual income tax payment is spent.

The United States is a wealthy country and we collect and spend a lot of money. In 1969 alone, general revenues were $199.6 billion—that is almost $1,000 per capita. And, for 1972, an estimated $217 billion will be collected by the Federal Government.

A large portion of this money comes from the personal income tax. In 1969, over 75.8 million tax returns were filed. These returns covered approximately 195 million persons. In 1969, this system collected $87.2 billion—that is an average of $432.09 for every person in the United States. The 1972 individual income tax estimate is $93.7 billion—close to one-half of the total general revenues collected and spent by the Federal Government.

Our citizens pay a great deal in taxes, but they lack the rudimentary information on how to demand greater accountability or how to persuasively redirect Government expenditures. Once the income tax is paid, the average citizen is not kept informed about what it pur-

chases. As a result, people are skeptical that they are getting their money's worth from Government. And people are certain that their tax dollars are buying some goods and services that are not necessary or vital to their well-being or security.

The bill I am introducing today is designed to provide each citizen with information about how his tax dollar is spent.

Under terms of my legislation, after the Internal Revenue Service has received each individual tax return and determined the amount of tax that the person must pay, it would then furnish each taxpayer a statement explicitly outlining how his total tax payment would be spent.

In short, the IRS would assume the tax payment is distributed proportionate to the unified budget and provide the taxpayer with a dollar breakdown of how much of his tax payment was spent for national defense, space research, agriculture and rural development, natural resources, transportation, community development, housing, education, manpower, health, social services, welfare payments, veterans pensions, veterans benefits, law enforcement, general administrative expenses of Government, interest payments, foreign military assistance, and foreign economic and technical assistance.

The dollar figures for these calculations will be based on the proposed Government expenditures as reported in the budget message of the President.

Thus, if a taxpayer—filing jointly or separately, paid a tax of $1,000 for 1970, then the Internal Revenue Service would inform him that $408 of that money was spent for national defense, that $19 went for space research, $32 for agriculture, $13 for natural resources, $47 on commerce and transportation, $16 on community development, less than $37 on education, $66 on health, $223 for income security—including Social Security and veterans benefits.

This legislation will make the financial priorities of our Nation abundantly evident. It will show each taxpayer how much of the defense burden he shares. And, it will indicate exactly how much of his tax dollar is spent on social and human services.,

This bill is a first step toward greater citizen interest in the budgeting and financial decision-making of this country. And, the cost for this awareness will be minimal. Computer experts from the Library of Congress have estimated that the total dollar cost—computer input and processing account—will be less than $350,000. The mailing costs would be several million dollars if an envelope is sent to each taxpayer separately for this purpose alone. But I believe the mailing costs could be substantially reduced if the Internal Revenue Service would send the accounting at the same time that information concerning the income tax or a taxpayer's refund is mailed to the individual.

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. 2768

A bill to require the Secretary of the Treasury to provide each taxpayer with an analysis of the proportionate dollar amounts of his tax payment which were spent by the Federal Government, during the latest fiscal year for which data is available, for certain items

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 77 of the Internal Revenue Code of 1954 (relating to miscellaneous provisions) is amended by adding at the end thereof the following new section:

"SEC. 7517. TAX EXPENDITURE ACCOUNTING.

"(a) STATEMENT BY SECRETARY.—Upon the receipt of each individual's income tax return, the Secretary or his delegate shall furnish to that individual a statement setting forth in dollar amounts the proportionate amounts of that individual's income taxes which were spent by the Federal Government, based upon the most recent budget message of the President for each of the following:

"(1) national defense;
"(2) space research and technology;
"(3) agriculture and rural development;
"(4) natural resources;
"(5) transportation;
"(6) community development;
"(7) housing;
"(8) education;
"(9) manpower;
"(10) health;
"(11) social services;
"(12) welfare payments;
"(13) veterans' pensions;
"(14) veterans' benefits and services;
"(15) law enforcement;
"(16) general administrative expenses of government;
"(17) interest payments;
"(18) foreign aid consisting of military assistance; and
"(19) foreign aid consisting of economic and technical assistance.

"(b) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the provisions of this section."

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

"SEC. 7517. Tax expenditure accounting."

SEC. 2. The Director of the Office of Management and Budget shall furnish to the Secretary of the Treasury in December of each year a report, based upon data from the most recent fiscal year for which such data is available, setting forth that part of the total Federal outlays for such fiscal year which was expended for each of the items listed in section 5717(a) of the Internal Revenue Code of 1954.

By Mr. HUMPHREY:

S. 2769. A bill to transfer the functions of the Passport Office to a new agency of the Department of State to be known as the "United States Passport Service," to establish a passport service fund to finance the operations of the United States Passport Service, and for other purposes. Referred to the Committee on Foreign Relations.

A U.S. PASSPORT SERVICE WITHIN THE STATE DEPARTMENT

Mr. HUMPHREY. Mr. President, today, I am introducing a bill which I believe will solve once and for all a most troublesome problem which has plagued both the executive and legislative branches of our Government for years. To some it may seem a minor problem but to an ever increasing number of Americans who are affected by the problem, it is very important.

I am referring to the problem of providing passports to the American public in the most convenient, economical, and efficient manner possible.

Americans have always been an inquisitive people who want to see things for themselves—and seeing things around the world is no exception. There was a time when travel abroad, "the grand tour," was possible only for the privileged few. Times have changed. Not only are Americans more affluent today but the means of transportation have become faster and cheaper each year. Inexpensive chartered tours have become a way of life and recently competition is keen among airlines both American and foreign as to who can offer the cheapest "student fares." You can fly to Rome or Paris or London for as little as $99. Last year almost 6½ million Americans by one means or another traveled outside the United States. Naturally this increase in travel abroad has resulted in a corresponding increase in the demand for passports.

Back in 1956 when I was on the Government Operations Committee, I had a great deal to do with modernizing and updating the operation of the Passport Office. Modern machines and techniques were introduced to provide the kind of service that the American citizen wanted and deserved. These changes brought the Passport Office up to date at that time, but what about its future development?

I and many of my colleagues saw that some provision had to be made for the continued growth and expansion of the passport operation because of the growing demand of the American public.

On March 1, 1956, I introduced S. 3340 in the Senate to deal with this need. That bill created a separate semiautonomous unit within the State Department to be known as the U.S. Passport Service. It also provided that a revolving fund be established for the Passport Service, thus permitting it to spend a minor part of the profit it returns each year to the Treasury to provide better and more efficient passport services to the American public.

By a narrow margin this bill was killed by recommitment to committee. The passing years have attested to the wisdom of providing the Passport Office the kind of flexibility that S. 3340 would have given it. At that time, in 1956, the Passport Office issued 559,066 passports. Last year it issued over 2 million passports and by 1975 it expects to have to issue almost 4 million. While the demand for passports has continually increased, the facilities to provide them have not.

In 1956 there were five passport agencies in the United States. In 1960 there were nine agencies which could issue passports. Since then, regardless of the travel explosion which has occurred, only one additional agency has been opened by the Department of State. Despite the fact that the Passport Office has continually recommended and justified the opening of further agencies to provide better and more convenient service to our citizens, and despite the fact that the Passport Office is one agency which always returns money to the Treasury, the authority and funds have consistently

been denied it to open additional needed passport facilities.

The need for additional facilities developed to a critical point in recent years particularly in Michigan, Texas, New York, and Connecticut. The clamor raised in these areas finally stirred even the monolithic structure of the State Department to "act" and they finally consented "to study" the problem. For years they have studied the problem.

Finally last year, stirred by the State Department's inaction, several bills were introduced into the Congress, all of which bore a strong resemblance to my 1956 bill. Congressional hearings forced some action by the State Department, but it was of a temporary, stopgap nature—too little and too late.

In 1970 the State Department entered into an agreement with the Postal Service to permit some post offices to accept passport applications—this despite that Service's own tremendous problems. Granting that this experiment increased the facilities available for acceptance of passport applications, it did not and will not meet the full problem. Increasing the intake of work does not help the output. Facilities are now vitally needed to produce the passport document itself and these facilities must be as close as possible to the people who are applying for passports.

The State Department offered another solution: Night shifts in the Boston, Philadelphia, and San Francisco passport agencies. This obvious stop-gap measure, about which the Passport Office cautioned the Department, not only failed to meet the problem, it resulted in a complete fiasco. The State Department, to make their idea succeed, ordered the Passport Office to shift applications willy-nilly from one agency to another and many times to a third. Therefore, for example, an applicant who applied at a clerk of court office in New York often found his passport sent to Boston for processing and then 3,000 miles further to San Francisco if Boston was deluged—which it was. Inordinate delays in the issuance of passports under such a system were inevitable. People missed their departure dates. Often the Passport Office was forced to take a second application and go through the whole process again on an emergency basis so that a person could meet the deadline for his travel. This procedure is obviously not the solution to the fundamental problem, notwithstanding the State Department's press release.

By the way, the establishment of night shifts also brought about the forced realinement of personnel in the Passport Office whereby positions were shifted from the Washington office to Philadelphia and the New York agency to Boston. Federal and State clerks of court around the country were also told by the State Department to send their applications to different locations "for the rush season." What happened was prophesied by Frances Knight, the Director of the Passport Office—sheer chaos, grotesque overburdening of certain passport agencies while others had insufficient work to justify their regular complement of employees, let alone night shifts. A further solution to the problem offered by the State Department was to propose that in the future passports be issued to persons applying all over the country through three centralized plants located in low-rent areas on a regional basis. This poses obvious communication and technical problems but it is totally contrary to the philosophy of the last three Presidents of the United States who have decentralized Federal Government operations in order to bring them and their services closer to the people. If this solution is carried out by the State Department, I have no doubt that the Congress and the people of this country will have three white elephants on their hands.

Mr. President, I say that it is time the Congress stepped into this mess and offer a long range, practical solution to this problem. The American people are entitled to passport service, and bureaucratic muddling should not deny them this right.

The bill I am introducing today will, I believe, provide a solution. It is not too different from that I offered in 1956. The most important provisions are similar to those found in S. 3340 which I introduced then.

Section 1 of the bill creates within the Department of State a "United States Passport Service," which would be comparable to the Immigration and Naturalization Service of the Department of Justice. It would be responsible to the Secretary of State. This status is commensurate with the growing importance of the service it performs to the American public.

Another section gives the Director of the Passport Service the authority to establish passport agencies or passport service offices wherever the needs of the public require and whenever they will be self-sustaining. By self-sustaining I mean that the revenue they bring in, in fees, will equal or exceed the cost of their operation. This provides a reasonable check on the proliferation of passport agencies which some people in the State Department and elsewhere seem to fear.

The most important provision of this new bill is almost identical to a similar provision in S. 3340. It would establish for the Passport Service what is called a revolving fund. In simple terms this means that the Service would be permitted to use a portion of the revenue it returns to the Treasury each year to modernize its methods, to establish the new agencies, and generally to provide more and better service to the American public.

This provision would not permit unbridled spending by the Service. The bill provides for elaborate accounting procedures, annual audits by GAO with reports furnished to the President and Congress, and the annual submission of a business-type budget. These procedures offer a very firm system of checks and balances which will provide ample opportunities for scrutiny by both the executive and legislative branches of the Government of every penny that is spent by the Service.

And finally, the bill I propose today would increase the execution and passport fees presently set by law to $10 and $15, respectively. It has long been my belief that not only should services offered by the Federal Government be self-sustaining but that where local and state governments assist the Federal Government in its endeavors the former should be fully compensated for their services.

Approximately half of the passport applications filed annually in the United States are executed before Federal and State clerks of court. At the present time State clerks, who take as many applications as do all passport agencies, are permitted to retain only the $2 execution fee notwithstanding the fact that this amount rarely compensates them for the time spent. Moreover, it does not permit the hiring of additional employees to handle passport work exclusively during the rush season. In my judgment, having talked to a number of State clerks, a more realistic amount for the service rendered would be $10 per application. This would also help local officials build strong, viable and public service oriented offices at the grass roots of our great Republic. As we all know the local level of government, particularly, is hurting today because of the onerous demands of higher echelons. The raising of the execution fee will be a means by which the Federal Government can assist the States and localities.

Mr. President, when the Government Operations Committee, of which I was a member, helped reorganize and modernize the Passport Office back in 1956, and when I introduced S. 3340 the State Department in open hearings promised it would provide all the funds and facilities necessary to keep that office modern and up to date. They have failed to provide this support and the solutions they have offered to date indicate they do not intend to do so. It is time then that we in the Congress solve this problem for them. It is time we stopped accepting their assurances made year after year that they are going to solve the passport problem. It is time we require them by law to provide American citizens with the kind of convenient, efficient, and economical service for which they pay, and to which they are entitled.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 1534

At the request of Mr. HUMPHREY, the Senator from Michigan (Mr. GRIFFIN) was added as a cosponsor of S. 1534, to amend title 10, United States Code, to prescribe additional health benefits for certain dependents.

S. 2454

At the request of Mr. BYRD of West Virginia, for Mr. JACKSON, the Senator from Texas (Mr. BENTSEN), the Senator from Nevada (Mr. BIBLE), the Senator from North Dakota (Mr. BURDICK), the Senator from Florida (Mr. CHILES), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Michigan (Mr. HART), the Senator from Indiana (Mr. HARTKE), the Senator from Oregon (Mr. HATFIELD), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Min-

nesota (Mr. HUMPHREY), the Senator from Wyoming (Mr. MCGEE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), the Senator from Utah (Mr. MOSS), the Senator from Oregon (Mr. PACKWOOD), the Senator from Illinois (Mr. PERCY), the Senator from Alaska (Mr. STEVENS), the Senator from Illinois (Mr. STEVENSON), and the Senator from California (Mr. TUNNEY) were added as cosponsors of S. 2454, to expand the Youth Conservation Corps.

S. 2477

At the request of Mr. BYRD of West Virginia, for Mr. JACKSON, the Senator from Oregon (Mr. HATFIELD) was added as a cosponsor of S. 2477, to provide for the timber harvest research program.

S. 2504

At the request of Mr. HUMPHREY, the Senator from Oklahoma (Mr. HARRIS) was added as a cosponsor of S. 2504, to amend title XVIII of the Social Security Act to include, among the home health services covered under the insurance program established by part B of such title, nutrition services provided by or under the supervision of a registered dietitian.

S. 2593

At the request of Mr. HUMPHREY, the Senator from Minnesota (Mr. MONDALE) was added as a cosponsor of S. 2593, the Universal Child Nutrition and Nutrition Education Act of 1971.

S. 2648

At the request of Mr. HUMPHREY, the Senator from Wyoming (Mr. MCGEE) was added as a cosponsor of S. 2648, to establish a national strategic reserve of selected farm commodities.

S. 2669

At the request of Mr. BELLMON, the Senator from Kansas (Mr. DOLE), the Senator from Montana (Mr. MANSFIELD), the Senator from Utah (Mr. MOSS), and the Senator from Rhode Island (Mr. PASTORE) were added as cosponsors of S. 2669, the Federal Child Support Security Act.

S. 2724

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Washington (Mr. JACKSON) I ask unanimous consent that, at the next printing of the bill, S. 2724, to establish a national Indian education program by creating a National Board of Regents for Indian Education, carrying out of a national Indian education program, the establishment of local Indian school boards, the names of the Senator from Michigan (Mr. HART), the Senator from North Carolina (Mr. JORDAN), and the Senator from Maine (Mr. MUSKIE), be added as cosponsors.

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

SENATE JOINT RESOLTUION 8

At the request of Mr. BAYH, the Senator from Kansas (Mr. PEARSON) was added as a cosponsor of Senate Joint Resolution 8, proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

SENATE JOINT RESOLUTION 112

At the request of Mr. BROCK, the Senator from Alabama (Mr. SPARKMAN) was added as a cosponsor of Senate Joint Resolution 112, proposing an amendment to the Constitution of the United States relating to open admissions to public schools.

SENATE CONCURRENT RESOLUTION 47—SUBMISSION OF A CONCURRENT RESOLUTION RELATING TO ADDITIONAL PARKING FOR SENATE EMPLOYEES

(Referred to the Committee on Rules and Administration.)

Mr. GRAVEL. Mr. President, today I submit for appropriate reference, a concurrent resolution to permit temporary parking by Senate employees on two squares of the Capitol Grounds.

I submit this resolution as chairman of the Subcommittee on Buildings and Grounds of the Committee on Public Works, at the request of Robert G. Dunphy, the Sergeant at Arms of the Senate.

There is little need, Mr. President, to detail the parking problems which now harass many employees of the Senate who drive private automobiles to work. I have been informed by Mr. Dunphy's office that as of today, 405 parking spaces are available in the general lot at First and D Streets, NE., for use by those who have not been assigned reserved parking spaces on other streets and squares. Yet for those 405 unassigned spaces, some 2,348 permits have been issued by the Sergeant at Arms.

The result is apparent to anyone who has walked or driven in that area of the Capitol Grounds on a weekday morning. Literally hundreds of employees are forced to search through the surrounding streets for parking spaces, which may be many blocks away from their offices, if they can find them at all. Some have given up the daily struggle and resigned themselves to paying commercial parking fees, but even these commercial spaces are in critically short supply. In fact, I understand that the only commercial lot in close proximity to the Senate office buildings generally is filled by 9:15 a.m., and that after that time, both Senate employees and visitors to the Capitol are turned away routinely.

It seems obvious to me that we are a number of years away from beginning construction of the proposed Senate parking garage, which is a long-term solution to this problem. Fiscal conditions being what they are, and particularly in light of the need for more office space on the Senate side, I cannot anticipate early action on the garage bill.

For those reasons, I have introduced today's concurrent resolution to provide temporary parking on squares 721 North and 721 South of the Capitol Grounds. To identify these squares more closely, they are situated at the Union Station end of the Capitol Grounds and are bounded by E and F Streets NE., by Second Street NE., and by Union Station Plaza. California Street, which itself is used for employee parking, presently divides the two squares.

Mr. President, it is estimated that by converting these two squares and the street between them to parking use, the Senate will realize a net gain of some 300 spaces for its employees. Although this gain does not approach the status of a solution to the parking problem, it would relieve much of the congestion on the surrounding streets each morning.

I should make it clear at the outset that this resolution does not contemplate that squares 721 North and 721 South are to be used permanently for staff parking. On the contrary, the resolution provides that as soon as permanent parking facilities are furnished by the Senate, the squares shall be restored to full park use.

The Sergeant at Arms' office and the Architect's office have assured me that the trees growing on these squares will not be cut down to make room for automobiles, although a number of shrubs were recently planted on square 721 North and will be removed. But nothing will be done to the squares which will diminish their future use as parkland.

I have further been assured that in locating the entrances and exits to the new lot, the Architect of the Capitol will make certain that the traffic flow on the neighboring residential streets will be disturbed as little as possible. Plans also call for shrubbery to be planted around the perimeter of the parking lot to block it from view.

The concurrent resolution is as follows:

S. CON. RES. 47

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the Architect of the Capitol should permit the parking, under the control of the Sergeant at Arms of the United States Senate, of passenger motor vehicles on those parts of the United States Capitol Grounds described as square 721 North and square 721 South, for such time as the said Architect determines that such squares are needed for parking purposes: *Provided*, That at such time as permanent parking facilities are provided by the Senate, said squares shall be restored to full park use.

SENATE RESOLUTION 188—SUBMISSION OF A RESOLUTION TO OBVIATE ROLLCALL VOTES ON YOM KIPPUR AND CHRISTMAS

(Referred to the Committee on Rules and Administration.)

Mr. ALLOTT (for himself, Mr. MANSFIELD, Mr. SCOTT, Mr. GRIFFIN, and Mr. BYRD of West Virginia) submitted the following resolution:

S. RES. 188

Resolved, That it be a Standing Order of the Senate that, unless otherwise directed or in time of national emergency, no rollcall vote shall be taken in the Senate on the Jewish holiday known as Yom Kippur or on the Christian holiday known as Christmas.

ADDITIONAL COSPONSORS OF RESOLUTIONS

SENATE RESOLUTION 181

At the request of Mr. CHILES, the Senator from Missouri (Mr. EAGLETON) was added as a cosponsor of Senate Resolution 181, expressing the sense of the Senate concerning the availability of appropriated funds for the food stamp program, and for other purposes.

REVENUE ACT OF 1971—AMENDMENTS

AMENDMENTS NOS. 542 THROUGH 545

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

Mr. NELSON. Mr. President, 2 months ago President Nixon announced his new economic plan. It called for a total reversal of past presidential policy respecting controls over wages and prices.

Though I endorse his action, it has come very late indeed. In June of 1968, I endorsed the imposition of wage and price controls if the inflation were not brought under control by other means. If action to control wages and prices had been taken 2 or 3 years ago, the interests of the Nation would have been better served.

There are, of course, many inequities toward certain classes of wage earners which should be quickly rectified.

The Congress is now considering the President's tax package which is the second part of his economic plan. It is here that the most glaring inequities in the plan come into view.

Consider what happens in 1972.

Adding the investment credit to the other business tax proposals, it comes to $9 billion—about a 20 percent corporate tax cut.

The average taxpayer also gets a tax cut. The catch is that for most low- and middle-income workers, it is totally canceled out by next year's social security tax increase.

So the average worker will pay more taxes in 1972 at the same time that the corporations are getting the largest tax cut in American history.

The shift from taxes on corporations to taxes on individuals can be seen in the accompanying table. This gives the percentage of national income raised by different Federal taxes—the personal income tax, the social security tax, the corporate income tax, and sales and excise taxes. The comparison is between 1961—before the Kennedy tax cuts—and 1972—assuming passage of the President's tax package. The table shows that there is no change between 1961 and 1972 in the share of national income raised by the personal income tax, a significant drop in the corporate tax share, and a large increase in the payroll tax share:

PERCENT OF NATIONAL INCOME[1] RAISED BY FEDERAL TAXES

	Personal income tax	Social security tax	Corporate income tax	Sales and excise taxes	Total Federal taxes
1961[2]	8.7	3.9	4.6	2.7	20.4
1972[3]	8.6	6.0	3.6	1.8	20.0

[1] National income at full employment.
[2] 1961, before any of the tax changes of the Kennedy administration.
[3] 1972, assuming the President's tax package is in effect.

These data strongly support the position that the distribution of tax relief proposed by the administration is unfair.

It is also bad economics.

The administration's tax proposals are supposed to increase investment in plant and equipment—and thus jobs.

But with industry operating at 72 percent of capacity, most businessmen have little incentive to expand their plant and equipment.

Meanwhile, most of the economists agree that the key to economic recovery is increased consumer spending. An extra dollar in the hands of the consumer will have a sharper, quicker impact than a dollar in the hands of corporate managers. Yet the average worker will actually pay higher taxes next year than he is paying now.

To redress the imbalance in the President's program, I am introducing four amendments to the House-passed bill.

The first would revoke the new depreciation rules—ADR—thus saving the Treasury approximately $26 billion over the next 10 years;

The second would limit the investment eligible for the 7 percent tax credit to $1 million per firm. This would greatly benefit small and medium sized companies, while saving the Treasury about two-thirds of the revenue-loss that would result from an unlimited credit;

The third would remove the DISC proposal from the House bill; and

The fourth would defer the social security tax increase for 1 year. Since the social security system is expected to generate a surplus of $7.2 billion in 1972, we can afford to do this.

These amendments would save the Treasury $4.5 billion in 1972 and increasing amounts thereafter. In the near-term, this money should be spent to increase unemployment compensation benefits, to expand the number of public service jobs, to assist states in meeting their welfare costs, and to fund other programs that will stimulate the economy quickly.

These measures, along with deferral of the $3 billion social security tax increase, will do much more to return the economy to full employment than the administration program.

Beyond this, these revenues should go for health and welfare reform, to fight pollution, to bring fiscal relief to State and local governments, and for the many other items on the agenda of social reform.

These amendments also seek to maintain the integrity of the tax system. One of them would remove a major new tax loop hole—known as DISC—from the bill now before the Senate.

The DISC proposal is an effort to expand exports by providing special tax advantage to a new kind of corporation—a "DISC"—which is involved only in exporting.

American manufacturers producing for export would channel their exports through a DISC. The DISC's profits would not be subject to income tax if they are used for "export-related activities."

Unfortunately, the DISC proposal is fraught with difficulties and unanswered questions.

First, the Treasury estimates that DISC will increase exports by $1.5 billion while reducing revenues by $600 million. Even overlooking the fact that these estimates may be quite optimistic, I wonder whether this is such a good bargain: for every dollar of increased exports, there is a reduction of revenues of 40 cents. In effect, the Treasury is subsidizing 40 percent of the cost of new exports.

Second, although the Treasury states that DISC would exempt export profits from taxation, the fact is that under the formula used for determining export profits, much—in some cases all—manufacturing profits would become tax-free also. The Treasury does not contest this fact.

Third, the Treasury maintains that DISC profits—to remain tax-free—must be used in "export-related activities." But in fact, within certain limits, these profits can be used for almost anything, including manufacturing activities overseas—which would worsen our trade position. The Treasury does not contest this fact either.

In arguing for DISC, the Treasury points out that taxation of U.S. foreign subsidiaries is deferred, and that DISC is required to prevent domestic exporters from going overseas to obtain this tax advantage. This overlooks the fact that U.S. foreign subsidiaries pay foreign income taxes which in many cases are close to—or more than—our's. But if our foreign subsidiaries do have a tax advantage, the solution, surely, is to close the loophole by ending deferral, not to widen it.

Finally, I am disturbed that the Congress is being asked to endorse this expensive proposal with little or no evidence to support it. The Treasury has not provided us with a single study of DISC. Indeed, the only study of DISC that I have seen—performed by the Joint Committee on Internal Revenue Taxation—raises serious questions concerning its desirability. Moreover, the President's Commission in International Trade and Investment Policy refused to recommend DISC in its recent report.

DISC would simply add a new loophole to a tax system that already has a great many. I am glad to see that people from all parts of the political spectrum—from Stanley Surrey, Assistant Secretary of the Treasury under Presidents Kennedy and Johnson, to the editors of the Wall Street Journal—have spoken out forcefully against it.

The amendments I am submitting today to H.R. 10947 by no means exhaust the list of measures needed on the economic front. In particular, Congress should move ahead full steam to pass welfare reform and additional legislation to bring fiscal relief to the States.

But first, we must pass a fair and progressive tax bill, along with other measures, to return this nation to full employment.

The goal of this bill should not be new opportunities for tax evasion. It should not be a large cut for those who do not need it—and therefore will not spend it. It should not be to continue the steady erosion of our tax base which is making it increasingly difficult to meet our most pressing needs.

Instead, we must pass a tax bill that will deal fairly with the American people, and return a measure of economic justice to our tax system.

FOREIGN ASSISTANCE ACT OF 1971—AMENDMENTS

AMENDMENT NO. 546

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

Mr. STENNIS submitted amendments, intended to be proposed by him, to the bill (H.R. 9910) to amend the Foreign Assistance Act of 1961, and for other purposes.

AMENDMENT NO. 548

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

Mr. DOMINICK. Mr. President, on behalf of myself and Senators BUCKLEY, GOLDWATER, and GURNEY, I send to the desk for printing an amendment to the Foreign Assistance Act which would subject U.S. annual mandatory contributions to the U.N. to the congressional authorization process. There are two major categories of contributions the United States makes to the U.N. These contributions are categorized as assessed and voluntary. My amendment deals with the assessed contributions, which currently are not subject to an annual authorization review by the Congress. Under the United Nations Participation Act of 1945, section 18, a continuing authorization has been granted and the annual assessment is included as part of the annual appropriations act for the Department of State.

I introduce this amendment for several reasons. One of those, quite obviously, is extreme disappointment over the action of the United Nations to expel Nationalist China, giving the Chinese seat to Peking. By doing this, a dangerous precedent has been set—expelling a member of the organization through the simple expediency of a majority vote. What is even worse is that this was allowed to happen to one of the founding nations and a member of the Security Council. If such a fate can happen to the Nationalist Chinese, who is to say it cannot happen to others. The time has come for the Congress to take a much closer look at the United Nations, and, in particular, at the programs the American taxpayer supports with his hard-earned dollars.

From 1946 through 1971, the U.S. assessed contributions to the United Nations have been almost $1.3 billion. Over these years, our assessed contributions have averaged almost one-third of the total assessed contributions of member nations.

I ask why have our contributions remained at one-third of the total U.N. member nation contributions when since 1946 the number of U.N. members has grown from 50 to 131? Had these annual contributions been subjected to an annual authorization process, it seems to me the figures might have been different.

This calls up another reason for my step in introducing this amendment. This is the principle of representation based on the size of the member nations. Over the years, I have seen the U.S. position eroded in the U.N. as neophyte nations—and it is open to question as to whether one could call them nations—have joined the U.N. and with the use of a full vote, weighted equally with ours, have assumed an importance equal to ours. For example, 63 nations with less than one-fortieth the population of the United States, and with an annual GNP probably less than our annual assessed contribution, have been able to make demands out of all proportion to their size. When banded together their voting power is totally disproportionate.

In light of this and other considerations, it is my purpose, through this amendment, to insure a fuller and more complete examination of our contribution to and participation in the United Nations, to bring the appropriate committees of the Congress into their proper reviewing roles, and to bring U.S. contributions to the United Nations into a fairer and more proportionate perspective.

AMENDMENT NO. 549

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

Mr. DOMINICK. Mr. President, on behalf of myself and Senators BUCKLEY, GOLDWATER, and GURNEY, I send to the desk for printing an amendment to the Foreign Assistance Act of 1961 which would impose a positive ceiling on the amount of money the United States voluntarily contributes annually to the United Nations special programs. Since 1946, the United States has voluntarily contributed more than $2.5 billion to the United Nations special programs and peacekeeping forces. My amendment would limit voluntary contributions both in total and by program to a percentage no greater than the United States contributes to the assessed budget of the U.N. For example, my amendment would limit our voluntary contributions to any of the special programs to no more than 33 percent. It would also limit our total voluntary contribution to the same percentage.

To show the full impact of this amendment, let me review what we are contributing to some of the special programs this calendar year, both dollarwise and percentagewise. There are 17 special programs to which the United States is contributing this year. The U.S. voluntary contributions this year will exceed $223.5 million. We are contributing a million or more dollars to nine of these special programs. Three of the larger programs and the amounts we are contributing are: the U.N. development program, $86.3 million; the U.N./FAO world food program, $47.9 million; and the U.N. Relief and Works Agency, $23.2 million.

Our voluntary contributions are almost exactly double our assessed contribution of $111.8 million for 1971, and I believe this ratio is out of proportion. The purpose of my amendment is to attempt to restore some semblance of balance between assessed contributions and voluntary contributions.

I have discussed the dollar amounts the United States voluntarily contributes. Now I will examine the percentage of our contributions in relation to the total contributions made by other U.N. members to these special programs. Our percentage of voluntary contributions to these special programs ranges from 97.8 percent for drug abuse control to 11.1 percent for the World Health Organization International Agency on Cancer. For the U.N. development program we are contributing 34 percent, for the U.N./FAO world food program 51 percent, for the U.N. Relief and Works Agency 55 percent, and for the U.N. fund for population control 50 percent.

The U.N. is on the verge of bankruptcy, has been living beyond its means, and it has spent too much money in the past. Yet I support the observation of Secretary Rogers that the United States has been doing the same thing in its financial relations with the United Nations.

Over the years, since 1946, we have continued to provide roughly the same percentage of contributions even though the membership of the United Nations has grown from 50 to 131. I ask why the United States needs to continue to provide a disproportionate share of these contributions, especially when many of our own unilateral programs to foreign countries provide assistance in the same areas?

AMENDMENT NO. 552

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

Mr. DOMINICK. Mr. President, on October 27 I submitted amendment No. 535 to H.R. 9910, the Foreign Assistance Act of 1971. I send to the desk for printing a modification of that amendment designed to strengthen the Hickenlooper amendment of 1962. The modification ties down the essential requirement that the President suspend aid to any country which expropriates property owned by American citizens unless appropriate steps are taken within 6 months to pay adequate compensation. I would like to ask unanimous consent that at its next printing the names of the Senator from Nevada (Mr. BIBLE), the Senator from Tennessee (Mr. BROCK), and the Senator from Kentucky (Mr. COOK) be added as cosponsors.

AMENDMENT NO. 553

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

Mr. ALLEN (for himself, Mr. BROCK, and Mr. ERVIN) submitted an amendment, intended to be proposed by them, jointly, to House bill 9910, supra.

AMENDMENT NO. 554

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

Mr. GRAVEL submitted an amendment, intended to be proposed by him, to House bill 9910, supra.

AMENDMENT NO. 555

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

Mr. BROCK submitted amendments, intended to be proposed by him, to House bill 9910, supra.

AMENDMENT NO. 556

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

Mr. STEVENS (for himself and Mr. GOLDWATER) submitted amendments, intended to be proposed by them, jointly, to House bill 9910, supra.

AMENDMENT NO. 557

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

Mr. HATFIELD submitted amendments, intended to be proposed by him, to House bill 9910, supra.

ALASKA NATIVE CLAIMS SETTLEMENT ACT OF 1971—AMENDMENTS

AMENDMENT NO. 547

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

Mr. METCALF submitted an amendment, intended to be proposed by him, to the bill (S. 35) to provide for the settlement of certain land claims of Alaska Natives, and for other purposes.

AMENDMENT OF ECONOMIC STABILIZATION ACT OF 1970—AMENDMENTS

AMENDMENT NO. 550

(Ordered to be printed and referred to the Committee on Banking, Housing and Urban Affairs.)

CONFIRMATION OF PAY BOARD AND PRICE COMMISSION MEMBERS

Mr. HUMPHREY. Mr. President, I am today submitting an amendment to S. 2712, a bill to amend the Economic Stabilization Act, that will require all public appointees to the Pay Board and Price Commission to be confirmed by the Senate of the United States.

As presently designed, the sole appointing power rests with the President of the United States.

The Congress is frozen out. And this is wrong.

These Boards will have authority to make decisions that will have a profound impact on the American economy and on the financial well-being of all our citizens.

It is important to assure impartiality, representativeness, and fairness in the selection process of public members because the success of our anti-inflation efforts will rest on trust and confidence that the American people place in the policy decisions of these Board members.

I believe it is proper, therefore, that the Senate consult on these appointments through the confirmation process, that it examine the qualifications of appointees, and that it participate in enpaneling public members who will perform their duties for all elements of the economy—business, labor, agriculture, the consumer.

The proposal I am making today is in keeping with the constitutional balance of powers that has established the executive and legislative branches of Government as coequal. But what has happened recently in this country is that Congress has not been coequal. And, as a result, a vital element in policymaking processes has often not been heard.

Mr. President, I believe that Congress must be coequal. And I am convinced that the changes in that relationship that could come about through the executive fiat of sole appointing power of Price Commission and Pay Board public members threatens to erode the essential balance that must exist between the two branches.

The confirmation of appointed public members to the anti-inflation board is not without precedent. When price and wage restraints were applied in the late 1940's and early 1950's the Administrator of the Office of Price Administration, Governor DiSalle, was subject to the confirmation process.

Under no circumstances do I question the loyalty or dedication of those members who may be appointed to the anti-inflation boards. I am suggesting, however, that the processes of representative government must be preserved. And Senatorial confirmation is just one step toward that goal.

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

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

AMENDMENT No. 550

On page 1, strike out line 3 and insert the following:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Economic Stabilization Act Amendments of 1971'."

On page 1, line 5, before "It" insert "SEC. 2.", and renumber succeeding sections accordingly.

On page 2, line 16, insert "(a)" immediately before "Section 203".

On page 2, line 18, beginning with "or" strike out all through the period in line 21 and insert the following: "or to such boards, commissions, and similar entities as may be established by the President. Subject to the provisions of section 4(b) of the Economic Stabilization Act Amendments of 1971, such boards, commissions, and similar entities shall be composed in whole or in part of members appointed by the President to represent different sectors of the economy and the general public."

On page 3, after line 8, insert the following:

"(b) (1) Any member of the Pay Board, established by section 7 of Executive Order No. 11627 of October 15, 1971, who is representative of the general public, and any member of the Price Commission, established by section 8 of such executive order, shall be appointed by the President by and with the advice and consent of the Senate.

"(2) This subsection takes effect upon the expiration of 30 days after the date of its enactment. Nothing contained in this subsection affects the validity of any action taken by the Pay Board or the Price Commission as constituted prior to the effective date of this subsection."

EQUAL EMPLOYMENT OPPORTUNITIES ENFORCEMENT ACT OF 1971—AMENDMENTS

AMENDMENT NO. 551

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

Mr. GAMBRELL. Mr. President, I am submitting today an amendment which has as its primary purpose the prohibition of forced busing of public schoolchildren. The legislation is in the form of an amendment to the Equal Employment Opportunties Act which has been reported to the Senate floor by the Senate Labor and Public Welfare Committee. In my judgment, a bill purporting to provide equal opportunities is a fitting vehicle for legislation which prohibits school attendance assignments based on race, creed or color. If we are to have stronger laws to prevent discrimination in employment based on race, creed or color, we should likewise have laws which restrict pupil placement assignments based on race, creed or color.

An additional objective of the amendment which I am offering is the restriction of an ill-conceived practice now being pursued in connection with school desegregation by the Department of Health, Education, and Welfare. This is the practice of denying Federal educational assistance to school systems which do not comply with HEW desegregation requirements, although those same school systems are complying with desegregation plans approved by the Federal courts. This practice has been used in Georgia, and in other States, to deny millions of dollars of Federal assistance to school systems which are fully desegregated, on totally insignificant grounds. Permitting such a practice is a license for bureaucratic blackmail. The Senate expressed its sentiment against this practice when it unanimously adopted the Chiles amendment to the School Aid and Quality Integration Act of 1971. Yet the Department of HEW persists in applying it.

Most of us are thoroughly familiar with the busing issue. Outraged parents and other citizens are gathering daily in communities about the country, at the Capitol here in Washington and in our private offices, demanding action on this subject.

Thousands of schoolchildren are being transported outside of their neighborhoods and communities, and are being required to attend school in other neighborhoods and communities. The process is enormously expensive, disruptive of consistent educational planning, and discriminatory as between those who are transferred and those who are not. In spite of Supreme Court decisions declaring pupil placement assignments based on race to be unconstitutional, other Federal court decisions seem to be based on the assumption that pupil placements may be made to achieve a racial balance, and that the busing of students may be required to achieve such racial balance.

The Chief Justice of the United States has suggested that Federal courts may be "misreading" the decision of the Supreme Court of the United States on the subject of busing. Justice Hugo Black, before his death, admitted that there is "confusion" concerning the busing issue.

The amendment which I have offered limits the power of Federal courts to enforce racially selective school assignment orders, including school busing, until all appeals from such orders are finally determined. In addition, the amendment would prohibit the Departments of Justice and of Health, Education, and Welfare from supporting racially selective assignments in court or through bureaucratic procedures. An exception is made for school systems which request such support, thus permitting local educational policy to operate. Finally, the Department of HEW would be required to accept a court approved plan of desegregation as being sufficient, without any other conditions to qualify for Federal educational assistance. The provisions of the amendment would be effective until June 30, 1973, at which time it is hoped that the Supreme Court will have clearly ruled that busing and other forms of racially selective pupil placement, are unconstitutional.

It should be understood that this amendment does not alter the constitu-

tional mandate requiring desegregation of schools, nor does it prevent the Federal Government from supporting the desegregation of schools. The amendment merely restricts the use of two relatively minor tools which have been misused in the course of desegregation. Compared with the economic, financial, social, and educational consequences of continuing these practices, the effect of the amendment is very mild indeed. Particularly is this true when it is considered that the practices may not be legally necessary, and in fact may be unconstitutional, and the further fact that the effect of the amendment is temporary, for less than 2 years, in order to give the Supreme Court an opportunity to clarify the legal and constitutional status of forced school busing.

Finally, President Nixon has announced his opposition to forced school busing, and his support for neighborhood schools. His announcement has not been augmented by any concrete actions, and I have criticized him for failing to support his words with deeds. It is hoped that he will support the effort made by this amendment to lift the burden of confusion and doubt which is impairing the effectiveness of our educational system in many parts of the country.

The senior Senator from Georgia (Mr. TALMADGE), the junior Senator from Tennessee (Mr. BROCK), and the junior Senator from Florida (Mr. CHILES), have joined me in sponsoring this amendment.

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

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

AMENDMENT NO. 45

At the end of the bill, add the following new section:

"SEC. 13. Because of legal and constitutional uncertainties relating to the question of public school student placement as it relates to the desegregation of public schools, and because of the disruption of normal educational operations, the expense, the disorder and divisiveness, and the possibility that certain student placement practices may be declared to be legally unnecessary or unconstitutional, it is the purpose of this section to prohibit and suspend certain student placement practices which have heretofore been implemented by courts, and by departments of the United States Government until the legality and constitutionality of such practices can be more clearly determined. It is also the purpose of this section to require the Department of Health, Education, and Welfare, in the distribution of Federal educational assistance, to accept court-ordered plans of desegregation as being complete and sufficient to qualify for such assistance without the imposition of further conditions."

(a) Neither the Department of Justice nor the Department of Health, Education and Welfare shall be authorized to support the assignment or requirement of any public school student to attend a particular school because of his or her race, creed or color, notwithstanding any other law or laws.

(b) No funds heretofore or hereafter authorized or appropriated by any law to or for the Department of Justice or the Department of Health, Education and Welfare, or otherwise, to be expended, shall be expended to support the assignment or requirement of any public school student to attend a particular school because of his race, creed or color.

(c) Notwithstanding subsections (a) and (b), and any other law or laws, any plan for desegregation, including plans calling for the transportation of students, required or permitted by any Court of the United States to be conducted by any local educational agency within the United States, shall, upon request by such agency, be accepted and approved by the Department of Justice and the Department of Health, Education, and Welfare as a complete and sufficient "plan for desegregation" for the purpose of qualifying for and receiving any assistance under any law of the United States authorizing or requiring the furnishing of Federal assistance, and neither the Department of Justice nor the Department of Health, Education, and Welfare shall deny such assistance to any public educational agency within the United States because of failure of such agency to meet any condition except willful failure to comply with such plan of desegregation.

(d) Notwithstanding any other law or laws, no Court of the United States shall have jurisdiction or authority to enforce any order or judgment to the extent that it provides for the assignment or requirement of any public school student to attend a particular school because of his or her race, creed or color, until appeals in connection with such order or judgment have been exhausted or, in the event no appeals are taken, until the time for such appeals has expired.

(e) Definitions.

(1) "Local educational agency" means a public board of education or other public authority legally constituted within a State either for administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools, or a combination of local educational agencies; and includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(2) "Support" shall include, but not be limited to:

(a) advocacy both in and out of court;

(b) the preparation of plans for desegregation both in and out of court;

(c) the withholding of funds appropriated for educational purposes because of or contingent upon compliance with a plan for desegregation; and

(d) any other form of action, withholding of action, or other conduct;

having as its purpose or effect the inducement of any person or persons, any educational agency, or any Court, to adopt any plan for desegregation providing for the assignment or requirement of any public school student to attend a particular school because of his race, color or creed.

(3) The terms "assignment" and "requirement" shall be deemed to include, but not be limited to, individual selection, selection as part of a group, provision for transfer or transportation, or any other form of selection or assignment for school attendance purposes.

(4) The term "public school pupil" shall be deemed to include any pupil, regardless of race, creed or color who is eligible to or required to attend any form or type of school conducted by any local educational agency within the United States, or any territory thereof.

(5) "Because of" shall mean "solely because of" as well as "partially because of."

(6) "Assistance" shall be deemed to mean any form of assistance, including, but not limited to, money and services.

(7) "Any law of the United States authorizing or requiring the furnishing of federal assistance" shall include, but not be limited to:

1. The Education Professions Development Act, Part D (20 U.S.C. 1119–1119a).

2. The Cooperative Research Act (20 U.S.C. 331–332b).

3. The Civil Rights Act of 1964, Title IV (42 U.S.C. 2000c—2000c–9).

4. The Elementary and Secondary Education Act of 1965, Section 807 (20 U.S.C. 887).

5. The Elementary and Secondary Education Amendments of 1967, Section 402 (20 U.S.C. 1222).

6. The Economic Opportunity Act of 1964, Title II (42 U.S.C. 2781–2837) (under authority delegated to the Secretary of Health, Education and Welfare).

7. Appropriations Acts heretofore and hereafter relating to such laws.

(f) If any provision of this Section or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of the Section and the application of such provision to other persons and circumstances shall not be affected thereby.

(g) All laws or parts of laws not in conflict herewith be and the same are hereby repealed.

(h) This Section shall take effect upon the date of its enactment, and shall expire at midnight on June 30, 1973.

(i) Subsections (a) and (b) of this Section shall not apply to support furnished to any local educational agency pursuant to the written request of such agency, but this Subsection (i) shall permit such support only for the purposes requested by such agency and only until such request shall have been withdrawn."

NOTICE OF HEARING ON AGRICULTURAL EXPORTS

Mr. CHILES. Mr. President, I wish to announce that the Subcommittee on Agricultural Exports of the Senate Committee on Agriculture and Forestry will hold a 1 day hearing beginning at 10 a.m., in room 324, Old Senate Office Building, on Friday, November 5, 1971, in order to assess or determine the situation regarding agricultural exports in light of the current labor-management dispute in the shipping industry.

Although the subcommittee does not have jurisdiction over labor-management disputes, the purpose of this hearing is to determine to what extent injury is occurring to agriculture and to make available the facts concerning this situation for the benefit of the Members of Congress and the Executive.

I have received numerous requests for such hearings not only from numerous farm groups and individual farmers, members of the Senate Agriculture and Forestry Committee and other Senators as well.

Anyone wishing to testify should contact the committee staff as soon as possible.

ADDITIONAL STATEMENTS

PROPHET IN HIS OWN TIME

Mr. TALMADGE. Mr. President, there are many who would have us believe they are prophets and sages in this country of ours, but none of these has proved to have more legitimacy than social philosopher and architecture critic, Lewis Mumford.

For many years, Mr. Mumford has been warning us that bigness for its own sake is the sure path to chaos in our cities. His predictions of an impersonal, high speed life in urban areas that leads to

nervous breakdowns and similar forms of trauma have come true.

Mr. Mumford says that our patterns of living must be kept within a reasonable framework, in neighborhoods or villages where people know one another, where they are not merely social security numbers.

There are many indications that there are economies of scale in urbanization. Once a city's population gets to certain levels, the cost of fire and police and other services soars.

There is one more indication that we must turn our eyes as a nation to the development of our forgotten rural towns and communities. If we will adopt a national policy of balanced growth we can make some important new beginnings in saving Small Town, U.S.A., and in solving the crisis of the cities.

Mr. Mumford recently received the Hodgkins Medal from the Smithsonian Institution, a richly deserved honor for a man who has lived to see his prophecies come true.

Mr. President, I ask unanimous consent that an article about Mr. Mumford, published in the Washington Post of October 23, be printed in the RECORD.

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

LEWIS MUMFORD—PROVED RIGHT IN HIS OWN TIME

(By Michael Kernan)

A man who is ignored, but right, may develop a haunted look over the years, or he may turn into a contented paterfamilias with deliberate gestures, like Lewis Mumford.

The difference is this: Mumford has been proved right in his own time. His 1938 proposals for handling the growth of Honolulu were rejected instantly by that city when presented. By 1942, officials were conceding that Pearl Harbor might not have been so bad if Mumford's highway plan had been carried out. Today, Honolulu regards the proposals as a classic might-have-been, solving the horrendous problems of the city's mountains and waterways not seen by the city at the time but now all too visible, not to say overwhelming.

"The thing is," said the 76-year-old social philosopher and pioneer architecture critic, "we refuse to realize that this is not a normal period, that it is a terrible time of demoralization and disintegration—the disintegration of civilization itself.

"People buy bolts for their doors and think they have solved the problem. But they continue to live in terror. Because our life is meaningless. We have to have music in our ears all day because we don't want to be left alone with ourselves. We turn on the TV and think we're in contact with the world. Actually, we've never been more alone."

The words came fast and easily, as should be expected of a man who has written two dozen books, and not pamphlets either, but solid works designed for the ages, whose titles resound with words like survival, man, civilization, life and history. His latest, "The Pentagon of Power," is the second volume of what even he calls a major work, "The Myth of the Machine."

Though he does not attack man's tool-making ability itself, Mumford does say that the obsessive scramble to produce the mega-machine has reduced us to mere button-pushers. "To do everything that is technically possible," he quotes another thinker, "is non-technical behavior." In other words, man's genius for adapting to his environment may lead him to adapt to the mechanized environment he has created himself, accepting smog and pollution and dehumanization with fatal ease.

No wonder Lewis Mumford's books are listed in the Whole Earth Catalogue.

He was asked about the problem of the adult American dropout, the person who feels that neither political party is relating to the concerns of people, who feels powerless, utterly disillusioned with the "go-to-the-polls, write-your-congressman" recourse, and who will either vote for some radical group or not vote at all.

"Our Constitution," he replied, "was conceived for a collection of small communities with a common basis. No organization has yet been perfected to handle such a large-scale operation as our country has become—on a democratic basis. We have always come up with a dictatorial pattern when dealing with this large an operation."

The answer lies, he said (as he has been saying for a generation), in neighborhoods or villages where everyone knows everyone else as people and not as addresses or Social Security numbers.

"Village life has its limitations, of course," he added. "You have to have fundamentally the same opinions as your neighbors. And you don't get great art or scientific advances from a village unless by luck. But I think we need this stable fundamental unit to survive."

Architectural critic Jane Jacobs has gotten a lot of mileage from her concept of neighborhods within cities, as in London ("a collection of villages," Mumford noted), but she is interested in dynamism, as he put it, while he seeks stability above all in our shattered world.

Mumford, whose son Geddes was killed in action at 19 in World War II and whose daughter, Alison Jane, recently moved out of her urban neighborhood in Brooklyn to a suburb near her parents in Amenia, N.Y., just celebrated his 50th wedding anniversary and, Whole Earth Catalogue or not, confesses himself appalled at the so-called Now generation. His reason is that Now is a tragically short time. The young, he observed, exist in a present so narrow that they grossly underrate their own capabilities along with man's accomplishments and potential.

"We've given them this heritage of the bomb," he said, "and they actually don't expect to live beyond 30. So why should they make an effort? You can't do anything worthwhile unless you can take your future for granted."

Shaking his head at the thought of the agonizing reappraisal that must face these young people when they find themselves 30 and still very undramatically alive, Mumford commented that TV and radio are creating an illiterate population, dangerously susceptible to control, because people no longer make the effort to read.

"I'm not a pessimist, you understand," he added, "any more than the surgeon who diagnoses terminal cancer is a pessimist. He's just reporting on a condition that exists."

Change is possible only through a massive spontaneous movement, he said. "It won't come overnight, but all at once there will be a body of people who see they are talking the same language, have the same hopes."

Mumford called attention to the citation on his Hodgkins Medal, awarded him this week by the Smithsonian Institution for his contributions to our knowledge of the cultural aspects of man's environmental relations.

It reads in part: "for endowing man with new abilities to discover the reciprocal influences of culture and landscapes. . . ." It was only the 10th medal awarded since 1891.

"This means more to me than the Nobel prize, not that I would ever get the Nobel prize," said Mumford, "because it's the first time it was given to someone who wasn't a specialist."

In 30 years Current Biography has promoted Lewis Mumford from "architectural authority" to "man of the Renaissance." Lucky the prophet who lives to see himself vindicated.

CURRENT ECONOMIC POLICIES—ADDRESS BY SENATOR TAFT

Mr. TAFT. Mr. President, on October 26, 1971, I delivered a speech before the Financial World Banquet in New York City. The speech summarizes some of my thinking on current economic policies. I ask unanimous consent that the speech be printed in the RECORD.

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

CURRENT ECONOMIC POLICIES—ADDRESS BY SENATOR TAFT

America has always been a trading nation. British mercantilism was a major contributing factor to our national genesis. Attempts by the English to curb American manufacturers through the navigation acts, enumerated articles, the wool act, the molasses act, the sugar act, and the stamp act, did much to awaken a sense of national identity.

Historian Charles Beard has even made a strong case that the ratification of our Constitution by the States was essentially of economic significance and the ratification vote followed closely the economic interests to be served by the new form of government.

Throughout American history the economy has been the eternal issue. It was to some extent the economy that divided Hamilton and Jefferson when they were both members of President Washington's cabinet. It was the fight over the United States Bank which dominated the Jackson period and the struggles over the tariff and free silver commanded the center stage of American history into the twentieth century. In fact it was the weakness of the Articles of Confederation with respect to the economy which led to the constitutional convention and our present form of government.

The panic of 1893 resulted in a depletion of the Treasury's gold reserves. This was exacerbated by excessive imports and an imbalance in American trade. The sanctity of gold was challenged by a Congressman from Nebraska named William Jennings Bryan, who voiced to his party's convention the famous words:

"You shall not press down upon the brow of labor this crown of thorns; you shall not crucify mankind upon a cross of gold."

Now in 1971 the question of gold has once again become prominent in economic and political circles. Today's question does not call for silver tongued oratory but it does call for a general understanding on the part of the American people as one of the important economic factors which can affect the American standard of living. After World War II to give impetus to their economic recoveries, Japan and Germany set their exchange rates at an artificially low level. This plus low labor costs permitted their goods to be sold very cheaply on international markets and made the importation of foreign goods by their nationals more expensive. These economic policies were tolerable to the U.S. so long as the United States was encouraging the postwar economic recovery of our former adversaries. Such policies are no longer acceptable today.

In the second quarter of 1971, our balance of payments on a net liquidity basis was running a deficit (at a seasonally adjusted annual rate) in excess of $23 billion. In addition it appears that the U.S. is sure to suffer its first major trade deficit since 1893.

America's position in world trade has been seriously eroded during the past two decades. For instance, in 1950 the United States' share of world automobile production was 76%. Last year it dropped to 33%. In 1950 the

United States' share of world steel production was 47%. Last year it was only 20%.

America has been the world leader in modern tool production since before World War I. By the end of this year we will have fallen behind Russia, Japan and Western Germany.

Almost half of our shoes are imported. More than half of our black and white television sets are imported, and 90% of our radios are imported.

Since 1950 our growth rate in terms of constant dollars has been the third lowest among the world's 21 leading industrial nations. Japan's growth has exceeded ours by a three-to-one ratio. After World War II the U.S. was supreme in world shipbuilding. Last year we built only 2% of the world's production of merchant ships.

In 1970, we imported 96% of our motorcycles, 30% of our ceramic tile, 90% of our baseball gloves, 30% of our bicycles and 76% of our tennis rackets.

Andrew Biemiller, Director of Legislation for the AFL–CIO, recently estimated that,

"Approximately 700,000 American jobs were lost directly as a result of foreign competition between 1966 and 1969 alone."

Add that to a demobilization of 2.5 million military and defense workers and no wonder unemployment went soaring.

Through the first half of 1971 the U.S. was running a trade deficit with Japan at an annual rate of $2.8 billion. Moreover, Japan's official reserves now exceed those of the United States. In this setting, it should be clear that Japan's recovery from World War II is complete and it is time for our own recovery from post war economic policies to begin.

In a word it is time for America to take off the white gloves. We must let our trading partners understand that they must accept the rigors as well as the profits of a free world market.

In looking at our balance of payments deficit, it would be tempting to seek a high wall of protection as the answer. The advocates of protectionism, however, would forget that even in 1970, our exports exceeded our imports. Our balance of payments deficit came from capital flows, military expenditure, and miscellaneous. We had a substantial positive flow from investment income and a small gain in balance of trade. This year, of course, the balance of trade may be unfavorable. However, protectionism would destroy as many American jobs in the export-related industries as it protects in the industries threatened by imports. In addition, protectionism increases the cost of goods for the American consumer. One important answer to foreign imports is more efficient productive facilities in the United States.

With respect to the value of the dollar, the President has had no choice but to close the gold window by ceasing to sell gold at $35.00 an ounce. The U.S. balance of payments was in increasingly serious deficit. Foreign holdings made dollar liabilities 400% larger than the U.S. gold stock and a run on the bank was well under way.

Some economists are suggesting that the dollar should undergo limited devaluation. This suggestion has much attraction and should not be vetoed because of shibboleths on the sanctity of gold. Probably any devaluation should be contingent on IMF changing its rules to permit a fluctuation in national currency values of perhaps 3% either way. Such a band of fluctuation would permit appropriate dollar revaluation and might even allow a return to $35.00 an ounce for gold when the U.S. payments position is restored.

Directly tied to the balance of payments question is the cost of maintaining our NATO forces in Europe. While I was opposed to the Mansfield Amendment that would have reduced those forces by 50%, I do agree that the time has come for the European Nations to undertake a full share of the cost of maintaining their own defense.

By partially freeing the dollar from gold the President has allowed a small free market devaluation and this is of critical importance to America's business and workingmen alike. Limiting devaluation or revaluation by our competitors, will make foreign goods more costly in America and will allow American products to recapture domestic and foreign markets. Such a move might be directly translated into thousands of American jobs and profits for American manufacturers.

The second major move which the President took on August 15 was the temporary 10% surcharge. It should be emphasized that this is not a return to protectionism. We are not going to retreat to the policies which, for instance, saw the Dingley Tariff of 1897 raise duties to an average level of 57%.

The 10% surcharge announced by the President is a temporary move but an important bargaining chip. Free trade must be a two-way street, and not simply a one-way super highway to the American consumer. All too frequently our trading partners have imposed indirect restraints upon American goods which have undercut the support and substance of free trade. For example, prior to August 15 Japanese automobiles entering this country faced a 3.5% import duty. American cars entering Japan, however, were subject to a 10% duty and also to a commodities tax based upon engine displacements and wheel base. A Ford Pinto costing $2,000 would sell for $5,000 in Japan because of these indirect trade barriers. At that price it is no wonder that the Japanese have no yen for the Pinto.

The 10% import duty gives this country an important bargaining position in our effort to have Japan and other countries face up to the need for revaluation of their currencies and the elimination of indirect restraints against American imports.

At the heart of America's economic difficulties lies also the problem of productivity. The U.S. Department of Labor has reported that during the period from 1965 through 1970, the U.S. rate of productivity increase on an annual basis—was the lowest of any major free world nation. While Japan experienced an annual productivity increase of 14.2% and the Netherlands gained 8.5%, our productivity increase was 1.9%.

While our annual productivity gains have shown a lag our wage rates have not been similarly retarded. In fact, the wage gap in relation to our major foreign competitors was greater in 1970 than it was a decade earlier. In 1960, American industries were paying an average of $2.43 an hour more than our Japanese competitors. By 1970, American industry was paying $3.23 per hour more than Japanese firms. This wage gap was similarly widened in relation to Great Britain, Italy, France, and Western Germany.

For years, American industry has been able to overcome the wage differential enjoyed by our foreign competitors through greater productivity. By falling into last place in the growth of productivity, this equalizing factor has now been lost. *Industry week* has reported that it currently takes the Japanese 5.7 man hours to produce a ton of raw steel. *It takes us 7.31 man hours.*

Let me emphasize again that *productivity* is the key to America's standard of living. As Frank Porter stated in the *Washington Post* recently—

"If productivity had remained static over the centuries, man would never have emerged from the stone age. Increases in the standard of living are only possible through increases through productivity: Man can only consume what he produces.

Our productivity lag also has a direct effect upon inflation. John H. Carson commented this month in *Industry Week:*

"We are in the grip of a price inflation resulting in part from the basic fact that unearned wage increases must be passed on to the consumer."

Productivity is directly related to our ability to compete for foreign markets, our ability to compete for domestic markets, the number of jobs which we can provide for American workingmen, our balance of trade, and the value of our dollar. It is, therefore, imperative that we set as our number one economic priority the increase in American productivity. I suggest that we attack productivity on several broad fronts.

First, we should seriously question whether or not restrictive and anti-productive work rules should be enforceable if they are not directly related to the health and safety of the American worker. For example, for years America's railroads had to change crews every 100 miles as though we were still living in the steam age. Many American newspapers have to set bogus type. That is, simply because of union work rules, they set type for ads that they have no intention of ever running. On our nation's waterfronts, work rules currently require that 28 men be assigned on an unloading crew per crane, when 16 could easily perform the task. The new Lash ship work rules currently require 36–44 men when 7–10 are all that are needed upon the job. Some unions mistakenly think that these work rules protect jobs. Just the opposite is true. They destroy productivity and thereby destroy the competitive position and the buying power of the American worker. What kind of job protection was it when union work rules helped to close the New York Mirror, the New York Journal American, the World Telegram and Sun, the Brooklyn Eagle, and the New York Herald Tribune? When American industry is forced to utilize more men than are needed for the job, it simply means that the income generated from that work must be divided more ways and every worker will have his buying power reduced. To improve the economic well-being of all Americans we must act by declaring certain types of restrictive contracts and clauses void as against public policy.

The second major report that we must undertake to improve our Nation's productivity is the modernization of our tools of production. At the present time the United States reinvests a smaller portion of its gross national product in productive tools and equipment than any major industrial nation. During 1967 and 1968, for example, while Japan reinvested 25.1% of its gross national product in machinery and equipment we reinvested only 6.9%.

In large part, this investment lag is the direct result of our restrictive tax policies which retard rather than stimulate investment.

The accelerated depreciation guidelines announced by the President, and the proposed reinstitution of the investment tax credit will simply help to bring us back into line with the tax policies of our major industrial competitors.

For example, aggregate cost recovery allowances for the first taxable year in Germany averaged 16.7%; in Sweden 30.0%; in France 31.3%; in Japan 34.5%; and in Great Britain 57.8%; but American industry has been able to recover an average of only 7.7% during the first year.

As early as April 22, I gave a speech in the Senate calling for the restoration of the investment tax credit. I did so because I recognize that there is a direct correlation between the tax credit and the productivity. During the last decade, for example, during those years when the tax credit was in effect, our productivity increased at an annual rate of 4.5%. During those years in the last decade when the investment tax credit was not in effect, our productivity increased at an annual rate of only 2.4%. We should not lose sight of the significance of these figures. A productivity increase of only 0.4% (annual growth rate) would translate into an additional $250 billion in gross national product during the next decade.

As a third attack I believe that American

productivity can be assisted by cutting back on the over-regulation of American business. This is nowhere more clear than in the area of ICC regulations. The ICC was created in large part to prohibit arbitrary and discriminatory rates. The record of the ICC shows, however, that it has sometimes done exactly the opposite. Rates vary not as to the commodity shipped, but as to the direction in which the freight moves. For example, to ship synthetic rubber from Louisville, Kentucky to New York City for export, 834 miles, the rate in 1970 was 95¢ per hundredweight; but the rate for that same commodity from Louisville to Toledo, a distance of only 298 miles, was $1.18 per hundredweight. Aside from area discrimination, why it should cost more to ship rubber 298 miles rather than 834 miles is a secret locked within the bureaucratic tangles of the ICC.

Earlier this year, Mr. Herbert Whitten, a Transportation Consultant for the Department of Transportation, wrote to me and estimated that:

"There are in existence 43 trillion railroad rates on file at the ICC."

He wrote that he has:

"Personally measured the tariffs on file in the ICC Tariff room and counted 4,300 feet of "tariffs—without an index to the rates covered. This is equal to a stack seven and one-half to eight times as tall as the Washington Monument and three and one-half times as tall as the Empire State Building with its TV antenna."

I have maintained that railroad rate regulation has resulted in higher costs for shippers and consumers. When rates are set by regional cartels with the blessing of the ICC, it is the American consumer who has to pick up the tab.

Earlier this year, I introduced S. 1092. The Modern Railway Transportation Act, which would have de-regulated Railroad freight rates. A study undertaken for the Brookings Institution by Professor Thomas Moore of Michigan State University has now confirmed my view that price competition in transportation would result over all in lower rather than higher rates. His study estimates that de-regulation could save American shippers and consumers up to $7 billion per year. This would mean cheaper cars and cheaper food for the American family.

Another example of over-regulation which the Modern Railway Transportation Act would correct is the requirement that railroads continue to operate unproductive branch lines. On February 11, 1971, the trustees of the Penn Central reported that 40% of its 20,000 route miles should be eliminated. Mr. J. R. Brennan, Vice President of the Chicago and North Western Railway Company, has written to me that:

"Nearly 40% of the entire North Western system could be abandoned with a maximum loss of only 3.7% of our total freight revenues . . ."

If we are really interested in productivity, it makes no sense to require railroads to operate hundreds and even thousands of miles of unproductive branch lines. The required operation of these lines places a drain on equipment and working capital involves costly maintenance, and results in higher charges to shippers and consumers. We cannot expect railroads to have their shippers subsidize inefficient operations and at the same time expect them to provide good service to the public and high wages to their employees.

By freeing American business from some types of over-regulation such as that which I have just described, we can permit our economy better to serve the American people and augment our nation's standard of living.

There are, of course, some inefficiencies that we accept by choice because of the quality of life which we as Americans desire. For example, we are not going to cut corners on measures to protect equal opportunity, our environment, our health, or our safety, even though these may somewhat reduce productivity. However, we should continually review the extent to which our productive system is being sapped by unnecessary expenditures in both the military and civilian sectors.

With regard to wages and prices, I am pleased that the President has continued a policy of wage and price restraint. His goal is to reduce inflation to between two and three percent annually by the end of 1972.

Under Phase I, wages and prices were necessarily straitjacketed by the emergency nature of the President's action. Under Phase II, certain wage and price adjustments will be allowed to correct inequities. However, these adjustments will stay within guidelines which are to be formulated before November 13.

The overwhelming majority of Americans support the idea of wage and price stabilization. The President's authority over wage and price stabilization should clearly be extended to dividends and interest. Hopefully normal market forces and pricing will keep them in line without strict controls. In that regard I am pleased that the President has asked the Congress to give him standby authority to impose controls on dividends and interest so that controls will be even-ended, affecting business and labor alike.

The President has indicated that he will act to curb "windfall" profits. Business and the country should back him in it. It is the most effective argument against allowing wage increases to go into effect that would blow the lid off the freeze. It is the best way to avoid any need for an unworkable and stultifying excess profits tax. Such a tax would run counter to the objective of making our economy more efficient. We should be trying to reward efficiency and productivity rather than erecting tax walls against business success.

On the wage and price front, it is obvious that Phase II is also an interim or temporary solution. In that context we must begin to formulate an economic strategy to see that workingmen derive their fair share of the productivity of American industry, while at the same time assuring the American consumer that wage settlements are not inflationary. Within this framework I believe that we should move to some type of system whereby wages may be related to productivity and the cost of living. Obviously, this would take a great deal of study, inasmuch as there is really no productivity measurement in the service sectors of our economy. However, by relating wages to productivity we will give the worker a direct financial incentive to increase productivity and strike down restrictive work practices. In today's competitive world the U.S. can no longer afford the luxury of having business and labor look at each other as economic opponents. By relating wages to productivity, workers and business will better appreciate the fact that they are both drinking from the same wellspring, and that they have a common cause in increasing the efficiency and productivity of American industry.

The textile break-through of October 15 shows flexibility on the part of the Administration in handling the international trade relations, which is commendable. I believe that this is one additional indication that the United States is going to reassert its position in a positive way in the international trade area.

Let me also make a comment about the expulsion of the Republic of China from the United Nations since I believe that this does have an important impact on economic questions. While all Americans should deeply resent expulsion of the Republic of China and while it is likely to endanger the future of the United Nations, it should not trigger regressive actions on the U.N. against U.S. interests.

Inevitably, the UN action will create a tougher attitude in Congress and throughout the nation on foreign aid, voluntary and assessed contributions to the United Nations, support of other international organizations, and international trade relations. However, it should not be permitted to isolate the country from the United Nations or to prevent the United States taking the lead to radically revise the UN Charter. We are long overdue in moving in this direction.

Likewise, it should not slow our attempts to bring about a long-term resolution of international monetary crises or to turn us away from expanding world trade to a protectionist foreign aid policy.

1971 will be recorded as a great transition period for the American economy. It should be recorded as a period in which America reasserts its economic leadership and embarks on new policies destined to recapture world markets. The period of complacency must be gone. The time for us to cast aside old habits and practices and begin a new competitive fight for jobs, profits and buying power, has now begun.

CONTROL OF USE OF TOXIC SUBSTANCES

Mr. NELSON. Mr. President, the news increasingly contains stories of toxic substances endangering the health of our citizens—PCB's—polychlorinated biphenyls—DDT, mercury and cyclamates, to name some prominent examples.

Many of these substances initially seemed to be safe for human consumption. Only after mass use are they found to be hazardous.

It has long been my view that the American people should no longer be the laboratory guinea pigs for testing possibly toxic substances and that we should adopt a first time safe policy in testing potentially hazardous substances, before they are mass produced and consumed.

Bruce McDuffie, in an article entitled "The Toxic Americans," published in the New York Times October 17, addressed himself to the problem of identifying and controlling the use of toxic substances. Professor McDuffie, of the State University at Binghampton, N.Y., made the original findings that led to the discovery of mercury-tainted fish and thus is uniquely qualified to discuss the increasing appearance of toxic substances in our daily lives.

I ask unanimous consent that his thoughtful article be printed in the RECORD.

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

[From the New York Times, Oct. 17, 1971]

THE TOXIC AMERICANS

(By Bruce McDuffie)

BINGHAMPTON, N.Y.—According to Alexander Pope, the proper study of mankind is man—and it looks like we're getting around to that these days in the pollution business. Significant concentrations of mercury are found in many fresh-water fish, in predator-type ocean fish, and now in this country significant (but not yet toxic) concentrations of mercury have been found in man the consumer. So mercury joins DDT metabolites on the list of toxic substances rising in man.

Life is precarious for all species, modern man being no exception. We are learning that it is hazardous to live in an industralized society and be at the apex of the food chain. What can be done about toxic substances in our food? (Not to speak here of food ad-

ditives and botulism.) Extensive monitoring by the Food and Drug Administration to keep the worst of it off the market is essential and commendable (provided it doesn't go on the market in another country in a sort of reverse good-neighbor policy). But as DDT, mercury, cadmium and other substances bob to the surface from the environmental cesspool we are faced with a double challenge: How can we turn off pollution, and how can we live with what we already have?

What can we do to begin to stem the tide? Unless changes are made, an increasing flow of heavy metals and synthetic organics will inevitably trickle into our food supply, as witness recently PCB's (polychlorinated biphenyls) going into fish meal, chickens, eggs and humans. To cope with the problem, environmentalists are pushing in Congress for a strong bill to regulate the marketing and distribution of toxic chemicals.

While we are trying to stem the tide of production, waste and effluents, we have to learn to live with what has already been done. DDT residues are in the lake trout, the birds and the oceans (and DDT is strictly a man-made substance). Pesticide residues are at the part per million level in the human body, and in mother's milk. Mercury is in many fresh-water fish in amounts that appear to be far above the former levels.

Scientists doubt that man has significantly polluted the oceans with mercury. This question may be answered by the analysis of specimens from past decades (e.g., preserved fish, birds, marine sediments, old cans of tuna), and by a careful monitoring of the world oceans in years to come. However, regardless of cause, it is a fact that mercury now constitutes around one-tenth part per billion of the surface waters of the Atlantic and Pacific Oceans. As a consequence, fish which are high in the food chain and concentrate mercury many thousand fold will be near the part per million level for the foreseeable future. And so far, there's no way to take the mercury out and leave the fish edible.

The tuna-swordfish gave us recently a ready-made experiment in which thousands of people participated unwittingly. Mercury levels were somewhat elevated in persons on a high tuna-swordfish diet; a careful epidemiological study of this group might help establish with more certainty the "safe" level for mercury. At present many scientists are concerned that the safety factor for mercury (on which the 0.5 ppm acceptable F.D.A. level in foods is based) may not be large enough.

It looks as though mankind may be in for a long siege of monitoring, measuring and—yes—labering. I refer here to the need for labeling foods with their actual content of mercury and other toxic substances.

Placing the average analyses of potentially toxic substances on each lot of cans will not raise the processing cost significantly, as there are thousands of cans per lot. More importantly, it will be positive evidence to the consumer that the toxic substances are in fact being monitored. The public is becoming increasingly annoyed with blanket assurances.

Can we change our priorities and our habits before we do ourselves in? Can we put the brakes on the gross national product and head toward zero population growth? (Could The Sunday Times be half as thick?) Facing the question of toxic substances in foods may provide some answers. It is becoming increasingly evident that all the world's resources, including terra firma itself, must be used much more understandingly in the future. Developing nations deserve a fair share, yet need not repeat our ecological blunders. In the long run (if we are to have one) all people must live in nature in a less demanding way. And we in the U.S.A. are by far the worst offenders!

U.S. AID TO EAST PAKISTAN REFUGEES

Mr. BELLMON. Mr. President, the United States is playing a major role in meeting the severe food needs that exist in East Pakistan and is helping India to feed the millions of Pakistani refugees who have fled across the Indian border as a result of the civil strife.

The President has directed that all-out U.S. assistance be made available in this emergency. Already an excellent start has been made through the Public Law 480 programs administered by the Department of Agriculture and the Agency for International Development.

Since the cyclone disaster hit East Pakistan in November 1970 the United States has furnished Pakistan, as either donations or concessional sales, commodities valued at more than $182 million for use in helping the people of East Pakistan. Included in these shipments are 1.4 million metric tons of wheat, 125,000 tons of rice, and 125,000 tons of soybean oil, as well as 9,700 bales of cotton.

This huge supply of food—representing the contents of approximately 100 cargo vessels—is enough to supply the population of East Pakistan with an adequate diet of 2,000 calories per person per day for a period of almost 2 months, even if they had no other source of food. Actually, our assistance will help for a much longer period than that, since a majority of the East Pakistanis are able to continue farming operations and other countries are assisting as well.

Another aspect of the Pakistan problem is the feeding of the large number of refugees who have crossed the border into India. Here, too, U.S. food aid is invaluable. Our program in this area is in its early stages, but we have already donated to India 90,000 tons of rice, 50,000 tons of soybean oil, and 15,000 tons of soy-fortified bulgur, a highly nutritious wheat product, as well as substantial quantities of blended foods, such as corn-soya-milk.

The total value of these commodities exceeds $42 million. It is enough food to meet the entire calorie requirements of 9 million refugees for 45 days. Current plans are to furnish about 40 percent of the food needs of the refugees in India for a period of 1 year.

There is little doubt that substantially more aid will be needed in Pakistan and India in the months ahead, and the administration is committed to meeting these future needs, just as generously as it is helping today in this great humanitarian effort.

LEGISLATIVE REFORM

Mr. CHILES. Mr. President, a great deal is being said nowadays about the deterioration and potential demise of State legislatures. While I know this is possible, I know also it is unnecessary because Florida's legislature, through reform, has been revitalized and made an effective means of good government in the best interests of the people of my State.

I am proud of Florida's legislature and the job it is doing. The quality of its operations became evident once more at a recent seminar on legislative reform sponsored by the Southern Newspaper Publishers Association and held at the University of Virginia.

Mr. John R. Barry, political editor of the Jacksonville, Fla., Journal, participated in that seminar and followed up with an interesting, worthwhile column which was published in the Journal on October 17, 1971.

Mr. President, in order to further focus attention on the need for legislative reform and to point up for the benefit of others what has been accomplished in Florida, I ask unanimous consent that Mr. Barry's column be printed in the RECORD.

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

LEGISLATIVE EXCURSION: FLORIDA IS GREAT—BY COMPARISON

(By John R. Barry)

It is always good to get home again. That's something that can be said about more than just vacations and business trips. It can be said of the kind of "legislative excursion" I recently experienced among Florida's sister states of the Union.

Florida's legislative process looks good in anybody's democracy when sized up against other states. Now, the trick is going to be up to the people of Florida to conscientiously keep it that way.

My "legislative excursion" was to the beautiful campus of the University of Virginia, which is steeped in the lore of Jeffersonian democracy as well as in the wide-ranging genius of Thomas Jefferson the man.

Last year as the result of an extensive study of the 50 state legislatures by the Citizens Conference on State Legislatures. Florida was picked as having the fourth best legislature in the nation. The measuring stick has five criteria. They are how well a legislature functions, its accountability to the people, how well its members and the public are informed about what goes on in the legislature, how independent it is (mostly from executive branch domination) and how representative it is.

While Florida's over all score was fourth in the nation, its rating in each category was: Functional, fifth; accountable, eighth; informed, fourth; independent, first; representative, 30th.

BUDGET FACTS

Last week, this column sought to explain where Florida's $15.2 million legislative budget went—$3.7 million to the legislative auditor to see what the executive branch does with $3.2 billion in taxes and trust funds; $1.9 million for joint House-Senate management; and $9.5 million for salaries and expenses (including typewriters, desks, etc.) of legislators, their staffs, and committee staff specialists and their aides.

Taking a general fund (general taxation) budget of $1.35 billion and a trust fund (gasoline tax, federal matching monies, fees and licenses) of $1.87 billion, the cost of the Florida legislature for setting policy and overseeing this massive financial operation looks pretty small.

The $15.2 million legislative budget is something less than one half of one per cent of the total state budget of $3.2 billion. And that fraction of one percent looks good in view of estimates by political scientists and others interested in state government that a legislature costs about one percent of the total cost of running a state government.

Florida achieved its status as fourth in the

nation on the Citizens Conference "score board" by reforms instituted in the last several years—reforms, incidentally, that are still going on.

At the University of Virginia last week, the Southern Newspaper Publishers Association sponsored a seminar under the direction of Prof. Ralph Eisenberg of the university's Institute of Government Political scientists—teachers and practitioners—from New Jersey, Illinois, Kentucky, Missouri and New York—lectured on the many facets of the subject of legislative reform.

SAD STORIES

It is what we heard at the seminar that made us feel good to get home. This is some of it:

In one state, legislators have no office space nor any proper place for committee meetings. The conditions under which these legislators worked (for their citizens) were described as slums. Committee business, it was said, was conducted in saloons or even men's rooms. (Florida provides each legislator with a capitol office; hometown office expenses; it provides committee offices and staff, and is building two multi-million dollar legislative office buildings in Tallahassee).

Another state has no code of ethics and permits legislators to hold jobs in other public offices in city and county government. (Florida has strict conflict of interest laws, which include a prohibition against holding any other public office, as well as establishing a code of ethics).

Only a few states, and Florida is included, have committee staffs capable of reviewing the executive budgets of hundreds of millions up to several billion dollars. In most states, despite hoopla about big budget cuts by the legislatures, most of what is cut is restored over the balance of the year. This is because the legislature, lacking staff expertise, really does not know where budget soft spots are so it must rely on what the executive branch tells it.

The list of bad practices goes on—little or no public hearings; little or no public notice of pending bills; domination of the legislative leadership by the governor or special interest lobbies; unworkable size (400 legislators in one small state); 50 or more, mostly ineffectual committees; no meaningful minority party participation in committees.

What the political scientists—professors and practitioners—seemed most concerned about is that if this non-reform inertia prevails, then our federation arrives at its 200th anniversary shortly, the states will no longer have any meaningful role in our national system of government.

LOOK BACK

Stress was laid on the fact that it was the states that created the national government and not the other way around.

It was stated unequivocably by some, and the fear was at least acknowledged by even the more optimistic, that the states could be useless appendages in the national system in a few years' time.

The diversity of the states was said to be their strength, while the national uniformity imposed by a central national government led to the road toward a more authoritarian-type of system.

Some disagreed that the states were in any danger of folding up, but it was conceded that the defense against such a happening was the strengthening of the various legislatures in the sense that they both represent the people and are not "wholly-owned" subsidiaries of the executive branch or of anybody else.

Along with the observation that the states had created the federal system at the birth of this nation and not vice versa, it was noted that in the establishment of the Commonwealth of Virginia, there had been debate on whether the office of governor should be created at all. It was at last decided that someone was needed to administer the policies adopted by the people's representatives.

During the seminar, the press, of course, came in for its share of the blame (as did political science professors) for the decline of state governments. The press for allegedly only presenting the bizarre and "screwball" antics of some legislators. The professors for urging their students to head for Capitol Hill in Washington, D.C., "where the action is" or was. The professors seem to think the action is now (or should be) on the state capitol hills.

Another statement made was that the states are "engulfed" in the problems (20th Century problems) of their peoples and are incapable of solving these problems because of the stage of the deterioration (or antrophication) of effective legislative power.

KEY QUESTION

The question was asked, Once the state legislatures are fully revived to power vis a vis a centrist-leaning federal government, what is the prospect that the states will not shirk their duties as they have on education, the sick, the poor, the aged, the disinherited from the bill of rights, the pollution question, all areas where into the federal bureaucracies were rushed? The response was that "public opinion" would not let these and future duties of the state governments be shirked.

While the press had its responsibilities in the matter, the real answer to the legislative strength and responsibility is the public, firstly, must give a damn about who it sends to Tallahassee to represent it, and, secondly, that when these legislators get there, they are provided with the kind of legislative structure that works . . . even if it does cost one half of one percent of the total budget.

Only Floridians can keep Florida nice to come home to after vacations, business trips or "legislative excursions."

THE ELDERLY—ONE IN EVERY 10

Mr. PEARSON. Mr. President, with the 1971 White House Conference on Aging scheduled for November, it would perhaps be wise to recall the words of a former Member of the House of Representatives, the late and distinguished Representative John E. Fogerty, who announced in introducing a bill to establish the 1961 Conference that:

In spite of the many surveys, books, and conferences on aging, the greatest accomplishment to date has been the output of words.

A decade has passed since the first Conference adjourned, and history will show that in many instances, Congress acted to help insure the well-being of the Nation's senior citizens. Laws such as medicare, medicaid, social security legislation, and the Age Discrimination in Employment Act were enacted in response to an urgent need for medical protection, better and more comprehensive pensions, and opportunities for continued advancement and usefulness.

But with the increasing rate of inflation, prices, and taxes, it is all too often apparent that those on fixed incomes, those older Americans who have spent their lives providing a real and lasting contribution to the community and the Nation as a whole, are hurt the most.

Mr. President, older persons have less than half the average income of their younger counterparts, yet they are required to spend proportionally more of their incomes on food, shelter, and clothing.

At least one in every four older Americans is living in poverty, with many of these people having become poor upon retirement.

Most shocking of all, however, is that the number of poor people over 65 has actually increased, while the number of poor under 65 decreased.

Thus, while we have accomplished much over the years, it is painfully apparent that more must be done. And I am hopeful that during this year's White House Conference, in which I have been invited to participate, we can fulfill the promise Congress made to the Nation in 1961 by providing senior citizens with a coordinated and well-directed national policy with respect to our aged.

Mr. President, the Special Committee on Aging under the superior leadership of my friend and colleague, the Senator from Idaho (Mr. CHURCH), has over the years accomplished a great deal in bringing the problems of older Americans into national focus. In 1970, the committee formulated a series of recommendations involving long- and short-term actions which could help establish the national policy which has thus far eluded us. I look forward to considering these recommendations, and it is my sincere hope that we can use them to formulate a solid program of action in response to the elderly needs.

Mr. President, it is also my fervent hope that Congress can turn its attention to the many constructive proposals concerning older Americans which have been offered by my colleagues both in the Senate and the House. Judging by the multiplicity of bills, it is evident that there is a growing awareness in Congress of the need for renewed efforts in this regard. I encourage committee consideration so that congressional approval of at least the most urgently needed proposals can be obtained.

One measure of particular interest to me is S. 2512, the social security improvements bill, which I cosponsored with Senator GURNEY. This legislation corrects many of the present inadequacies in social security by allowing a 5-percent increase in benefits, an increase to $3,000 in a salary which a benefit recipient can earn, improved benefits for the disabled, with special allowances for the blind, a section authorizing strict standards for the operation and administration of nursing homes, and measures which should markedly enhance the operating effectiveness of medicare and medicaid. This legislation, most of which has passed in the House by an overwhelming majority, deserves the prompt attention of the Senate, and it is my sincere hope that it can become law as soon as possible.

Another bill, which I have introduced, addresses itself to a situation which has caused much hardship among citizens of Kansas and, I am sure, older Americans around the Nation as well. In the past, many retired citizens who labored for years to insure an enjoyable and secure retirement have been forced to sell their homes simply because they could not

afford the property taxes. If enacted, the bill which I have introduced would allow landowners over 65 to declare a credit on their Federal income tax of all property taxes paid to the State in which they reside.

Mr. President, a great many Americans 65 and over have tried to prepare for their needs through savings. But without some means of resisting the inflationary increases in costs, taxes, and medical expenses, those hard-earned savings have quickly eroded. Because of this situation, it is often the case that our aging citizens are isolated from an involved and healthy life. I have proposed legislation which could offset this problem by providing all Americans over 65 a special series of savings bonds, the interest on which would be protected against increases in the cost of living by providing the necessary adjustments.

Finally, Mr. President, I believe we owe older Americans living in retirement the chance to do some of the things which responsibilities such as career and family have precluded over the years. Travel is one way to bring more enjoyment and satisfaction to retired life. Yet, in 1970, not only did relatively few older people travel throughout the Nation and world, but only 1 percent of our 20 million senior citizens moved across a State line. In response to this problem, I have sponsored legislation to provide free or reduced-rate transportation to all citizens over 65 on commercial air, rail, and bus lines. And I have also cosponsored a bill to exempt senior citizens from paying entrance fees to certain recreational areas, such as national parks.

Mr. President, society has long recognized that it owes its senior members a measure of security in recognition of the years they worked to better themselves, their communities, and their Nation. But in a culture which often centers its attention on youth and progress, it is at times a simple but regrettable matter to place the problems of the old behind us. John B. Martin, the Commissioner on Aging, probably stated it best when he said:

> It is true that a minority of the national population is in the later years today. . . . One in ten Americans is an older American. But 70 of every 100 Americans born today may expect to live into their 70's. . . . And so we truly speak for a majority.

Older Americans deserve to remain in the mainstream of American life. We should be able to provide the means by which an active, useful, and rewarding retirement can be achieved. I am totally committed to this effort, and I will strive to enact measures which can help accomplish this goal.

THE "BUILDING OUR AMERICAN COMMUNITIES" PROGRAM

Mr. TALMADGE. Mr. President, we have talked a great deal about rural development and the implications it has for the Nation. We have discussed what needs to be done and how to do it. All of us are aware that some of the root causes of disruption in our central cities lie in rural America. It is gratifying to learn that the Future Farmers of America in Nashville, Ga., are doing something about building pride in their community, making it an attractive place to live, and developing opportunity. Some of my fellow Senators heard Jerry Baldree, chapter president, tell the story earlier this year at a special luncheon.

It is with a great sense of pride that I now invite the attention of the Senate to the fact that the first national Build Our American Communities award was bestowed on the Berrien County FFA Chapter of Nashville, Ga., at the 44th National FFA Convention in Kansas City, Mo., on October 14. James V. Smith, Administrator of the Farmers Home Administration, made this first award, which is most appropriate since he and his agency took the leadership in helping the Future Farmers develop a way to involve young people in a constructive action program.

Some Senators will recall that the "FFA . . . Building Our American Communities—BOAC" program was launched at a congressional breakfast on July 23 a year ago. Since then interest has intensified. Hundreds of FFA chapters throughout the Nation are involved in the study-action program to improve their communities.

It is significant, at a time when many young people are critical of "the Establishment" and are looking for ways to make it respond, that hundreds of thousands of young people in the FFA are taking the lead in showing others how to channel this enthusiasm into productive avenues. They are learning, organizing, and doing creative and constructive things in their own communities. More than that, they are involving their elders in their projects and proving that there really is no generation gap when there is a common interest to work together to solve problems.

Mr. President, at the national FFA convention a report on the "FFA . . . Building Our American Communities" program was presented to the 15,000 assembled delegates, officers and guests. That part of the report which deals with the Berrien FFA Chapter of Nashville, Ga., is titled "Community Pride Development, Southern Region." I ask unanimous consent that this part of the convention report be printed in the RECORD.

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

COMMUNITY PRIDE DEVELOPMENT,
SOUTHERN REGION, BERRIEN FFA CHAPTER,
Nashville, Georgia.

Build a Better Berrien County is the slogan Berrien FFA Chapter used for its BOAC project. The objective of the 170 member FFA Chapter was first to build community pride and get people involved in improving their community.

An invitation to attend a planning meeting was extended to all organizations in the county. Representatives of fourteen (14) civic and municipal groups responded. It was decided that to build pride in the community through a county-wide beautification effort would be the first phase of their two-part program to improve Berrien County.

The second phase will deal with the economic development of the community including employment and housing.

A Berrien Beautification Day was proclaimed and supported by merchants, farmers and citizens. The chapter members completely landscaped four (4) areas in the city and cleaned the city park, cemetery, city square, highways and school grounds. Extensive use was made of nursery stock and flowers. Over one hundred (100) old and dilapidated buildings were dismantled and removed from the community.

Three hundred (300) farmers and landowners signed a cooperative agreement to assist in Building a Better Berrien. Merchants bought plants for landscaping and urban residents responded with private cleanup and beautification.

The Berrien Press published a special edition promoting FFA week and "Build A Better Berrien." The FFA Chapter members assisted by selling advertising. Other publicity included two (2) 10-minute interviews, seventy-five (75) 1-minute spots, five (5) 10-minute discussions on radio as well as two (2) major area TV presentations.

Mr. TALMADGE. Mr. President, the Atlanta Journal of October 15, 1971, has published a story about the accomplishments of the Berrien FFA chapter and their national honor. I ask unanimous consent that this article be printed in the RECORD.

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

SECOND FRONT—BERRIEN FFA CHAPTER WINS NATIONAL HONOR

(By Stephen Edge)

KANSAS CITY.—The Berrien High School chapter of the Future Farmers of America from Nashville, Ga., walked away with top honors at the 44th national FFA convention.

The Georgia chapter won the first national citation in FFA's "Building Our American Communities" program award.

James V. Smith, administrator of the Farmers Home Administration, presented the award. Accepting for Berrien County were Jerry Baldree, president of the Berrien chapter; Melvin Johnson, W. L. Patton, and James L. Lane, chapter advisers, and Jimmy Dillers, "Building Our America Communities" committee.

In addition, a letter from President Nixon was read to the convention commending the Berrien chapter. The letter said in part: "The skill and enthusiasm with which you and your colleagues have translated an excellent idea into a practical working program has my greatest admiration and respect."

In presenting the Building Our American Communities national award and a check from the national FFA foundation for $200 Smith praised the accomplishments of the Berrien FFA chapter in its efforts to build community pride. The chapter has as its theme, "Build a better Berrien" and through radio and newspaper support was very successful in rallying the entire community. Adults from 14 community organizations were actively involved in the Berrien County action program, and February was designated as "Build a Better Berrien" month. During the year the Berrien chapter helped remove 119 dilapidated buildings and worked with the community to remove old cars, trash and rubbish to the county landfill. The chapter obtained more than 300 signed statements of co-operation from landowners in the county.

In accepting the award, chapter President Jerry Baldree said the "Build a Better Berrien" project was a great success. "We proved there is no generation gap when we work with our elders, we proved young people can be community leaders and we proved our young people are interested in our community as a place to live and work."

Future plans for the chapter include continuation of the "Build a Better Berrien" project by surveying, developing and promoting the wise use of community resources. Among the projects already planned this

school year is a "careers at home" night to expose young people to "career opportunities in the Berrien community."

The Berrien FFA chapter was one of 60 chapters across the country to receive national awards, four of the 60 chapters were selected as regional winners. The other three were Big Walnut chapter, Sunbury, Ohio; Newbury chapter, Newbury, Vt., and the Silverton FFA chapter of Silverton, Ore.

Mr. TALMADGE. Mr. President, the honor bestowed upon the Berrien FFA Chapter is a step toward full acknowledgement of the tremendous force, some of it just beginning to be felt, that the FFA has exerted in rural America. Many of the leaders in rural communities have had FFA training as have leaders in agribusiness. There are a number of former FFA members in both the Senate and the House of Representatives.

Accomplishments of the Future Farmers of America are going to become more newsworthy as they continue to develop the "Build Our American Communities" program across the Nation. It will have a tremendous and lasting effect on America.

Neville Hunsicker, National FFA Advisor, and James V. Smith, Administrator of the Farmers Home Administration, are to be commended for initiating this program to involve young people in the future of their communities. All programs of this kind take money for awards, administration and other expenses. The FFA Foundation is most fortunate to have Lilly Endowment, Inc. of Indianapolis supporting this program financially. This foundation has helped make the BOAC program possible, and is to be commended.

Finally, Mr. President, I invite attention to the fact that in this FFA—BOAC program we have young people, government, and private industry working together to improve America. It is indeed a team for positive action

THE LOWER ST. CROIX RIVER

Mr. MONDALE. Mr. President, on May 24, 1971, Senator NELSON and I introduced legislation to designate the lower St. Croix River as part of the National Wild and Scenic Rivers System.

The lower St. Croix—which runs between Minnesota and Wisconsin—is one of the few remaining scenic rivers in the Nation located near a major metropolitan area. But its unique status is threatened by proposed development in the area, land speculation, and other pressure of urbanization.

An editorial in the St. Paul Dispatch on October 26, 1971, made this point very well. The editorial observed:

Congress needs to be apprised of the urgency of the matter. Life along the lower St. Croix appears placid, but unless the protective bill is passed soon some unpleasant changes could be forthcoming. There are already proposals for high-rise developments right along the bluffs, there is heavy pressure for expansion of marine facilities with little thought about the effect on power boat traffic and there are land speculators looking for quick profits on choice river frontage.

If we act expeditiously on this matter, we can save the lower St. Croix—thereby enabling millions of people from my State and the surrounding area to benefit from the quiet, the beauty, and the enjoyment that only a scenic river can provide.

Mr. President, I ask unanimous consent that the excellent editorial from the St. Paul Dispatch—explaining the need for our legislation—be printed at this point in the RECORD.

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

SAVE LOWER ST. CROIX

The proposal to add the lower St. Croix River to the National Wild and Scenic Rivers System deserves prompt and positive action by the Senate Interior Committee.

The committee is studying a bill proposed by Sen. Walter Mondale, D–Minn., and Sen. Gaylord Nelson, D–Wis., which would designate the 62-mile segment of the St. Croix between Taylors Falls, Minn., and Prescott, Wis., as a scenic river. The upper part of the river, upstream from Taylors Falls, already is protected by congressional action.

The lower St. Croix does not have the unspoiled, wilderness characteristics of the upper portion, but it does offer some spectacular scenery and affords recreation to thousands of Minnesota and Wisconsin residents. There is little commercial development along the river and what pollution there is comes mainly from municipal sewer systems that are due to be upgraded or rerouted in the next few years. Sen. Mondale has called it "the last remaining unpolluted, scenic river in the country next to a major metropolitan area."

As it now stands, the bill would simply place the lower river in the national system. It sets no specific boundaries to be acquired but instead makes it the responsibility of the Interior Department to set the boundaries and draft a master plan for the area. This is the most effective approach because it places the river under protection while the boundaries and plans are being formulated. If all the planning details were included in the bill as some objectors suggested at a hearing Saturday, passage of the protective measure would be delayed for many months.

Congress needs to be apprised of the urgency of the matter. Life along the lower St. Croix appears placid, but unless the protective bill is passed soon some unpleasant changes could be forthcoming. There are already proposals for high-rise developments right along the bluffs, there is heavy pressure for expansion of marina facilities with little thought about the effect on power boat traffic and there are land speculators looking for quick profits on choice river frontage.

Local residents and businessmen have done an outstanding job of keeping the lower St. Croix free from commercial and industrial blight but they cannot be expected to fight the battle alone forever. Federal protection as a part of the National Wild and Scenic Rivers System is the only way to guarantee the future preservation of that portion of the river.

Congress saved the upper St. Croix in 1969, it should offer the same protection to the rest of the river now.

INADEQUATE RURAL HEALTH CARE

Mr. TALMADGE. Mr. President, for a long time now I have been trying to get over the message that the people who live in the countryside have been largely forgotten by our urban society.

Thirty million Americans have left rural America for the cities because there were no opportunities available for them at home.

Largely the problem in rural areas is a lack of jobs. But vast improvements are needed in the whole quality of life if we are to stop the rural-to-urban migration. One element of this is a lack of adequate medical care.

This problem is excellently documented in a Wall Street Journal article published on October 27. 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:

MISSING MD'S: RURAL HEALTH CARE WORSENS AS DOCTORS RETIRE, MOVE TO CITIES

(By James P. Gannon)

DRY CREEK, W. VA.—The Jeep-like mountain vehicle lurches up a rocky path along a stream bed littered with rusty steel drums, crawls past a fleet of abandoned, stripped automobiles, and churns to a dusty halt in front of a ramshackle cabin.

Sitting on the porch is frizzy-haired Audrey Pettry, rolling one of the bent and pinched cigarets she smokes constantly. "I was just settin' here wonderin' if you'd come," the 73-year-old widow of a coal miner says. Inside the dark front room of the cabin, decorated with out-of-date calendars, Mrs. Pettry sits down while Mildred Snodgress, one of her visitors, inspects the old woman's ulcered leg. Mrs. Snodgress, a registered nurse, cleans and rebandages the sore while Mrs. Pettry puffs her cigaret down to a tiny, finger-scorching nub. "If it wasn't for these women," Mrs. Pettry says to another visitor, "I wouldn't have nobody."

Mrs. Pettry is one of more than 15,000 very poor people in Raleigh County who are beneficiaries of an unusual rural-health-care system known as the Mountaineer Family Plan. Based in nearby Beckley, the plan provides comprehensive medical, dental and eye care for country folks in the county, a coal-mining area in the southern part of West Virginia.

Programs like this one are important because of the worsening health crisis in rural America. The medical care problems all Americans face—ranging from shortages of doctors and clinics to skyrocketing, prohibitive costs—are found in double doses in rural areas. As the nation has become increasingly urban and its medical practitioners ever more specialized, personnel and facilities for health care have concentrated in larger towns and cities, leaving country people to the care of the dwindling numbers of country doctors.

FROM HERE TO ETERNITY

Thousands of such general practitioners once were sprinkled throughout the rural countryside, but few remain. Many of those left are aging and unable to handle heavy patient loads. "There used to be one doctor in every little hamlet," says Dr. Martha Coyner, who practices in Harrisville, W. Va., and heads the state medical society's rural-health committee. Ticking off the names of a dozen colleagues who have departed the precincts, she says that she and another Harrisville doctor now "are the only two MDs from here to eternity, practically."

Figures from the American Medical Association show only one doctor for every 2,145 residents in the nation's most thinly populated counties; in the most densely populated, on the other hand, there's one doctor for every 442 residents. The AMA finds 132 counties without a single doctor practicing. While suburbia swims in specialists, many rural areas are better supplied with veterinarians than with family doctors. AMA data show that Los Angeles County alone has more active MDs (14,203) than the 13 states of Arkansas, Idaho, Maine, Montana, Ne-

braska, Nevada, New Hampshire, New Mexico, North Dakota, South Dakota, Utah, Wyoming, and Vermont combined. (The county has about 7 million residents, compared to over 11 million in those states, and since the states cover a far larger area it's often more inconvenient for their residents to get to a doctor.)

As discouraging as the enfeeblement of the old rural-health-care system is the fate of one major effort to preserve it. Last year, the Sears, Roebuck Foundation reluctantly killed a 14-year-old program to help rural towns attract doctors by establishing well-equipped medical centers. By 1970, 52 of 162 such centers were closed and empty.

BEATING THE DRAFT

"The premise on which the program was founded—that a good facility will recruit and retain a physician—was no longer valid," a foundation spokesman explains. "There are fewer and fewer doctors who are willing to staff these clinics. It's an injustice to a community to encourage them to build these clinics when the likelihood of getting a physician is remote."

Doctors reject a rural practice for diverse reasons. Because medical training has become increasingly sophisticated, many of them wind up as specialists; their specialized expertise is in greater demand in larger cities than in thinly populated areas. In the country, the round-the-clock demands on a doctor, and "professional isolation" from his peers, seem uninviting. And disadvantages of small-town living, such as schooling that sometimes is inferior and limited cultural activities, deter doctors.

Perhaps surprisingly, money isn't the controlling factor; those doctors who do practice in rural areas often (though not always) manage handsomely. Dr. John E. Van Gilder, a 26-year-old West Virginia University graduate, set up practice last June at West Union, W.Va., in one of the Sears-Roebuck program's empty clinics. He expects to earn around $30,000 a year, probably more than he would earn his first year in a city practice. "It's simply supply and demand," says Dr. Van Gilder, who is the only doctor in a county of 6,400 persons.

But even Dr. Van Gilder finds a rural practice unattractive in some ways. There's no hospital nearby, so his most difficult and "interesting" cases have to be referred to colleagues in Clarksburg, the nearest city. That leaves him with "colds, sore throats and arthritis," he says. He worried about keeping abreast of new medical techniques. Dr. Van Gilder freely volunteers that the threat of the draft prompted him to take his job in West Union—where, as the only doctor in the vicinity, he could get a deferment. He expects to stay in West Union five years or so and then go on for more training and a specialty—probably in a big city—after that.

West Virginia hoped to overcome its shortage of doctors by establishing a medical school a decade ago. Yet, of 138 graduates now in practice, only 34 have remained in the state, and only 14 of them are in rural towns. "I don't think solo practice is any longer a viable answer to problems in rural areas," says Dr. Robert L. Nolan, chairman of West Virginia University's division of public health and preventive medicine.

Dr. Nolan and other students of rural health prescribe a new system for delivering health care to rural places. They think the solution lies in regional health-care plans, stressing preventive medicine practiced by groups of physicians based at a central clinic with an "outreach" effort to bring in patients from remote areas. Though no model system exists, the Mountaineeer Family Health Plan—and similar systems in Maine, Florida, Alabama and California—represents significant innovations. According to the U.S. Public Health Service, the Mountaineer plan is the largest of the rural comprehensive health-care systems in operation.

It began four years ago as a poverty-war project of the U.S. Office of Economic Opportunity. The aim was to provide complete health care at no charge to Raleigh County residents whose annual incomes are below official poverty levels, currently $3,600 for a family of four. It's easy to find such families around here; 5,200 of them, with over 15,000 persons, one-fifth of the county's population, are registered and eligible for the plan.

The plan is based at a $500,000 clinic next to the Appalachian Regional Hospital at Beckley. The medical staff consists of five physicians and three dentists. On an average day, the doctors see 100 to 150 patients and the dentists about 30. Nearly all the patients have reached the clinic in the rugged four-wheel-drive ambulances that make daily runs between Beckley and its mountainous outlands.

Seven satellite clinics in hamlets like Slab Fork and Trap Hill are the plan's "outreach" terminals. Teams of health workers—a registered nurse, aides, drivers and environmental health workers who help build sanitary privies and test water supplies—work out of the satellite stations and keep in touch with even the most isolated families.

A tour with Mildred Snodgress, nurse-supervisor at the Marsh Fork satellite center, shows how the plan works. The trip begins in her Scout vehicle from outside the four-room office housed in the building formerly occupied by the region's only private physician. (He died five years ago, and the nearest doctor now is some 25 miles distant.) She steers the vehicle along a bumpy trail to a cabin nestled in a sunny hollow between two green mountains. Here she takes the blood pressure of 60-year-old Chris Dickens, a new patient who lives alone on welfare, and makes sure he understands when to take his four newly prescribed drugs.

The day before, Mr. Dickens had his first physical examination in four years, at the Beckley clinic. "I haven't ever been to the doctor much," says Mr. Dickens, who is being treated for hypertension and indigestion.

After a stop to treat Mrs. Pettry's ulcered leg, Nurse Snodgress gingerly wheels the Scout up a precipitous path above the Coal River to the home of Cuba Opal Wiley, a disabled miner troubled by lung ailments. With his tobacco-stained teeth showing as he smiles, Mr. Wiley tells a visitor, "If it wasn't for this program, buddy, I don't know what I'd do. If I got sick, I guess I'd just lay here and die, buddy, that's all I could do." His wife, a diabetic, also gets medical care, and she's scheduled for liver surgery.

COSMOPOLITAN STAFF

Continuing her rounds, Nurse Snodgress and her aide take a medical history from a new patient, remind another of his scheduled appointment in Beckley, and make other routine visits.

Back at the Mountaineer clinic, a motley group of elderly, disabled men, pregnant women, tots and teen-agers patiently wait their visits with the doctors. The doctors themselves are a varied lot, and their names—like Arcadio Alarcon G. Sri Rama Gupta, and Suradech Kongkausuwan—suggest the difficulty of keeping indigenous physicians in the area.

In fact, all five of the clinic's doctors—three internists and two pediatricians—are foreign physicians working here under temporary state licenses. "We have difficulty attracting American doctors," says Dr. Forest A. Cornwell, the Mountaineer plan's director. The $28,317 yearly salary isn't enough, apparently, to attract U.S. doctors, though all three dentists, who get $25,520, are Americans. (The foreign physicians generally have a harder time obtaining temporary licenses to practice in desirable urban areas, which often have their pick of American medical-school graduates and simply don't issue temporary certificates to foreigners.)

To the doctors, it's clear that their services are badly needed. "You see many children who have never been to a doctor, who have never had their inoculations," says Dr. Jose Alphonso, a Cuban refugee physician. "I have seen many children here who have worms, and many underweight and underheight because of poor nutrition."

"There's a tremendous backlog of care that is needed," says Dr. Edwin H. Warfield, a dentist. About one-third of Mountaineer's patients never have been to a dentist, and practically all the rest have received only minimum emergency care, Dr. Warfield figures.

WHERE'S THE MONEY COMING FROM?

Beckley itself, with a population of nearly 20,000, has abundant health services. There are 23 dentists, 70 physicians and several group-practice clinics. But the rest of the 610 square miles in the county is a health wasteland, served only by the Mountaineer plan and its free transportation.

The major difficulty with the plan is its cost. Mountaineer has been nurtured by federal subsidies; a $2.1 million grant from the Health, Education, and Welfare Department finances nearly its whole budget. But HEW indicates it doesn't plan to support the project indefinitely, and Mountaineer officials have been told that its survival depends on its progress toward "self-sufficiency."

Prodded by HEW, the plan just adopted a sliding-fee schedule under which clients currently registered will have to pay 15% of their bills. Dr. Cornwell says the long-range aim is to transform the plan from a poverty project to a broader-based plan open to any county resident. Meanwhile, the budget squeeze is limiting the number of new enrollees who are poor.

Costs have risen fast. From only $41.55 in mid-1970, the charge for a day in the hospital has risen to $81.54. The cost of the average drug prescription has risen to more than $4 from $3.44. Officials have dipped into the capital construction budget for operating funds, and they've scrapped plans for some new activities, such as a mobile dental unit.

The financial squeeze suggests that Mountaineer will have to scale back its services, or raise fees even higher, and it creates a painful dilemma. "It gets to be a moral decision," says Dr. Cornwell, "It's like having 10 people in a lifeboat, and if two don't get out, all 10 are going to sink."

The only feasible solution, in the minds of most rural-health authorities, is a massive federal rescue effort. Says Dr. Leopold J. Snyder, a doctor from Fresno, Calif., who is chairman of the AMA Council on Rural Health: "If there is to be any widespread improvement in today's dismal rural health scene, there will need to be large expenditures of honest human energies and a large infusion of public funds."

JOB TRAINING FOR RURAL DEVELOPMENT

Mr. PEARSON. Mr. President, the means of furthering the goal of rural community development are varied. Upgrading rural labor and management skilled levels is often an essential part of a community's effort. The Federal manpower training program often is focused on the urban areas but, certainly, the need is just as great in rural communities.

The Cooperative League of the USA has been working with the Labor Department and specifically with the on-the-job-training program in an effort to help rural communities help themselves. This cooperative effort between the League, the Department of Labor, and the individual communities has produced some

very valuable results. Two such success stories are described in a Cooperative League publication called Partners. One article describes the cooperative wild rice growing project in Wisconsin among the Chippewa Indians. Another story relates to the cooperative dairy project in Pigeon Falls, Wis. These are most worthwhile efforts.

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:

WILD RICE FARMING BEING TAMED

Wild rice farming, long a romantic hit-and-miss chore performed by Indians gliding through a natural stand of wild rice in a canoe, is being tamed. Domesticated.

The reason is economics. After generations of seeking out wild rice in its natural (wild) state for harvest, the Indians of Minnesota—and lately, Wisconsin—have been growing the popular delicacy in paddies. Just like any other rice.

The result has been higher yields, from about 100 pounds per acre to around 1,000 pounds. It means more return for the Indians who do the farming, and, with a greatly increased supply, lower prices for the consumer. The rice, called Indian rice or water oats (it's really oats) has been one of the more expensive gourmet items in anyone's budget, ranging from $5.50 a pound to more than $8. The Indian, by the way, gets about $1 per pound for the unprocessed rice.

Among the Indian groups taking advantage of the move toward controlled farming of wild rice is the Great Lakes Inter-Tribal Cooperative, of Odonah, Wis., a 7-tribe farm co-op organized specifically to go into paddy production of wild rice. And, since domestic production of wild rice is as foreign to the Indian as to us, the key men in the co-op's production team are 16 Chippewas now taking on-the-job training under the Cooperative League of the USA program with the Department of Labor.

Doing the work of organizing the cooperative and handling the on-the-job training under a sub-contract, is the Wisconsin Federation of Cooperatives, Madison-based federation of the major-co-ops in the state.

So far, the Chippewa rice paddies along the Lake Superior shoreline of northern Wisconsin, have yielded a first year harvest of some 4,000 pounds from 18 paddies. Expansion is expected to result in planting of upwards of 2,000 acres of the rice. Also, there's the possibility of a processing plant as the minimum acreage required for its economic operation (2,500 acres) is reached.

And this is a highly reachable goal, according to observers, especially in view of a recent move by Sen. Gaylord Nelson, of Wisc., to get 13,000 acres of former Indian land (which land isn't?) back into Chippewa hands. The land is now in the hands of a lumbering firm.

The Chippewas, in addition to forming what is termed a well-run cooperative, have also become specialists at handling the new rice harvesting machinery which has replaced the long-time canoe harvesting method.

According to Erich Lenz, field coordinator for the Wisconsin Federation of Cooperatives' On-the-Job training program, two Chippewas—Eugene Bigboy and Edward Boule—are now better at rice farming and harvesting than the adviser who taught them.

Bigboy is also general manager of the cooperative and is regarded as the key man to the co-op's success. He's 35 and termed aggressive enough to keep the Wisconsin share of wild rice production in Indian hands.

He's got his job cut out for him, however. The white man is moving into the domestic production of wild rice, and according to one top agronomist, could muscle the Indian out of his ancient field unless co-ops like the Inter-Tribal Cooperative succeed.

The co-op is open to all Chippewa's for the $1 member fee, with marketing advice being given by the Wisconsin Federation of Co-ops. As of now, two major firms, Uncle Ben and Green Giant, have contracted to take all the rice the Chippewa cooperative can produce.

And with an unlimited future market for the rice, it looks like the funding agencies, the American Freedom From Hunger Foundation and the Office of Economic Opportunity, have themselves a winner.

But the Indians are not ending their cooperative development with the wild rice co-op. They now plan a cooperative supermart on the style of the successful market now being operated by the Menominee Indians at Keshena, Wis., a couple of hundred miles to the south.

PIGEON FALLS FIGHTS FOR LIFE

Pigeon Falls, Wisconsin, is like much of the rest of small-town rural America.

Depressed.

"Every Wednesday there's a long line at the unemployment office," says Arnold Hanson, dairy farmer and president of the Pigeon Falls Co-op Creamery.

"The job situation here, and in nearby towns, is bad. Our young people are leaving. Some of the small industry we do have is closing down."

It's too bad. Because Pigeon Falls is the kind of small town where life can be enjoyable. Located in the pretty Pigeon River valley due north of La Crosse, it's surrounded by rolling hills dotted by small dairy farms. There's fishing and other outdoor sports in the summer, snowmobiling in the winter. The people are friendly.

Hanson, who operates a small dairy farm where he milks some 30 cows on the average, was pessimistic about nearly every aspect of the economic life of the area except one—the co-op creamery he has headed for the past four years.

Unlike other small industry, the co-op is succeeding in holding its own against the crush of hard times in the country. It is the economic and cooperative center for the town, as well as for its some 215 member-patrons and its 25 employees. Hanson thinks the future is good for the co-op. But this was not always so.

After building itself into one of the best small co-ops in Wisconsin since its was formed back in 1882, the co-op had fallen behind the times about ten years ago, according to Hanson's reckoning. Over the past two or three years the situation was bleak.

It had been forced to curtail its long-time practice of regular refunds and stock callins. Equipment used to produce its butter and dried milk products was aging, becoming inefficient and unprofitable to operate.

"It was actually costing us too much to even start up our old butter churn," said Hanson.

"Our members began to fall off, to send their milk elsewhere. Some quit dairying altogether."

Two years ago the turnaround came. Hanson gathered his board of directors together and proposed that instead of continuing to pour money into a failing butter and dried milk business, the co-op should go into the cheese business. Earnings would be larger and steadier, he figured.

The members, largely small farmers who still put their milk in old-time cans for pickup by the creamery truck, backed the idea.

The board borrowed $220,000 of the $260,000 eventually needed to build a new cheese-making plant with modern equipment.

A manager, Ray Knutson, who used to run his own small cheese plant, was hired.

Knutson began looking for apprentice cheese-makers to put out the planned 22,500 pounds of cheese a day at the plant. And, this is where he and the Cooperative League's on-the-job training program came together.

Noting ads in the local papers for co-ops interested in hiring and training co-op employees under the plan, Knutson and the co-op's long-time secretary, Winifred Burt, contacted the man who had placed the ads, Erich Lenz, of the Wisconsin Federation of Cooperatives.

WFC is one of two subcontractors working with the Co-op League to implement the Department of Labor-funded project. The other is Farmland Industries, Kansas City.

Lenz contacted the co-op and in no time at all, 10 of Pigeon Falls' young men—who might otherwise have had to leave Pigeon Falls to seek employment—had signed up as on-the-job trainees in cheese-making.

For a town of some 200 souls, that's pretty good. And it cuts down somewhat on the line-up at the employment office.

Pigeon Falls Co-op Creamery was soon back in business. Its first batch of cheese was produced Feb. 6 of this year, and its shiny new cheese plant shows every promise of giving both the co-op and a good cross-section of the town's young men a brighter future.

The co-op is now putting more milk through its plant than ever before—some 225,000 pounds a day are required to produce 22,500 pounds of cheese. And that creates its own problem. The co-op's members simply don't produce that much milk and Manager Hanson is being forced to buy much of the supply in bulk from another supplier.

But these kinds of problems should eventually work themselves out. Meantime, things look good at the co-op. The neophyte cheese makers are learning under the steady tutelage of Manager Knutson. The entire day's production is shipped immediately to a Land O' Lakes cheese plant at nearby Spencer.

And the co-op is beginning to move in other directions aimed at putting it back into the mainstream of cooperative life in Wisconsin. After resisting merger or association with other dairy co-ops throughout their history—a factor which could have contributed to their decline—the co-op is now considering joining with other milk co-ops in the state.

Also in the dream stage is a plan to convert to production of specialty cheeses, a move President Hanson thinks will yield more earnings to members. And, should the co-op want to expand its physical plant, there's lots of co-op—owned land just behind the new plant.

"By the way," called out President Hanson as we left, "should you know anyone who wants to take up dairy farming, ask them to come up here.

"We can sure use the milk."

STATEMENT OF COMMITTEE OF CONCERN ON JEWS IN SYRIA

Mr. HUMPHREY. Mr. President, about 2 years ago, I was honored to accept the invitation of Gen. Lucius Clay to join with other Americans in creating the Committee of Concern for the purpose of calling public attention to the continuing problem of persecution of Jews in some Arab nations. It is a tragic fact of life—one that tends to be forgotten because of the so-called bigger issues that crowd us for attention these days—that the small groups of Jews who have not chosen to leave their respective birthplaces have faced hostility and hardship in one land after another.

On October 7, the committee found it necessary to speak out forthrightly to protest particularly disturbing developments in Syria. In a statement issued by General Clay, the committee called on

Syria "to cease persecution of the Jewish minority, to free those unjustly imprisoned, and to permit those Jews who wish to migrate to do so." This public appeal was made necessary because of a series of reported harassments and cruelties inflicted upon Syrian Jews.

So that more Americans may be acquainted with this latest series of violations of basic human rights, Mr. President, I ask unanimous consent that the text of the Clay statement and the accompanying press release be printed in the RECORD.

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

TEXT OF CLAY STATEMENT

NEW YORK, October 7.—The Committee of Concern, formed two years ago to focus world attention on persecution of Jews by Middle East countries, today called on Syria to "cease persecution of the Jewish minority, to free those unjustly imprisoned and to permit those Jews who wish to emigrate to do so."

General Lucius D. Clay, corporate executive and former Commander, U.S. Forces in Europe, Committee Chairman, in his appeal to Syria, cited "distressing and increasingly alarming reports from reliable sources concerning the threat to the survival of Syrian Jewry."

Among the instances of mistreatment of Jews listed by General Clay were the following:

Relatives of twelve young Syrian Jews held in jail on charges they had attempted to flee the country, have been interrogated under torture. Some have been held in solitary confinement for as much as three months.

All Jewish prisoners who have been released from confinement are physically ill, bodily maimed or mentally deranged as a result of their imprisonment. They had been subjected to electrical torture, the ripping off of fingernails, and cigarette burns on various parts of their bodies.

Jewish girls have been abducted, raped and thrown naked into the streets of the Jewish ghetto in Damascus. Recently, Jewish homes there were set on fire.

According to the Committee of Concern statement, restrictions on Syrian Jews cover almost every aspect of life. There is a total ban on emigration, and travel within the country is severely limited. Jews are obliged to carry identity cards, and cannot be employed by the government or by banks. Their houses have been seized for the use of Palestinian Arabs, their schools taken over by the state, and their cemeteries destroyed.

As a result of these and other measures, the Committee stated, the majority of the Jewish community "has been reduced to abject poverty."

Not the least of the Jewish hardships is the constant observation and pervasive fear. "A higher Committee for Jewish Affairs (composed of representatives of the Interior Ministry and the security services) maintains a constant surveillance over the Jewish community and carries out frequent arrests, interrogations, and sudden house searches, invariably at night," the Committee added.

When a Jew dies, the Committee of Concern reports, "his property is transferred to a Government Authority for Palestinian Affairs. His family must then pay them rent for the continued use of the home or business property."

Most Jews who work for Moslems "have been dismissed without compensation. Most Jewish vendors have had their licenses revoked. Jews have become convinced of the futility of bringing petitions against Moslems to the law courts since the rulings are always in favor of the latter."

The property and assets of a Jew who manages to escape the country are automatically confiscated. Nevertheless, Jews make desperate attempts to flee because of the cruel conditions and despite their knowledge of the severe penalties.

In contrast with the treatment accorded Jews, the Committee of Concern states, "Moslem Syrians are readily able to visit neighboring countries and more than 500,000 Syrians have visited Lebanon this year alone." Jews cannot leave even for medical treatment.

In the Jewish schools taken over by the state, "Moslem principals have been appointed and Jewish religious studies drastically reduced. General school examinations are now always held on Saturday, the Jewish Sabbath."

Organization of the Committee of Concern followed the execution in 1965 in Baghdad of 15 men, including two Jews and two Christians, on charging of spying for the U.S. and Israel. Subsequently, nine Jews, three Moslems, and two Christians were publicly hanged in Iraq after a secret trial on espionage charges.

The Committee includes figures in American business, religion, arts and sciences, universities, public affairs, and civil rights. Among the members are: Morris B. Abram, former President, Brandeis University; Louis Auchincloss, author; George W. Ball, former Under-Secretary of State; Dr. Samuel Belkin, President, Yeshiva University; Algernon D. Black, American Ethical Union; Dr. Louis Finkelstein, retiring Chancellor, Jewish Theological Seminary of America; Arthur J. Goldberg, former Supreme Court Justice and former U.S. Ambassador to the U.N.

Also Helen Hayes, actress; William J. vanden Heuvel, attorney; U.S. Senator Hubert H. Humphrey; Dr. Homer A. Jack, clergyman; Seymour M. Lipset, sociologist; Robert Lowell, poet; Archibald MacLeish, poet; Arthur Miller, playwright; Robert K. Merton, sociologist; Robert D. Murphy, former Under-Secretary of State, and Chairman of the Board, Corning Glass International; Dr. Jan Papanek, Chairman, International League for the Rights of Man.

Also Dr. Isador I. Rabi, Nobel Laureate; Bayard Rustin, civil rights leader; Theodore Sorensen, attorney; Dr. C. Thomas Spitz, clergyman; Dr. Frank Stanton, retiring President, Columbia Broadcasting System; Admiral Lewis L. Strauss, former member, Atomic Energy Commission.

STATEMENT ON JEWS IN SYRIA

The distressing and increasingly alarming reports which we have received in recent days from most reliable sources concerning the threat to the survival of the remnants of Syrian Jewry, prompts us once again to speak out.

Following are details concerning the plight of the Jewish community in Syria:

1. The Syrian authorities are holding in jail 12 young Syrian Jews, charged with having attempted to flee the country. The names of 11 of them are: Isaac Hamra, Sheila Hamra, Misses Dadio Dibbo, Boukehi, Melles and Yachar; Messrs. Abdo Saadia, Simon Bissou, and Azur Blanga. The last named is 27 years old and was arrested with his wife (24) and his four-year-old son. The others are all believed to be in their late teens or early twer ties.

2. The Syrian security police have interrogated the relatives of the 12 Jews and the relatives of others who have either succeeded in fleeing the country in the past or who were suspected of planning an escape and going to Israel. There are reports that they have been interrogated under torture, and held under strict solitary confinement for periods up to three months.

3. All who have been released after confinement are, without exception, reported to be physically ill or bodily maimed or mentally deranged. Jews who did succeed in escaping to Israel or other countries in the free world report that those who have fallen into Syrian hands are being subjected to electrical torture, the ripping off of fingernails and cigarette burns on various extremities of the body. Jewish girls have been abducted, raped and thrown naked into the streets of the Jewish ghetto in Damascus. Recently, Jewish homes were set on fire in the Damascus ghetto.

4. The desperate attempts of groups of Jews to flee the country are prompted by the cruel conditions to which the community has been subjected for years Among the restrictions imposed upon the Jews of that country are:

(a) A total ban on Jewish emigration. Jews are also forbidden to leave the country for visits to relatives or for medical treatment. Moslem Syrians are readily able to visit neighboring countries and more than 500,000 Syrians have visited Lebanon thus far this year alone.

(b) Even within Syria itself travel by Jews is restricted to three kilometers from one's home address. Further movement requires a special permit which is generally not granted.

(c) Distinctive Jewish identity cards marked with a red stamp, "Member of the Mosaic faith."

(d) Prohibition of employment in government offices, public bodies or banks.

(e) Other restrictions on the normal conduct of their personal lives, such as non-installation of telephones and non-issuance of new driving permits.

(f) The authorities have turned over houses in the Jewish quarter to occupation by Palestinian Arabs who harass the remaining Jewish residents in the quarter.

(g) A Higher Committee for Jewish Affairs (composed of representatives of the Interior Ministry and the security services) maintains a constant surveillance over the Jewish community and carries out frequent arrests, interrogations, and sudden house searches invariably at night.

(h) Jews are prohibited from selling their houses or other real estate.

(i) Army personnel and government employees may not make purchases in Jewish-owned stores.

(j) When a Jew dies, his property is transferred to a Government authority for Palestinian Affairs. His family must then pay rent for the continued use of the home or business property.

(k) Jews have become convinced of the futility of bringing petitions against Moslems to the law courts since the rulings are always in favor of the latter.

(l) Except for doctors and pharmacists, Jewish professionals are banned from practice.

(m) Most Jews who worked for Moslems have been dismissed without compensation. Most Jewish vendors have had their licenses revoked. The majority of the community has been reduced to abject poverty.

(n) The property and assets of a Jew who succeeds in fleeing the country are automatically confiscated.

(o) Jewish schools have been taken over by the state. Moslem principals have been appointed and Jewish religious studies have been drastically reduced. General school examinations are now always held on Saturday, the Jewish Sabbath. Only a very few Jews are permitted to pursue university studies.

(p) The Jewish cemetery in Damascus has been almost entirely destroyed and a highway has been built through it. The petition for a new cemetery has been turned down and in the small area that remains graves have to be opened to accommodate new burials.

We call on the Syrian authorities to cease their persecution of the Jewish minority, to

free those unjustly imprisoned and to permit those Jews who wish to emigrate to do so.

IN DEFENSE OF THE UNITED NATIONS

Mr. HUGHES. Mr. President, recent events have called into question the United States' basic steadfastness and reliability in foreign policy. At a time when our trading partners are suffering from the heavy-handed blows of our new international economic policy and when some of our allies are still reeling from the sudden changes in our attitudes toward China, the highest officials of our Government now have called into question our commitment to the United Nations.

An unfortunate impression has been conveyed by the news media that Members of Congress are eager to retaliate against the United Nations' action last Monday admitting the People's Republic of China to membership while at the same time denying the Chinese seat to Taiwan. Although many critical statements have been made, I do not believe that the American people or the Members of this august body are ready to destroy what President Kennedy called "our last, best hope for peace."

To attack the United Nations in a moment of pique would be the height of international irresponsibility. It would be the same kind of irresponsibility for which we condemned the Soviet Union in 1950 when it walked out of the U.N. for 6 months after Mainland China was originally denied a seat in that body.

We should remember that even the Soviet Union, though it repeatedly lost votes in the U.N., returned and remained in that organization, because it realized that the preservation of that forum and the opportunities it provided for peace and human betterment were more important than winning one particular vote.

It would be as wrong for the United States to renege on its solemn treaty obligations to provide adequate financial support to the U.N. as we said it was for the French to refuse to support the U.N. peacekeeping forces in the Middle East after the 1956 war and as it was for Russia to refuse to finance the peacekeeping operations in the Congo.

We have supported the U.N. over the years, because we realized that our contribution was a small price to pay for peace. Even today, with the war in Indochina costing less than in the past, we spend more on that war in 1 week than we do on the entire U.N. and its related agencies in an entire year.

If we should turn our backs on the U.N. now, simply because we lost one vote, we would be taking a giant step back toward the tragic isolationism of the 1930's which encouraged the aggression that brought on World War II.

I am deeply troubled to read that President Nixon, who has so forcefully condemned any retreat to isolationism, is now encouraging efforts which would separate us from our full participation in the international community. I hope that the President has not abandoned his pledge of almost exactly 1 year ago, when he said:

> We will go the extra mile in doing our part toward making the United Nations succeed.

The United States should not demand its own way all the time as a condition of our continued support for the U.N. In fact, America and other nations have sought to reduce the likelihood that any single nation would dominate that organization. To achieve that very goal, we have over the years reduced our own share of financial support. We should, therefore, look on any defeat in the U.N. as proof that that organization is strong enough to make up its own mind on the merits of issues rather than under some threat of retaliation.

Naturally, I regret that the people of Taiwan have been denied direct representation in the U.N., but I expect that our mutual defense treaty will provide protection for them as they adjust their relations to the new circumstances.

It was inevitable that the world's most populous country would eventually be admitted to the United Nations—and it makes sense. Whatever our differences, more constructive results can be accomplished with the People's Republic of China in the world organization than isolated from it.

We cannot and should not expect to get our own way all the time. And we should remember that, even in this body, enthusiasm in victory is not unknown.

Mr. President, I disagree most profoundly with the statement that the U.N. has not served the interests of the United States in any important sense. That is not what President Nixon said in his foreign policy message last February. The President said then that the U.N. "has to its credit substantial accomplishments in peacekeeping, in social and economic betterment, and in drafting principles of international law." In fact, when discussing the U.N. development program, which some Members of this body now seek to reduce, President Nixon said that the "resources—of that program—fall short of the job to be done," that is no argument for further reductions in our effort.

Nor is that reported criticism of the U.N. accepted by the President's Commission for the observance of the 25th anniversary of the United Nations, the group chaired by former Ambassador Henry Cabot Lodge.

That Commission concluded:

> Despite our dissatisfaction and our criticisms, we are firmly convinced that the UN is today more than ever indispensable to the security and welfare of all nations, whether they grasp that reality or not. It is in our national self-interest and in the interest of all states to make the Organization work.

That conclusion, Mr. President, was based on hearings held in several cities throughout the Nation, as well as testimony by witnesses representing many different organizations. The Commission said that its hope for the U.N. were "widely shared by people throughout this country."

I will admit that the Lodge Commission offered criticisms of the U.N. in some respects. It also called for opposition to the expulsion of Taiwan. But in spite of these views, it called for increased reliance on international organizations for economic assistance—in contrast to the amendments proposed today. And it specifically recommended that the United States "affirm its intention to maintain and increase its total contributions to the U.N."

If we are to preserve our role as a force for peace and progress in the world, we must retain and strengthen our commitment to the United Nations. Only in that way can we help that great organization to fulfill its primary purpose: "To save succeeding generations from the scourge of war."

LEGAL ASSISTANCE TO WIVES OF POW'S AND MIA'S

Mr. CHILES. Mr. President, an aspect of the war in Southeast Asia which has drawn little attention is the plight of wives of prisoners of war and men missing in action—wives who have become entangled in legal complications, because of the unavailability of their husbands for lengthy period of time. These women, trying to continue the routine of daily living, have run into frequent and numerous obstacles, because of the standard legal requirements involved in such things as financing, insurance, property sales, and even credit approval.

I am very proud that some friends and good citizens of my State of Florida have led the way to overcoming these problems, not only in Florida but throughout the country, working through the Young Lawyers Section of the American Bar Association. A program of providing legal assistance to POW–MIA families and seeking remedial State legislation has been pushed by Walter S. McLin, of Leesburg, Fla., as chairman, and by Robert Murray of Lakeland, Fla., Young Lawyers president.

Mr. President, this very significant effort was outlined in Time magazine for November 1, 1971. I ask unanimous consent that the report of the Young Lawyer Section of the American Bar Association and the Time magazine article be printed in the RECORD.

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

LEGAL ASSISTANCE TO FAMILIES OF PRISONER OF WAR-MISSING IN ACTION MILITARY PERSONNEL

(By Walter S. McLin III)

SUMMARY OF GOALS AND PURPOSES OF COMMITTEE

By way of background, the Governor of the State of Florida appointed a Select Committee to investigate the problems being encountered by the families of P.O.W.s and M.I.A.s in the State of Florida, and to make recommendations to him on possible solutions to these problems. The Committee was composed of lawyers and a representative of the prisoner of war families and missing in action families. I had the pleasure of serving as Chairman of this Committee.

The results of the Committee work and the resulting solutions to the problems discovered have proven to be a tremendous help to these families.

It was determined that these families were not receiving adequate legal advice from Florida lawyers. The military legal officers

were many times unfamiliar with the Florida law and could not provide the solutions to the problems.

The second problem confronting these families was the lack of a legal means to accomplish their desired results because of their absent husbands.

Florida solved the first problem through the Young Lawyers Section of the Florida Bar Association. A committee was created to provide legal assistance to every P.O.W.-M.I.A. family in Florida.

Through the efforts of the Governor's Committee remedial legislation was passed by the 1971 Legislature and signed into law to provide a simple method of solving the problems of the families.

This program has been so successful in helping the families in Florida that it should be carried out on a national scale. It is hopeful that the American Bar Association Committee will accomplish this result.

Objectives of committee:

1. Primary objective is to provide assistance in each state to the P.O.W.–M.I.A. wives and families of Southeast Asia who have civil legal problems in the states where they reside through the assistance of the local state Young Lawyers Associations.

2. To suggest remedial state legislation to aid these P.O.W.–M.I.A. families in solving civil legal problems with particular emphasis on the sale and transfer of personal property.

3. To have the ABA Young Lawyers Committee serve in a liaison capacity to determine and catalogue the various civil legal problems and solutions thereof encountered by the P.O.W.–M.I.A. families in the various states of the United States and to disseminate this information to the local state Young Lawyers Associations to assist them in rendering assistance to the P.O.W.–M.I.A. families in their respective states.

Goals:

1. To provide the 1,600 P.O.W.–M.I.A. families in the United States the opportunity to have legal assistance from Young Lawyers in their location.

2. To propose and assist in passage of remedial legislation in those states needing it to provide a legal means of solving the families' problems and protect the missing servicemen.

ANALYSIS OF FLORIDA LEGISLATION TO ASSIST POW–MIA FAMILIES

General. Florida in the 1969 Session of the Legislature had amended its statute on "Conservatorships" to include in its definition of "absentees" those servicemen who were reported as missing in action or held as prisoners of war because of the conflict in Southeast Asia. However, the general nature of the Conservator Statutes in most instances did not really assist the families of our servicemen not returning from the conflict in Southeast Asia. Florida's Conservatorship laws, as do most conservatorship laws, provide a method whereby *all of the property owned individually or jointly by an "absentee"* may be placed under the jurisdiction of our Courts to be administered by a duly appointed conservator. The administration followed along the general procedures of a guardianship with accountings, bonds, and frequent petitions being filed with the Court to handle each specific problem.

The Governor's Select Committee upon investigation of the problems being experienced by the wives and families of our servicemen found that in most every instance the full conservatorship proceding, even though capable of providing the specific relief needed, went far beyond the desired results. Investigation showed that the problems being encountered by the families were for the most part caused by the necessity to or desire to accomplish a single transaction i.e. the sale of an automobile or the disposition of other personal property such as boats, recreational vehicles, etc. most of which were not of considerable value.

The second greatest problem area concerned the sale of homes owned either jointly with the wife or individually by the absent serviceman. Many families found themselves living in Florida because it was the last duty station of the serviceman prior to his tour in Southeast Asia. Many wives desired to sell their home in Florida and return to their home state where they would be near friends and relatives to await the hopeful return of their husbands.

A third problem area confronting the families dealth not with the disposition of property per se, but with consent or necessity for having a binding signature of the absent husband. Our committee found the problem area to be in the giving of both parents' consents where minor children were involved, obtaining homestead exemption and in settling claims dealing with insurance companies when the absent husband was the insured. Some companies withheld payment because their insured could not execute a general release.

The committee further discovered that the business community was reluctant to accept the general powers of attorney that the absentees had provided their wives before their departure. This was particularly true for the M.I.A. wives and for all wives whereby the power had expired with the passage of a certain date. (The Services generally, in the earlier years of the conflict, recommended that power of attorney be limited in time to the tour of service in Southeast Asia.) This was true even though there has been legislation passed to extend the terms of the power.

Lastly, the committee was most adamant in providing as much protection to the missing servicemen as possible in preserving his assets without restricting the wife to the point of not accomplishing those things deemed reasonable and necessary for her and her family's benefit.

The result of these considerations was the passage in the 1971 Session of the Florida Legislature of the attached Bill which the Governor has signed into law.

Definition of absentees: The Act as relates to the P.O.W.-M.I.A. family problem defines an absentee as being—

"Any person serving in or with the armed forces of the United States, in or with the Red Cross, in or with the merchant marines or otherwise, during any period of time when a state of hostilities exists between the United States and any other power and for one year thereafter, who has been reported or listed as missing in action, interned in a neutral country, beleaguered, besieged or captured by the enemy, shall be an "absentee" within the meaning of this law; . . ."

Further, in order to allow the conveyance of the homestead, which is unique in Florida's Constitution, an "absentee" is considered to be incompetent for the purposes of the Florida Constitution which allows a representative of an incompetent person to convey homestead.

Jurisdiction: The Circuit Courts have jurisdiction to appoint a conservator of the estate of an absentee upon showing that there is no power of attorney in existence or if issued the power has expired, that there is property of the absentee located in Florida and further that a necessity exists to deal with either the property of the absentee or to provide care for a judgment concerning his wife and children, or his parents if there is no wife or children.

Summary procedure: If it becomes necessay for the wife or if no wife the next of kin to dispose of any property of the absentee having a gross value of five thousand and no/100 ($5,000.00) dollars, or if the wife needs the absentee's consent as relates to his children, the wife may by simple petition apply to the Circuit Court for an order authorizing the sale, tranfer or consent without going through a full conservatorship. The form for the Petition for Summary Relief is set out at the end of this section.

The Court when presented with the petition, if it deems the relief requested necessary to protect the best interest of the absentee or his dependents, shall enter an order allowing the relief requested.

Form petition for summary relief:
In the circuit court:
In re: (absentee), case number ———.

PETITION FOR SUMMARY RELIEF

Petitioner, (name), whose residence is (street and number), (city or town), and (county), Florida, and who is the (describe relationship to absentee) of the absentee, (name), states that the absentee has been (imprisoned or) (missing in action) since (date) when (describe details). Petitioner desires to sell/transfer (describe property) of the value of (value) because (give reasons). The terms of sale/transfer are (give terms). Petitioner requires the consent of the absentee for the purpose of ———.

———, ———,
Petitioner.

State of Florida.
County of.

The above named, being by me duly sworn, says the foregoing petition is true and correct to the best of his/her knowledge and belief.

———, ———,
Notary Public or County Judge.
My Commission expires ———.

Transactions dealing with property having a value in excess of five thousand dollars: The Act provides a procedure for transactions when the property of the absentee has a value in excess of five thousand and no/100 ($5,000.00) dollars but when it is not deemed too necessary to create or continue a full conservatorship. The wife or next of kin may petition the Circuit Court for an order authorizing the action with respect to such property.

The petition to be filed in this instance requires more information including the names and addresses of the relatives of the absentee, the reasons for the action requested, whether the absentee had a will and its contents if known, a list of the assets and value owned by the absentee. The petitioner must send a notice of the hearing to all persons named in the petition.

At the hearing the judge shall hear evidence on the questions of whether the person alleged to be missing is an absentee as defined and further whether the action requested in the petition should be allowed.

The Court may, in its discretion, appoint a guardian ad litem to represent the alleged absentee at the hearing.

If the Court is satisfied after the hearing that the person alleged to be an absentee is an absentee and that the petitioner's request should be allowed and further that there is no necessity for the full conservatorship, it may appoint the petitioner as the conservator to take the action requested in the petition.

The conservator is then required to account to the Court for the proceeds of the sale, but the conservator shall not be required to account for the other assets of the absentee.

The Court may retain jurisdiction over the proceedings to enter further orders as required. It is anticipated that once the Court is satisfied that the action requested has been accomplished and further that the rights of the absentee have been protected, it will enter its order dissolving the limited conservatorship.

Full conservatorship: The last section of the act allows for a full conservatorship proceeding whereby a petition is filed and notice given, the same as in the Limited Conservatorship, but that all of the assets of the absentee are placed into a conservatorship. If this procedure is followed, the Court may re-

quire a performance bond as in the case of a guardianship.

The termination of the full conservatorship may be done upon a finding by the Court that the absentee has returned, has died, or the necessity for the conservatorship has been eliminated.

At the termination of the conservatorship, the Court may require a final accounting the same as a guardianship and if it finds everything in order will discharge the conservator by appropriate order.

Effective date: This Act becomes effective on July 1, 1971.

BY SENATOR GRAHAM, APRIL 26, 1971

A bill to be entitled an act relating to conservatorships; amending section 747.02, Florida Statutes, providing for jurisdiction of the circuit court to establish conservatorships; creating section 747.021, Florida Statutes, to provide for summary procedures with respect to certain property of an absentee; providing for a procedure for authorizing actions in connection with absentee's property; amending section 747.03, Florida Statutes, prescribing the contents of a petition for appointment of a conservator; creating section 747.031, Florida Statutes, providing for notice and hearing on the petition; creating section 747.032, Florida Statutes, providing for an order of appointment of a conservator; creating section 747.033, Florida Statutes, providing for oath of a conservator; creating section 747.034, Florida Statutes, providing for a bond for the conservator; creating section 747.035, Florida Statutes, prescribing the rights, powers and duties of the conservator, absentee, absentee's dependents and the court; creating section 747.036, Florida Statutes, providing for resignation or removal of a conservator; amending section 747.04, Florida Statutes, to provide for final returns and discharge of a conservator; providing an effective date.

Be It Enacted by the Legislature of the States of Florida:

Section 1. Section 747.02, Florida Statutes, is amended to read:

(Substantial rewording of section. See section 747.02 for present text.)

747.02 Jurisdiction.—The circuit court has jurisdiction to appoint a conservator of the estate of an absentee as defined in section 747.01 upon a showing that:

(1) The absentee has an interest in any form of property in this state, or is a legal resident of this state, or his wife or next of kin is a legal resident of this state, and the absentee has not provided an adequate power of attorney authorizing another to act in his behalf with regard to such property or interest or the term of any such power of attorney has expired; and

(2) A necessity exists for providing care for the property or estate of the absentee or care for or judgments concerning his wife and children; or if he has no wife and children, his mother or his father.

Section 2. Chapter 747, Florida Statutes, is amended by adding section 747.021 to read:

747.021 Summary Procedure.—

(1) If the wife of any person defined as an absentee in subsection (1) of section 747.01, or his next of kin if said absentee has no wife, shall wish to sell or transfer any property of the absentee which has a gross value of less than five thousand dollars ($5,000.00), or shall require the consent of the absentee in any matter regarding the absentee's children, or in any other matter in which the gross value of the subject matter is less than five thousand dollars ($5,000.00), she may apply to the circuit court for an order authorizing said sale, transfer, or consent, without opening a full conservatorship proceeding as provided by this chapter. She may make the application without the assistance of an attorney. Said application shall be made by petition on the following form, which form shall be made readily available to the applicant by the clerk of the circuit court:

In the circuit court:

In re: ———, case number ———.

PETITION FOR SUMMARY RELIEF

Petitioner (name), whose residence is (street and number), (city or town), and (county), Florida, and who is the (describe relationship to absentee) of the absentee, (name), states that the absentee has been (imprisoned) (or missing in action) since (date) when (describe details). Petitioner desires to sell/transfer (describe property) of the value of (value) because (give reason). The terms of sale/transfer are (give reasons). Petitioner requires the consent of the absentee for the purpose of ———.

——— ———,
Petitioner.

State of Florida,
County of ———.

The above named, ———, being by me duly sworn, says the foregoing petition is true and correct to the best of his/her knowledge and belief.

——— ———,
Notary Public or County Judge.

My commission expires ———.

(2) The court shall, without hearing or notice, enter an order on said petition if it deems the relief requested in said petition necessary to protect the best interests of the absentee or his dependents.

(3) Such order shall be prime facie evidence of the validity of the proceedings and the authority of the petitioner to make a conveyance or transfer of the property or to give the absentee's consent in any matter prescribed by subsection (1).

Section 3. Chapter 747, Florida Statutes, is amended by adding section 747.022 to read:

747.022 Procedure for order authorizing action by wife or next of kin.—

(1) If the spouse, or the next of kin if there is no spouse, of any person defined as an absentee under subsection (1) of section 747.01, Florida Statutes, shall wish to sell, lease, or mortgage specific property having a gross value of five thousand dollars ($5,000.00) or more owned by the absentee or in which the absentee had an interest, or take specific action with respect to the absentee's interest having a gross value of five thousand dollars ($5,000.00) or more she may petition the circuit court for an order authorizing the action with respect to such property or interest.

(2) The petition shall be sworn to by the petitioner and shall state:

(a) The names, addresses, and age of the spouse, children, mother, father, brothers, and sisters, or if none of these are living, the next of kin, of the absentee; and

(b) The name, address, and age of any other person who would have an interest in the property or the estate of the absentee if he were deceased.

(c) The exact circumstances which cause the person missing to be an absentee under section 747.01, Florida Statutes, including the date he was first known missing, interned, beleaguered, etc.

(d) The reasons for the action for which the petition seeks authorization;

(e) Whether or not the person alleged to be an absentee has a will, the whereabouts of said will and contents if known;

(f) A statement of all property constituting an asset of the alleged absentee's estate or in which he has any interest and the approximate value of same.

(3) Notice of the hearing on the petition shall be given to all persons named in the petition by registered mail or certified mail with return receipt requested.

(4) The judge shall hear evidence on the question of whether the person alleged to be missing, interned, beleaguered, etc., is an absentee as defined by section 747.01, Florida Statutes, and on the question of whether the action in question should be authorized. Any person interested in such proceedings may intervene with leave of the court.

(5) The court may in its discretion appoint a guardian ad litem to represent the alleged absentee at the hearing.

(6) If after hearing, the court is satisfied that the person alleged to be an absentee is an absentee, as defined in section 747.01, Florida Statutes, and that the action in question should be authorized, and that there is no necessity for a full conservatorship as provided by section 747.03 the court shall enter an order authorizing the sale, lease, mortgage, or other action without subjecting the other property of the absentee to a conservatorship proceeding. The court may retain jurisdiction of the proceeding to make such further orders as it deems proper.

Section 4. Section 747.03, Florida Statutes, is amended to read:

(Substantial rewording of section. See section 747.03 for present text.)

747.03 Petition.—

(1) The jurisdiction of the court shall be invoked by the filing of a petition by any person who would have an interest in the property or estate of the absentee were such absentee deceased, or any person who is dependent on said absentee for his maintenance or support.

(2) The petition shall be sworn to by the petitioner and shall state:

(a) The names, addresses, and age of the wife, children, mother, father, brothers, and sisters, or if none of these are living, the next of kin, of the absentee; and

(b) The name, address, and age of any other person who would have an interest in the property or the estate of the absentee if he were deceased.

(c) The exact circumstances which cause the person missing to be an absentee under section 747.01, Florida Statutes, including the date he was first known missing, interned, beleaguered, etc.;

(d) The necessity for establishing a conservatorship;

(e) Whether or not the person alleged to be an absentee has a will and the whereabouts of said will;

(f) A statement of all property constituting an asset of the alleged absentee's estate or in which he has any interest and the approximate value of same.

Section 5. Chapter 747, Florida Statutes, is amended by adding section 747.031 to read:

747.031 Notice; hearing.—

(1) Notice of the hearing on the petition to appoint a conservator shall be given to all persons named in the petition by registered mail or certified mail with return receipt requested.

(2) The judge shall hear evidence on the question of whether the person alleged to be missing, interned, beleaguered, etc., is an absentee as defined by section 747.01, Florida Statutes, and on the question of who is entitled to appointment as conservator. Any person interested in such proceedings may intervene with leave of the court.

(3) The court may in its discretion appoint a guardian ad litem to represent the alleged absentee at the hearing.

Section 6. Chapter 747, Florida Statutes, is amended by adding section 747.032 to read:

747.032 Order of appointment.—

(1) If after hearing, the court is satisfied that the person alleged to be an absentee is an absentee, as defined in section 747.01, Florida Statutes, and that it is necessary that a conservatorship be established, he shall appoint a conservator of the estate and property of said absentee to take charge of the absentee's estate and property under the supervision and subject to the further orders of the court.

(2) In the appointment of a conservator, the court shall give due consideration to the appointment of one of the next of kin of the absentee if such next of kin is a fit and proper person and is qualified to act.

Section 7. Chapter 747, Florida Statutes, is amended by adding section 747.033 to read:

747.033 Oath.—Every conservator, before exercising his authority as conservator, shall take oath that he will faithfully perform his duties as conservator and that he will render true accounts whenever required according to law, which oath may be administered by any officer authorized to administer oaths under the laws of this state. Such oath shall be filed with the court.

Section 8. Chapter 747, Florida Statutes, is amended by adding section 747.034 to read:

747.034 Bond.—The court may require the conservator to post a bond as required for a guardian under sections 744.38 and 744.39, Florida Statutes. All provisions of chapter 744, Florida Statutes, which are applicable to bonds are applicable to the bond of the conservator required under this act.

Section 9. Chapter 747, Florida Statutes, is amended by adding section 747.035 to read:

747.035 Rights, powers, and duties of conservator.—The conservator shall have all the rights, powers, and duties of a guardian of the property as established in chapters 744 and 745, Florida Statutes, and an absentee and an absentee's dependents shall be entitled to all benefits accruing to a ward or a ward's dependents under said chapters. The circuit court shall have the same responsibility as to a conservatorship as the county judge has with respect to the guardianship of the property under said chapters.

Section 10. Chapter 747, Florida Statutes, is amended by adding 747.036 to read:

747.036 Resignation or removal of conservator.—The provision for resignation and removal of a guardian of the property in chapter 746, Florida Statutes, shall apply in the circuit court to resignation and removal of a conservator.

Section 11. Section 747.04, Florida Statutes, is amended by adding subsections (3) and (4) to read:

747.04 Termination of conservatorship.—

(1) At any time upon petition signed by the absentee, or on petition of an attorney in fact acting under an adequate power of attorney granted by the absentee, the court shall direct the termination of the conservatorship and the transfer of all property held thereunder to the absentee or to the designated attorney in fact.

(2) Likewise, if at any time subsequent to the appointment of a conservator it shall appear that the absentee has died and an executor or administrator has been appointed for his estate, the court shall direct the termination of the conservatorship and the transfer of all property of the deceased absentee held thereunder to such executor or administrator.

(3) When the need for a conservatorship terminates, the conservator shall promptly file his final returns and his application for discharge with the court. If it appears to the court that the returns are correct and that the conservator has made full and complete transfer of the absentee's assets as directed, the court may approve the returns and discharge the conservator. If objections to the returns are filed, the circuit judge shall conduct a hearing under the same conditions for a hearing on objections to annual returns.

(4) Such discharge shall operate as a release from the duties of the conservatorship and as a bar to any suit against said conservator or his surety unless such suit is commenced within one year from the date of discharge.

Section 12. This act shall take effect July 1, 1971.

LEGISLATIVE SERVICE BUREAU SUMMARY

Amends Section 747.02, F. S., to provide that circuit court, as opposed to county court, have jurisdiction to appoint a conservator of estates of absentees if shown: absentee has interest in any form of property in state; or is legal resident of state; or wife or next of kin is legal resident of state and absentee has not provided adequate power of attorney with regard to property; or power of attorney has expired; and necessity exists to care for property or estate of absentee; judgments concerning his wife or children or if none then mother or father. Section 747.01, F. S., defines absentee as servicemen in armed forces or merchant marine during period of hostilities, reported or listed missing in action, interned in neutral country, beleaguered, beseiged, or captured; or any resident of state, or property owner in state, who disappears under circumstances indicating his death, mental derangement, amnesia or other mental cause.

Adds Section 747.021, F. S., allowing wife, or, if no wife, next of kin, of absentee to apply to circuit court for order authorizing sale or transfer of property under $500 in gross value, or matter concerning absentee's children and requiring his consent, or any subject under $5,000 gross value, without opening full conservatorship proceedings. The court shall enter order on petition without hearing or notice, if relief requested is necessary to protect absentee or his dependents, and authorizes petitioner to make conveyance, transfer or give consent.

Adds Section 747.022, F. S., authorizing wife or next of kin to apply for circuit court order to sell, lease, or mortgage absentee's property with gross value of $5,000 or more, or take specific action with respect to absentee's interest in property with gross value of $5,000 or more. Establishes requirements for petition and allows court after hearing to authorize sale, lease, mortgage or specific action without establishing conservatorship.

Amends Section 747.03 F. S., invoking jurisdiction of circuit court upon petition filed by anyone who would have interest in the property were absentee deceased, or by dependent of absentee, and provides essential contents of petition, as opposed to allowing county judge full discretion to appoint conservator.

Adds Section 747.031, F. S., requiring hearing on petition and notice of hearing to be given.

Adds Section 747.032, F. S., allowing court to appoint conservator of absentee, if after hearing is satisfied he is an absentee.

Adds Section 747.033, F. S., prescribing oath of conservator.

Adds Section 747.034, F. S., authorizing court to require bond of conservator as required of guardians under Sections 744.38, and 744.39, F. S.

Adds Section 747.035, F. S., giving conservator rights, powers, and duties of a guardian established in Chapters 744 and 745 (Florida Guardianship Law), F. S., and allows absentee and his dependents all benefits of a ward or ward's dependent under those chapters. Circuit court has responsibility of county judge's court under these chapters.

Adds Section 747.036, F. S., applying Chapter 746 (Florida Guardianship Law, Third Part), F. S., to resignation or removal of conservator.

Adds subsection 747.04(3), F. S., requiring conservator to file final return for termination of conservatorship which return must be approved to permit discharge of conservator. Permits hearing if objection to returns are filed.

Adds subsection 747.04(4), F. S., barring suit against conservator who has been discharged unless suit commenced within one year of discharge.

Effective July 1, 1971.

Companion to House Bill No. 1410.

YOUNG LAWYER LIAISON WITH POW-MIA FAMILIES

The Young Lawyers Section of the Florida Bar has currently created a standing committee to be of assistance and aid to the P.O.W.-M.I.A. families located in Florida.

The families are many times faced with problems confronting them that involves the local state laws. Since these families are military oriented they naturally turn to the Judge Advocate General's office of their respective service. The military lawyers in most instances, even though desirous of being of assistance, find that they are unfamiliar with the local law.

In order to avoid any ethical violations as relates to solicitation of business by the Young Lawyers and further to assure that the families remain anonymous, the P.O.W.-M.I.A. families are provided the names, addresses, and telephone numbers of several Young Lawyers who have previously volunteered to be available to assist these families. Everyone of the one hundred ninety-five (195) P.O.W.-M.I.A. families in Florida has the names of lawyers who will be available to them for legal services.

There is no rule or regulation concerning whether the Young Lawyers will provide these services gratuitously or whether fees will be charged. The families are not furnished any information that would lead them to believe that any services are free. However, experience, even though limited to date, shows that the lawyers thus far have provided their services gratuitously.

PROCEDURES TO FOLLOW TO SET UP YOUNG LAWYER LIAISON

1. Obtain names and addresses of POW-MIA families in the respective States. This information is available through various sources, however, the most reliable is from the Department of Defense or through the National League of Families, Washington, D.C. I can provide each of you with the most current list for your respective state.

2. Determine the number of families in geographic locations. Most of the families will generally be located at or near military installations. In order for you to determine the number of Young Lawyer volunteers needed in any given geographical area, this is necessary.

3. Get young lawyer volunteers. After the families are placed by geographic location it can be determined how many of Young Lawyers are needed in any given area. Experience has shown that there should be at least two (2) lawyers available in every area and no more than ten (10) families per two (2) lawyers.

4. *Letters to POW-MIA families.* The Chairman of the committee should send a form letter to each of the families in his state. The letter should explain the program and provide each family with the names, addresses, and telephone numbers of at least two (2) and preferably three (3) lawyers that the family can contact if the need arises. A sample letter used in Florida is attached.

5. *Statistical study.* Each lawyer that is called upon to assist any family should send a report to the state Chairman after the matter is completed. The purpose of these reports is to point out what problems are facing the families on a regular basis and should help pinpoint any legislation that could be passed if the problems are not solvable.

It is the desire of the Chairman to have every POW-MIA family in the United States in a position to receive legal assistance from a Young Lawyer, if it is needed, by September, 1971.

SAMPLE LETTER

(Date)

(POW–MIA Families)
(Address.)

DEAR (POW–MIA FAMILIES): I am pleased to advise you that the Young Lawyers Section of the Florida Bar Association has established a Committee to provide assistance, where needed, to all of the POW-MIA families residing in Florida.

It is not known at this time whether or not you have any legal problems that are unique to you because of the absenteeism of your husband or son. However, should you have any questions or feel the need to have a Florida lawyer assist you in any of these problems, the lawyers listed below have volunteered their services to you.

Lawyer XYZ (address and telephone number).

Lawyer ABC (address and telephone number).

The lawyers who have volunteered to serve on this Committee have not been notified as to the POW-MIA families in their geographic area. It will, therefore, be necessary for you to contact one of the above named lawyers should you desire any assistance.

Florida legislation in 1971 passed, and the Governor signed into law, procedure whereby wives and family members of servicemen held as POWs or MIAs can accomplish those things such as transfer of automobiles, boats, and recreational vehicles as well as the sale or disposition of property held jointly or solely in the name of the absent serviceman.

Lawyers who are serving on the Committee are familiar with this new legislation and will be glad to answer any questions concerning it.

It is hopeful that the necessity for the continual assistance of this Committee will be of short duration and that your loved one will return to his family at a very early date. In the meantime, however, if I or one of the lawyers named above can be of any assistance to you, please feel free to get in touch.

Yours truly,

_____, _____,

Chairman of Young Lawyers Section, Committee To Aid POW-MIA Families in Florida.

DISTRICT BREAKDOWN BY STATE OF POW—MIA FAMILIES

Rank and State	Primary NOK [1]	Secondary NOK [2]	Total
1st District:			
31 Maine	13	11	24
15 Massachusetts	37	33	70
46 New Hampshire	4	3	7
42 Rhode Island	6	4	10
2nd District:			
34 Connecticut	11	12	23
5 New York	69	67	136
49 Vermont	3	1	4
3d District:			
47 Delaware	4		4
16 New Jersey	33	28	61
9 Pennsylvania	47	65	112
4th District:			
44 Washington, D.C.	5	8	13
30 Maryland	14	26	40
4 Virginia	75	42	117
5th District:			
2 Florida	123	72	195
11 Georgia	44	30	74
7 North Carolina	52	37	89
20 South Carolina	28	11	39
6th District:			
17 Alabama	30	24	54
19 Louisiana	28	17	45
32 Mississippi	12	16	28
25 Tennessee	21	26	47
7th District:			
12 Michigan	42	42	84
6 Ohio	66	49	115
36 West Virginia	10	12	22
8th District:			
10 Illinois	47	47	94
22 Indiana	26	23	49
38 Kentucky	8	19	27
9th District:			
21 Iowa	27	26	53
26 Missouri	20	26	46
28 Wisconsin	17	17	34
10th District:			
23 Minnesota	24	28	52
18 Kansas	29	24	53
41 Nebraska	6	11	17
50 North Dakota	2	9	11
48 South Dakota	3	9	12
11th District:			
37 Arkansas	10	12	22
29 Oklahoma	14	28	42
3 Texas	113	83	196
12th District:			
13 Arizona	39	23	62
14 Colorado	38	26	64
27 New Mexico	19	7	26
45 Wyoming	5	6	11
13th District:			
51 Alaska	2		2
43 Idaho	5	9	14
35 Montana	11	8	19
24 Oregon	22	32	54
8 Washington	48	28	76
14th District:			
1 California	215	144	359
39 Nevada	8	1	9
40 Hawaii	8		8
33 Utah	12	10	22

[1] Primary NOK—Primary next of kin.
[2] Secondary NOK—Secondary next of kin.

Source: Figures are Department of Defense, January 1971.

STATES WHERE NEW LEGISLATION MAY BE WARRANTED

1. California.
2. New York.
3. Texas.
4. Virginia.
5. Ohio.
6. North Carolina.
7. Pennsylvania.
8. Illinois.
9. Washington.
10. Georgia.
11. Massachusetts.

AID FOR WAR WIVES

When the family's 1958 Ford began wheezing its last, Mrs. Virginia Fobair of Tampa, Fla, tried first to sell it, then to give it away. Hemmed in by legalisms, she finally donated it to an elementary-school carnival where, for only a dime, customers could swing a hammer at Mrs. Fobair's "frustration car." Mrs. Evelyn Grubb of Colonial Heights. Va., applied twice for a Bank Americard; both times the company replied that her husband's signature was required on the application. Mrs. Phyllis Kline and her husband, also of Tampa, owned an interest in a nearby orange grove that Mrs. Kline wanted to put on the market. But since the name of her husband, Air Force Lieut. Colonel Robert Kline, was on the title, she could not negotiate a sale.

The three women share a common problem: the agony of having their husbands missing in action or prisoners of war in Southeast Asia is compounded by frustrating legal tangles in their daily lives. They and the other wives run into a variety of restraints. Summer camps sometimes will not accept a child without the father's written approval. An insurance company held up payment for property destroyed in a fire. Colonel Kline gave his wife some legal power to deal with his property before he went to Viet Nam, but it proved not to be broad enough.

LEGAL REMEDY

This month the Young Lawyers Section of the American Bar Association started a service to aid the 1,600 families of P.O.W.s and M.I.A.s across the country. Walter S. McLin, a Leesburg, Fla., attorney and chairman of the A.B.A. program, has announced that the Young Lawyers will provide legal assistance to families, lobby for remedial state legislation, and distribute materials on the wives' legal problems to state bar associations.

After hearing repeated pleas from a number of wives last year, including his sister-in-law, Mrs. Frankie Ford, whose husband has been missing in action since 1968. McLin researched the problems. He found that Florida laws provided for situations in which a spouse is dead, mentally incompetent or absent by his own volition. There was no category for absent U.S. servicemen. As a result, wives who wanted to transact important family business were often helpless if their husbands had full or partial title to the property involved.

COOPERATIVE CAPITALS

Responding to McLin's prodding, the Florida legislature has amended the state conservatorship law to allow P.O.W. and M.I.A. wives the power of attorney to sell property. For values under $5,000 the wife need only submit written notice to a judge for routine review. For amounts over $5,000, the legislature granted similar rights but authorized the state circuit court to supervise the proceedings in detail. That way the husband's interests would be protected in major transactions, such as the sale of a house.

Texas followed Florida's example, and McLin is keeping close tabs on the calendars of all state legislative sessions in hopes that his A.B.A. colleagues will be able to collar sympathetic legislators on behalf of the wives. With remedial legislation and first-rate legal assistance, at least one problem of the families will have been eliminated.

FREEZE ON FOOD STAMP PROGRAM SHOULD BE LIFTED

Mr. EAGLETON. Mr. President, on October 20, the Senator from Florida (Mr. CHILES) introduced Senate Resolution 181 which would express the sense of the Senate that the full amount of funds appropriated by Congress for the food stamp program be made available by the Office of Management and Budget and that the program be expanded to additional areas with applications on file at the Department of Agriculture.

I have asked the Senator from Florida to add my name as a cosponsor of his resolution, and I hope it will have the support of other Senators.

The situation that exists in Florida is very similar to that in Missouri. In my State, out of 114 counties, only 10 counties and the city of St. Louis are now in the food stamp program.

As of yesterday, 26 additional counties had applications on file with the Department of Agriculture for inclusion in the program.

One of the Missouri counties that had applied for food stamps is Jackson County, which includes Kansas City, and is the second most populous county in the State. Approximately 40,000 residents of that county are eligible for food assistance. In the opinion of the Jackson County Court—the administrative body of the county—the needs of these people for food assistance can be met more adequtaely and efficiently through the food stamp program than through the commodity distribution program.

But with the moratorium that has been imposed on the expansion of the food stamp program, the Department of Agriculture can offer Jackson County officials little hope and no assurance that they will ever be included in that program.

On October 4, Senator SYMINGTON, Congressman BOLLING, Congressman RANDALL, and I wrote to George P. Shultz, Director of the Office of Management and Budget, urging removal of the freeze on expansion of the food stamp program and the release of funds appropriated by Congress for this program. I ask unanimous consent that this

letter, to which we have received no reply, be printed at this point in my remarks.

Recently I commented in another connection about the short attention span of Congress. Perhaps hunger is no longer a very interesting issue. We have passed a major food stamp bill. We have appropriated $200 million more for the current fiscal year than the administration requested. After these efforts, perhaps we are now willing to sit back complacently and watch the Office of Management and Budget impound these funds and place a moratorium on expansion of this program.

Mr. President, I believe the Senate should adopt the resolution of the Senator from Florida and express in the strongest terms its view that the funds appropriated by Congress should be made available for geographical expansion of the food stamp program.

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

U.S. SENATE,
Washington, D.C., October 4, 1971.

Mr. GEORGE P. SHULTZ,
Director, Office of Management and Budget, Executive Office Building, Washington, D.C.

DEAR MR. SHULTZ: We are writing to urge that the freeze placed on the geographic expansion of the Food Stamp Program be lifted so that Jackson County, and other counties which have demonstrated great need and effort, may participate.

We do so for two reasons. First, lifting the freeze would be consonant with Congressional intent. It would appear that the $200 million Congress appropriated over the budget request was intended to be used, not only within the areas where the program was already in operation, but also in new geographic areas.

Second, the situation that has developed in Missouri surely warrants the authorization of a Food Stamp Program in Jackson County.

This county, which includes Kansas City and which is one of the few metropolitan areas in the country not included in said program, has sought a food stamp program ever since last January.

Understandably, the members of the Jackson County Court stress the many advantages food stamps have over commodities for the growing needs of a major urban area such as theirs. Furthermore, they have assured us of strong public support for changing over to food stamps.

As evidence of the importance attached to these stamps in the Kansas City area, we enclose a copy of a letter from Judge George Lehr, which states that the County is willing to pay even the state's share of operating costs.

A particularly distressing problem has recently developed in Missouri as a result of efforts to finance the Commodity Distribution Program. Now, because of a change in the funding system, many of the 104 counties involved believe they may have to withdraw from the program. This would very possibly leave as many as 200,000 needy Missourians without any food assistance at all.

If Jackson County were transferred to the Food Stamp Program, over $160,000 in state and Federal funds would be freed to support commodity distribution in these areas.

We respectfully urge you, therefore, to remove the freeze on expansion of the Food Stamp Program; and also to release the additional funds which have been appropriated by the Congress, so that Jackson County, and other counties in the same situation, can operate the food program they find best suited to their needs.

Sincerely,

STUART SYMINGTON,
THOMAS F. EAGLETON,
RICHARD BOLLING,
WILLIAM J. RANDALL,
Members of Congress.

SEVERAL ABA SECTIONS APPROVE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, in 1970 several sections of the American Bar Association recommended that the house of delegates of the ABA give its formal approval to the ratification of the Genocide Convention. These were the Section on International and Comparative Law, the Section on Criminal Law, the Section on Judicial Administration, and the Section on Family Law. In addition the Standing Committee on World Order Under Law issued a similar recommendation.

Although the house of delegates did not approve these recommendations by a vote of 130 to 126, the very closeness of the vote is an indication of growing sentiment in the legal community for immediate ratification of the Convention. This and the fact that the above named ABA sections endorsed the Genocide Treaty should commend its ratification to us.

This is the voice of good jurisprudence, of legal wisdom, of sound constitutional analysis speaking to us. Can we not listen? Can we not respond? Mr. President, I urge the Senate to ratify the Genocide Convention without delay.

PROTECTION OF THE ENVIRONMENT

Mr. TOWER. Mr. President, on October 26, the Secretary of Commerce, the Honorable Maurice H. Stans, made a most thought provoking speech on the problems that the Nation faces in the area of protecting our environment. This address, made before the 40th international conference of the Financial Executives Institute in Houston, emphasized the role that businessmen are playing in the fight to save our environment. Secretary Stans' speech gave a new perspective to this problem and I therefore ask unanimous consent that it be printed at this point in the RECORD.

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

ADDRESS BY THE HONORABLE MAURICE H. STANS

Mr. Chairman, it is a very great pleasure for me to be here today for this meeting of the Financial Executives Institute.

Many of you are old friends, and we have much in common to discuss—because of the financial background we share and because the relationship between business and government is constantly becoming more important to all of us.

Today I was faced with a choice of talking about the subject most on your mind, but of a changing and passing nature—the President's Economic Program—or, a matter of more long-run concern to business, industry and the public—the question of a balanced national approach to the environmental issues facing the nation.

The latter is the one I have chosen to discuss.

ENVIRONMENT

A concern that must be seen in perspective is the matter of the environment and the anti-pollution movement in the country today.

This is a very emotional issue in many quarters. It is a very political one in many quarters. The public for its part is demanding action—actively, vocally, impatiently demanding immediate action to resolve pollution problems.

This creates opportunities to make progress. But it also presents some difficulties.

President Nixon has declared that the nation has been long overdue in halting its abuses of the air, land and water. He has made a commitment to eliminate pollution and to cleanse the atmosphere and conditions in which we live.

So there is no question that the environment ultimately has to be cleaned up, that we have to deal with pollution.

The question is, how do we go about doing this? And in the most sensible way?

PRIORITIES

The public's desire for immediate solutions is understandable; its impatience may be justified, in many respects.

But we cannot have single track minds in which the environmental issue overrides everything. That is how some people would have us look at our problems.

But if we yield unquestionably to every popular demand, if we settle for quick, immediate solutions to one set of problems, we can very quickly catapult ourselves into others that are much more serious.

There is evidence that this is happening—and it could lead to an environmental backlash.

So before we act out of panic—out of ecological hysteria, or misinformation—I think it is time to stand back, and look at the environmental problem in the whole.

It is high time for the entire nation to weigh the needs against the demands and say: "Wait a Minute, here—what are our priorities?"

We need to weigh our technological capabilities against the demands for immediate change and say: "Wait a Minute—can we really get there from here?"

We need to weigh each specific proposal against economic reality and say: "Wait a Minute, how do the benefits compare with the costs?

PROBLEMS

In other words, the problem is: how do we develop public and private policies in which economics and technology are factored into every environmental assessment?

Let me spell it out.

Industry has been indiscriminately accused by some of ignoring the pollution problems of our times and being responsible for most of them.

The charge is dead wrong and it is unfair.

Industry, of course, must bear a share of the blame. But the fact recognized by too few people is that many of the worst polluters are outside of industry—municipalities, other governments, agriculture, and the public itself. Witness the fact that hundreds, perhaps thousands of American communities pour millions of tons of untreated sewage into waters every day.

RESPONSE

By contrast, almost across the board, American industries have launched vastly complex and expensive efforts to help clean up the air, water and landscape of the country.

For example:

The chemical industry in 1970 spent $600 million for pollution abatement.

The iron and steel industry has spent more than a billion dollars on air and water facilities, and almost two-thirds of that in the last two years.

The automobile industry currently is in-

vesting a quarter of a billion dollars a year in pollution research and development.

The electric industries will spend two-thirds of a billion dollars on pollution control this year alone.

The paper industry is spending $321 million for air and water pollution control this year.

The petroleum industry is spending more than $500 million in pollution control this year, and in addition is developing expensive facilities in other countries to reduce the sulphur content of fuel oils being shipped here.

The oil and tanker industries are working closely with the government to eliminate oil discharges and accidental spills into the oceans.

The fact is that, on average, American companies will have increased their pollution control spending by almost 50 percent this year over the last year. They will spend some $18 billion over the next five years to meet the requisite standards.

Unfortunately business has failed to make these achievements credibly known to the American people. The idea still persists in many quarters that industry is doing almost nothing to fight pollution and what it does do is only because it is being dragged across the line. Neither is true.

There are deliberate polluters, of course, but most business has been working at pollution control for a long time—and it can be proud of its conservation records.

PROGRESS

As a result of industry's efforts, the nation is visibly cleaner today than it was in the past.

PRESSURES

But the critics of industry press the public to insist upon quick solutions to these complex problems.

The people, in turn, press the Congress.

As a result, arbitrary timetables have been imposed, and severe regulations have been applied; research has been forced to divert from the orderly paths of science and technology; and untested ideas have been put to action before they are ready.

All of this has given people a false feeling that the problems will all go away if we only put enough squeeze on business to act.

The trouble is that in the development of these pressures, reason sometimes gets lost and extremes become the result.

Many of the results have been beneficial to be sure, but some have been ill-conceived and harmful to people, to business, and to the country.

PHOSPHATES

Let me give you a few examples, starting with phosphate detergents—the washday ingredient that has recently come to typify the pollution villains.

Environmental pressures against phosphates were based on the argument that they accelerated the growth of algae which can destroy life in the waters.

Because of these pressures, the sale of detergent phosphates was banned by state and local governments over the country on a random crazy-quilt geographic basis.

But in the rush, perhaps someone should have said, "Wait a minute—what are we really doing here?"

As we now know, the answer is that we were taking foolish actions instead of careful ones.

DANGERS

First we set out to find a substitute for phosphates. But what happened?

Detergent manufacturers spent millions of dollars switching over to NTA, a substance used in Sweden and Canada—but it was shoved aside at the request of the government because some officials were concerned that it might create health hazards. Additional safety tests are now being carried on, but NTA cannot be used.

Then other substitutes began reaching the public containing caustic materials that were dangerous, especially to children. If those products get in a child's eyes, they can blind. Or if they are accidentally swallowed, they can maim or even kill. They have done so.

To limit these risks, the FDA has instituted labeling requirements for caustic detergents.

Unfortunately, the fact is that small children creeping on the floor next to the washing machine can't read them.

Some chemical substitutes for phosphates also wash out the flame-proofing in children's cotton sleepers which the textile industry has been working hard to develop.

FACTS

At this point more facts began to come to light:

First, phosphates are not of themselves polluters. They are nutrients, harmless to people and in fact a necessary element in human life.

Second, various scientific studies revealed that huge amounts of phosphates were pouring into the nation's waters from human waste, agricultural runoff and natural erosion—in many places far more than from detergents.

Next Congress was given scientific testimony that 85 percent of the people do not contribute phosphate waste to waters that can be affected by them, because of where they live.

Also, Congress took a scientific testimony that removal of phosphates alone could rarely reduce the growth of algae.

Finally, evidence has accumulated that the general use of certain caustic substitutes in detergents could cost up to $2 billion a year in wear and tear on clothes and on washing machines.

CIRCLE

As a result, the Surgeon General of the United States has now advised state and local governments not to ban phosphates, and has recommended that housewives return to using phosphate detergents.

And the Environmental Protection Agency has advocated a $500 million program to deal with phosphates from all sources through improved sewage treatment plants in affected areas.

So today we are back roughly where we started about two years ago, doing what we should have done in the beginning. We are dealing with phosphates at the treatment plants in specific trouble areas, not in legislative councils and public forums all across the nation.

In the long trip around this circle, all we have done is delay progress and confuse the people—at great inconvenience and unnecessary cost to the public, to industry and to government.

My purpose in citing these points is not to defend phosphates, or the industries that use them, or the products that contain them. Instead it is a way of saying.

"Wait a Minute. Before we rush helter-skelter into immediate responses to such problems of nationwide concern, isn't it prudent first to take the time to know what we are doing? To weigh all of the factors and consequences involved?"

POWER PLANT SITINGS

For another example, take the siting of new electric power plants.

This is all too familiar to many of you, I am sure.

The nation's need for more electric power is rapidly outrunning our capacity to generate it, and our demands for energy are going to double by 1980.

The answer would seem to be simply to build more power plants.

But in many areas of the country it has become almost impossible to do so.

Environmentalist pressures in the courts have placed the entire atomic power program in suspense, just as we face our years of greatest need.

The total amount of public and private construction being held up by environmental actions in the United States today is somewhere between $5 and $10 billion—and many of these are the electric power plants we must have to meet our needs.

So we are losing both electric power, and at least a $5 billion shot in the arm that our country could use for new jobs and the economy.

EXAMPLES

We all know the power trouble that New York City has been having for years. Con Ed is being forced to seek as many as 40 different approvals, many of them on environmental grounds alone, and until it can get clean atomic power it has had to build high-cost, short-term gas turbine plants that further pollute the skies of New York.

Houston is another case in point. Generating plant construction has been blocked because of complaints that the effluents, even after a costly cooling process, would raise the temperature of the discharge basin some two degrees above the present temperature levels.

Isn't it time someone said: Wait a Minute.

If we fix the right priorities—if we integrate our environmental, technological and economic interests—*all* of them can be served without one dominating the other.

The President has urged the Congress to enact legislation to resolve the power plant siting problem. He wants to assure public discussion of plans, quick and proper resolution of environmental issues, and timely construction of the facilities.

A law along such lines is urgently needed.

DDT

Another case in point is insecticides.

We all know there are valid arguments against some of them, but in the rush away from them, we can create massive new problems.

For example, in New Jersey, without DDT, more than one million oak trees have been blighted by the Gypsy moth.

Without DDT, forest insects went rampant in Sweden, eating away the raw material of that country's biggest industry.

DDT is estimated to have saved 500 million lives throughout the world.

Without DDT in India there would be 100 million cases of malaria each year instead of a few hundred thousand.

In Ceylon, without DDT, malaria cases went from almost none up to 10 percent of the population.

In Sweden, Ceylon, Venezuela and others, without DDT insects became so devastating that laws against DDT have been repealed or amended.

In parts of the United States, without DDT, insects have made it increasingly difficult to grow lettuce, lima beans, sweet corn, and so on.

Now, in time perhaps, substitutes for present insecticides can be developed and proved out. But in the meantime, most of the substitutes are uncertain or don't even exist.

The whole question is whether by precipitous action we will create an expensive gap between the present means and the later solutions.

Again, this is not a brief for DDT. This is just a way of saying:

"Wait a Minute. Before we act precipitously and ban products for one reason, shouldn't we at least be certain that the cure is not worse than the disease?"

ONE-INDUSTRY TOWNS

What about one-industry towns? Today a growing number of small communities across the country are fearful that they will lose their life if their single sustaining industry is forced to close, either because of rigid environmental protection controls or because they can't cope with the economic cost of complying.

For example:

In one California community, environmental regulations closed down the biggest

industry, a cement plant. The result—175 men out of work.

The same thing happened to a small chemical plant in West virginia. One hundred and thirty men became jobless.

There are many others.

Isn't it time for someone to say "Wait a Minute?"

Are the environmental dangers so imminent, so critical, that we have to throw thousands of productive people out of work? Are the dangers so great, so immediate, that whole communities must be run through the economic wringer?

Isn't it time that we first measure all the evidence, recognizing legitimate concerns on the one hand, weighing them fairly against valid considerations on the other, then act reasonably and carefully to protect both the environment and the jobs? It may take a bit longer but the end result would be far more satisfactory.

SST

For another example, Congress killed the SST.

The two prototype airplanes could have been used to test environmental consequences of supersonic flight.

Instead, forty thousand jobs were lost, along with an estimated $450 million in wages and other benefits, together with losses in research, technology, aircraft leadership and foreign trade—all immeasurable.

Shouldn't we as a nation have said "Wait a Minute?" Are we so afraid to build just two experimental airplanes that we would willingly sacrifice thousands of jobs, jeopardize the economic health of an entire city, forgo the technological advantage of an entire industry, and deny major benefits to our balance of payments?

Isn't it time we weigh our potential against the risk in every reasonable case?

PIPELINE

What about the Trans-Alaska pipeline?

Again, people have said, "Let's not build it because of the possible adverse consequences to the environment".

No one suggests that we ignore these possible dangers. Everyone agrees that we must take every known precaution to protect the environment.

But there is another side of the coin—the nation's need for the oil and the benefits to Alaska.

Isn't it time somebody says on things like this, "Wait a minute"?

We already have the technological means to provide reasonable protection against dangers to the Alaskan environment. Are we so afraid of what might happen that we will sacrifice the enormous new sources of oil we need for our homes, our cars, our jobs, our country? Will we sacrifice potential jobs for thousands of people who would be employed in the shipping industries, in Alaska and elsewhere? Will we turn our backs on all of the economic benefits to that state and to the country?

The environmental risks are recognized, but isn't it time we recognize that other considerations must also be taken into account in the national interest?

EMISSION STANDARDS

And what about the tougher emissions standards for transportation? Certainly they should be sought and should be achieved.

But—wait a minute—in the past decade the amount of hydrocarbons given off by an automobile has already been reduced by 80 percent, carbon monoxide emissions by 70 percent. And with existing capabilities, these improvements can continue in an orderly way.

But a mandatory standard of the Clean Air Act demands a 90 percent reduction below the remaining levels by 1975.

For hydrocarbons, according to experts, that level is as much as foliage gives off in the average yard of the average American home in the average suburb.

The same experts estimate that every car would have to be parked for two days after getting its tank filled—literally—because gasoline going from the pump to the car gives off at least twice the daily allowable hydrocarbons for that car.

Spreading one ounce of house paint releases the same daily quota of hydrocarbons.

Burning up two logs on the fire in the fireplace also emits the daily quota.

The list of examples could go on.

The Environmental Protection Agency has reported to Congress that we simply do not have the technology to comply with some of the standards that have been set in accordance with law.

To try to achieve these standards will result in millions of dollars of added costs, which inevitably have to go into higher consumer prices.

If we try to solve our environmental problems more quickly than our technology permits, not only will we raise costs sharply and suddenly, but we will also increase the number of false steps that we take along the way. The incomplete state of our knowledge leads directly to pitfalls that can't be foreseen.

So isn't it time to say: Wait a Minute. Let's weigh each need against the technological realities and let's not impose any more arbitrary deadlines that can't be met with the technology in sight.

Let's do the things we can do first, while making orderly progress against the others.

OFFSHORE DRILLING

What about offshore drilling? Certainly we should take every possible practical step to stop polluting the oceans.

But—wait a minute.

We have learned many things from the unfortunate spill at Santa Barbara.

For one, university studies have proved that oceans are very sturdy systems, able to take far more environmental punishment than man would ever willingly inflict.

Before we make offshore drilling too difficult let's recognize that by the end of this decade, offshore wells will have to provide 30 percent of our oil. And it will also provide much of the low-sulphur fuel that is urgently needed for clean air.

PROPOSALS

As all of you know so well, there are many other matters which we could cite and say "Wait a Minute." These examples make the point.

Let me give you some specifics as to guidelines in dealing with these matters in the future.

First, a determination of the economic impact should be required before environmental acts are mandated.

The public must know what the cost will be, what the alternatives are, and whether it will get its money's worth.

Second, a technological determination should be prepared in connection with any governmental action, indicating the time required to carry it out.

Third, we must avoid panicky, ad hoc approaches to the problems of air, land and water pollution, and develop feasible, long-range plans to deal with them on a balanced basis of regular, gradual improvements, always with consideration of the public interest and of the economic and technological factors involved.

Fourth, government should study whether companies and industries can finance the improvements that they are being required to make without prejudice to their financial security or their normal capital improvements and consider whether assistance might be required.

Fifth, the Congress should be urged to support all of the President's environmental plans relating to other than the business areas, so that industry's progress will be matched by progress in municipal disposal and other nonindustrial pollution problems.

Sixth, coordinated methods should be developed for governments to reach prompt conclusive decisions on power plant locations, as proposed by the President, in order to end those critical delays.

And finally, antitrust attitudes should be reviewed to determine the possibility of cooperative industry attempts, working together to resolve environmental problems.

OBSERVATIONS

Let me add this set of simple observations before I finish.

First, none of the major problems we face can be resolved instantly, all of them are too complex. They call for long-range programs and careful consideration of priorities and financing.

Second, business alone cannot be held responsible for all of our pollution. The burdens of responsibility and cost must be shared by all levels of government, by agriculture and by the public.

And third, the technology we need in order to solve our problem must be developed in many fields. We have a tremendous flow of uncoordinated, uncertain, imprecise data about the environment, and industry faces a severe shortage of environmental engineering specialists.

Fourth, we have to achieve greater conformity of state and local actions dealing with pollution control before we bog down the whole country in conflicting regulations and deadlines.

MANKIND

Finally, we have to recognize that even our manmade problems, in some instances, are essential to satisfying human existence on this planet. After all every new birth brings us instantly a new polluter. But even the most ardent of the environmentalists have yet to call for no new starts there.

Here again I suppose we could say, "Wait a Minute."

But what I am talking about is the necessity to recognize that the pollution problem exists in a real world, and it calls for balance and objectivity.

I can reduce it all to absurdity:

If we had no cars on the street, there would be no automobile pollution.

If we built no power plants, we would have no pollution from utilities.

If we washed no clothes we would have no pollution of our waterways, and so on.

But what kind of country would we have left?

The line between that kind of nonsense and the kind of sense we need to resolve the problem requires a sense of reality in dealing with the economic and technological factors, and with the impatience of those who would like to clean up the country overnight.

CONCLUSION

The time has come to bring these things into focus and stop overheating the view that we are killing ourselves today.

Without pause or equivocation, we must continue to halt pollution of the world, but we must do it realistically, soundly.

This point of view is supported by people like Dr. Philip Handler, President of the National Academy of Sciences, who not long ago said this: "My special plea is that we do not, out of a combination of emotional zeal and ecological ignorance, romanticizing about the 'good old days' that never were, hastily substitute environmental tragedy for existing environmental deterioration. Let's not replace known devils by insufficiently understood unknown devils."

So all we seek fundamentally in these considerations is a balance of values, a weighing of proper priorities, a measuring of the costs against the benefits.

And, gentlemen, if we approach our problems in that spirit of balance and fairness, we can meet our ecological needs, clean up the country and do so without undue economic risks for anyone, all within the framework of continued technological progress.

That is the way I think we ought to do it.

CONSUMER IS THE KEY TO A BROAD-BASED ECONOMIC RECOVERY IN PHASE II

Mr. MOSS. Mr. President, the administration's program for new job creation will fail to meet critical national employment needs until emphasis is placed on consumer spending—the real key to a broad-based economic recovery.

Several weeks ago the Department of Labor announced that unemployment remains at 6 percent, clearly an unacceptable level. The report, coming as it did only hours after the President's address on phase II of his anti-inflation campaign, brings a grim remainder that rising prices are not the only destructive force at work in our economy.

To the more than 5 million Americans seeking employment, price inflation remains a secondary consideration. The administration must realize that its call for wage and price restraints—though valuable in itself—cannot hope to cure our consumer ills in the absence of a vigorous drive to rid the Nation of unemployment. The administration's new economic program, therefore, must demonstrate the same determination to battle unemployment as it does in its campaign against inflation.

The phase II stimulants to economic expansion, however, currently consist simply of a "pro business" program of tax incentives. The frightening aspect of the administration's proposals, moreover, is their total failure to come to grips with contemporary economic reality. Apparently, believing fully that "what's good for General Motors is good for America", the administration relies almost entirely on giant tax concessions to business in creating more jobs.

There is little doubt that the administration's overall "package" to the businessman constitutes a truly massive Federal effort to stimulate economic expansion. In addition to the $5.5 billion investment tax credit, the program includes $3.5 billion in depreciation allowance liberalizations, $0.5 billion in tax deferrals to exporters, a 10-percent surcharge on foreign competition and a $2.5 billion automobile excise tax repeal.

The critical question remains, however, whether these giant concessions to business will actually result in the high levels of investment and growth which the attainment of full employment requires. Current evidence is to the contrary. Today, with more than a third of all existing industrial capacity lying idle, there can be little assurance that efforts to further investment in new capital and equipment will be effective. In short, there is little reason for confidence that tax relief to the investor alone will be productive of more jobs.

Mr. President, the real key to economic expansion during phase II is the American consumer. Unless the administration supplies sufficient stimulus to consumer spending, its ad hoc attempts to speed business recovery will be like offering crutches to someone who is starving to death.

Of the three sources of spending power in this country: business, Government, and the consumer, it is the latter which accounts for a full two-thirds of the total domestic market. Looking at the administration's program, however, this fact appears to have been all but forgotten. As the economist Walter Heller put it:

> Business is offered a $9 billion tax break while the consumer gets little more than a soupbone.

I believe that the administration's trickle-down philosophy of trying to create jobs by awarding tax breaks to business firms puts the cart before the horse. Business will only be good when the people begin to buy, when they have both the income and the confidence needed for high levels of consumption.

As part of a program to put the stimulus where it belongs in the American economy, I urge an increase in the level of relief presently being offered for the individual taxpayers. Specifically, I support measures that increase disposable income by raising the personal exemption and the low-income allowance. Such measures would eliminate Federal taxes for those families below the poverty line. Moreover, they would place money in the pockets of those people in our society who spend practically all of their income on immediate consumption. The resulting impact on the economy would be enormous.

Proposals to increase the consumer's income will not be effective in themselves. Surveys have found that, today, spending is held back by deep-seated public doubts concerning the economic future. There could be no greater stimulant to economic expansion than a growing confidence in the administration's determination to remove the ominous spector of unemployment.

NATIONAL POWER GRID

Mr. METCALF. Mr. President, in July Congressman ROBERT O. TIERNAN of Rhode Island introduced legislation for a national power grid. He was joined in his legislation by Congressman JAMES G. ABOUREZK of South Dakota and Congressman HERMAN BADILLO of New York. Senator GEORGE MCGOVERN and I introduced identical bills in the Senate.

Recently at a meeting of the Northeast Public Power Association, Congressman TIERNAN outlined the purpose of the bills, the reasons for their introduction and described how the proposed national grid would operate.

Excerpts from Congressman TIERNAN'S speech were reprinted in the October issue of Rural Electrification.

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

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

TIERNAN EXPLAINS NATIONAL POWER GRID ACT

This morning you have been discussing your involvement in the New England Power Pool (NEPOOL) which represents the industry's response to the need for a single system (in New England).

While I would be among the first to commend the industry for its good faith attempt to make such a system workable, there are substantial problems inherent in this type of structure which are not being, and probably never can be, resolved.

Mr. (Robert) Feragen (general manager of NEPPA) has analyzed these weaknesses very well in presenting your association's views to the New England Regional Commission.

I quote: "NEPOOL has found no way to exert the kind of control required to create a comprehensive optimized regional system. The consequences in terms of cost to the public have not been assessed to our knowledge. But they are undoubtedly great."

Let me restate the basic problem, from which all the rest are derivative. As the Zinder Report (prepared by Zinder & Associates of Washington, D.C., for the New England Regional Commission, consisting of the governors of the six New England states and a Federal appointee; the report is an extensive study of New England power needs in the next 20 years) indicated, "each utility must view proposals from the viewpoint of the interests of its own customers and stockholders, which are not necessarily the same as those of New England."

There is, thus, no assurance in this concept that the fundamental objective of a single-system approach to regional power planning—based on regional interest being paramount—will be achieved.

No such system can operate effectively without centralized decision-making authority.

But because of their nature, investor-owned utilities are concerned primarily with their own economic considerations and only secondarily, if at all, with the needs of other utilities in the region.

Thus, true single-system operation becomes improbable, as is apparent in the delay in reaching agreement on how NEPOOL will operate and how its costs will be allocated among the member systems.

And even if a utility were willing to accept a decision of the pool, it might be unable to do so for reasons of financial or corporate incapacity or because of statutory limitations.

There is yet another reason why I do not consider a power pool, developed and owned primarily by the investor-owned utilities, the best means of implementing the single-system approach.

This hinges on public policy issues involved in the generation and transmission of electric power.

These issues are not primarily economic, and hence are unlikely to be maximized in any system where economic goals dominate, as they must for the investor-owned utilities.

The supply of electric power adequate to the need, reliable, and produced without harm to the environment, has become one of the basic necessities of life, and just as there has been a role for government in assuring the availability of other necessities, there is a role for government here.

I am the author of a bill recently introduced in Congress to establish a National Power Grid Corporation and regional bulk power supply agencies.

This, I feel, is a better approach to the establishment of single systems, not only in New England but throughout the country.

The bill's stated goal is to assure an adequate and reliable low-cost electric power supply consistent with the enhancement of environmental values and the preservation of competition in the electric power industry.

The bill would establish a public "National Power Grid Corporation" which would be responsible for the construction and operation of large-scale generating plants and a nationwide system of transmission lines.

The power available from the National Grid would be marketed to utilities in the various regions of the United States by "Regional Bulk Power Supply Corporations."

As the sole marketer of the National Grid's power, these corporations would be responsible for the construction and operation of transmission lines in the region for the purpose of distributing power to the utilities.

They would submit to the National Corporation each year a projection of their demand seven years in the future. The National Corporation would then contract with them to supply that amount of power.

Rates for power sold to Regional Corporations would be at the lowest level possible consistent with the responsibility of the National Corporation for environmental protection, on a postage stamp basis throughout the country, that is, a uniform rate irrespective of particular generating or transmission costs.

The Regional Corporations would charge for transmission on a simple unit-cost basis, taking into account the same environmental responsibility.

In this bill we think that we have implemented the recommendations of the New England Commission's report, with three major exceptions.

First of all, we do not take over the existing utilities in the region.

Secondly, we allow utilities to operate their own generation facilities, making participation in the National Grid optional.

And thirdly, we extend the benefits of regional and interregional coordination on a national basis.

Is such a National Corporation a better means of implementing the single system approach than a utility-established organization like NEPOOL?

I think that I have already partially answered that question in my discussion of the inadequacies of the New England Power Pool.

Apart from the economic considerations which affect the likelihood of establishing such a power pool, there are anti-trust considerations involved.

We in this country have committed ourselves to the theory that the best product or service at the lowest cost is most likely to be provided in a competitive system.

But time after time we have seen examples of concentrated industries which have stagnated and failed to keep pace with the technology in the field.

I do not believe we can look forward to the greatest possible advances in new technology and new operation methods from the establishment of a handful of regional monopolies in the electric power industry.

It is for that reason that I am opposed to the revision of existing state and Federal statutes to allow these power pools to develop in that direction.

Of course, the same parallel could be drawn for a publicly owned regional monopoly.

This affected my determination not to establish a single bulk power supply agency with exclusive responsibility for generation and transmission.

I am committed to the idea that the best possible electric service can be provided with a pluralistic system.

Recognizing, however, that the technology for producing electric power is such as to require some sort of concentration, we have adopted what we think is the best possible solution.

I would envision this public corporation working side by side with private utilities. In many cases they would be mutually reinforcing, the public corporation serving to the extend the benefits of pooling and providing the pool members with an alternative reliable power source.

Similarly, the pools might contract with the public corporation to sell their excess capacity.

In situations where critical environmental issues were involved, the public corporation could step in to build generation facilities of a type not feasible for the private companies.

It should be apparent by now that the significance for the municipal, public power, and cooperative distribution facilities of such a National Grid Corporation is great.

One important benefit that accrues from the operation of such a system is the fact that we can maintain a diverse electrical distribution industry in this country.

Obviously we are in a position now where municipal utilities, because of their very small size, are reliant on investor-owned utilities for the supply of power, a situation which is often very difficult for them.

One of the interesting findings of the New England Regional Commission's report was that the fragmented industry structure in New England was one of the major reasons that New Englanders paid one-third more for their power than consumers in other parts of the country.

However, the economies that result from the consolidation of this fragmented industry structure into a large single system operation exist only in generation and transmission, and not in distribution.

Therefore, the maintenance of the small public and private distribution systems would be assured without any adverse effect on the efficiency of the regional system.

I am certain we will be hearing alarmed reports that the passage of this bill would mean the nationalization of the electric power industry. But I think it is obvious to you gentlemen that this is not so.

My bill is an attempt to establish a beneficial relationship between government and private industry in assuring a service which is the responsibility of both.

The investor-owned utilities have resisted this partnership in the past and will probably continue to do so in the future.

Fresh in all of our memories is the experience of the private utilities' massive overkill of the Dickey-Lincoln Project, whose latest estimated benefit cost ratio was a glowing 1.9.

So obviously preferable to any alternative generation technique, the Dickey-Lincoln Project was resisted by the private utilities merely because it meant public involvement in a domain which had been heretofore completely their own. One wonders if they might be afraid of a little competition.

We do not seek to take over the facilities of the private industry. Indeed we have pointedly not done so. All we are saying is, in the field of generation, let us have a public alternative to the plans of the private utilities.

THE CRISIS IN EAST BENGAL

Mr. KENNEDY. Mr. President, the crisis in East Bengal is a story of human misery on a scale unequaled in modern times. It is a story of systematic terror and military repression, of indiscriminate killing and the dislocation of millions of civilians. It is a story of death and disease, of too little food and water, of fetid refugee camps without hope and a countryside stalked by famine.

And throughout it all, the world has barely murmured a word.

Perhaps this is because we are conditioned in the world we have created to accept such suffering and injustice. To many the plight of the Bengali people is just another link in the chain of war-ravaged populations stretching around the world in recent years.

But perhaps, Mr. President, the public is silent because the public does not know.

To bring the facts more forcibly to the public's attention, the noted British charity, OXFAM, has recently published an impressive brochure entitled "The Testimony of 60 on the Crisis in Bengal." No one who reads this document can remain unmoved or uninformed as to the plight of the Bengali people.

To share this eloquent statement with Members of the Senate, I ask unanimous consent that it be printed at this point in the RECORD.

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

THE TESTIMONY OF 60 ON THE CRISIS IN BENGAL

(Compiled by H. Leslie Kirkley, C.B.E., Director, Oxfam, Oxford, October 21, 1971)

Sixty men and women have been to, seen and lived in a situation which has been referred to as "defying description". This is their attempt to describe it. It is their record, their voice, their testimony of a tragedy.

Senator Edward Kennedy and Mother Teresa are known to the world. Others are international journalists testifying specially for this document: Michael Brunson (ITN), Clare Hollingworth (Daily Telegraph), Claude Mosse (Radio Suisse), Frederick Nossall (Toronto Telegram), John Pilger (Daily Mirror), Nicholas Tomalin (Sunday Times). Yet others are experienced relief workers from British, European, North American and Indian organisations. All have freely and generously given their time and their energy.

They are eye-witnesses, and the story they tell is horrifying. It is a story of millions hounded, homeless and dying. It is too a story of the world community engaged in a communal ostrich act.

Perhaps it is that the world does not know. Then let the facts speak. Perhaps it is that we just cannot comprehend the extent of the disaster. A population the size of Sweden and New Zealand together have already fled from their homeland. *Millions* more who remain now face famine. It does not bear thinking about. But we must. If a small girl can write to Oxfam and say "We decided to help. We raised altogether £56.15. We are all about 9½," then surely to God world governments can think in the terms necessary. In the name of the hundreds of thousands who have given and will go on giving through Oxfam and similar agencies throughout the world, I put forward the following appeal with all my heart:

Of the British Government—I ask for an immediate new sum of £25 million for refugee relief. Britain *has* given, but nowhere near the scale the situation warrants. A further £25 million would mean that Britain had covered about one month's refugee costs. It is the least we can do as a nation.

Of the world community—I ask that the United Nations General Assembly, now meeting, should immediately appoint a special executive group of five, under the personal chairmanship of the Secretary-General, with authority to ensure the urgent funding and implementation of the relief programmes for India and East Pakistan. I further plead that every Government freely contributes all appropriate resources at its disposal to this vital humanitarian operation.

Of the Pakistan authorities and the Mukti Bahini—I ask for their full acceptance and encouragement of a comprehensive UN famine-relief programme and the creation of conditions genuinely compatible with the return of refugees to their homes.

Of people—ordinary people—I ask that they continue to care and give. I ask that they refuse to accept that even one life is dispensable.

It is, to me, inconceivable that we should do less.

Brief background to the crisis—At Independence in 1947, "British India" was divided into four parts: India, Burma, and East and West Pakistan; the latter united as one country by Mohammedanism but separated by a thousand miles, a different language and even a different script. It is as though Greece

and Britain were one country, united by Christianity.

For many years, the conflicting regionalism within Pakistan—the Bengalis in the East, the Pathans, the Punjabis, the Baluchis in the West—were held together by a tough military dictatorship. Power was held in few hands. Twenty-two families owned over half the industrial wealth of the country.

For some years, the East has been getting a rough economic deal. In 1968 55% of exports came from the East: yet 70% of imports went to the West. Jute, providing 40% of the country's exports, comes almost entirely from the East. In the third five-year plan (1966–70), 52% of the finance was allocated to the East: only 36% was spent there.

In March 1969 Ayub Khan resigned and was succeeded by General Yahya Khan, who was determined to hand over to civilian rule. Poignantly, it was the first step to democracy—the general election of December 1970—which started the crisis. In this election, Sheikh Mujibur Rahman, leader of the East Pakistan-based Awami League, gained 167 out of the 169 seats in the Eastern Assembly and thereby control of the 313 seats in the National Assembly. His programme stopped only just short of secession for the East.

In the West, Z. A. Bhutto of the People's Party won, and he boycotted the first meeting of the National Assembly, arranged for 3rd March 1971. Yahya Khan postponed the Assembly indefinitely. Murder and looting broke out in Dacca together with calls for independence for the East.

On March 25th, West Pakistani troops brought into the East struck to control Dacca and Chittagong, in anticipation of a Bengali mutiny. A bloodbath followed, of hideous proportions. Women and children were machine-gunned and raped. The army killed Bengalis indiscriminately. The Bengalis killed non-Bengalis. By early May hordes of refugees, 65% of them Hindu, were pouring across the borders of India, mute testimony to the massacres behind them.

By mid June, 5 million had gathered: the largest exodus of people since the SS stalked Europe. The Indian Government set up camps to feed them, but there was a desperate lack of sanitation, shelter and fresh water. Cholera broke out. Then the monsoon came. And all the time more refugees, until the numbers reached their present level of nine million: and still they come, 15–40,000 a day.

A call for assistance to Pakistan by Pope Paul—"Millions of human beings are in conditions of extreme want. One disaster after another has struck those people who are extremely poor. There is no lack of news and the facts are frightening, revealing a disturbing disparity between the help required and the means actually available. To save innumerable lives people must awake to the need. Public and private aid, including our Own contribution, is being offered but it is not nearly enough. It is not too much to hope that the world will be touched by the plight of these people and send the things that are essential: food, clothing, medicine and money."

The money needed—The refugee programme is the biggest that has ever been mounted this century. The programme is currently running at $350 million for six months—over £1 million a day.

The United Nations High Commissioner for Refugees called for funds to meet India's burden: so far only $114 million has been pledged, $70 million of which has been contributed by one country: America.

The British Government's contribution has been £8 million to India and £1 million to Pakistan. In addition to this British charities have spent another £1 million on their own programmes.

To get some kind of scale to the sum Leslie Kirkley asks of the British Government, two facts should be borne in mind.

1. International aid to Pakistan from 1950 to 1969 amounted to an astronomical $6,033 million: or over $300 million a year. Since the present crisis, new aid to Pakistan has been postponed by the major donor countries—with considerable savings to the British Government (last year, Britain's aid to Pakistan was £9½ million).

2. President Nixon is currently asking Congress for an *additional* $250 million.

(Acknowledgments: Oxfam thanks those who made The Testimony of Sixty possible. The contributors make their testimony in their own words, photographs or sketches. Their views do not necessarily coincide with those of Oxfam; nor are they bound by their statements to Oxfam's policy. We thank Clare Hollingworth, Nicholas Tomalin and Martin Woollacott who gave their time for the main articles; the Daily Telegraph, the Sunday Times and the Guardian who released them; Romagno Cagnoni, Alan Leather and Donald McCullin for their photographs, Dennis O'Dair of the Observer for his design; all the eyewitnesses for the trouble and expense they took to get their statements in on time for the publication; finally to Gerald Scarfe, whom we rang for an eyewitness statement, but said "I'm not a man of words" and gave these drawings.)

SENATOR EDWARD KENNEDY

Mosaic of misery

This stark tragedy is not yet understood by the world. I can tell you that not until you see it first-hand can you begin to understand its immensity. For only by being there can you sense the feelings and understand the plight of the people, and the forces of violence which continue to create refugees and increase the toll of civilian casualties.

In India I visited refugee areas along the entire border of East Bengal—from Calcutta and West Bengal in the west—to the Jalpaiguri and Darjeeling districts in the north—to Agartala in the State of Tripura in the east. I listened to scores of refugees as they crowded into camps, struggling to survive in makeshift shelters in open fields or behind public buildings—or trudging down the roads of West Bengal from days and even weeks of desperate flight. Their faces and their stories etch a saga of shame which should overwhelm the moral sensitivities of people throughout the world.

I found that conditions varied widely from one refugee camp to another. But many defy description. Those refugees who suffer most from the congestion, the lack of adequate supplies and the frightful conditions of sanitation are the very young—the children under five—and the very old. The estimates of their numbers run as high as fifty percent of all the refugees. Many of these infants and aged already have died. And it is possible—as you pick your steps among others—to identify those who will be dead within hours, or whose sufferings surely will end in a matter of days.

You see infants with their skin hanging loosely in folds from their tiny bones—lacking the strength even to lift their heads. You see children with legs and feet swollen with oedema and malnutrition, limp in the arms of their mothers. You see babies going blind for lack of vitamins, or covered with sores that will not heal. You see in the eyes of their parents the despair of ever having their children well again. And, most difficult of all, you see the corpse of the child who died just the night before.

The story is the same in camp after camp. And it is complicated by the continually growing number of civilian casualties overburdening an already limited hospital system. Most of these casualties have been brought across the border by their fellow refugees. Yet there are also large numbers of Indians whose border villages have been subjected to shelling from Pakistani troops. In addition, there are the untold numbers of victims who remain uncounted and unattended in the rural areas of East Bengal.

The government of India, as it first saw this tide of human misery begin to flow across its borders, could have cordoned off its land and refused entry. But, to its everlasting credit, India chose the way of compassion. The Indian Government has made Herculean efforts to assist and accommodate the refugees—efforts which history will record and remember. And while the magnitude of the problem staggers the imagination, the individual accounts of the people who have fled East Bengal tear at your heart.

A 55-year-old railway employee—he was a Muslim civil servant with 35 years service—told me of an unexplained noontime attack by the Pakistani army on his railroad station. "I do not know why they shot me," he said. "I don't belong to any political party. I was just a railway clerk." Now he sits idly in an Indian refugee camp, financially crippled, and with no prospect of returning to receive his long-earned government pension that was to begin next month.

Even more tragic are the experiences of the innocent and uneducated villagers. You can piece together the mosaic of misery from dozens of interviews among new refugees on the Boyra-Bongaon Road north of Calcutta.

On the day we traveled this 20-mile road, at least 7,000 new refugees were streaming along the banks of the border river crossing near Boyra. Nearly all were peasant farmers. Most were Hindus, from the Khulna and Barisal districts south of Dacca—on the fringe of the area affected by last fall's cyclone.

The very young and very old were exhausted from many days and nights in flight—usually on foot. Many were in a visible state of shock, sitting aimlessly by the roadside or wandering aimlessly toward an unknown fate. They told stories of atrocities, of slaughter, of looting and burning, of harassment and abuse by West Pakistani soldiers and collaborators. Many children were dying along the way, their parents pleading and begging for help. Monsoon rains were drenching the countryside, adding to the depression and despair on their faces. To those of us who went out that day, the rains meant no more than a change of clothes, but to these people it meant still another night without rest, food, or shelter.

It is difficult to erase from your mind the look on the face of a child paralysed from the waist down, never to walk again; or a child quivering in fear on a mat in a small tent still in shock from seeing his parents, his brothers and his sisters executed before his eyes; or the anxiety of a 10-year-old girl out foraging for something to cover the body of her baby brother who had died of cholera a few moments before our arrival. When I asked one refugee camp director what he would describe as his greatest need, his answer was "a crematorium". He was in charge of one of the laregst refugee camps in the world. It was originally designed to provide low income and middle income housing, and has now become the home for 170,000 refugees.

The tragedy of East Bengal is not only a tragedy for Pakistan. It is not only a tragedy for India. It is a tragedy for the entire world community, and it is the responsibility of that community to act together to ease the crisis.

Simple humanity demands that America and the United Nations must accept the truth that this heavy burden should be borne by the entire international community, and not by India alone.

MOTHER TERESA

(Mother Teresa is the founder of "The Missionaries of Charity." Last year she received the Pope's Prize. She has been working amongst the dying and destitute in Calcutta since 1948. Her order is one of the few Catholic orders with no shortage of novitiates. She has 700 nuns and postulants. They live in the slums, sworn to total poverty, eating the same food as the poor.)

We are trying to make the problem of India the problem of the world.

India has been wonderful in accepting and taking care of the millions of Pakistan refugees and India will continue to take care of them. In opening the door to them, the Indian Prime Minister, Mrs. Gandhi, has done a wonderful, a Christ-like thing.

Let us remember this: the people of Pakistan, the people of India, the people of Vietnam, all people wherever they may be, are the children of God, all created by the same hand. Today, the Pakistan people belong especially to us. They are part of the family of God in all the world.

This problem is not only India's problem, it is the world's problem. The burden must be carried by the world, the answer must be given by the world.

For us in India, good has come from the problem because our people have made considerable sacrifices and will continue to make them.

But the entire world must, I repeat must become concerned. Let us all, wherever we are, realise that we have millions of children suffering from malnutrition and starvation, and there are other difficulties, the enormity of which people find it hard to appreciate. Here again, unless the world comes in with food and proteins and those other things the children need just to lead ordinary, healthy lives, these children will die—and the world will have to answer for their death.

I have been working among the refugees for five or six months. I have seen these children, and the adults, dying. That is why I can assure the world how grave the situation is and how urgently it must help.

The appeal is to the world—and the world must answer.

NICHOLAS TOMALIN

When the newsmen crack up

("The rest of us who watch it find it more and more impossible to know what to do as individuals." Nicholas Tomalin of The Sunday Times writes an exclusive report on the worsening plight of the refugees in India.)

The Pakistan crisis is the worst disaster that has faced the world for the past 30 years. It is also morally the most simple. The villains, those Pakistani generals who ordered a military attack on their own countrymen last March 25th, are more obviously in the wrong than any military aggressors since the Hitler war.

The victims, nine million refugees in India, sixty-five million Bengalis left behind in East Pakistan, are more innocent, more suffering and more numerous than any we can remember. The circumstances combining war, famine, cyclone, gross injustice and apparent apathy on the part of people and governments elsewhere throughout the world, are terrible in a way that clearly exceeds the horror of Vietnam, Biafra, or any of the bloody African conflicts of the past 15 years. All that this huge melodramatic tragedy lacks is a hero and a solution.

As the weeks go by and more people die—some say it is two or three thousand a week—the rest of us who watch it going on find it more and more impossible to know what to do as individuals. We are helpless.

Some of us salve our consciences by sending in cheques to charitable funds, some organise concerts or protest meetings in far-away cities, some campaign for an independent Bangla Desh. A few come to India and try to feed or nurse a hundred or so of those nine million.

Relief agencies like Oxfam can lessen the suffering and delay the final catastrophe, but none of them have enough money, people or power to solve the real problem. Only governments, the most powerful ones acting together, can do that. They must take ruthless and skillful political action to force Yahya Khan and his Pakistan Government to admit that their present policy is criminal and stupid and must stop. Then they must force him or his successors to remove virtually all his troops from East Pakistan and guarantee the safety of those refugees who want to return there. Then they must persuade Indira Gandhi and her Indian government to accept and support those refugees who do not want to return. Then they must pay out money, hundreds of millions of pounds of it, to save people from death by starvation, disease and exposure.

If all these things are done quickly there might not be a catastrophe. East Pakistan, in fact Bengal in general, would still be a disaster area. But that is by contrast a happy prospect.

I am writing down these apocalyptic thoughts about a week after going to see some of the refugee camps that have been set up around Calcutta. I am lying on a soft mattress beside the large swimming-pool of the Grand Hotel in the centre of the city, drinking many bottles of cold beer, munching peanuts and occasionally breaking off to read a grubbily printed paper called "I love you" comic about a boy and girl ski-ing down a hill, while the girl says, "I love Steve, but what will he do when he learns my secret? Can he forget my past?"

I swim a lot, eat strange bitter curries and try not to be irritated with Bengali liftboys who fuss over me like some parading Maharajah, in the hope of a large tip.

I do all this because it is taking a long time to get unjittery again after seeing what is happening to the refugees. My newspaper colleagues seem the same. I mention this because in all other situations they have always been able to watch the most appalling events and experience unbearable human misery and remain unaffected in themselves.

I have seen them in Vietnam, back from Biafra, or in the Bengal cyclone. They were concerned, not without compassion, but able to cope with their emotions. This time they cannot cope.

One colleague who has had an operation for throat cancer is already back on seventy cigarettes a day. The gathered newspapermen arm themselves with a specially virulent form of cynical self-protection.

Looking at a picture of an emaciated little Bengali girl admiring herself in a fragment of mirror, someone says: "Preparing to be an Oxfam poster," and everyone giggles.

"I got a wonderful picture today," says one photographer. "Two babies dying together in the mud."

"I did better than that," says another, "I got them to hold hands."

Everyone else in Calcutta is equally emotional. A local diplomat, who looks as if he would remain perfectly urbane throughout the second coming, is talking passionately about war. He thinks there will be one between India and Pakistan this November, or if not this November *next November*. India, he argues, will simply not be able to bear the economic burden of the nine million starving, non-productive new inhabitants.

Already there are riots in Assam where the hill people dislike the Bengalis from the plains, who have fled to their mountains. Already there are continual fights and quarrels, even in the camps around Calcutta. The Indian peasants welcomed their suffering brothers at first. Now, as they see the strangers take their jobs at starvation wages, despoil their fields, and steal their goods and women, the hostilities grow.

Therefore, argues this diplomat, India will very soon be forced into a desperate military offensive against East Pakistan, gambling on clearing out Yahya Khan's troops (with the support of the local Bengalis) within a week. Then she will ship all the refugees back to East Pakistan. Then she will decide whether or not to make East Pakistan a province of India. It has to happen in November because snow blocks the mountain passes and prevents China attacking from the north.

This man has been in India for many years: he loves Bengal and even loves Calcutta. Until this summer he believed that India's terrible problems of recurrent crisis, famine and war were coming to an end with a new strong central government. He thought the country, at last, would begin to be peaceful, united and prosperous. Now this.

"I am more depressed than I can tell you," he says. "I cannot see any way out. I cannot see any solution. Death and ruination everywhere, that's all I can see."

My friend the Indian Army general has bags two inches deep beneath each eye He seldom sleeps at night. 'I don't know if they're going to attack or where or how. I can no longer understand these Pakistani soldiers' minds," he says. "Really, I think they've gone mad. They see the total collapse of their policy in East Pakistan, but it only seems to encourage them in their folly. They suffer from that tragic warrior's blindness: the more terrible, hopeless and unjust their cause, the more noble it seems to them. The more their actions threaten to annihilate everyone, the more they brandish their swords.

"Honestly, I think the Islamabad government is going to make a supreme gesture and go down fighting. If they do that they'll bring down the whole sub-continent with them, not to mention the refugees and our own Bengali people. Then maybe China will join in, then Russia, then the Americans and yourselves, then we have a Third World War."

Meanwhile the luxurious swimming-pool has ceased to be the haven it seemed. A soft plopping noise announces the arrival of a dead rat dropped carelessly from the beak of a carrion crow. It stains the tiling round the diving board.

Perhaps what makes all of us around the swimming-pool so neurotic and jittery is the unremittingness of the disasters in this part of the world. They never stop. I do not mean by this the repetitive history of conquest and reconquest, when wave after wave of warriors reduced the once dazzling prosperous area of Bengal to the poorest part of the world, aided by centuries of natural disasters It was, of course, the East Bengalis' special bad luck that the Moghul emperors decided to forcibly convert them to Mohammedanism when they swept in from Persia and the West. Mohammedanism does not suit excitable and intellectual Bengalis, and had they remained Hindus there would have been no partition riots there, no religious problem in Bengal, and most important of all, no splitting off of the nonsense province of East Pakistan. They would all have been part of India, which is the only geographical arrangement which makes economic sense.

What really hurts is the recent history. Misfortune created poverty which created greater misfortune which could not withstand further natural disasters, exploitation, internal corruption, religious bigotry and political inflammability. In such a hopeless, messy place, how could the disciplined Punjabi rulers of Pakistan create any order and prosperity? How could they stop their brisk merchants from exploiting the place? How could they defy Muslim principles and

start a proper birth control programme to reduce the bursting population?

How understandable that East Pakistan became in essence a colony of West Pakistan with racial hostility between the tall brown unemotional Westerners and the small dark excitable talented Easterners. The Punjabis and Biharis thought of Bengalis as little better than poor grubby monkeys and uncontrollable. And in their own terms the situation seemed to justify that belief.

The Bengalis saw the Western army rulers, merchants, and money lenders as worse than the British imperialists, less benevolent, less understanding of their special sensitiveness and talents for self expression. No wonder that hostilities built up so fiercely that just before the blow-up last March the Bengalis had been demonstrating ferociously and killing Western 'foreigners' in their country. Because they had lived such doomed lives for so long, such atrocities (which have long been a part of violent tradition in the subcontinent) were entirely understandable. And no wonder, finally, that East Pakistan, after a million of its inhabitants were reportedly drowned and killed in the cyclone disaster last year, finally voted almost unanimously for their own Awami League and against Islamabad domination.

What was criminal and stupid in this situation was General Yahya Khan's decision that the simple military solution was the only one possible. He should have known that no military solution could cope with such hostility, that it was not only obviously unjust and illegal to take the action he did, but bound to fail.

In the months that followed the March attack, everything happened that Yahya should have been able to predict. The country grew not less but more hostile. The Bengali guerillas destroyed all communications. And where they failed the Army's counter-attacks succeeded. The food harvesting in this naturally fertile area was largely disrupted. The hostility and killing began to be increasingly religious as well as racial. There were about ten million Hindus living amongst the Moslems in East Pakistan. As soon as it became clear that the Pakistani army was killing Hindus indiscriminately, nearly all of them fled into India. With them came Moslem Bengali Nationalists, Awami League supporters and people who merely wished to escape the fighting. As the fighting and chaos grew, it became self-perpetuating. The Army would be attacked by guerillas from over the Indian border and would retaliate against the local population. Then irregular Moslem volunteers were recruited to help the Army hold down the Bengalis, and it is these recruits, or rhazacars, a bunch of Moslem fanatics, hoodlums, time servers, who are now doing most of the killing. It is because of them that the present numbers of refugees are coming across the border, despite the monsoon rains.

When the rains cease the situation will change. The country may settle down as the Army is better able to control the roads and the border. Things may get worse as more people can travel and decide to kill each other. Some Indian authorities predict a new flood of refugees, perhaps another four million. Others predict that a quarter to a half of the refugees now in India will drift back into Pakistan.

However, here they now are, these refugees huddled into camps in India with insufficient food, nothing to do, no proper place to live. The spectacle of the typical starving Pakistan refugee is by now familiar to anyone able to read or even just to use his eyes. It forces itself on all of us from the newspapers, television and advertising hoardings.

After such a bombardment, to see them in actuality is in some ways an anticlimax. A sense of occasion interferes with one's compassion. As a long anticipated cathedral or ancient castle is often not up to the evocation photographs, so some of the refugees in the camps near Calcutta seem surprisingly normal.

Some of them are cheerful. A few are almost fat. Some have work to do. Some live better than they did in their own villages back in East Pakistan. Some. But most do not, millions do not, and as one travels along the roads by the border and sees camp after camp, hundreds of thousands of tents put up beside the road, in trees, on piles of bricks, anywhere possible in the crowded land, it is the numbers of them that are so terrible.

After a while, grown expert in the suffering of such people, it is clear their situation is incomprehensible because it is so terrible. I spent only two days driving round the refugee camps and one night sleeping in a relatively well-organised one. At first, as I have explained, they did not seem to be too badly off along the road which leads to the border at Hasnabad. In a suburb of Calcutta, Salt Lake City, 250,000 lived in a reasonable state. There was food—just sufficient. There were three or four special hospitals set up by foreign relief agencies. There was even some form of policing, thanks to the nearness of Calcutta. But even here it was the children who looked the worst.

It takes some nutritional knowledge to realise how badly they are suffering. A child needs lots of protein if he has trekked several hundreds of miles and now is living, permanently diseased, on food which is different from that he is used to. He needs specially large amounts. But the Indian authorities at present hand out only 400 grams of rice per person, plus some rations of vegetables, cooking oil, cereals. Distribution problems have cut these down to 200 grams per person, in many cases, and children get only half this, 100 grams of rice a day. That's about as much as you could hold in your hand.

According to medical experts—both foreign and Indian—those children will certainly die unless they are given additional protein feeding. Three quarters of them will be dead within nine months. A million children.

Therefore, slowly, laboriously, special feeding centres for children are being set up where they get milk and high protein food called Balahar. As yet most of these feeding centres merely hand the food to the children who return to their families, where by old tradition much of it is taken from them and shared round the elders. The child therefore is still likely to die by the time this article is published.

Maybe a million children won't die. They will continue to live, nearly live, without hope or education or function, surrounded by the other seven million, the adults, also with nothing to do and no hope, with only the ferocious rhetoric of Bangla Desh revolutionaries to occupy them and the forlorn hope of reinvading their own country, vanquishing Pakistani tanks, to sustain them.

It is a frightful and dangerous prospect. No wonder everyone is neurotic, jittery, depressed, without solutions.

Add to this, impressionistic moments around the camps. The old woman walking through the flood carrying two buckets of rice, the water up to her shoulders, buckets held just above it. Most of the time tiny clusters of tents, all that is left of some camps, reached by narrow bridges made of bamboo. Whole families permanently covered in mud and their own ——— which never finally washes off, having to struggle through the water to feeding centres, cut off from medicine.

There was one camp called Deara, where 30,000 people in their neat tents, all well housed and settled, were overnight submerged in flood water. They lost most of their belongings and all their shelter and gathered on the high ground nearby there. For the third or fourth time they began to try and collect their lives again.

There was the reception centre at Hasnabad Railway station, a nightmare throng of desperate people waiting to be registered for their food ration. The old men and women so exhausted they couldn't move, the young with bulging eyes, while flakey stuff like dandruff on their skin from malnutrition, and every imaginable disease, perhaps from simple tiredness. Dead children, their teeth unnaturally prominent in shrunken faces. The stronger adults unable to do anything but crouch in their tents, occasionally haggling with local peasants for special food, spending their last few rupees.

These sights are everywhere: one could list them endlessly. What is more important however is to try and imagine what is going to happen now the floods are receding. The worst prospect is political trouble between the refugees and the displaced Indian peasants who are also starving, and winter in Bengal. This doesn't matter too much, it is always warm, but in the North in Sylhet, in Assam, it is already very chilly. In two months it will be snowing, freezing, continual cold.

The Bengali refugees have no clothes, no blankets, few proper tents. Three million blankets are needed immediately for these people, and clothes and tenting to match.

So these nine million refugees have suffered political injustice, then a cyclone, then a war, then displacement, hunger, disease, and all the ills of refugees in a land which cannot afford them, then flood and now they face the prospect of winter.

It is, as I have said, the worst disaster that has struck the world for 30 years. It is also, as I have tried to describe, a catastrophe so terrible one cannot respond to it in proper reasonable terms. The journalists in Calcutta all know, as do Oxfam and other relief workers, that this is too big a problem for us. This is no longer a case for simple compassion or simple charity. After all, the world has already responded charitably. We all poured out money in a surge of pity last May when the reports of a cholera epidemic began, so the world has virtually exhausted its effective pity. Therefore the real charity must be shown in ruthless political action, in sanctions that make it absolutely clear to the Pakistani Government, which exists only because of international financial and military aid, that it will be worse off if it continues its present policies than if it abandons them. The political moves should be directed at the Army officers who still bolster Yahya Khan.

If they can be persuaded to discard him, use him as a scapegoat for past mistakes, there is a chance of a new policy of reconciliation. That is the first essential action. What happens afterwards is not so clear. There might be an independent Bangla Desh but that would create many problems. There might be a new constitution of Pakistan which allowed the East to be linked federally with the West. Or, ultimately, a new racial state of Bengal might come into existence, made up of half Moslems, half Hindus, and sliced out of both India and Pakistan. All of these possibilities are dangerous. None of them is as dangerous as allowing things to go on as they are.

The great powers must inspire themselves with the political will to change things and do it soon. They must also give money, food and equipment on a scale far bigger than anyone has imagined as yet: enough to re-establish the refugees properly in East Pakistan or subsidise them in India.

If they choose to stay, this means hundreds of millions of pounds, channelled probably through United Nations agencies. Unless this happens the luxurious figures round the Grand Hotel swimming-pool will continue to be jittery, neurotic and depressed. The local diplomats and generals will continue to talk

apocalyptically and not sleep at night. The million children will die. So will thousands of adults. And the consequences for the hundreds of millions who live in the Indian subcontinent will dwarf even these disasters.

CLARE HOLLINGWORTH

The Long Road to India

(Clare Hollingworth of the Daily Telegraph. There is famine in East Pakistan. 8 million people are homeless refugees in their own land, wandering, looking for India.)

There are today over eight million displaced people inside East Pakistan—men, women and children hungry and homeless, "refugees" in their own country.

Groups of villagers are wandering around looking for India, often going in the wrong direction, in a stunned and vague manner. But there is little doubt that a large proportion of these miserable people will cross the border in the hope of obtaining food and shelter in a refugee camp.

The vast majority left their homes in a blind panic when they heard gunfire or saw the next house or the next village set alight by West Pakistan soldiers as a reprisal for an act of terrorism by the Mukti Fouj—Bangla Desh liberation army.

Some of the women instinctively picked up a few pots and pans or a bag of rice as they rushed into the protective marshland. With luck some of the men had a few coins in their pockets, which were quickly spent. These roaming people keep well away from the main routes frequented by the army. Indeed the sound of an army jeep causes all the ablebodied to dive into the nearest undergrowth. Sometimes the wanderers take possession of an uninhabited village but they are too frightened to appeal to the local authorities for food. They believe with some reason that it is the army that has the real power and requests for help will merely cause the arrest of some of the younger men and women.

Owing to floods, a chronic shortage of boats, and the havoc the Mukti Fouj have caused to the railways and roads, these pathetic groups of wanderers are not easy to trace except in those areas where there are Christian missions or European workers.

It is difficult to say how many of them die on their way to India but at least, according to some doctors, one fifth. The groups I have seen certainly showed advanced signs of malnutrition.

These displaced wanderers urgently need clothes and medical services but it is difficult to know how this can be arranged until they arrive in India except by sending supplies to those few missions still working in East Pakistan and urging the United Nations to put pressure on the Pakistan Government to allow relief workers to distribute food. At present the Pakistan Government has agreed to allow a totally inadequate handful of observers to see that the gift food reaches the right mouths. Food is a political weapon and as it grows more scarce the "good guys" who are members of the peace committees set up by the Pakistan army are likely to feed their political supporters.

The "bad guys" who have not demonstrated in favour of a united Pakistan and are therefore believed to have some sympathy with Bangla Desh can count on rough treatment except in those limited areas where the army has established an efficient civil administration.

Many hundreds of thousands of people are already suffering from the pangs of hunger in their own homes when there is still plenty of rice in the nearby village market; but they have no purchasing power owing to the breakdown of economic life. Growers have not been able to sell their jute and men have been "laid off" work on development projects as a result of the civil war. Again, the impartial distribution of relief is urgent, otherwise hundreds of thousands more miserable people will leave the familiar shelter they have and take the road to India.

The only way to save thousands, perhaps millions, of lives is to begin the relief operation. Famine cannot be avoided when the autumn rice crops have been consumed as the population will eat two million more tons of rice and grain each month than the amount now available. The problem is largely one of transport for at present food stocks are building up at the major ports and there are no trains and far too few vessels and lorries to distribute it. What is urgently needed are powered river boats and trucks with the authority to use them to carry grain to those areas not on the well-known main routes from the capital.

At the moment the Pakistan army has absolute priority and lorry loads of grain can be kept waiting at one of the many ferries for hours. It is only fair to add that every terrorist act of the Mukti Fouj causes additional dislocation and suffering for the Bengalis.

Dramatic measures such as air lifts or air drops of food may be essential in an urgent action to save life when the famine begins towards the end of this year but this is not a realistic manner to feed some fifty to seventy million people.

Unhappily too many families are split and the man who is forced to keep his shop open in Dacca or Chittagong has frequently sent his wife and children off to relations in the country little realising the greater danger there. Indeed it is estimated that the urban population has been reduced by more than a half.

But this is not a question of figures. I recall in a flooded area only ten miles away from Dacca seeing a queue of half naked people waiting outside a reed hut to obtain clothes and a ticket for a daily rice ration from a Catholic priest. I talked with one woman who had five small hungry children. She told me her husband had been killed earlier in the fighting. Her Basha—reed home—had been suddenly burnt by the Pakistan soldiers. She only had time to pick up the sleeping children before the flames enveloped their home. That is why she had no clothes, nothing. Her story could be repeated thousands of times.

There was no Pakistan Government assistance or help available even though a railway line was functioning within a mile of this spot and had it not been for the priest, the widow and her five children would have died.

Urgent relief is also required by the thirty thousand people who escaped from East Pakistan over the frontier into Burma. No foreign visitors have been allowed to visit them but Burmese doctors told me their plight was appalling.

MARTIN WOOLLACOTT

The price of disaster

(Martin Woollacott of The Guardian on India's dilemma. "By helping the refugees now she will have to cut development and pay the price in future deaths of her own children.")

It would be wrong to paint a picture of budgetary panic in New Delhi, of an administration near collapse in West Bengal, or of new development programmes cancelled. But, the money being spent by India will at least delay development and the Indian people will eventually pay a price in lives for their aid to the refugees, unless the West—and the Soviet Union—pay now. India to her credit has not tried to pretend that the cost of looking after the refugees from East Bengal has pushed the country to the verge of bankruptcy. If India were to get into serious difficulties directly attributable to the refugees, or was able to point to the actual abandonment of key development projects, it would be a lot easier to get funds.

India has a long history of successfully coping with disasters, even when there seemed all too little room for extra spending, particularly unproductive spending. To put the refugee problem into perspective, the estimated cost for the financial year 1971 to 1972 has now been put at 650 to 700 million dollars. That is, ironically enough, about equal to the amount by which it had been hoped, given luck, to increase development spending in 1971/1972. To use another kind of comparison, the refugee cost is about equal to one third of the 1970–71 military budget.

Indian's Labour and Rehabilitation Minister, Mr. Khadilkar, said recently that India had had to curtail development programmes because of the cost of paying for the refugees. In fact the spending for the refugees has gone on the budget deficit. The curtailment takes a rather more generalised but equally serious form. First of all, the extra funds which central and state finance ministries had hoped to dole out this year to development projects are not now going to be forthcoming.

Secondly, as one official told me: "We're determined not to cut anything. But we are reviewing everything to find economies." On the ground this can mean anything from a cut in the books and stationery budget of a new agricultural school to a slow-down in rural electrification with a concomitant slow-down in the extension of pump-operated irrigation works necessary for the spread of "green revolution" wheat and rice. It can mean cuts in the rural unemployment programme, so that many peasants will not get the jobs. And that not only means that there will be so many less new ditches, roads, or bridges but that the already dreadfully low standards of some rural poor will be further depressed.

Within North-eastern India, the refugees are now on the labour market. That means the depression of local wage rates, and a vast expansion of the already huge ranks of the unemployed, which could be explosive, and, as one West Bengal administrator said "It's not quantifiable, but as long as these people are here, they represent an extra strain."

The limited number of local administrators have been almost entirely diverted from their normal tasks, and the results of their inevitable neglect of other matters are bound to show sooner or later. Many have hardly opened their local files for four or five months.

The rich nations have contributed rather less than a third of what will be the 1971–1972 cost of sustaining the refugees. There has been little compensation on the normal aid front. One Indian official put it like this: "of course we can manage. We always have in the past. But what the West has to think about is what does 'managing' mean? It means a slow-down of all the programmes through which India is trying to create a better future for her people. And time is precious here."

Governments have made contributions in kind—sometimes putting a cash value on them that is to say the least disputable—or they have tied purchase to a particular kind of goods or, worse still, they have tied the money to purchases in their own countries.

This is naturally quite infuriating to the Indians. The burden can be eased by making purchases of the necessary food and materials in India. But the quality of aid is a secondary problem. What matters most is the quantity.

The Indian Government is constrained to act as if the refugees are to be on Indian soil for only a brief period, so this question has not been raised in its sharpest form. Yet even if we assume Bangla Desh independence within the next couple of years—which is going well beyond what India is prepared to talk about—there are many who believe that large numbers of the refugees will never go back. Perhaps fifty percent are landless peasants with absolutely nothing to go back to.

The more enterprising are already trying to obtain Indian documentation which will enable them to pose as Indian citizens.

If the costs of the refugee operation could genuinely be regarded as a once and for all expenditure, the wealthy countries might allow themselves, without too bad a conscience, to contribute only a fifth or a quarter. But this is not a problem which will be liquidated by Bangla Desh independence or by a political settlement in East Bengal.

Before the influx of refugees started, many observers felt reasonably sanguine about India's short term economic prospects. Food output has gone up, thanks to the green revolution. National income has been growing by about five percent a year, industrial production has also been creeping up, and foreign exchange reserves are in a reasonably healthy state.

Making India at once more productive, more profitable, and more labour-intensive should be the first aim, India needs to create millions of new jobs. And even in the short term, the diversion of resources by the refugee costs amounts to a dangerous juggling with lives. What has been gained if East Bengali refugee children are kept alive by Indian efforts, when the diversion of resources may well mean, indirectly and over a period of time, the deaths of children elsewhere in India?

We have seen

(These are the testimonies of people, drawn from many nations, from journalists, relief workers, and Members of Parliament. All are eyewitnesses to the situation in India or Pakistan. With one accord, they plead for action.)

JOHN PILGER, DAILY MIRROR

The life, or death, of Bangla Desh is the single most important issue the world has had to face since the decision to use nuclear weaponry as a means of political blackmail. It is that, because never before have the world's poor confronted the world's rich with such a mighty mirror of Man's Inhumanity.

Usually we in the West, who are the rich, can dismiss or rationalise famine, unexpected disaster and even mass extermination by simply noting that the poor, who are characterised by the people of Bangla Desh, are numerous and ought to be pruned. If only, we say, they could organize their own resources and subscribe to decent, Western politics. Surely they are expendable. We even allow ourselves a good snigger at places crying out against odds we cannot comprehend; places like the Congo and the ravaged republics of the Americas. None has followed the Western wisdom of democracy, and so they must suffer. A pity.

Bangla Desh has called our bluff. The people of what was East Pakistan, who represented the majority of the State of Pakistan, voted to be a democracy and to be led by moderate middle-class Western-styled politicians. Foolishly perhaps, they chose our way in their pursuit of freedom, in spite of problems we have never had to face.

And for this reason alone, they are being exterminated and enslaved in a manner reminiscent of Adolf Hitler, over whom the world went to war. But, of course, he was exterminating Europeans.

We in the West have no intention of going to war over Bangla Desh. Instead, through our elected government, we have contributed what amounts to one week's survival pocket money to the refugees of Bangla Desh, now petrified in India. India must provide the rest.

It is a cliché but it remains the truth of today: that there will be peace and civilisation and "progress" throughout the planet only when the rich minority—us—begin to close the gap between ourselves and the poor majority. We have the opportunity of beginning to do that in Bangla Desh; for this is a cause in which we may locate our lost twentieth century soul. Oh yes, and save, some human lives.

DR. R. C. HICKMAN, MRCP, SAVE THE CHILDREN FUND, BENGAL

Tens of thousands of children have already died in the refugee camps in the Indian border area. I saw worse malnutrition in these camps than in former Biafra. Several hundred thousand children now urgently need supplementary high protein food. They seem unlikely to receive help in time to save their lives.

PETER DUNN, PHOTOGRAPHER, SUNDAY TIMES

I was overwhelmed. I, who have travelled the disaster spots of the world for many years—I was completely overwhelmed.

A press photographer can usually tell himself that he is doing some good no matter how gruesome the photograph he is taking. But in Bengal this panacea was denied me. I felt completely and utterly inadequate. In fact, whenever I had any free time I went out with the War on Want team helping them to inject people against cholera.

BRUCE DOUGLAS MANN, MEMBER OF PARLIAMENT

The situation in Bengal is possibly the greatest threat to peace in the world today; it has certainly created the greatest concentration of human misery. The millions of deaths, which are likely to occur in the coming months, both among the 8 million refugees in India and the 79 million people still in East Bengal, are not inevitable. Money and aid, which the rich countries of the world can easily afford, would save lives on an enormous scale; but only the withdrawal of the West Pakistan army will end the murder, terror and oppression and enable normal conditions to be restored. Until world influence is exerted to compel that withdrawal the refugees will not return and war and oppression in Bengal will continue.

ALEX HENDRY, FINANCIAL TIMES

The plump nocturnal rats that scampered around the door at Dacca International Hotel looked better fed and healthier than most of the stricken delta people in the first few weeks after the floods.

At that time many of the survivors were clamoring and fighting over supplies that would not have ranked as bargains at a suburban jumble sale. Some relief workers found themselves in the ridiculous position of having to fend off the very people they had come to help. It was a miserable experience for them but emphasised the difference between long term, professional relief work and the massive emotional response the disaster touched off through the world.

There was a lot that was wrong with that first effort. But it saved lives, reduced suffering and brought hope to hundreds of thousands who had been left with only hunger.

There is still room for individual effort. But the scale of the tragedy needs government help. Not faceless bureaucrats distributing public funds but nations offering surplus wealth to prevent a tragedy.

The cost per head amongst the developed countries would be quite small. As one relief worker said to me when we were in the disaster area "Lives are cheap here—you can save them for a few shillings a week".

It hardly seems worth the trouble of not bothering to help.

ROLF RANGE, NORWEGIAN CHURCH RELIEF

We were a group of Norwegians visiting Cooch Behar in the northern part of India to get an impression of the refugee situation. One TV reporter, two cameramen and I, previously a journalist, at present Information Officer in Norwegian Church Relief. Our first impression: too much propaganda. We did not see many refugees, and as a journalist, I did not have confidence in the newspapers available. To me it appeared as pure propaganda, all these stories about burning villages, massacres and raping.

When we told people about our opinion they replied: Wait, you will see things yourself at the boundary!

An early morning in May we approached the border to East Pakistan. The sun had just risen, the dew drops were glittering and the landscape was idyllic. Vast green rice fields and small cluttering of palms. After a half hour of waiting we saw people coming up the road.

They were refugees—an endless stream of people. We counted five hundred oxcarts and on both sides of the vehicles walked people. Seven or eight men abreast. Young and old. They started to walk faster, raised their hands and started to yell. They appeared to be very eager to tell us of their plight.

The people up in front started running toward us, yelling and pointing in the direction from where they had come. None of us spoke Bengali, but it was not difficult to understand.

The village which they had been forced to leave was burning. An old white-haired man lifted his hands towards heaven and cried out his grief. With gestures he told us that all his eight children had been killed. A finger across the throat told the story. The refugees were so eager to tell their story that they in fact did not discover we did not know the language.

A man caught my arm with a strong grip. He carried a little girl on his arm. He pointed at the girl and I grasped that he wanted to tell me something about the mother of the little girl, his daughter. Something horrible had happened to her—some place inside East Pakistan. Twice he tried to tell me his story. Each time he swallowed and started to open his mouth. And each time he burst into helpless crying. He held my arm and cried out his sorrow.

A woman looked at me without saying a word. Tears trickled down her cheeks. The children got frightened seeing their parents crying so openly and started to shriek out. Several of the grown-ups put up their hands to hide their faces and passed us without saying anything. We were now in the middle of the refugee stream, a tremendous river of people.

On both sides people were passing us with faces wet with tears, on the oxcarts people lay outstretched, some wounded. A man went by hitting and hitting the oxcart with his bare fist. Others looked ahead with frozen faces, stiffened by sorrow.

I threw a look at the cameraman, and discovered he had trouble in filming. He kept drying his eyes all the time to get rid of the tears. He fought with himself to look into the camera, but his crying intensified. At last he helplessly threw out his hands. He could not take it. The TV reporter from Norwegian Broadcasting Corporation had been talking all the time. I heard him saying: "Something terrible has happened. These people are coming from a burning village. There has been shooting and many people have been killed. They tell us that . . . I cannot tell you more. We will make the pictures speak."

And then I discovered he was unable to speak. He also was crying. Then I couldn't take any more. Tears came bursting, and we all left the road and went aside, letting the refugees pass.

Four tough men not being tough at all . . .

FREDERICK NOSSAL, TORONTO TELEGRAM

I visited several refugee camps near Calcutta in June 1971. Despite tremendous efforts by the Governments of India and of West Bengal, conditions were simply terrible. Particularly young children and old people were dying by the score from cholera, malnutrition and diseases connected with food deficiency. Makeshift canvas shelters let through the rain, and thousands lay or slept on damp straw mats and even on the wet

ground. They were too weak to move. Those who found shelter in steel and concrete pipes at construction sites considered themselves lucky. At least they were dry.

Conditions seemed worse than during the 1967 famine in Bihar, which I also witnessed, mainly because of the number of East Bengali refugees involved. Hospitals were so overcrowded, patients were accommodated on the floor and in the corridors. Many children and infants were only skin and bones, and obviously dying from dysentery, cholera and malnutrition, and perhaps a combination of different diseases. There was a shortage of doctors and nurses. Refugees waited patiently in line for many hours for their meager daily rations, often in pouring rain.

Since June conditions have worsened in many camps, and unless a concerted global effort is mounted, thousands more will die.

THOMAS JAMIESON, UNHCR

After three prolonged visits to India and to all of the refugee areas, I have the following vivid reactions. The Government of India has been faced with one of the greatest exoduses in history. The refugees are to be found not only in the Calcutta area, but also in Tripura, Assam and Megalaya. The Government of India has made a magnificent effort against all odds, including the worst monsoon in recent history.

To get the impact of the problem, one could mention that Tripura, which before March of this year had a population of 1,400,000, now has in addition 1,500,000 refugees. It was fortunate indeed that in all the affected areas the Government had buffer stocks in store which they normally have against the monsoon period. Thus from the first day, refugees were able to receive a modest ration. Whilst much of the problem beggars description, it is stimulating to see the local workers and volunteers, sometimes in a sea of mud, continuing the ration distribution and completing the rather flimsy but important shelter arrangements. Medical clinics have also been established. The containment of the cholera epidemic was little short of a miracle.

One of the great problems concerning this particular refugee situation has been that it has changed in magnitude almost every day, and so far no-one clearly sees the end and how it will be possible for the people to return home. We therefore have merely a massive relief operation without any aspect of solution whatsoever.

JAMES CAMERON, JOURNALIST

For six months we have stood by in shocked surprise and watched disaster grow into catastrophe and hourly nearer to tragedy—and we still stand by and watch. I just cannot understand how rich and powerful nations who interfere so readily with poor ones when they are not wanted, can look straight through them when the want is so desperate—and the time so short. Twenty-four years ago Britain drew that Bengal frontier in blood and pain. Did that let us out politically forever?

THE REVEREND ALAN STEPHENS, METHODIST MISSIONARY

HOPE? A crowd gathers to watch a group of young girls, members of a volunteer corps, perform a stick dance. The "stage" is a dry open space in a camp—very difficult to find in the heavy monsoon. The "costumes" are dull and drab and some of the girls are embarrassed because they have no blouse to wear under their saris. But there is strength in their voices as they sing and firmness in their step as they dance and innate grace in every movement they make. They give pleasure to those who watch, and help them to forget for a time the emptiness and weariness of their day to day subsistence.

But for how long can morale be maintained, how long can they be saved from despair and hopelessness?

JOHN STONEHOUSE, MEMBER OF PARLIAMENT

The horror of Bengal is one of the greatest man-made disasters in this half century. To see the pathetic refugee camps is to marvel that human beings can survive such terrible conditions after many of them had walked over one hundred miles from the insane brutality of the Pakistan army. It is frightful that the world community has done so little to help. The crisis which now threatens is likely to be many times worse than the horrors of the last six months, for with the continuing chaos in East Bengal a famine is coming which could lead to ten million deaths.

The appeals to the President of Pakistan might well have been made to a deaf and blind man. This, however, is no excuse for the world community failing to act. It must act soon.

DR. R. B. M'CLURE, EX MODERATOR, UNITED CHURCH OF CANADA

It was raining and the man came to me clad only in a worn breech-clout. He begged me to come over to Hut No. 85 to see a woman and four boys. We sloshed through the mud and jumped the ditch surrounding the "long house", and there was the remnant of a family. Mother was huddled under some old sacking and around her, three boys aged from 4–8 years. In her lap was one about 3 years of age. The children looked exhausted, their eyes shining in fever reddened faces.

I knelt down to take their pulse and feel their foreheads and pat their abdomens. The four boys had typhoid fever and the youngest one nestled against his mother probably would not make it through the night. The others had a chance. Under the sacking I asked mother if she was ill. She said: "I don't know. You feel me and see." I felt her forehead and she had no fever, her abdomen was soft and her pulse not too strong. She was confused mentally, and who would not be? The man was her uncle. Her husband had disappeared at the border—been led off, shot or conscripted as a coolie and never to be heard from again.

Why was she under the sacking? Well, when you come on a trip like this you don't have any spare saris and the youngest boy had soiled her only sari. She had washed it and hung it out to dry.

It was a wet day, and would take a long time to dry. She was under the sacking until she could wear it again. One Canadian dollar would give her a sari.

JAMES RAMSDEN, MEMBER OF PARLIAMENT

In June I visited India and Pakistan as one of a delegation of British MP's. We spent one of our days being shown the condition of the refugees in the neighbourhood of Calcutta.

One's first impression is of the sheer tragedy of so many helpless and homeless human beings. Then one comes to look beyond the horror, and appreciate the immense additional strain on the financial and administrative resources of the Government of India.

Where are they to find temporary accommodation in a countryside which is usually wet and low-lying and already intensively farmed? Where are they to get even the simplest materials to make shelter? How are they to organize rudimentary standards of hygiene and keep disease at bay? How do they make available large quantities of additional food, and having got it, how are they to organise its distribution along few and desperately overcrowded roads?

How do they reconcile the existing population, already crowded enough, to the presence of large extra numbers? How are they to keep the normal administrative machine running as well as coping with the abnormal?

The local administration and the additional officers made available by the Central Government of India are doing wonders, but the fact remains that an unexpected transfer of population on this scale would strain the internal resources of any state, and the world should continue to look with sympathy and generosity at any request for help which the Government of India puts forward.

TOBIAS IVELAND, DEN NORSKE SANTALMISJON

"It is a tragedy, a very, very great tragedy and we like to do what ever we can to help to solve this problem . . . It is a tremendous task you have taken up . . . God's blessing."

DR. CHRISTINE PICKARD, WAR ON WANT VOLUNTEER

"I expected the pain and the suffering; as a doctor used to the awful details of disease I knew how to cope with that side of things, even though it was worse than anything I had ever seen before. It is not the quality but the quantity of the problem that is so appalling. For the first time I felt swamped by the magnitude of a situation where I could see no light at all. As a result my sympathies had to be drawn by the rebels, the political agitators. For in the end the solution to the problem must be a political one.

I arrived in India as a new journalist, but, willy nilly, I was drawn into politics while living there.

Why on earth anyone was ever mad enough to expect two such different groups of people as those living in East and West Pakistan to exist happily as one nationality was suddenly beyond me: though I had accepted it without a murmur before.

In a situation the size of this, answers rather than questions are very elusive. But I became sure of one thing. We must not only send money, we must really set our minds to trying to find some long-term solution, and I mean long-term, even at the expense of short-term gain. This might involve a lot of rethinking on our own part and it could be uncomfortable, but we must make the effort; after all, so much of the blame can be laid directly at our door."

TREVOR HUDDLESTON, BISHOP OF STEPNEY

I have stood on the frontier between India and Pakistan. I have seen the flood of human suffering at full tide flowing over into the already crowded villages of Bengal. I have seen the camps and the efforts being made there to bring relief.

The enemy is TIME. For God's sake get the world aware of its responsibility to humanity quickly. Only a massive swift magnanimous response can be effective. Delay must mean death to millions of our brethren.

MATTHEW SALISBURY, UNITED RELIEF SERVICE

Eight million refugees and more coming. Then floods rendering areas of West Bengal inaccessible by road for nearly two months: then a typhoon ripping apart the "homes" of flood victims and evacuees.

I have to walk ahead of a Land-Rover, removing from the middle of the road those few meagre possessions salvaged from the flood, because the only dry space for shelter was the road itself. Tubewells were often submerged; floods were the only drinking water, adding further to the death-roll.

Governments abroad may not be able to ease the administrative burden, but at least they can mitigate the effects of the financial load. But even the colossal aid to India which world governments could mobilise can only buy time. It cannot build here, where there is no community to build on. For Government, relief workers and evacuees, the only end can be a political solution which will give security to the evacuees—inside East Bengal.

Both massive increased aid and a solution are vital to India. There is a limit to her endurance.

JULIAN FRANCIS, UNA VOLUNTEER, BIHAR

There are no walls to keep the rain from blowing in, nor any partitions except lines of washing to separate one family from the next.

The thatched roof seems to sweat smoke, but just as the smoke drifts out the rain comes in at every pore, and the mud floor which is their bed gets damp and slimy.

Regularly each hut disgorges a hundred refugees or more who form queues for their government rations, queues for the wells, queues for a place at the trench latrines. Those with dysentery seldom make it to the queue. The children form lines for their daily dollop of special nutritious food.

This is the totality of life for nine million refugees—there is no work, there is no money. They knew what they were coming to. They knew, that despite everything, it was better than what they were leaving, for here there is a chance of physical survival.

We shall go on trying to help them survive here. Please do not give up at your end. But above all, please push, press and persuade everyone with influence until the refugees are safe again. Get them out of these monstrous camps.

STANLEY BURKE, CANADIAN JOURNALIST

A man-made disaster of almost unimaginable proportions is unfolding in East Pakistan and in India. Millions are already suffering and millions more are threatened by hunger and famine. And yet the world stands by almost indifferent. Why?

Governments are caught up by the international power game and are fearful that social strife, if not suppressed, may spread. The United Nations is crippled by the attitudes of its member governments and by the existing code of international conduct. Churches feel restrained, fearing that their world-wide interest may be jeopardized if they take actions which are offensive to governments. Even relief agencies dedicated to the relief of human suffering fear to act without governmental consent.

Why? Why do people keep saying "we mustn't get involved in politics"? The answer seems to be that we have an almost instinctive fear of power which makes us hesitate to cry out. Governments feel that they are fellow members of a club and that they must help one another out. Organisations feel that any authority is better than no authority. Whatever the explanations, the fact is that the world stands by and allows the tragedy to grow. Here then is the moment when private organisations and private individuals, if they have courage, must stand up and protest. They must show their outrage that this totally unnecessary tragedy was allowed to happen and is allowed to continue.

But protest is not enough. In a complex power-dominated world it is no longer effective to pass plaintive resolutions or to write isolated letters to editors. Power for good must be effectively and massively organised and courageously advanced. Already the citizens' fight to save the environment, has shown the effectiveness of private protest.

Over Pakistan they must demand an answer to one basic question: Are there limits to the right of a Government to use force against people it claims as its own in order to perpetuate a political system? The question cries out for attention.

It is thought-provoking to realise that in the First World War people were horrified by the sinking of the Lusitania with the loss of a few hundred lives. In the Second World War people were shocked by the bombing of Hiroshima at a cost of 150,000 lives. Today the world is indifferent to a tragedy affecting millions.

VINCENT PHILIPPE, FEUILLE D'AVIS DE LAUSANNE

I have just left one of the innumerable refugee camps which border the Indo-Pakistan frontier. A small camp, it has 6,000 people (Salt Lake camp has 300,000): an "acceptable" camp. I use this shocking word for nothing is really "acceptable" in saying that misery is well organised. I saw what the Indian Government is doing to give at least shelter and something to alleviate famine. I saw, too, the efforts made by several foreign and international charities: maybe a ray of hope, but a ray only, because the situation is getting worse. The mass of refugees is growing quickly. Tomorrow, their emotion being over, their conscience being relieved, the rich countries will forget Bengal, whereas it needs help more than ever.

It seems to me obvious that in the face of such a dramatic situation, private and charitable giving is not enough. Only a huge and concerted action by governments can put an end to the tragedy.

MONSEIGNEUR BRUCE KENT, WAR ON WANT VOLUNTEER

It was a Saturday and with the monsoon starting, heavy rain had fallen for nearly five hours. There was a little, almost unofficial camp, not far away from our hospital—perhaps a thousand people huddling in shelters on the roadside or even without shelter at all. In a few large bamboo type huts a number of families had crowded—perhaps 12 families to a hut.

But the huts had been built below flood level and the water had risen in the huts to a depth of about two feet. A crowd stood around one in particular. With the endless rain the roof had given way. Most of the people had got out. But a baby, knocked on to the ground had either drowned or suffocated and its little body was held by a weeping mother. Guilty of nothing, life was suddenly over. I could not look at the parents who had come so far only to find this extra tragedy at the end of a road of tears.

KEVIN RAFFERTY, FINANCIAL TIMES

The biggest tragedy is the meanness of the rich nation "friends" of the refugees. If one creams off the layer of self-interested businessmen and politicians, who have dealt too much with men from the power blocks of the West, whose concern is with money, the people of India and Pakistan are simple and poor—but hospitable and loving. When I first went to India a complete stranger in Delhi offered me his room in his 3-roomed house, fed me and looked after me when I was ill and would not take anything in return. I found the same warmth in East Pakistan and was always greeted with a smile and a ready offer of a cup of tea.

Yet we—Christians!—cannot cough up even half a percent of our annual defence budget to rescue these poor people. Their plight is not their own fault. Ironically it is the fault of men of their own country who have dedicated themselves firstly to pursuing Western inculcated ideas of wealth and power.

ROMANO CAGNONI, PHOTOGRAPHER

I was in Biafra for six months. I hoped I would never see a tragedy on that scale again. The situation in Bengal in its beginning is worse than Biafra at the end of the war.

DR. MEYER, CARITAS

So many marasmic children are seen sucking the breast and looking like wizened old men, that the mothers get used to the idea of having a very thin child and do not become unduly alarmed at the sight. In fact, they would rather leave the child alone than coax him to take any extra rice or dahl if the child refuses to take anything at all—even fluids.

Malnutrition claims a considerable number of lives a day in each camp. To counteract this menace, Operation Lifeline has been inaugurated under the Red Cross Umbrella and supported by the Government of India. Each participating voluntary agency retains its own autonomy and identity.

What are the reasons for this acute incidence of marasmus and kwashiorkor? Change of dietary constituents is not the only factor, as the refugees have been living under more severe conditions before coming to Salt Lake camp. In peace time, fish comprised a large part of their diet and now it is unavailable, except for a small quantity which the refugees sell themselves in the local shops they have constructed along the roads into the camps.

Protein deficiency becomes inevitable. Other factors are dysentery, worm infestations, measles, and chest and skin infections which interfere with the child's appetite and cause loss of weight. Once the child has reached the crucial point of being 60% below his normal standard of weight, there is very little hope of recovery by maternal care alone.

DOUG ATTWOOD, BOB SWEENEY, CARE

Considering the sea of mud that surrounds us it is astonishing to find people actually still washing their saris and dhotis and trying to keep their children slightly clean—often in the largest puddle around us or in a small pond some yards away. They do have some sense of sanitation involved but almost no means of coping with the necessities. From here I look in to some of these tent-like structures, I hear the babies crying, I see people sitting there, many of them quite languidly, many of them of course old but still others passing in and out trying to gather water, trying to find the children, really almost nothing left for them to do here. They don't know how long they can be here, no one is able to tell them. They know that they do get rations and they do have some sort of shelter over their heads but from day to day they don't have very much to look forward to.

JOHN SAAR, LIFE MAGAZINE

In the village of Kanthali, a tubby, globe-faced man named Nalini Moham Biswas, welcomed 125 cholera victims into the courtyard of his home when they collapsed while passing through town. Biswas himself was unprotected by a vaccination. Even so, he nursed the stricken refugees so conscientiously that only four died.

But such rare and extraordinary efforts are only pinpoints in a vast tragedy. Narayan Desai, secretary of a national volunteer group, has no doubts about the gravity and explosiveness of the refugee issue: "I see a series of calamities, beginning with huge health problems. I imagine that thousands will die every day."

ANTHONY MASCARENHAS, JOURNALIST

When I visited East Bengal I was also appalled by the extraordinary hostility of non-Bengali officials to the local population.

For example, when I talked about the impending famine to a senior agricultural official, he bluntly told me: "The famine is the result of their acts of sabotage. So let them die. Perhaps then the Bengalis will come to their senses."

This statement and others have convinced me that food is being used as an instrument of politics.

It is essential that any international relief, to be effective, must be internationally supervised to ensure it reaches the right places, otherwise it will be wasted.

FLORENCE PRIEST, CHURCH MISSIONARY SOCIETY

For four months we worked as a medical team serving five camps in North Bengal. Each day we held dispensaries for the sick. We always found a long queue and it was seldom that we were able to reach the end of the queue. It was heartbreaking work as we watched families get smaller as one child after another died, and then came the cholera to take its great toll. Although so much was done and every day there were long queues for rations which were given without fail, conditions were appalling and almost my last glimpse of a camp was of men and women pulling up the bamboos that sup-

ported the small tarpaulin which had been "home", as the flood waters reached the camp and once again they were on the move. It was not difficult to move, they had few possessions.

PHILIP JACKSON, OXFAM

It becomes quickly apparent in West Bengal that all government officials, social and relief workers, are totally preoccupied with the refugee "invasion". Their fingers are stuck bravely into the dyke and it is incredible that the dyke has not yet burst beyond repair. It is tragic to see how other work, so desperately needed in this part of India, has had to be disrupted. How long, one wonders, will the poor of India stand for it?

MARILYN SILVERSTONE, MAGNUM

At one crossing point in West Bengal, a slippery track through flooded fields, in mud and pouring rain we counted refugees passing at the rate of 70 a minute in a continuous stream. That is over 30,000 a day from this one point alone, day after day. It is difficult for a western mind to conceive the enormity of these numbers. Many had walked for four or more days. Saddest of all are the old people.

DAVID LOSHAK, DAILY TELEGRAPH

Salt Lake camp, on the edge of Calcutta, is very convenient for visiting VIPs. It's near the airport and near the Grand Hotel, and they can come and tut-tut before swiftly moving on. It's pitiably different for the refugees, more than a quarter of a million souls—a population as large as Leicester's, living, barely existing, in an area the size of St. James's Park. They are there not because it's convenient, and it's certainly no park. Theirs is a life of unremitting material deprivation, sapping physical hardship and, worse by far of all, moral desolation and hopelessness. And Salt Lake is only one of more than 900 camps for the refugees of East Pakistan. However successfully they may be kept from starving, or dying from the ever-present threats of epidemic or exposure, their fate is so desperate that many of the millions still living quite simply envy the dead. Saddest of all are the children, condemned to lives of endless uncertainties except the certainty of despair. Condemned by the facts of poverty to have weakened stunted bodies and physically shrivelled minds. But they are remote and to many of us seem, if not undeserving, at any rate, unappealing objects of our charity or even our concern. Our compassion is not a limitless commodity. Yet, the tormented refugees, their wretched old and bewildered young, are on no island. Not to realise that we in our affluence depend as much on them as they on us is to ignore the realities of the present and future world. It is not only compassion and conscience that cry out for our concern and charity, but simple common sense.

BERNARD LLEWELLYN, OXFAM

Back in England three days after my visit to the frontier, the details are already blurring. I see the old grandmother asleep or dying in the station yard, her bony buttocks sticking out of the rag she wore; the mother who collapsed in the camp hospital and the thud as her baby's head hit the floor; the father searching for his lost child in a thickening crowd.

But I have forgotten their faces and the look in their eyes. It is more bearable that way!

CLAUDE AZOULAY, PARIS MATCH

The whole world stands accused of inaction while seven million people are in danger of death. A graveyard of children. This is the scar which is in danger of marking forever the generation of man which, for the first time, has stepped on the surface of the moon. In an age when an innocent bystander unable to swim can be thrown into prison for not having gone to the rescue of an imprudent swimmer in danger of drowning, in Bengal two million children are dying, killed by hunger, and we remain idle and no sanctions will be imposed on us except maybe—oh so remote—that of guilt.

Why the apathy? How has our civilisation reached this height of barbarism?

JIM HOWARD, OXFAM

The people of East Pakistan are the people who do not move easily, whose only survival is to stay where they were born. Nothing has moved them: through the yearly floods and cyclones and then the great cyclone disaster last year they have remained tenaciously on their land so there is something, some great power that is moving them now. That power is fear, the fear of death.

My great concern at the moment apart from danger to India's development programme is that the world will regard these people as expendable. They are not. They must survive, they must not only be helped to survive, but finally they must be allowed to go back to their homes.

BERNARD BRAINE, MEMBER OF PARLIAMENT

What is so unforgiveable about the tragic situation in Bengal is that month after month we have seen it moving toward catastrophe, with hardly anyone lifting a finger to stop it. It is manifestly clear that neither India, burdened with a huge and growing army of refugees, nor Pakistan herself, faced with the prospect of massive famine, can cope without outside support. Yet so far the response to U Thant's appeal for help has been pitifully inadequate. The world community must act now or be prepared to witness a human disaster of unimaginable proportions.

MARK EDWARDS, KEYSTONE PRESS AGENCY

Almost total lethargy has overtaken the adult refugees. How long this will last before political agitators start to rouse them to action, even possibly violent action, is anyone's guess. But it is one of the dangers of leaving this problem unsolved.

TIGGER STACK, OXFAM

Coming back to this country from working in the utter human degradation and suffering of the refugee camps, the thing that hits one is the *indifference* of people here . . . their total preoccupation with home affairs.

ERNEST HILLEN, WEEKEND MAGAZINE (CANADA)

Thus far the attitude of governments and people—including us in Canada—to the continuing East Pakistan disaster has been mostly one of indifference. And this is hard to understand. Standing in the rain in one of the hundreds of miserable refugee camps that crowd East Pakistan's border, it is beyond comprehension. Unprecedented numbers of people are suffering and dying, and the numbers are growing, there is widespread famine, and there is the very real threat of war.

The blame for the catastrophe rightly enough belongs to the men who run the West Pakistan Government. The shame belongs to all of us. Almost from the start, the world community could have stopped it. And it must be stopped now—by whatever manner or means. Our children will inherit enough shame.

DR. TIM LUSTY, VOLUNTEER DOCTOR

I remember one evening walking through a refugee camp in Couch Behar, 700 miles north of Calcutta. Our progress was interrupted several times by sick and dying children who had been laid on mats in our path. I asked the camp's director, a Norwegian, whether general malnutrition was improving or getting worse. 'Definitely worse', he replied.

Within days Oxfam had Indian medical teams working in the area; but there is a limit to what private charities can do. That limit is set by the degree of concern shown by more fortunate people.

DAVID HART, SCF VOLUNTEER

I spent fourteen years in the East as a Tea Planter so I know something about conditions out there. I saw the plight of the East Pakistanis after the cyclone which hit them last November and the misery and suffering that followed. But nothing I have seen before compares with the tragedy which I witnessed in the Refugee Camps in India recently. Mile after mile, camp after camp, it was the same. Millions of human beings somehow existing in conditions that we in England would not allow our animals to endure. Within two short months, from June to August, I saw the situation deteriorate very badly. The effect, too, on the morale of the refugees was alarming. Not only had they lost their homes and their possessions, they began to lose dignity and feeling. Faced with an inhuman environment, they became withdrawn and apathetic. They appeared to be unmoved by the sight of a dead child lying in the rain, it's arm and legs gnawed off by dogs, it's eyes pecked out by crows. I could afford my emotion—I would be going home to my pleasant house in the country, my warm comfortable bed. For me it was a nightmare, for them a reality.

FATHER D'SOUZA, CATHOLIC CHURCH, BONGAON

Now that the area is flooded, 29 out of 32 camps are under water and it is very sad to see the people crowded on the road, with no proper shelter, just jute canes over their heads.

The Government is trying its best with the help of different organizations, but there is need of much help in this colossal work, because in Bongaon sub-division there are over 450,000 refugees. And now that the roads are blocked it is difficult for the Government to carry foodstuffs.

After the floods, I expect the medical condition in the camps to be very bad because of the large expanses of stagnant water. The Government will have to do something in the line of disinfecting the areas, giving cholera injections again, because the refugees are going to have a very hard time in the winter, and if diseases start it will make things much worse.

JOHN DREWERY, CANADIAN BROADCASTING CORP.

I found it impossible to shut away the memories of what I saw, in the refugee camps of West Bengal and along the trails leading out of East Pakistan, in that corner of my mind reserved for other horrors I witnessed during wars I covered in Korea, the Congo, Egypt, Vietnam and Biafra. It is not that the brutalization of the people of East Pakistan is worse than what has happened to countless others throughout history. The effect of sword, fire and starvation differ very little in degree on the individual body and spirit.

It is simply that the magnitude of the tragedy is so immense, so overwhelming, it overshadows all other things. The cry for help coming out of India and East Pakistan is echoing all around the world. If we ignore it we are killing our future too.

MONA MOLLERUP, DANISH CHURCH AID

The Government of India and the voluntary agencies are doing a great deal to house, feed and provide medical care for the evacuees. We can never do enough for this tide of humanity.

The creeping malnutrition among the infants and children in the camps is frightening.

MR. J. BANERJI, GOBARDANGA SOCIAL WELFARE SOCIETY

Imagine the whole population of Scotland trekking south, bag and baggage leaving their country hearth and home with a basket on their heads. Leading their old parents by the hand and ailing children on their heads in continuous streams day after day and finally

taking shelter under improvised sheds, only God looking after them. Imagine heavy rains, cholera and deaths on the roadside. This is the picture. How will England or the world accept the situation?

We want every citizen of the world to come to the aid of these refugees.

REG PRENTICE, MEMBER OF PARLIAMENT

The situation I saw in the refugee camps in July was the most terrible that I have ever seen—both in its degree of individual suffering and in its size. Since then it has become much worse. In the next few months it will become much worse still. Millions will die unless we act in time.

In West Bengal and the other border states, the local officials and doctors are doing a first-class job. They are working on behalf of the rest of the human family. We should all recognize this and insist that the government of our country, and all countries, take over a fair share of the burden that is falling on India. The impending famine within East Bengal adds a terrible new dimension to the tragedy. We must respond urgently to this threat as well. Time is not on anyone's side.

NARAYAN DESAI, GHANDI PEACE FOUNDATION

Like an octopus, the problem is clutching the situation from a number of directions.

When approaching a refugee camp the problem that stares at you is that of accommodation. Twenty-three persons living in a tent measuring 12 feet by 9 feet. Sixteen living on a raised 8 feet square platform of bamboo chips, avoiding direct contact with knee-deep water. This is the rule, rather than the exception.

Going a little closer, you see a number of other problems. Thousands of women with just half a piece of cloth to wrap their bodies, thousands suffering from gastro-enteritis, cholera, dysentery and diarrhea; hundreds of thousands of children slowly succumbing to malnutrition, millions dreading the advent of winter winds along with pneumonia.

Moving right among them you realise the more subtle problems: 9 million pairs of hands remaining idle result in frustration: every story of atrocity across the border—thousands of women molested, almost half a million killed—bring with it bitterness, anger and contempt.

MICHAEL BLACKMAN, OXFAM

It took the bogey of cholera to stir the conscience of the world, but even this killer came and went. It left behind what was there before, suffering and despair—no homes, little or no food, insufficient medical supplies—and worst of all, no hope.

MISS PAT BENNETT, CHURCH MISSIONARY SOCIETY

You know how bright children normally are. Well, some of the children we treated in the camps were just little lifeless bodies, hardly able to move in their mothers' arms, let alone to smile. The reports of malnutrition have certainly not been exaggerated at all, in spite of the fact that the Indian Government has been doing the most tremendous job. Nevertheless, the need for outside help is essential and is growing all the time, particularly for the children.

ALAN HART, BBC PANORAMA

They'd been hacked to death with knives and clubs. Twelve bodies. From some of their wounds the blood was still gushing. And when you thought they were dead and finished—they weren't. They went on twitching, some of these bodies, for several minutes.

These are the images that I captured for my first film report from inside East Pakistan during the opening weeks of the war. I shall never be able to wash that scene from my mind, yet strangely enough it disturbed and angered me much less than another incident I saw several months later.

I was watching a young girl dying of starvation. I was held by her eyes. They were accusing me. "You don't care do you" they were saying. I knelt down beside her and took her hand. I wanted to tell her that we really did care—all those of us in the outside world. I opened my mouth to speak. But I couldn't. I couldn't tell her something that was untrue.

MICHAEL BRUNSON, ITN NEWS

Things do not usually happen just as television reporters want them to happen. So the tragedy of West Bengal is that you only have to get the cameras out of the cases to get the evidence of death, of starvation, of disease and of suffering on record. Imagine Britain from the Highlands to Cornwall with columns of refugees on many of the roads, a refugee camp in most of the villages. That's what it's like around the border of East Pakistan. Only two things—thousands of deaths and thousands of pounds worth of money or medical supplies—are in the end going to let us put our cameras back in their cases.

CLAUDE MOSSE, RADIO SUISSE ROMANDE

Between 1942 and 1944, there were ten million deaths in the concentration camps of Nazi Germany. A quarter of a century later this memory is still in our minds. There are ten million refugees in East Bengal and apart from some news especially in the Anglo-Saxon press, the whole world accepts with complete apathy the slow agony of these human beings whose horizon was limited by the muddy marshes of the Ganges valley. The Indian Government has already withdrawn one billion Swiss francs from its investments to save these ten million living skeletons. Now India is exhausted. Without immediate and continuous international help we will have to resign ourselves to the fact that two million children under eight will die of hunger and cold. They turn their eyes in our direction. They ask for nothing. Their acceptance of a tragic destiny which has made of them our shame must force a reaction from what remains of our conscience. It is not too late, but there isn't a minute to lose.

The long lines of bamboo huts flattened by rain become longer every day. In these hovels people sleep on the ground, defecate along the paths and giant crows hover above. Fifty children fight over an egg we had given because we didn't have the courage to eat it in front of them. In the milk queue a child vomits and collapses. In the mud a woman heaves, groans, and gives birth. The poorest of Norwegian lumberjacks, the most deprived Welsh miner, is a thousand times, ten thousand times richer than the happiest of the ten million refugees. If we can accept the potential death of these ten million refugees it means that we can accept the ten million deaths of Auschwitz. The powers which united to give freedom to the oppressed people in 1944 cannot fail to unite today to save the innocent victims of this tragedy. Their destiny is linked with ours. If we let them die it means our civilisation is already dead.

What is needed today is a permanent airlift to take supplies into India, but above all, blankets because it will soon be cold, very cold, and death through cold is as terrible as that through hunger.

DEAN ACHESON

Mr. HUMPHREY. Mr. President, Dean Acheson, a truly great statesman and human being, is dead. America and freedom-loving people everywhere mourn his loss. To re-create his contribution to the development and maturation of American foreign policy, to the unfolding of American history, would be an endless task.

Besides, his mark is an indelible one, the imprint of which is found in the institutions he willed to us. Among them, I am referring to the Marshall plan, the North Atlantic Treaty and the North Atlantic Treaty Organization, the Bretton Woods agreement, the Baruch plan for international arms control, and the Japanese peace treaty.

These are accomplishments which cannot be minimized, for they have been largely responsible for the pattern of international relations up to the present. I firmly believe that these institutions, highly imaginative and courageous at the time of their establishment, have stood our country and the world in good stead. Dean Acheson was not only present at their creation, but was also responsible in large part for their final shape. Now he is not here to help mold their evolution and that is our great loss. Surely his ability and his fundamental sense of humanity would have contributed to our efforts to revitalize the institutions which have become our Achesonian heritage and to move forward in a concerted effort to secure world peace.

Instead, what we see today is an unraveling of this delicate weave of institutions and ideas with little thought or energy given to what will follow. We were spoiled by the constant replenishment of Mr. Acheson's own thoughts and his singular devotion. In growing spoiled we have become lazy—lazy to the point that we applaud presidential pirouettes but gloss over the fact that the essential ingredient of visionary thinking for a realistic and humanistic American foreign policy is lacking.

As Secretary of State and a well accomplished statesman, Dean Acheson supplied the missing ingredient. Now he is gone and we have to look elsewhere. We have to do what he would have had us all do—look forward in scope and time. This is our Achesonian heritage.

As I praise Dean Acheson in words, I feel his loss in a depth of emotion. He was a great man; he was a dean of American history.

Mr. President, in tribute to Dean Acheson, I ask that an article on his career published in the Washington Post along with other newspaper articles be printed in the RECORD.

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

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

DEAN ACHESON: ARCHITECT OF POSTWAR U.S. ACTIVISM

(By Murrey Marder)

No man merits more the title of architect for the sudden, massively activist role of the United States in world affairs from 1945 onward than Dean Acheson.

By coincidence, his death came on the day that President Nixon, once a bitter political enemy whom Mr. Acheson came to support—as he did all occupants of the White House—was announcing another step in the current transition of American foreign policy.

President Nixon's planned trip to Moscow, as well as his visit to Peking, involve reexamination of policies which Mr. Acheson was greatly responsible for establishing a generation ago.

It is a measure of the durability of Mr. Acheson's impact on American life that no

President would lightly consider changing, even now, what Mr. Acheson was so instrumental in creating then, especially in Europe. For Mr. Acheson was the creator, more than any other single man, of the Atlantic Alliance, which began with the post-World War II reconstruction of Western Europe and built on that base the North Atlantic Treaty Organization for the "containment" of Soviet Communism.

By contrast, what was to broaden under Mr. Acheson's successor at State, John Foster Dulles, into the equal "containment" of China, began in Mr. Acheson's day by happenstance, not by design. The Korean War, which Mr. Acheson and "his" President, Harry Truman, saw as part of the Soviet Union's globally expansionist "conspiracy," pulled the United States into an activist Asian military role that was never in the original Achesonian concept.

For years afterward Mr. Acheson suffered what he insisted was the totally unjustified accusation that he had "invited" the Soviet-encouraged North Korean attack on South Korea by a January, 1950, speech in which Mr. Acheson placed South Korea outside the "defense perimeter" of U.S. power in the Pacific.

Assaults on Mr. Acheson over that speech, following North Korea's attack on the South, merged with the broadside accusations that he was "soft on communism." History was to disprove, mockingly, those sordid "pro-Communist" accusations aimed at Mr. Acheson from Sen. Joseph R. McCarthy and his associates. Those were the black days that Mr. Acheson was to describe with disdain afterwards as "the attack of the primitives" or "the fight with the footpads."

History ran full cycle on Mr. Acheson. Starting in the late 1950s, and in the 1960s, Mr. Acheson came under attack principally from the left, not the right, for overbuilding—and to long maintaining—the wall of "containment" around the Soviet empire.

The original author of the "containment" formulation, George F. Kennan, publicly charged that Mr. Acheson over-polarized and over-militarized what was intended to be more of an economic than permanent military shield across the East-West divide, to prevent Soviet expansion in Europe until the "mellowing" of Russia after Stalin. Mr. Acheson, in turn, denounced that view as soft-headed myopia.

Nothing better illustrates the protectiveness, the tenacity, the acidity and the weight with which Mr. Acheson through the years fought to preserve what he created than the manner in which President Nixon last May invoked Mr. Acheson's prestige against attempts to cut U.S. troops in Western Europe from 300,000 to 150,000. Inveighing against that proposal by Senate Majority Leader Mike Mansfield, Mr. Acheson, after a talk with the President, labeled the Mansfield proposal "asinine" and "sheer nonsense."

Mr. Acheson, some critics charged, was displaying his prowess as "high priest" of "the Cold War warriors."

Mr. Acheson was no unbridled militarist. But neither did he ever favor shrinking from the use of power. In one study of the 1962 Cuban nuclear missile crisis, by author Elie Abel, Mr. Acheson is quoted:

"I felt we were too eager to liquidate this thing. So long as we had the thumbscrew on Khrushchev, we should have given it another turn every day. We were too eager to make an agreement with the Russians. They had no business there (Cuba) in the first place."

Mr. Acheson, as elder-statesman consultant to President Kennedy, was sent secretly to France to inform President Charles de Gaulle that there was imminent danger of a U.S.-Soviet nuclear collision.

De Gaulle asked him what President Kennedy intended to do if the Soviet vessels refused to halt at the blockade line of American warships drawn around Cuba, Mr. Acheson said. Without any specific instructions, he said he did not dare tell the imperious de Gaulle that the United States had not decided.

As a result, Mr. Acheson said, he told de Gaulle the United States would sink any ship that tried to go through, would cut off petroleum for Cuba in 48 hours, and would land U.S. troops in Cuba if necessary, using six divisions. De Gaulle, satisfied completely, reportedly answered that was exactly what he would do, too. Mr. Acheson said that, diplomatically, he never told President Kennedy what he had told de Gaulle.

None who knew Mr. Acheson easily forgot the experience. He was one of the most fascinating, intelligent, witty, critical, eloquent and controversial figures on the Washington and world scene for a generation.

The world came to know him best as a human being rather than as a supremely aloof official after he left office at the end of the Truman years and began to write and speak out more prolifically, and especially far more bluntly, than any incumbent statesman ever could.

Mr. Acheson, out of office, displayed a zest for public controversy, as though to compensate for the years during which he was diplomatically restrained. Yet even in office, diplomatic restraint was never a very heavy bridle for Mr. Acheson, compared with others of his rank.

In his most important legacy as a biographical historian, "Present at the Creation—My Years in the State Department," published in 1969, Mr. Acheson provided a brilliant, exhaustive record of his distinguished service.

This volume radiates with Achesonisms as well as with the weight of history:

"The President cannot be Secretary of State; it is inherently impossible in the nature of both positions. What he can do, and often has done with unhappy results, is to prevent anyone else from being Secretary of State."

"I have long noticed that military recommendations are usually premised upon the meticulous statement of assumptions that as often as not are quite contrary to the facts and yet control the conclusions."

". . . In foreign affairs nothing . . . (is) more dangerous than to base action upon moral or ideal conceptions unconnected with hard-headed practicality."

On summitry: "When a chief of state or head of government makes a fumble, the goal line is open behind him. This I was to learn in my first experience with this dangerous diplomatic method, which has attraction for American presidents."

"In a service often trying I found compensation, indeed joy, in the qualities of friendly colleagues, of hostile combatants, and sometimes of neutral freebooters . . . Only bores were insufferable."

On French policy in Indochina in 1951: "They were engaged in the most dangerous of all activities—deceiving themselves."

In an interview in 1969, Mr. Acheson said, "In the (State) Department I never saw the world as a struggle between good and evil, as (John Foster) Dulles did . . ." Mr. Acheson, in his biography, labeled the Dulles "policy of massive nuclear retaliation to acts of Soviet aggression" as follows: "As a policy it was unworkable, outmoded when uttered, and profoundly disturbing to our allies and to our relations with them."

President Truman, whom Mr. Acheson served with supreme loyalty and devotion, was his model as a chief executive. Last July, in a Life magazine interview, Mr. Acheson provoked a storm among admirers of the late President Kennedy.

Mr. Acheson described Mr. Kennedy as "a most attractive person" with "real charm," but said sharply: "He did not seem to me to be in any sense a great man. I do not think he knew a great deal about any of the matters which it's desirable that a chief of state or a President of the United States should know about. He was not decisive . . . he was really out of his depth where he was. I hate to say this because I know it's going to be misunderstood, but his reputation is greater because of the tragedy of his death than it would have been if he had lived out two terms."

The description was brutal, but Mr. Acheson was boldly stating what he believed, as he often did to the dismay of his opponents and—sometimes—to the delight of those who agreed with his blurt assessments.

Mr. Acheson despised clichés; even in death one would not affront his supreme sense of style to impose on his memory with the cliche that Washington will not see his like again as a professional or as a personality. But even so, the odds are against it."

DEAN ACHESON, 78, IS DEAD IN MARYLAND

WASHINGTON, Oct. 12— Dean Acheson, Secretary of State during the most turbulent years just after World War II and architect of much of United States cold war strategy, died this evening. He was 78 years old.

Mr. Acheson served in President Harry S. Truman's Cabinet from 1949 to 1953, the years of the Korean war, European reconstruction, the formative years of the North Atlantic Treaty Organization, the Japanese peace treaty and the beginning of the so-called McCarthy era.

According to his wife, Mr. Acheson died about 6 p.m. at his farm in Sandy Spring, Md., but the cause was not immediately determined. Mr. Acheson was found slumped over a desk in his study.

Friends said that Mr. Acheson had a history of hypertension but had not been in ill health recently.

After leaving the State Department, Mr. Acheson served in an advisory capacity to the Administration of Presidents John F. Kennedy and Lyndon B. Johnson. But he spent most of his time in a far-flung and lucrative Washington law practice.

The Connecticut-born Acheson carried an aristocratic manner that often alienated his foes, and even some friends. But he, nonetheless, achieved great success in the government in a career that reached from a monetary-policy negotiator under Franklin D. Roosevelt to Secretary of State under Mr. Truman.

In between, he practiced law briefly, but spent most of his time in various positions within the State Department, finally succeeding General of the Army George C. Marshall as Secretary in 1949.

Besides his widow, the former Alice Stanley, whom he married in 1917, he is survived by three children, Mrs. Dudley B. W. Brown, David Campion Acheson and Mrs. William F. Bundy, whose husband was Assistant Secretary of State in the Johnson Administration.

[From the New York Times, Oct. 13, 1971]

ARCHITECT OF POSTWAR POLICY, ACHESON ADVOCATED CONTAINMENT OF THE SOVIET UNION

(By Alden Whitman)

One of the principal molders of the American posture in the postwar world, Dean Gooderham Acheson, an urbanely elegant, sharp-minded and even sharper-tongued lawyer, helped to create what he called "half a world, a free half" through containment of the Soviet Union by American military power and political alliances.

As a member of the State Department almost continuously from 1941 to 1953—for the final four years he was President Harry S. Truman's Secretary of State—Mr. Acheson articulated a policy and practice that assumed that the Soviet Union was bent on world conquest and, negotiations being vir-

tually useless, could be deterred only by overwhelming United States economic, political and arms aid to countries on the perimeter of the Communist bloc. Some of his chief achievements were:

The Bretton Woods agreement, which led to the establishment of the World Bank.

The Truman Doctrine of assistance to Greece and Turkey.

Spade work for the Marshall Plan of bolstering Europe.

Shaping atomic policy.

The North Atlantic Treaty Organization agreement.

The Japanese peace treaty.

The diplomacy of the Korean conflict.

Nonrecognition of Communist China and aid to Chiang Kai-shek in Taiwan.

Creating and rearming West Germany.

Bipartisanship in foreign policy.

As one so intimately associated with the strategy and tactics of the cold war, Mr. Acheson was the target of much contention. To Mr. Truman he was "among the greatest Secretaries of State this country had." To Senator Joseph R. McCarthy, he was soft on Communism for harboring security risks in the State Department and for asserted lack of foresight in dealing with China before 1949. To more moderate critics, he was blind to the reputed advantages of negotiating with the Russians. To revisionist historians of the nineteen-sixties, he was "the Commissar of the Cold War" who invented, or at least exaggerated, Soviet world ambitions and who promoted the United States as a supercolonial power. And to himself he was "the faithful first lieutenant" to Mr. Truman ("the captain with a mighty heart") who was serenely certain that "our efforts for the most part left conditions better than when we found them."

EARTHY IN PRIVATE

Although Mr. Acheson tended to be formal and school-teacherish in his public manner, in private he was colloquial and earthy. Reminiscing about his career in an interview for this article in the spring of 1970, he ticked off his views. Of Mr. McCarthy he said:

"He was a very cheap, low scoundrel. To denigrate him is to praise him."

On the United Nations as a forum for negotiations:

"I never thought the U.N. was worth a damn. To a lot of people it was a Holy Grail, and those who set store by it had the misfortune to believe their own bunk."

Of the Korean conflict, which the United States entered without Congressional approval:

"I don't think there was any alternative to going into Korea. It was a perfectly simple thing to do."

And of the revisionist criticism:

"I think it's stupid. Ill-formed is the politest way I can express it."

Mr. Acheson, however, had no riposte to President Nixon (whose Indochina policy he warmly supported), although Mr. Nixon in 1952 had lashed out at "Dean Acheson's College of Cowardly Communist Containment." He indicated that President Nixon had "gone ahead doing what we did" in combating Communism.

ENJOYED CAPITOL POLITICS

As a broker in power who helped to pilot many of his plans through Congress, Mr. Acheson recalled his enjoyment of Capitol politics and his fondness for Senator Arthur H. Vandenberg, the Republican leader, and Senator Tom Connally, his Democratic counterpart. Some of his happiest moments, he said, were spent in the Capitol backrooms with these and other cronies. "Some of my worst enemies on the Hill were my best friends," he remarked.

To facilitate a bipartisan foreign policy, Mr. Acheson went on, he had on occasion so drafted bills that the Republicans could "correct" them, to their glory, in the name of bipartisanship. And once he went so far as to write a speech for a critic of the Bretton Woods bill. "It was the best attack on the bill ever delivered," he recalled with a merry laugh.

The personal touch that made Mr. Acheson a Capitol favorite was also the key to his dealings with many foreign diplomats. "The best diplomacy is on the personal level," he said, adding:

"I got along with everybody who was housebroken. But I was never very close to the Russians. They were abusive; they were rude. I just didn't like them."

Toward those he liked, Mr. Acheson had a gentleman-of-the-old-school loyalty. One example was his friendship with Alger Hiss, a former State Department official who was convicted of perjury in a sensational spy-ring case. Mr. Hiss was a friend of long standing and was already under some suspicions when Mr. Acheson was confirmed as Secretary of State. He restated at that time his ties to Mr. Hiss ("And my friendship is not easily given, nor is it easily withdrawn") and later, after Mr. Hiss' conviction, when many of his friends vanished, Mr. Acheson met the situation badly by telling a news conference, "I do not intend to turn my back on Alger Hiss."

"Congress," Mr. Acheson wrote in "Present at the Creation," "flew into a tantrum and the press got all excited."

Nevertheless, and with perhaps a touch of arrogance, Mr. Acheson stood by Mr. Hiss. With much the same tenacity, he declined to dismiss John Carter Vincent, a State Department official under fire from Mr. McCarthy, or O. Edmnd Clubb. Students of Mr. Acheson have suggested that his defense of Mr. Hiss, Mr. Vincent and Mr. Clubb sprang, in part at least, from his Brahminlike contempt for Mr. McCarthy's rightwing attacks—that Mr. Acheson had "lost" China, pursued a "non-win" policy in Korea and "coddled" Communists in government.

PICTURE OF A DIPLOMAT

And, indeed, Mr. Acheson did seem lofty in physique as well as manner. Tall, erect, with wavy hair, bushy eyebrows and a guardsman's mustache, he looked, in his impeccably tailored clothes and black homburg, every inch the formidable diplomat. Added to that was an Ivy League voice and a bright mind's disdain for what he called "ninnies."

Many wondered how the immaculate and patrician Mr. Acheson was able to form an almost perfect union with the small, perky, Midwestern Mr. Truman, a creature of rough-and-tumble Missouri politics. In "Present at the Creation," Mr. Acheson gave an answer, saying:

"As only those close to him knew, Harry S. Truman was two men. One was the public figure—peppery, sometimes belligerent, often didactic, the 'give-'em-hell' Harry. The other was the patient, modest, considerate and appreciative boss, helpful and understanding in all official matters, affectionate and sympathetic in any private worry or sorrow . . . Mr. Truman's methods reflected the basic integrity of his own character."

Another factor was that Mr. Acheson, with all his mature cocktail-circuit charm and quick grasp of complex issues, was reared in fairly modest circumstances. Born April 11, 1893, in Middletown, Conn., Dean Gooderham (pronounced "goodrum") Acheson was the son of an English-born clergyman and a mother whose family were Canadian whisky distillers. Edward Acheson had entered the Anglican ministry, emigrated to Canada and then to the United States, where he became Episcopal Bishop of Connecticut.

TO YALE AND HARVARD

Dean was submitted to the fashionable rigors of Groton under the stern Endicott Peabody and went on to Yale, from which he was graduated in 1915. After marrying Alice Stanley, a painter, in 1917, he gained a Harvard law degree in 1918 and spent his first two years out of school as law secretary to Supreme Court Justice Louis D. Brandeis.

Mr. Brandeis "was like a father to me," Mr. Acheson recalled in 1970. That Justice and Justice Oliver Wendell Holmes greatly influenced his legal thinking, just as did his very close friend of later years, Justice Felix Frankfurter, with whom he often strolled about Washington. The two were congenial on all issues except Israel, which by mutual consent they never discussed.

The Justice, a Zionist, favored the State of Israel, while his friend was disquieted by it as upsetting the Mideast balance. Their friendship, though, was such that Mr. Acheson dedicated one of his books, "Morning and Noon," to "F.F."

In 1921 Mr. Acheson joined the capital firm of what is now Covington & Burling, of which he became senior partner. One of Washington's largest law establishments, it gave Mr. Acheson a comfortable life—a house in Georgetown, a farm in Maryland—and a clientele that included 200 of the nation's largest corporations. When he was not in government, he practiced law.

A Democrat, Mr. Acheson supported Franklin D. Roosevelt in 1932 and was appointed Under Secretary of the Treasury in 1933, a post he held for six months. He broke temporarily with the New Deal when he found himself unable to approve devaluing the gold content of the dollar. He thought that doing it by Executive order was unconstitutional, and he learned from newspapermen that his "resignation had been accepted." His personal relations with the President, however, remained correct, and he supported him in 1936 and 1940.

JUDGESHIP DECLINED

Just before the 1940 campaign, Mr. Roosevelt offered to appoint him to the Court of Appeals for the District of Columbia, a step below the Supreme Court. "I told the President I just can't sit on my tail and listen to foolishness," he recalled in his 1970 interview. "Then the President offered to make me a special Assistant Attorney General. But I told him no, I could do him more good on the outside [he was active in the Committee to Defend America by Aiding the Allies] and that I would write campaign speeches, which I did. Well, then the war came along and I went into the State Department."

As Assistant Secretary of State in 1941 (Cordell Hull was the Secretary), Mr. Acheson was intimately concerned with a number of undertakings that accompanied America's emergence as the world's greatest capitalist power. His initial duties involved international economics. He helped to elaborate the Lend-Lease arrangements that poured $39-billion in American war goods and civilian items into lands resisting Fascism and Japanese warlords.

He was also liaison man with Congress and had a vigorous hand in developing postwar international organizations, including the Food and Agricultural Organization, the United Nations Relief and Rehabilitation Agency, the International Bank for Reconstruction and Development (World Bank) and the International Monetary Fund.

After Mr. Hull stepped down, Mr. Acheson served under Secretary Edward R. Stettinius Jr., a man, he said in his memoirs, who "had gone far with comparatively modest equipment." Then he was Under Secretary of State when the department was headed by James F. Byrnes and by Gen. George C. Marshall.

When Mr. Truman became President in April, 1945, Mr. Acheson formed bonds with him that were to last for their lives. Among his first chores for Mr. Truman was obtaining Senate approval for United States membership in the United Nations. "I did my duty faithfully and successfully," he wrote

in his memoirs, "but always believed that the Charter was impractical."

Mr. Acheson was Under Secretary for almost two years, from August, 1945, to July, 1947, but much of that time, owing to the absences of his chief abroad, he acted as the Secretary. His intractable definition of Soviet policy was elucidated at this time. Stalin, in early 1946, spoke out for Soviet preparedness in what he saw as a hostile world. Analyzing the speech in a telegram to the State Department, George F. Kennan, then chargé d'affaires in Moscow, concluded that Soviet policy would be to use every means to infiltrate, divide and weaken the West.

Mr. Kennan's proposals for coming to terms with the Russians did not, however, appeal to Mr. Acheson. "To seek a modus vivendi with Moscow would prove chimerical," he wrote in his memoirs, adding in another place that "Soviet authorities are not moved to agreement by negotiation."

Meanwhile, Mr. Acheson was busy, with David E. Lilienthal of the Tenneseee Valley Authority and a group of scientists, drafting a policy paper on international atomic matters. At the time, the United States believed it held a monopoly, and proposed that "no nation would make atomic bombs or the materials for them." Instead, there would be an international authority, with inspection controls and other checks to assure peaceful uses of nuclear energy.

Many of the proposals appeared in what was called the Baruch plan, named for Bernard M. Baruch, who was not in Mr. Acheson's pantheon. "I protested the generally held view that this so-called 'adviser of Presidents' was a wise man," he later wrote. "My own experience led me to believe that his reputation was without foundation in fact and entirely self-propagated."

As Mr. Acheson perceived events in 1946–47, the Soviet Union was embarking on an "offensive against the United States and the West" in the Balkans and the Mideast, which was to reach a crescendo in Korea in 1950. He discerned special danger spots in Greece and Turkey. And in early 1947, when the British reported they could no longer afford to support the royalist Greek regime, he shaped the Truman Doctrine, by which $400-million in emergency military and economic aid was provided those two countries—in Greece to counter "Communist" insurgents and in Turkey to strengthen her armed forces.

HEART OF THE DOCTRINE

The heart of the Truman Doctrine was the assertion that "it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures." Then and later, however, such commentators as Walter Lippmann questioned whether this was not a formula for America as a world policeman and whether it did not involve repression of legitimate nationalist or revolutionary movements.

In Mr. Acheson's view, however, "the corruption of Greece would infect Iran and all to the East." "It would also," he added, "carry infection to Africa through Asia Minor and Egypt, and to Europe through Italy and France, already threatened by the strongest Communist parties in Western Europe."

Critics of this foreign policy have asked whether his ideological division of the world corresponded with reality, whether "freedom" should be equated with American strategic and political interests, whether the domino theory was justified and whether Communism was equivalent to "Soviet imperialism."

After persuading Congress to approve Greek-Turkish aid, Mr. Acheson voiced the outlines of what became the Marshall Plan in a speech on May 8, 1947. His speech, he said, was a "reveille" to the American people to avert the economic collapse of Western Europe and to prevent its falling into the Communist orbit. Officially, General Marshall was father to the European Recovery Plan, but there is little doubt that Mr. Acheson with Will Clayton, a State Department official, did most of the work.

The Marshall Plan, in the view of historians such as Louis J. Halle, contributed to the Berlin blockade and Soviet absorption of Czechoslovakia in 1948. Stalin, this argument holds, saw the plan as a design to plant American influence and military power in Western Europe, and he reacted by tightening his vise on Eastern Europe.

For 18 months after the Marshall Plan was offered, Mr. Acheson was out of the State Department at his request to return to a more financially rewarding law practice. "I was tired," he explained. In this period, however, his personal relationships with the President and other leading Washington figures continued to be close. And he was back as Mr. Truman's Secretary of State in January, 1948.

Stating his feelings about Communism in his confirmation hearings, Mr. Acheson said:

"It is my view that Communism, as a doctrine is economically fatal to a free society and to human rights and fundamental freedom. Communism as an aggressive factor in world conquest is fatal to independent governments and to free peoples."

Although such a statement might appear to be unequivocal evidence of Mr. Acheson's anti-Communism, it failed to satisfy many on the far right, including Senator McCarthy, Senator William F. Knowland, the Republican leader, and Representative Richard M. Nixon, then aspiring to national prominence. And he was hectored for four years as an insufficiently sterling anti-Red.

The China affair, especially painful to Mr. Acheson, was touched off in the summer of 1949, by a 1,000-page White Paper designed to explain the victory of the Communists despite more than $2-billion of American assistance to Chiang Kai-shek. The Acheson document described the Chiang regime as "corrupt, reactionary and inefficient," and added:

"The unfortunate but inescapable fact is that the ominous result of the civil war in China was beyond the control of the government of the United States. Nothing that this country did or could have done with the reasonable limits of its capabilities could have changed that result. . . . It was the product of internal Chinese forces, forces which this country tried to influence but could not."

The attack on Mr. Acheson (and, through him, on General Marshall, who had tried to compose Chiang-Communist differences) was fueled largely by the China Lobby, Chiang's vociferous partisans in this country. And the cry was taken up by Senators McCarthy and Knowland and others, who insisted that State Department aides had been covertly sympathetic to the Communists.

The attack produced more headlines than substance, but it bedeviled Mr. Acheson's years, and left many convinced that Chiang was a victim of American perfidy, Mr. Truman, however, was stout in his defense, retorting to one ouster demand by saying, "Communism—not our country—would be served by losing Dean Acheson."

The attacks "of the Primitives," as he termed them, made it seem that Mr. Acheson was insensitive to Asia. But it was he who established the policy of nonrecognition of the Communist Chinese and supported military and other aid to Chiang on the island of Taiwan, where he fled in 1949.

Furthermore, in May, 1950 Mr. Acheson sought and obtained economic and military aid for France in Indochina to help battle Ho Chi Minh, thus setting America's fateful role in Vietnam. "I could not then or later think of a better course," he said. Additionally, his Japanese peace treaty contained provisions for American military bases in Japan.

In Europe, meantime, Mr. Acheson's theme was to build up areas of strength to counter the Soviet Union. And under his guidance, NATO, or the North Atlantic Treaty Organization of West European nations, Canada and the United States, came into being in 1949. It was the first military alliance ever joined by the United States in peacetime.

One consequence of NATO was Mr. Acheson's renewed interest in West Germany, whose institutionalization as a Federal Republic he advanced and whose arming he promoted. He was on good terms with Konrad Adenauer, the Chancellor, recalling him fondly in 1970 as "a most delightful person." The separate German state was not wholly praised, however. In the opinion of Mr. Kennan, for example, it solidified the division of Europe by "arous[ing] keen alarm among the Soviet leaders."

One of the most troublesome of Mr. Acheson's problems was Korea, where conflict between North and South erupted in June, 1950. "Plainly, this attack [from the North] did not amount to a *casus belli* against the Soviet Union," he said. "Equally plainly, it was an open, undisguised challenge to our internationally accepted position as the protector of South Korea, an area of great importance to the security of American-occupied Japan." Mr. Acheson decided that "we must steel ourselves to the use of force . . . to see that the attack failed."

His method was to work through the United Nations Security Council, then being boycotted by the Soviet Union. The Council called the attack "an unprovoked act of aggression," and it was under this authority that American troops, with Gen. Douglas MacArthur in command, moved onto the Korean peninsula in a "police action" to repulse the North Koreans.

CRITICAL OF MAC ARTHUR

The "police action" was supposed to be limited, but General MacArthur apparently exceeded his instructions by pushing the North Koreans to the Yalu River (when the Chinese entered the conflict) and had to be recalled. A storm broke out over both Mr. Truman and Mr. Acheson. Recalling the episode in his 1970 interview, Mr. Acheson said, "MacArthur was a jackass. If he'd done what he had been told to do, the war would have been finished early, but he wanted to be spectacular, and he loused it up."

Out of office in 1953, Mr. Acheson was a scornful critic of John Foster Dulles's policy of "massive retaliation" to Soviet actions. "This didn't make any sense at all," he recalled afterward. "We had very few nuclear weapons." But he did approve Mr. Dulles's continuation of his policy of American shouldering of global responsibilities.

In the late fifties Mr. Acheson was a foreign policy adviser to the Democratic party. A picture of him in this role was drawn recently by John Kenneth Galbraith, the economist and Democratic adviser. Mr. Galbraith wrote:

"He was captain-general for foreign affairs. I was chairman of the counterpart committee on domestic policy. When, as happened on occasion, he made guerrilla forays into my domain, it was, invariably, to express views somewhat to the right of Erza Taft Benson, then one of the heavier ideologues of the Eisenhower Administration. On foreign policy he believed that the danger of nuclear destruction was something to be minimized, not threatened—an important distinction."

When Mr. Acheson returned to private life, he commented, "To leave positions of great responsibility and authority is to die a little." However, not only was he active in Washington in the fifties, but also he was a White House adviser of Presidents John F. Kennedy and Lyndon B. Johnson. His protégé, Dean Rusk, was Secretary of State in those Administrations, and Mr. Acheson was often called upon for informal help. He counseled President Kennedy, for example, to bomb the

Soviet missile sites in Cuba in 1962; and he backed President Johnson's handling of the Vietnam war. He was also called in by President Nixon, with whose Indochina and ABM missile policies he enthusiastically agreed.

WON 1970 PULITZER

In retirement, Mr. Acheson also took to the typewriter, producing six books, including "Present at the Creation," an account of his State Department years that won the Pulitzer Prize in 1970.

Mr. Acheson lived on P Street in Georgetown in a house lined with books and paintings, many by his wife. He had a farm, Harewood, in Montgomery County, Maryland, to which he liked to repair as often as possible. The Achesons had three children—Jane, David and Mary—who frequently joined them at the farm or at family events, for they were a close family.

In the concluding pages of "Present at the Creation," Mr. Acheson wrote his own epitaph in these words:

"In 1914 Kaiser Wilhelm II referred to 'Britain's contemptible little army.' When it had taught him to revise that opinion, its survivors often referred to themselves as 'the old contemptibles.' I am happy to greet my comrades of President Truman's State Department with his affectionate appellation and assure them, as they look back upon their service under his leadership during those puzzling and perilous times, that they played a vital role in setting the main lines of American foreign policy for many years to come and that they may feel in their hearts that it was nobly done."

DEAN ACHESON IS DEAD AT 78—FORMER SECRETARY OF STATE

Dean Acheson, Secretary of State in the Truman administration and a major architect of postwar European recovery and Cold War diplomacy, died last night at his home in Sandy Springs, Md. He was 78.

His wife said the cause of his death had not yet been determined.

Family members said Mr. Acheson was found slumped over a desk in his study. He was pronounced dead by the family physician.

Friends said Mr. Acheson had a history of hypertension but had not been in ill health recently.

He is survived by the widow and three children—David C. Acheson, general counsel of the Communications Satellite Corp. (COMSAT), Mrs. Dudley B. W. Brown of Lantana, Fla., and Mrs. William P. Bundy of Cambridge, Mass., whose husband is a former Assistant Secretary of State and Defense in the Johnson administration.

In a statement issued by the White House President Nixon said, "The nation, the Western alliance and the world, all their staunchest champions . . . Almost 20 years after his service as Secretary of State he continued to be recognized as one of the towering figures of his time. He was a man not only of great achievement but also of rare intellect, of rigorous conscience and of profound devotion to his country.

"I shall greatly miss both his wise counsel and his penetrating wit."

Mr. Acheson's career as Secretary of State from 1949 to 1953 was one of the stormiest in American diplomatic history. And controversy followed him through the 1960s and to his death.

When he left the State Department in 1953 after four years of political controversy, Mr. Acheson returned to private law practice with the prominent Washington firm of Covington & Burling, but served frequently as an unpaid adviser to Presidents.

Even after his retirement as Secretary of State in 1953, Mr. Acheson continued to play an important role in shaping foreign policy under Presidents Kennedy, Johnson and Nixon.

He served as an adviser to President Kennedy in the Cuban missile crisis confrontation with the Soviet Union at the end of 1962. Two years later, early in the Johnson administration, he acted as a mediator in the Cyprus crisis. He was also among the nine "wise men" who counseled President Johnson to halt the bombing of North Vietnam in the spring of 1968.

As recently as May, Mr. Acheson was reactivated by President Nixon in the administration's successful defeat of Senate Majority Leader Mike Mansfield's effort to reduce U.S. troop strength in Western Europe.

Mr. Acheson was maligned and "whipped" at home, during his years in public life, but warmly praised and highly respected in Western Europe and throughout the rest of the free world. Friendly foreign diplomats regarded him as the best Secretary of State in many years. His American opponents said he was the worst ever.

The crossfire of criticism came from both the right and the left. Among the most spectacular right-wing charges were those launched by the late Sen. Joseph R. McCarthy (R-Wis.), who denounced Mr. Acheson for defending Alger Hiss, a former State Department official accused of implication in a Communist conspiracy.

In later years, Mr. Acheson was assailed with equal vehemence by liberals for having been "hawkish" in advocating that the United States maintain a strong military establishment.

His responses were characteristically salty and acerbic. He remained an independent, unintimidated figure to the end.

Mr. Acheson once described his reaction to his many troubles as comparable to those of a dog which, having had a can tied to its tail a number of times, finally learned to back hind-first towards a can whenever it saw one.

Another time, Mr. Acheson said that he weathered the strain by following the advice of an old Scottish lady to a younger friend. The old lady advised: "My dear, you have got to be philosophical. Just don't think about it."

On the eve of his departure for Brussels for a conference of Atlantic Pact foreign ministers, Senate and House Republicans, voting in strict party meetings, demanded his resignation. Not a few Democrats applauded the Republican demands.

But Mr. Acheson had the loyal support of President Truman who regarded the tall aristocratic-looking diplomat as one of the Free World's chief enemies of communism. He refused to quit.

He was denounced as a pro-Communist. Yet he sponsored the first American shooting war against communism—the fight in Korea.

The opposition to Mr. Acheson subsided somewhat after his performance as chairman of the Japanese Peace Treaty Conference at San Francisco in September 1951. Several of his congressional critics praised his firm stand against the efforts of Soviet Delegate Andrei A. Gromyko to torpedo the conference.

Mr. Acheson's stock with the American public also shot upward on the basis of his San Francisco performance. His verbal and parliamentary victories over the Russians were viewed by millions on television.

Mr. Acheson had dramatic evidence of Mr. Truman's complete loyalty and respect in September, 1950, when the President could no longer ignore reports of friction between Mr. Acheson and Defense Secretary Louis Johnson. Johnson was fired and Mr. Acheson's friend, Gen. George C. Marshall, was appointed defense chief.

Although rated a liberal, Mr. Acheson mixed his liberalism and wealthy background with a distinct touch of realism that cropped up early. When he was 15, he went to the family's summer home. His sister sought to interrupt her brothers' rapt reading by announcing: "Dean! The people next door have three carriages, five horses, and a footman."

Mr. Acheson kept reading. His sister, impatient at being ignored, asked what he would do if he had three carriages, five horses and a footman. "I'd start a livery stable," he replied.

Born April 11, 1893, at Middletown, Conn., Dean Gooderham (pronounced Goodrum) Acheson was the son of an English-born clergyman father and a mother from a family of distillers.

His father, Edward Campion Acheson, fought with the Queen's Own rifles in the Indian Rebellion before entering the Anglican ministry. He emigrated to Canada in 1881 and then to the United States, where he became Episcopal Bishop of Connecticut and married Eleanor Gooderham.

Dean Acheson graduated from Yale in 1915, married Alice Stanley of Ann Arbor, Mich., his sister's roommate at Wellesley, in 1917, and gained a Harvard law degree in 1918. Joining the Navy after he left Harvard, he served a few shorebound months in World War I mainly as an ensign with a "boring" assignment guarding New York harbor.

He emerged from that experience as fluent in profanity as in legal Latin.

Like so many other top Harvard law students, Mr. Acheson started off his professional career as a secretary to a justice of the U.S. Supreme Court. His mentor was Associate Justice Louis D. Brandeis who, along with Justice Oliver Wendell Holmes, Mr. Acheson credited with influencing his thinking in these formative years.

From Brandeis' quarters Mr. Acheson went in 1921 to Covington, Burling and Rublee, in which he remained a lifelong partner.

Mr. Acheson entered government service as Under Secretary of the Treasury in May, 1933. Six months later, President Roosevelt announced plans to devalue the dollar by juggling the price of gold. Mr. Acheson said the whole scheme was illegal. Mr. Roosevelt asked for his resignation. He left quietly, in contrast to many employees of the New Deal who complained loudly when they were fired.

Ironically, it was Mr. Roosevelt who in 1941 induced Mr. Acheson to leave his lucrative law practice and return to government as Assistant Secretary of State. Mr. Acheson, displaying the internationalist thinking that was to mark his career, vigorously supported wartime aid to Britain and the Soviet Union and helped to write a brief defending Mr. Roosevelt's lend-lease deal giving Britain 50 over-age destroyers in return for naval bases in the Caribbean.

Mr. Acheson was promoted to Under Secretary of State in 1945. He resigned in 1947. On Jan. 21, 1949, a day after Harry S. Truman was elected President in his own right, Mr. Acheson was nominated as Secretary of State.

Two men could hardly appear more different on the surface than Mr. Truman, the peppery, homespun Missouri politician thrust abruptly into highest command by President Roosevelt's death, and Mr. Acheson, the patrician Eastern lawyer. Yet the two by nature were intensely loyal to each other and to certain broad ideals.

When Mr. Acheson took over the huge, cumbersome State Department, the Soviet-American Cold War was intense. The Kremlin was blockading Berlin, menacing its neighbor nations and preparing to sponsor war in Korea. The United States was committed to numerous wartime agreements which, signed in good faith, often played into the Soviet Russia's policy of postwar expansion.

In Europe, the Acheson directorate hammered out the North Atlantic Defense Treaty, fashioned the foreign arms aid program, and pressed for economic recovery as an antidote to political instability. These programs inspired enough hope to make possible the first unified European army, with the prospect of West German participation.

The job was herculean. It required all the Acheson ability to argue and persuade his allied counterparts that the course of cooperative, vigorous action was right—Soviet objections notwithstanding.

In sponsoring a fighting resistance to communism in Korea, Mr. Acheson helped to persuade the United Nations for the first time to send at least token forces into battle.

This was more than a year after a State Department white paper on China. The white paper, unparalleled in normal diplomatic practice, was a blockbuster against Nationalist China. It denounced the Nationalist regime of Generalissimo Chiang Kai-shek for corruption and inefficiency. Chiang later backed off the mainland and set up shop on Taiwan.

The military losses in Korea, memories of the white paper, and some congressional concern for the Nationalists revived Capitol Hill cries for Mr. Acheson's resignation. But on Nov. 8, 1950—off-year election day—Mr. Acheson said he had "no intention whatsoever" of resigning. One week later, he said he expected to remain as Secretary of State for "further years." Republican gains in the elections of 1950, he said, were not a repudiation of his foreign policy.

Mr. Acheson lived quietly in an ivy-covered house in the Georgetown section of Washington. On weekends, he went to his farm at Sandy Spring, Md., where he and Mrs. Acheson sawed wood or puttered in their flower garden.

While Secretary of State, Mr. Acheson usually arrived at his office by 9:15 A.M. and left about 7 P.M., often carrying a briefcase of official papers to read at home. He took only 30 mintues for lunch—usually soup, salad and coffee. He smoked about half a package of cigarettes daily.

He invariably was well-dressed with tailored worsteds or tweeds draped about his six-foot-one-inch frame. A homburg hat, a dispatch case, a pointed mustache, and a long confident stride completed the picture of the perfect diplomat.

Mr. Acheson once demonstrated his loyalty to Mr. Truman no less than the President demonstrated his loyalty and respect for Mr. Acheson. The day after the November 1946 elections, Mr. Truman returned to Washington from his home at Independence, Mo. The Republicans had captured both houses of Congress, and the way looked dark for the man from Missouri.

Mr. Acheson was the only person of cabinet or near-cabinet status to meet and greet the downcast President, Mr. Truman never forgot it.

The President had many opportunities to fire Mr. Acheson, and was under repeated pressure to do so from Republicans with little resistance from the Democratic camp, but only stuck by his Secretary of State all the more firmly. Both were tough fighters. And both were confirmed Democrats, though Mr. Acheson moved more subtly than his "give 'em hell" boss.

Until Mr. Acheson, the President never had a Secretary of State with whom he had close personal relationship. Edward R. Stettinius Jr. was a Roosevelt holdover who resigned after his main accomplishment of shepherding the birth of the United Nations. Mr. Truman's first choice was James Byrnes, an old friend experienced in high political and administrative jobs. But Byrnes was ambitious and, in Mr. Truman's view, too high-handed. Bitterness grew between them.

Marshall was an established soldier-statesman, correct towards the President, but not a warm personal friend.

Mr. Acheson kept in intimate contact with the President while never forgetting who was chief executive. He became Mr. Truman's most influential adviser and in turn, got solid backing in what was more his shaping of foreign policy than Mr. Truman's.

For a while, Mr. Acheson enjoyed the cooperation of Sen. Arthur H. Vandenberg of Michigan, a Republican foreign policy leader whose pull with his party made possible the launching of the nation's major postwar ventures like NATO and the Marshall Plan.

With Vandenberg increasingly sidelined by an incurable cancer, Mr. Acheson turned to John Foster Dulles, associate of Vanderberg, and 1944–48 GOP presidential nominee Thomas E. Dewey for bipartisan operation of foreign policy. He gave Dulles the job of working out a peace treaty with Japan.

Yet with Mr. Acheson, a lifelong Democrat, nonpartisanship did not come naturally, and he never did develop a comfortable relationship with congressmen.

Some attributed the Korean war to what they considered Acheson blundering. The soft-on-communism theme underlying many GOP allegations against the Democrats found a target in Mr. Acheson. Among the most spectacular charges were those of McCarthy.

He accused the State Department of harboring Communists and fellow travelers. Mr. Acheson denied the accusations. The fight raged on into the Eisenhower administration. In its course, Mr. Acheson uttered perhaps his most famous single statement: "I will not turn my back on Alger Hiss."

Hiss, a former high State Department official and friend of Acheson, had been convicted of perjury for denying that he passed secret documents to a Communist spy ring.

Mr. Acheson, the lawyer and clergyman's son, said he was not casting doubt on the judicial proceedings or condoning disloyalty. But, citing from the Bible, he said Christ set "forth compassion as the highest of Christian duties and as the highest quality in the sight of God."

Mr. Acheson's tendency to appear cold and formal in public, which increased during his final days in office, belied the sparkling wit and warmth which delighted those who knew him well.

He could radiate charm on the cocktail circuit, captivate audiences with humor, discuss philosophy and tell racy stories in an intimate gathering of friends.

He once turned a stiff news conference question into merriment by referring to one of his favorite authorities, "my friend Judge Covington." The Judge, according to Mr. Acheson, put a piping hot oyster in his mouth during an oyster fry on Maryland's Eastern Shore but quickly spat it out with the comment: "A damn fool would have swallowed that one."

After his retirement from public office, Mr. Acheson's law cases took him before the Supreme Court and to foreign lands. He spoke and wrote on foreign policy and composed some short story fiction on the side.

Recently, he published his memoirs, entitled "Present at the Creation."

In 1957 he accepted chairmanship of the foreign policy advisory committee of the Democratic Advisory Council, declaring he had been "progressively disillusioned, dismayed and even amazed" by the Eisenhower administration's foreign affairs actions.

He criticized U.S. intervention against the British-French-Israeli invasion of Suez as undermining the Western alliance and termed the United Nations "a do-it-yourself package with some defective parts."

When the then Sen. John F. Kennedy called in 1957 for an international effort to achieve independence for Algeria, Mr. Acheson, speaking in Kennedy's home state of Massachusetts, pronounced the senator's proposal "injudicious" because it would involve America's joining "the enemies of her oldest ally to force the ally (France) to an American conception of proper conduct."

When Kennedy led the Democrats to power in Washington once again in 1961, Mr. Acheson spent some time early in the administration advising the State Department on NATO problems.

Despite his reputation for being a "hawk," Mr. Acheson reportedly tried to discourage President Kennedy from launching the Bay of Pigs operation against Cuba. At the end of 1962, however, he did take a "hawkish" position during the Cuban missile confrontation.

As Mr. Acheson described it, he was drawn into the Cuban missile crisis Oct. 17, 1962, when he was invited to join a high-level U.S. civilian and military group formed to advise the President.

Mr. Acheson argued against the decision to resort to a blockade of Soviet ships, contending that the Russians already had enough missiles in Cuba to threaten the United States.

Later, Mr. Acheson was sent by President Kennedy to brief French President de Gaulle, German Chancellor Adenauer and the U.S. military commander in Europe.

When the crisis appeared to be ended, Mr. Acheson related, he sent a note to the President congratulating him on his "leadership, firmness and judgment." But in an article written in early 1969, Mr. Acheson disclosed that he also believed that the President had been "phenomenally lucky."

The chief advice reaching the President, he wrote in Esquire, came from a "leaderless, uninhibited group" that had been organized by the late Robert F. Kennedy, then Attorney General.

Recalling that many members of this group had little military or diplomatic knowledge, Mr. Acheson remarked: "This is not the way the National Security Council operated at any time during which I was officially connected with it nor, I submit the way it should operate."

THE U.N. VOTE ON CHINA

Mr. McGEE. Mr. President, there has been considerable angry reaction and calls for recrimination as a result of last Monday's U.N. vote to seat the People's Republic of China and expel Nationalist China from that body.

There have been calls on the part of many for the United States to cut back our financial obligations to the United Nations. There have been threats of cutting off foreign aid to those nations who voted against our two-China policy in the U.N.

To say the very least, I was disappointed that the United Nations took this regrettable action for I was an ardent supporter of the two-China policy. I believe the U.N. to have some legacy from the history of the U.N. which required that Taiwan remain in that world body. However, I must rise to object and deplore any efforts in the name of vengeance which can only lead to a dismantling of the United Nations.

In Wednesday's—October 27—issue of the Washington Post, there appeared an editorial which I feel takes a thoughtful and realistic approach to those events which transpired at the U.N. earlier this week.

Commenting on statements of individuals calling for a reduction in U.S. support for the U.N., the Post editorial writer stated:

> We can imagine no surer way to convert a manageable defeat on one issue into a major disaster for the whole American international position than by pursuing a petty and vindictive course in respect to the financing of the U.N.

That observation is very germane to the issue at hand. But more than that, we must come to the realization that the United Nations is not a private American club. It is not made up of only those nations of democratic ideology. It is comprised of many nations with differing forms of government and ideologies.

Just because this Nation lost an important vote does not mean we should pick up our marbles and go home. It is not only childish but it also ignores the realities of world stability and order.

For those who want to cut off foreign aid to those nations who voted against us on this question, I would like to go back 3 weeks ago to a crucial vote this body took on the question of Rhodesian chrome ore.

The U.S. Senate voted to allow this country to buy chrome ore from Rhodesia in violation of a U.N. ban. At that time I warned that such a move—a move which directly violated our treaty commitments—would be detrimental to U.S. relations with black African nations. I have no doubt that this vote 3 weeks ago had considerable bearing on the final decision of a number of black African nations to vote against this country on the two-China question.

There have also been other broken treaty commitments which may have had a detrimental impact on our U.N. efforts. For example, Congress has continued in its refusal to appropriate money for the U.S. share of dues to the U.N.-backed International Labor Organization. This is also in violation of our treaty commitments to the U.N. Charter.

Prior to the U.N. vote, a number of individuals threatened to lead a fight to cut off U.S. financial obligations to the U.N. if Nationalist China did not retain at least her General Assembly seat. Here again, we heard voices calling for this country to perform an illegal act under international law.

Therefore, although we do not agree with last Monday's U.N. action, we can hardly condemn those nations who did not line up on our side in light of this growing disregard for our treaty commitments.

I deplore any threat by this body, or the part of any official of this government, to cut off foreign aid to those countries who did not back us last Monday night. We should be doing some of these things because they are the right thing to do. Our foreign aid program should not be used to bludgeon nations into siding with us on every international question. I feel this is a most primitive and reprehensible approach to our international relations.

Finally, in Wednesday's edition of the Wall Street Journal there appeared an editorial which warns of the dangers inherent in any action on the part of the United States which would be of a vengeful nature.

The editorial writer stated:

One of the most serious dangers . . . is that Americans will overreact to the overt signs of a changing power balance in the world, placing far too much importance on political setbacks such as the U.N. China vote. Overreaction of this type could lead to a new isolationist psychology that could be damaging to the nation's security and its worldwide political and economic interests.

This is indeed a valid point to consider. This is hardly the time for the United States to once again withdraw into an isolationist posture. The price we have paid in the past for such irresponsible action has been a most heavy one for this Nation.

The U.S. Senate, the President, and the American people should be working for a strengthening of the U.N. rather than calling for its destruction.

This is the only international organization which can bring together so many countries of such diverse national interests and ideologies in an effort to achieve world stability. We must not act in any way to destroy or inhibit this vital communication link between all nations.

The United Nations has many weaknesses today, and it may not be the organization of nations we had dreamed of when it was founded more than two decades ago. But this does not mean that eventually it cannot lead to that ideal for which we have strived so long. We must maintain our commitment to the U.N. and seek avenues to strengthen its role as an instrument of international stability and peace. Mankind must not cease his striving for this ultimate goal. We must respond to this new challenge with an ever greater sense of achievement and destiny.

I ask unanimous consent that the Washington Post and Wall Street Journal editorials be printed in the RECORD.

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

[From the Washington Post, Oct. 27, 1971]

THE U.N. AFTER THE VOTE

The United States argued that Taiwan was a "member" of the United Nations representing and controlling 14 million people, and that it should not be expelled. Albania countered that the issue was not who should be a member but which of two claimants to the single China seat should occupy it, and that the occupant should be Peking. The General Assembly accepted Albania's framing of the issue and Albania's recommendation on the issue too. Thus was the People's Republic invited to take "China's" place in the Assembly, Security Council and specialized agencies. Taiwan, which had held that place more than a quarter century, walked out minutes before its formal expulsion was voted.

No country, of course, voted primarily on the basis of these juridical considerations. The argumentation concealed, but barely, a political exercise whose thrust was to rearrange a conspicuous corner of world politics in keeping with changing realities of world power. Plainly, most delegations felt that Peking's size and nuclear status, its passage through the Cultural Revolution and its fast-extending outward reach, entitled it to a place in the U.N.—and better on its own terms—even if that meant excluding Taiwan—than not at all. Some countries were eager, for reasons of pride or domestic politics, to pull a feather from the American eagle's tail. Others simply ignored the fact that the United States has a special relationship with Taiwan. The consensus, we surmise, was that it was past time to begin pursuing a policy of realistic accommodation towards Peking—a policy whose most intense advocate these days is the U.S.

That Washington suffered an important defeat is unquestionable. To pull out so many stops and to lose is not only a disappointment—the more so that some Americans apparently expected victory—but a demonstration of the decline of American global influence. On the key vote, all NATO members except Greece and Portugal defected; so did six Latin countries (including Cuba); so did Pakistan. One does not have to accept Ambassador Bush's overwrought judgment that the vote marked a "moment of infamy" to understand the administration's dismay. Peking is certain to try to squeeze propaganda and political advantage from it.

Secretary Rogers' pronouncement, however, is another matter. He had said on August 2: "The outcome, of course, will be decided by 127 members of the U.N." But yesterday he seemed to jettison some of the good diplomacy and good sportsmanship embodied in that stance. While his opening statement, which is excerpted "for the record" elsewhere on this page, was ambiguous, and in subsequent response to questions he specifically ruled out a reduction in U.S. support for the U.N. "in retaliation for this vote," he went on in this same breath to argue that this country has "probably contributed more than our share." This line is hardly calculated to discourage those in Congress who are plainly bent on reducing our contribution as "retaliation for this vote."

We can imagine no surer way to convert a manageable defeat on one issue into a major disaster for the whole American international position than by pursuing a petty and vindictive course in respect to the financing of the U.N. That other nations would criticize us for such a course is neither here nor there. The real point is that the United Nations is a leading arena and instrument for the furtherance of American national interests—interests in peacekeeping, negotiation, stability, development and humanitarian relief. It is not just that a crybaby's role ill befits a great power; still less does it befit a great power to violate its treaty obligations, which is precisely what we would be doing by cutting back our financial contributions to the U.N. It is more than a little odd that some of the very same people who make the most of the need to "honor our commitments," in their justification of our dragged-out Vietnam War effort, would be the first to dishonor them, on a genuinely global scale, by way of reprisal against a majority vote in the General Assembly of the U.N.

Moreover, it is far from clear that the American defeat is "a mistake of major proportions." The example of American loyalty to Taiwan surely is a matter of pride to many Americans and a matter of value to foreign states which count on American commitments—including many states which voted against Washington. Chiang Kai-shek's departure from the U.N. is lamentable, the precedent of expulsion troubling. But Chiang's rule over the territory he controls has not been shaken and he retains his American alliance guarantee. Peking would be the first to concede that U.N. membership represents more the symbol than the substance of real power. Its insistence on entering the world body on its own terms, or not at all, best reveals its own view.

Finally, the uproar over Taiwan's expulsion should not obscure the fact that, as the United States had urged, Peking has been taken into the principal organization devoted to securing world peace. We have never thought that mere acceptance into world councils would exert a magic balm on Chinese policy. But if Peking's entry will not make it easier to resolve or ease the world's tensions, surely an effective approach to them cannot be made *without* the participation of the People's Republic. To help bring China into the U.N. in order to advance peace, and then to diminish our support of the U.N., makes no sense at all.

[From the Wall Street Journal, Oct. 27, 1971]

CHANGING ALINEMENTS . . .

The United Nations vote to admit Red China and expel Nationalist China was not in itself a change in the world power equation but it would be difficult to deny its symbolic importance.

What it symbolizes is a decline in the political power of the United States relative to the rest of the world, a decline that has been under way for some years. The UN's own prestige is hardly enhanced by the expulsion of Taiwan. But for all the UN's insignificance as a political institution, the China vote may someday be regarded as the point in history when the postwar era of U.S. dominance as the leading political power came to an end.

A passing of this point probably was inevitable and its importance should not be overrated. The United States, traditionally resistant to foreign entanglement, did not ask for the role of world policeman and did not particularly relish the part when it became unavoidable.

There is a certain relief to be felt in the nation's reduced sense of responsibility to become frequently involved in the often complex and sometimes bloody quarrels that periodically break out around the globe.

Still, as with any period of historic transition, some dangers can be seen in this one. One of the most serious dangers—and one that President Nixon has shown he recognizes—is that Americans will overreact to the overt signs of a changing power balance in the world, placing far too much importance on political setbacks such as the UN China vote. Overreaction of this type could lead to a new isolationist psychology that could be damaging to the nation's security and its worldwide political and economic interests.

Such a reaction could manifest itself, for example, in a movement to reduce United States support for the UN. There could be some benefits from doing so. Certainly, a sense of equity suggests a more balanced sharing of the burden of supporting the UN, transferring a larger part of the load to nations, such as Russia and China, that insist on a large voice in the forum. But for all the UN's shortcomings, a violent reaction against the organization by the American public might be regarded by other nations as a threatening gesture and damage American political influence in the world still further.

Another type of manifestation of isolationism could be even more serious. The nation in the last few months has moved into a trade-protectionist stance, which it describes as temporary. It can be hoped, for the sake of the world economy, that this stance will not harden as a result of domestic fears of the changing world political balance.

A more mature reaction by Americans would be the recognition that this country still is a major power, but one that in the future increasingly will have to make its influence felt by demonstrating the rightness of its positions. It can no longer be so certain of a loyal following.

That hardly leaves the United States powerless, and it does not necessarily mean that he world must become more dangerous. It only means that there may have to be greater efforts by nations to make accommodations with each other.

The United States has a very important part to play in that kind of world, perhaps even more important than the role it played when it was the dominant power. At times it will be faced with decisions of great complexity. To cite only one, the U.S. now must decide what to do about the military and political defense of Nationalist China now that the U.S. and a majority of the world's nations are seeking to draw Red China out of its isolationism.

The lesson of the UN's China vote is that the American public will have to develop the political sophistication and maturity to expect some political setbacks and rebuffs without reading doom into each one. There is little danger that an adverse vote in the UN is going to send the United States into a tailspin. Its political and moral institutions are too strong to be so easily disturbed.

There must, however, be an increasing realization at home, and a propagation of the notion abroad, that the fortunes of all the nations on the planet have become intertwined. That will not change no matter what changes occur in political alignments.

PUBLIC HOUSING AND THE POOR: A VIEW BY THE MAYOR OF CLEVELAND

Mr. HUMPHREY. Mr. President, the Honorable Carl Stokes, mayor of Cleveland, Ohio, has written an enterprising and thoughtful article on the subject of housing the poor. This article, originally appearing in the George Washington Law Review, calls for direct Federal housing subsidies to all qualified people as part of a plan to break the dependency on substandard private housing and inadequate public housing facilities.

The mayor's proposal is most interesting for it goes directly to the heart of the problems of the poor—the poor lack sufficient income to allow them to participate fully in the housing market. His proposal merits our careful attention, for this Nation is faced with a massive problem of creating enough housing if we as a nation are to provide a decent home and a suitable living environment for every American family.

I ask unanimous consent that Mayor Stokes' article be printed in the RECORD.

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

[From the George Washington Law Review, May 1971]

PUBLIC HOUSING AND THE URBAN CRISIS

(By Carl B. Stokes*)

Public housing has been currently a highly political issue in Cleveland and Cuyahoga County; hence, it is exceedingly difficult for this writer to be detached, scholarly or legalistic about it. The Mayor of the City of Cleveland appoints two of the five members of the Cleveland Metropolitan Housing Authority, a creature of state law.[1] In January 1971, the majority of the housing authority board (the three members I did not appoint) discharged the Authority's able and dedicated executive director. Since that time, the housing authority has been the target of a tenant strike[2] (or more accurately, a withholding of rent by tenants) and an employee strike. The legality of the former is presently being contested by the housing authority in the court of common pleas;[3] the latter is clearly forbidden by Ohio's Ferguson Law.[4]

The public housing crisis in Cleveland was further aggravated by the refusal of the legislative branch of local city government—the City Council—to enact a cooperation agreement[5] with the housing authority calling for an addition 3,700 units of low-income housing. Cleveland's failure to assure the continuation of a low-income housing program prevented the United States Department of Housing nad Urban Development (HUD) from certifying the city's workable program.[6] This in turn caused HUD to cut off funds to Cleveland for urban renewal, Model Cities, Neighborhood Development, multi-service centers, demolition, and other programs. Only when the City Council finally passed a cooperation agreement on May 10, 1971, calling for an inadequate 2,500 additional low-rent units, was the impasse ended.

A personal note is necessary to explain my lack of objectivity concerning the subject matter of this article; I was a beneficiary of low-rent housing myself. When my widowed mother, my brother (now Congressman Louis Stokes, D. Ohio), and I moved into a "project" in 1939, it was the first decent housing our family had enjoyed.

The National Commission on Urban Problems estimated in 1968 that this nation would need an annual output of 26 million new housing units to solve the housing problem within the next decade.[7] This total was to include between six and eight million low and moderate-income,[8] subsidized units for families who could not afford housing on the free market. The annual goal thus established is nearly twice the average annual production of the United States.[9] The goal for subsidized units is approximately 10 times greater than the average annual production of such housing.

For a variety of reasons, the probability of actually achieving these goals is slight. Although the primary goal of governmental housing programs should be to meet the housing needs of the urban poor, national housing programs rarely focus on this goal. Rather, they typically deal with a variety of other objectives, primarily reflecting a concern for the needs of the middle-class and their institutions. This concern is also present in local housing policy through zoning, subdivision regulations, and building codes,[10] as well as in the very institution established to advocate the housing needs of the poor—the public housing authority. As a result, a variety of impediments of a legal, political, and institutional nature frustrate the goal of providing the poor with decent housing.

These observations are supported by the body of our experience reflected in the history of governmental housing programs. The earliest interest shown by the federal government in the problems of urban housing dates to the 1890's when Congress held hearings on slums and blight in New York City.[11] Although these hearings, an outgrowth of the writings of reformers such as Jacob Riis,[12] may have created some national awareness, no governmental programs resulted. The federal government's first actual entry into the housing field came during World War I when the Government erected some 30,000 units of housing for war workers through both direct programs and loans to private builders. After the war, the federal government quickly sold this housing and withdrew from public housing until the beginnings of the Depression.[13]

By the early 1930's and the beginnings of the Depression, the Government became concerned with the collapse of mortgage credit and the then existing system of home finance. President Hoover's Conference on Homebuilding and Homeownership[14] led to federal housing programs on a grander scale than previously attempted. Almost all these programs were directed to the encouragement of homeownership through the development of the amortized, insured, long-term mortgage. The housing needs of the poor were not addressed at all in the early stages of housing policy developments, but subsidies and support were forthcoming for more fortunate groups.

The Federal Home Loan Bank Act,[15] an outgrowth of the Hoover Conference, helped give savings and loan associations access to liquid funds, relieving these associations from dependence on commercial bank loans. Deposits in savings and loan associations were insured, increasing depositor confidence

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Footnotes at end of table.

in these institutions and making them major factors in residential finance.

In 1933, when the Depression deepened, the Home Owners Loan Corporation (HOLC) was created.[16] This agency had the power to purchase mortgages threatened with foreclosure, thereby assisting families threatened with the imminent loss of their homes. HOLC also rescued private lending institutions whose portfolios bulged with frozen mortgages, while at the same time protecting depositors from the loss of their savings. From their inception, the Federal Home Loan Bank System and HOLC were set firmly on the path of the creation of a federal policy aimed at facilitating financial security for lending institutions, security for investors, and homeownership for the middle-class.

Another major effort in the area of mortgage credit was the National Housing Act of 1934[17] which established the Federal Housing Administration.[18] FHA guaranteed private mortgage loans on homes at 80 percent of value,[19] which again stimulated additional mortgage lending and accelerated home-building and homeownership.[20] Again, the motivation was partially the creation of jobs by improving the flow of credit for mortgages, and partially the reduction of the risks of mortgage lenders.[21]

Federally financed public housing was originally proposed as part of an overall effort to create jobs and prime the economic pump during the depths of the Depression. In 1933, the Public Works Administration offered loans to no-profit and limited dividend housing corporations for the construction of inexpensive apartments.[22] Although the program produced little in the way of tangible results—only 60 projects were constructed—[23] it generated considerable local opposition, as a number of legal obstacles emerged.[24] A change in technique occured with the passage of the Housing Act of 1937.[25] The salient feature of this Act was the creation of municipal housing authorities charged with the development, ownership, and management of low-rent housing projects. The governing boards of these authorities were to function non-politically and represent a cross-section of the "best" of the community.[26]

Although the 1937 Act was a major watershed in federal housing policy, public housing has always been operated on such a small scale and has undergone such harassment, that achievement in any of its intended areas of impact has been minor. The Housing Act of 1949,[27] sponsored by men of good conscience on the right and left—Senators Wagner (D. N.Y.), Ellender (D. La.), and Taft (R. Ohio)—established in its preamble the goal of a "decent home and a suitable living environment for every American family," and authorized an annual public housing program of 135,000 units for the next six years—a total of 810,000 units—to help reach that goal. Despite this recognition of need, less than $210,000 of these authorized units were actually built from 1950 to 1956.[28] Although part of this poor performance was due to the curtailment of the program because of the budget stringencies during the Korean War, a portion was also attributable to the efforts of the congressional appropriations committees to reduce the number of units built.

Contrasting promises with performance indicates that our nation's commitment to housing the poor, political lip-service to the contrary, has never achieved high-priority status. This conclusion is supported by an examination of itemized national expenditures for the years 1962 to 1967.[29] During that period, the federal government spent more than four times as much on the stabilization of farm prices as it expended for all housing and urban renewal programs.[30]

At the same time, our general devotion to the middle-class is apparent. In 1962, the federal government spent an aggregate of $900 million subsidizing housing for the poor.[31] This sum includes public housing, public assistance, and income tax deductions. In the same year, the Government "spent" $2.9 billion in income tax deductions alone, "subsidizing" housing for middle and upper-income families. Today, although 15 percent of the population is poor by Office of Economic Opportunity standards, only a little more than one percent of the total population of the United States live in public housing.[32] In the City of Cleveland, where, in 1970, an estimated 25 percent of the total population was classified as eligible for public housing, only about four percent of the population actually live in such housing. The primary reason for this discrepancy is that during the entire history of the public housing program, only about 800,000 public housing units have actually been built.[33] Over the same period, more than five million units have been built under various FHA programs.[34]

An examination of these statistics indicates the relatively small scale of the public housing program. Starved by Congress, new low-rent units have been constructed at a rate of 20,000 annually,[35] a figure comprising less than two percent of all housing starts.[36] This figure is startling when compared to our need for low-rent housing, estimated to be 8.7 million units for the decade 1968–1978 by the President's Committee on Urban Housing.[37] At our present level of commitment, it would take 400 years to build the housing necessary to meet our low-cost housing needs for the next decade.

The failures of public housing, however, are more complex than those which might be explained merely by a lack of federal support. The program has also been severely constrained by legal and administrative impediments,[38] many of which focus on the institution responsible for the execution of low-rent housing programs—the housing authority itself. Federal regulations and state legislation make up part of the problem. A local housing authority may not receive federal assistance without approval of its local government in the form of a "cooperation agreement" and the approval of the Housing Assistance Administration of HUD.[39] Some states insist on local approval of specific site selection; others, such as California and Texas, require that federal contracts in support of public housing be approved by local voters in referenda.[40] In addition, the federal agency requires that public housing units be built only in areas with a HUD-certified workable program,[41] enabling uninterested local governments to opt out simply by allowing their workable program to lapse or by not preparing one at all.[42]

Conceding these problems, thoughtful persons have suggested that the boards of local housing authorities might, themselves, exist as a principal hindrance to progress. These boards typically consist of five people in whom great legal and discretionary power reside. Under the law, it is the board of housing authority which decides where low-rent housing should be located, whom it will serve, what techniques will be used to build it and, indeed, whether there will be any local public housing program at all.[43] Appointment procedures are defined by state laws,[44] which determine the length of term and the appointing agents, usually including the mayor and certain county and judicial officials. In Cleveland, the appointment of the five-member Board of the Cleveland Metropolitan Housing Authority follows a variation of this theme with the mayor having two appointments, and the county commissioners, court of common pleas and probate judge having one appointment each.[45]

Whatever the method of appointment, it would seem less significant than the views of the board members toward the people they serve—ostensibly, those who benefit from their programs—and the programs they administer. The board members are presumed to be independent citizens, less subject to corruption and political influence and consequently, more concerned with the public interest than other political appointees directly attached to the executive or legislative branches. The critical issues, however, are whether the members of local housing boards have been aggressive in advocating low-rent housing programs throughout their jurisdictions and publicizing the need for low-rent housing to the general community, and whether they have shown a willingness to try new ideas and a resourcefulness in furthering their own programs.

Until comparatively recently, little was known about the characteristics, values, and attitudes of the persons who run local public housing authorities. In 1969, however, a report was published which dealt specifically with these matters.[46] The composite picture of board members which emerged from this study is of a middle-aged or elderly white male, in the middle or upper-income ranges, and well educated in either business or a profession.[47]

Clearly, the profile of board members presented by this report stands in sharp contrast to the people they serve and the interest they are supposed to represent. In housing authorities with over 1,000 units, 90 percent of all board members are male, although 26 percent of the families residing in public housing lack a male head. The racial composition of housing boards (89 percent white) stands in sharp contrast to that of their constituents—the public housing families—who are 55 percent non-white.[48] The career patterns and income levels of housing board members also differ markedly from those of the tenants they represent. Forty-seven percent of all board members list their occupation as business, real estate or banking and finance executives,[49] and 58 percent have family incomes in excess of $10,000 per year.[50] In contrast, the median annual income of public housing families is $3,132; for elderly persons, this figure is $1,468.[51] As a result of this disparity, less than three percent of all board members have ever resided in public housing, and none live there now.[52]

Perhaps even more critical attitudes revealed by board members on questions dealing with the expansion of their programs, and the use of new techniques in public housing production such as leasing, mixed sponsorship, and homeownership. Considering that most housing authorities operate within the context of a perpetual housing crisis, where a substandard rate of 20 to 25 percent of the total housing stock probably does not vary greatly from city to city,[53] replies by board members to questions dealing with an aggressive expansion of programs are revealing. In authorities with 1,000 units or more, 26 percent of the housing board members expressed opposition to additional public housing.[54] Thirty-nine percent stated that the reason they refused to add more public housing was a lack of pressure from families in need of decent housing,[55] highlighting the fact that housing authorities are *reactive* rather than active in nature, rarely seeing themselves as advocates for their programs, but leaving reform to the political process in which the poor are typically poorly organized or apathetic. More than half the housing boards in the country have no plans to use newer, low-rent housing techniques, such as leasing, turn key, and mixed income developments.[56]

The commitment of housing authority board members to social and egalitarian objectives is equally suspect. Approximately two of every five board members feel that "families with severe social problems should be rejected for public housing altogether."[57] Despite federal laws and policies to the con-

Footnotes at end of table.

trary, a similar percentage disagree with the proposition that the authority's tenant assignment policies should promote racial integration.[58] Finally, in response to a question asking whether public housing tenants should serve on housing boards—a question of major relevance in this day of pluralistic awareness and citizen participation—56 percent of all members rejected this proposal.[59]

It seems clear that housing authority boards are in no way representative of the groups they are supposed to serve or the programs they are supposed to advocate. Yet this should surprise no one. The views of most board members simply reflect the sentiments of the larger, essentially white, middle-class society. Given present state-controlled appointment procedures,[60] even complete replacement of all current board members would be an inadequate response to this problem. The replacements which such procedures would produce would no doubt share the views and attitudes of their predecessors.

One solution to this problem worthy of consideration is the elimination of public housing authorities as presently constituted in favor of a direct federal housing subsidy to all qualified families as part of a family assistance program. This direct redistribution of income to low-income families could be accomplished through a program similar to the proposed Family Assistance Plan, although with higher minimum allotments than are currently envisioned. Such a plan would include a subsidy specifically designated for housing, which would be available to all families qualifying by reason of low income.

There are significant reasons for preferring this general housing subsidy to present public housing policy. Leaving aside for the moment other important considerations, such a housing subsidy would be more equitable since it would be available to *all* families. At present, limited openings in public housing units assure that only a small percentage of eligible families actually realize a housing subsidy by living in low-rent units. Under the proposed housing subsidy, all low income [61] families would receive a housing supplement. This supplement would vary with *money* income of the family.[62] A family of four with an annual money income of $1,600 would receive $1,000, an amount which would decline systematically to zero when annual money income reached $7,200. This supplement would be paid *to the family* in monthly checks, on the condition that the housing unit in which they live is "standard." [63]

The importance of this standard is best illustrated by application. If a family is *renting* a *standard* unit, the supplement would be paid. The owners of such units, currently operating at very low profit according to preliminary results obtained from studies by the Cleveland Planning Commission, would then be able to raise rents, insuring a more adequate return on their investment. In general, this would make investment in standard city housing a more rational use of private capital—a definite improvement in investor attitudes with respect to the city. To a family *owning* such a unit, the housing supplement would be a windfall which could be directed to other household purposes. This could be viewed as a social dividend to those who have, under the most burdensome of circumstances, previously made an investment of resources. For many of these families, however, the supplement would permit the maintenance and improvement of their home required to sustain it as an asset to both themselves and their community.

If the family is renting a *sub-standard* unit, the housing supplement they would have received, were they living in a standard unit, could be placed in trust in the family's name. Accumulation of these supplements, with interest earned, would be made available to the family for the purchase of a standard home, or as pre-paid rent in a standard rental unit. It is recognized that this amounts to explicit social sanction of family residence in sub-standard housing units. While this may be difficult for one to accept openly, it is no less true now because we do not explicitly sanction it. Thus, limited acceptance of sub-standard units would provide an opportunity for capital accumulation by the poor and their eventual ownership of a standard home—goals recognized and lauded by other federal housing programs. If the accumulation is used to pre-pay rent in a standard unit, money typically spent for rent will be released for other related purposes, such as the purchase of household appliances or furniture. In either case, an investment in the housing unit is made which would not be feasible without a housing supplement. Although families *owning* sub-standard units would receive no supplement, the promise of such a supplement upon reaching "standardization" would be an incentive to such home owners to bring their units into conformance with local codes.

A crucial question is posed by this proposal: Will an increase in the *demand* for standard housing finally result in some increases in the *supply* of units, or will the increase in demand simply drive up the *price* of standard units with no significant increase in the quality of housing? Much, of course, depends upon the amount of the supplement. A housing supplement of $40 per month would support a $4,700 rehabilitation program.[64] In other words, if an owner were assured an increase of $40 monthly in rent, he could legitimately afford to invest $4,700 in the rehabilitation of the unit. Many families, under the above proposal, would be able to pay $40 additional monthly rent and have some of their supplement left to direct to other purposes.

Would $4,700 be adequate to rehabilitate a sub-standard unit? Studies in Cleveland's University-Euclid urban renewal area indicate that many units were rehabilitated at a cost of $5,000 or less. Based on this limited evidence, it appears that substantial additions to the supply of standard housing would occur through rehabilitation under such a proposal.

Although the impact of this proposal on new housing starts is less apparent, current renters of sub-standard units could accumulate enough over a period of years for a down-payment to purchase a home at relatively low monthly payments. This would be an entirely new market for *new* housing builders and one to which we could expect some builders to respond. The proposed housing supplement would thus increase the stock of standard units through rehabilitation, maintain the standard units now existing through funds for maintenance, and possibly, provide some additions to the supply of new, standard housing, suggesting the real possibility that we will be receiving more for our housing dollar.[65]

It should be noted that one important problem under present public housing programs would be alleviated by this proposal. The standard units bought or rented by low income families would not be restricted by law either in number or location. Low-income families would use their supplement to bargain with owners in any part of the city or metropolitan area. The number of qualified families receiving assistance would not be subject to limitation by legislative determination or administrative inactivity as is now the case. The proposed supplement would go to families, not buildings, and in a manner which insures that the concentration of low-income families, as well as their public visibility, will be discouraged.

Adopting such a proposal would require a massive commitment of capital and a willingness to make major revisions in existing public housing institutions. It should be noted, however, that these difficulties reflect the enormity of the problem rather than the limitations of the proposed solution. Until this nation is willing to face the need for fundamental change and bear its costs, we will make little progress in housing the poor or solving the many other urban problems about which we so loudly complain.

FOOTNOTES

*Mayor, Cleveland, Ohio.

[1] A housing authority shall consist of five members, who shall be residents of the territory embraced in such housing authority district. One member shall be appointed by the probate court, one member by the court of common pleas, one member by the board of county commissioners, and two members by the mayor of the most populous city embraced in such metropolitan housing district, in accordance with the last preceeding federal census.
OHIO REV. CODE ANN. § 3735.27 (Anderson 1967).

[2] The discharged executive director had, for the first time, encouraged tenant participation in employment programs and general decision making. The tenants felt these gains were jeopardized by his dismissal. *See generally* Cleveland Plain Dealer, Jan. 9, 1971, § A, at 15, col 4; *id.*, Jan. 27, 1971, § A, at 4, col 3.

[3] Cleveland Metropolitan Housing Authority v. Osbourne, No. 890775 (Common Pleas, Cleveland, Ohio, filed Jan. 7, 1971).

[4] OHIO REV. CODE ANN. § 4117.05 (Anderson 1967).

[5] Cooperative agreements are generally required in connection with workable plan requirements such as 42 U.S.C. § 1451(c) (Supp. V. 1965–69). *See* note 41 *infra* and accompanying text.

[6] *See* note 5 *supra* and accompanying text.

[7] REPORT OF THE PRESIDENT'S COMM. ON URBAN HOUSING, A DECENT HOME 40 (1968) [hereinafter cited as KAISER REPORT].

[8] *Id.* at 40–41.

[9] *Id.* at 40.

[10] *See* not 21 *infra*.

[11] *See* KAISER REPORT 54; Glazer, *Housing Problems and Housing Policies*, 7 PUBLIC INTEREST, Spring 1967, at 21, 30.

[12] Jacob August Riis (1849–1914) was a police reporter and early worker in the fight against slums. Among his more influential works were: CHILDREN OF THE TENEMENTS (1903); THE BATTLE WITH THE SLUM (1902); OUT OF MULBERRY STREET (1895); THE CHILDREN OF THE POOR (1892); HOW THE OTHER HALF LIVES: STUDIES AMONG THE TENEMENTS OF NEW YORK (1890); TENEMENTS OF NEW YORK (1890).

[13] The reluctance of all participants to commit themselves to continuing federal action in the housing field after World War I is well described in O'Toole, *A Prototype of Public Housing Policy: USHC*, 39 J. AM. INSTITUTE OF PLANNERS 140 (1968).

[14] *See* KAISER REPORT 55.

[15] 12 U.S.C. § 1421 (1964), *as amended*, (Supp. V, 1965–69).

[16] Home Owners' Loan Act of 1933, ch. 64 § 4, 48 Stat. 128 (now 12 U.S.C. § 1461, *as amended*, (Supp. V, 1965–69)).

[17] Ch. 847, 48 Stat. 1246, *as amended*, 12 U.S.C. § 1701 (1964), *as amended*, (Supp. V, 1965–69).

[18] 12 U.S.C. § 1702 (1964), *as amended* (Supp V, 1965–69).

[19] Ch. 847, § 203(b)(3), 48 Stat. 1248 (1934) The amount of the guarantee is now between 85–97 percent, depending on the type of mortgage and the value of the property, 12 U.S.C. §§ 1706c(b)(2), 1709(b)(2), 1713(c)(2) (1964), *as amended*, (Supp. V, 1965–69).

[20] 1968 HUD ANN. REP. 16–17, 20.

[21] Focusing on the interests of these groups to the exclusion of the poor, however, was not a problem peculiar to federal legislation. Housing policy at the local level also devel-

oped with these interests held paramount. The zoning regulations and health and building codes originally designed to protect the low-income and working classes from frightful housing conditions were subverted by middle-class norms, becoming devices to protect "property values" and the single family home. *See* BABCOCK, THE ZONING GAME (1966). Even now, they continue to function in a manner fundamentally inconsistent with their original objectives. *See also* Downs, *Moving Toward Realistic Housing Goals* in AGENDA FOR THE NATION 141–78 (Gordon ed. 1968).

[22] KAISER REPORT 56.

[23] *Id.*

[24] *Id.*

[25] Ch. 896, 50 Stat. 888, *as amended*, 42 U.S.C. § 1401 (1964), *as amended*, (Supp. V, 1965–69).

[26] Describing the concept embodied in the 1937, Act, Charles Abrams has written: "[T]he central government's agency lays down general rules and checks their observance. But the most important responsibilities rest with the local government's agency." ABRAMS, THE FUTURE OF HOUSING 282 (1946).

[27] Ch. 338, 63 Stat. 413 (codified in scattered sections of 12, 42 U.S.C.).

[28] Only 205,158 units were actually built during that six year period. The following statistics, obtained from Housing Assistance Administration data, reveal the total number of low-rent units completed annually from 1939 through 1967.

*Low-rent public housing units completed, acquired, or leased for calendar years 1939–1967**

1939	4,960
1940	34,308
1941	61,065
1942	36,172
1943	24,296
1944	3,269
1945	2,080
1946	1,925
1947	466
1948	1,348
1949	547
1950	1,255
1951	10,246
1952	58,258
1953	58,214
1954	44,293
1955	20,899
1956	11,993
1957	10,513
1958	15,472
1959	21,939
1960	16,401
1961	20,965
1962	28,682
1963	27,327
1964	24,488
1965	30,769
1966	31,483
1967	38,389
Total	642,389

*Source: Housing Assistance Administration.

[29] Federal Expenditures, Fiscal Years 1962–1967*

*Source: Government Finances in the United States, U.S. Dep't of Commerce, Bureau of the Census.

[In billions of dollars]

	Defense	Space	Highways	Stabilization of farm prices and income	Housing and urban renewal
1962	53.2	1.1	2.9	7.9	0.9
1963	54.6	2.5	3.1	6.8	.9
1964	57.3	4.1	3.8	5.0	1.5
1965	55.8	5.1	4.1	5.8	1.6
1966	60.8	5.9	4.1	4.2	1.6
1967	74.6	5.4	4.2	3.5	1.6
Total	356.3	24.1	22.2	33.2	8.1

[30] *Id.*

[31] *Id.*

[32] Glazer, *Housing Problems*, *supra* note 11, at 21, 30.

[33] KAISER REPORT 53.

[34] Glazer, *Housing Problems*, *supra* note 11, at 21, 30.

[35] *Id.* at 34; *see* note 28 *supra*.

[36] Glazer, *Housing Problems*, *supra* note 11, at 34.

[37] U.S. Housing Construction Needs—1968 to 1978 (Millions of Units) *

Construction of New Standard Units:	
Units for New Households	13.4
Replacement of Net Removals of Standard Units	3.0
Allowance for Vacancies	1.6
Subtotal	18.0
Replacement or Rehabilitation of substandard Units:	
Units Becoming Substandard During 1968–78	2.0
Replacement of Net Removals	2.0
Other Substandard Units in the Inventory in 1966	4.7
Subtotal	8.7
Total Construction Needs	26.7

*Source, GE–TEMPO, U.S. ousing Needs: 1968–1978.

[38] For a comprehensive review of these failings, see FRIEDMAN, GOVERNMENT AND SLUM HOUSING: A CENTURY OF FRUSTRATION (1968).

[39] Housing Assistance Administration, U.S. Dep't of Housing and Urban Dev., State Referendum Requirements for Low-Rent Housing (Wash., D.C., HUD, Sept., 1967).

[40] KAISER REPORT 60.

[41] 42 U.S.C. § 1451(c) (Supp. V, 1965–69).

[42] KAISER REPORT 60.

[43] For the powers and responsibilities of local housing boards see OHIO REV. CODE ANN. § 3735.31 (Anderson 1967).

[44] *See* note 1 *supra*.

[45] *Id.*

[46] Hartman & Carr, *Housing Authorities Reconsidered*, 35 J. AM. INSTITUTE OF PLANNERS 10 (1969).

[47] *Id.* at 12.

[48] *Id.*

[49] *Id.* A 1945 survey by the JOURNAL OF HOUSING found that 54 percent of 1,778 housing board members cited their occupations as "business, banking and finance." 8 J. HOUSING 136 (1945). This would tend to indicate that the dominance of these professions is relatively constant.

[50] 8 J. HOUSING 136 (1945). The figure is even higher if one examines officials of authorities having 1,000 units or more. Eighty-two percent of these individuals have incomes in excess of $10,000. *Id.*

[51] *Id.*

[52] *Id.* at 13.

[53] SAN FRANCISCO COMMUNITY RENEWAL PROGRAM, SUBSTANDARD AND SERIOUSLY SUBSTANDARD HOUSING UNITS IN SELECTED CITIES AS A PERCENTAGE OF TOTAL HOUSING 33.

[54] Hartman & Carr, *Housing Authorities Reconsidered*, *supra* note 46, at 13.

[55] *Id.*

[56] *Id.* at 14.

[57] *Id.* at 15.

[58] *Id.* at 16.

[59] *Id.* at 17. The statistics among officials of larger authorities reflected even more opposition. Sixty-six percent of these individuals oppose increased tenant participation. *Id.*

[60] *See* notes, 1, 44–45 *supra* and accompanying text.

[61] Low income families already receiving subsidies by virtue of their status as public housing tenants would, of course, be exempted.

[62] The supplement will vary with urban-rural residence.

[63] "Standard" for these purposes means that an annual inspection would be made of the unit and a certificate of occupancy issued by the local governing body. The legality of such "welfare searches" was recently upheld by the Supreme Court in Wyman v. James, 400 U.S. 309 (1971).

[64] This estimate assumes a mortgage with an eight percent interest rate and a 20 year maturity.

[65] Smolensky, *Public Housing or Income Supplements—The Economics of Housing for the Poor*, 34 J. AM. INSTSTUTE OF PLANNERS 94 (1968).

THE REHABILITATION INSTITUTE OF CHICAGO

Mr. PERCY. Mr. President, I had the honor recently of attending the groundbreaking ceremonies for a new branch of the Rehabilitation Institute of Chicago. On the site a $26 million center is planned to expand the institute's research, teaching, and patient care capabilities. It is a project in which I have had a deep interest for several years and one which could not have been advanced so successfully without the tireless efforts and optimism of its president, Mr. James Heyworth; its medical director, Dr. Henry Betts; Mr. Andrew McKillop, vice president and administrator of the institute; and Mr. Wesley Dixon, chairman of the board. Funding requests for the Federal share of construction and training costs provided by the Social and Rehabilitation Service of HEW have received the continued, enthusiastic support of my distinguished colleagues of the Appropriations Committee, Chairman MAGNUSON and Senator COTTON. Without their advocacy the Rehabilitation Institute might not have become a reality as the regional rehabilitation center of excellence in the Midwest.

We are now pleased to see that, in fact, the institute is becoming that kind of center. The institute and the new center under construction will rise as permanent evidence of the fact that we care. In my opinion, a society will be judged in the long run by the concern it shows for the more seriously afflicted of its citizens.

Mr. President, I ask unanimous consent that an article from the Chicago Tribune, describing the groundbreaking ceremonies, be printed in the RECORD together with a more extensive article, published earlier, detailing the work of the institute.

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

STEP FOR REHABILITATION

(By David Fortney)

Michael Williamson, looking dapper yesterday with his leather jacket and cane, strode down McClurg Court with paces nearly three feet long.

They were big steps for the 19-year-old, a senior at North Park College. Four years ago, he lost both legs when an elevated train ran over him at the Granville CTA station. At that time, no one could predict he'd walk again.

But yesterday morning he joined dozens of dignitaries, the staff and several patients of the Rehabilitation Institute of Chicago as they marched two blocks from their quarters at 401 E. Ohio St.

WILL EXPAND FACILITIES

The march also marked a big step for the institute, the facility where Michael learned to walk again. Yesterday he overturned the first dirt in a ground breaking ceremony for

a new 18-story, $26 million branch to expand patient care, training and research.

The site is now a paved lot between Passavant Memorial Hospital and Northwestern University's Abbott Hall, land provided by Northwestern on its medical center complex. The new facility will increase the institute's number of beds from 72 to 170 and the number of outpatients who can be treated from 40 to 125.

While Michael stepped over to the steam shovel he'd be using to break ground, dignitaries interested in the institute"s work stepped up on a speaker's stand. Harold Grumhaus, chairman and publisher of the Chicago Tribune, served as emcee.

RECALLS FIRST PATIENT

On Dec. 22, 1953, the very first patient was admitted to the Rehabilitation Institute of Chicago," Grumhaus said. "His name was Maurice Rick, and he was followed by dozens, then hundreds, then thousands of men and women who passed thru the institute and returned to society to lead richer, more rewarding lives."

Thanking the persons who have befriended the institute over the years, he said: "We have come a long way since that very first patient. This is the culmination of the hopes and dreams and the hard work of many people.

"It would be impossible to name them all, but on behalf of the institute, I would like their unselfish service and dedication which has made this day possible."

Among the speakers was Gov. Ogilvie, who praised the institute for helping to fight the "psychology of total dependence" that often discourages the handicapped.

Continuing the same theme, Sen. Percy [R., Ill.] said, "This [Institute] can do more for the hope and future of those who need a helping hand than anything else we can do."

Then, addressing his remarks to the dozen patients before him in wheelchairs, he said: "Ninety per cent of the job is in your hands. We can only help those who help themselves. It's your will that gets the job done."

The remark drew a proud smile from Michael. The speeches done, he rode a lift into the steam shovel's cab and pushed a lever forward. Cheering, the crowd watched the shovel bite into the ground.

WHO CARES FOR THE BROKEN MAN?

(By Ridgely Hunt)

A damaged spinal cord can bring almost all bodily functions to an abrupt halt. At the Rehabilitation Institute of Chicago, extreme patience and skillful therapy are used to get them going again.

When you injure your spinal cord, a number of curious things happen to compound your original disaster.

In the first place, because you are probably both paralyzed and insensitive to pain in the lower part of your body, you can neither shift position in bed nor feel the necessity for doing so. Many hospitals, ignorant of the dangers imposed by this condition, will permit you to lie immobile for weeks and months while your body weight squeezes the circulation out of your skin. Inevitably, you will develop appalling bed sores, sometimes as big as a watermelon and deep enough to encompass your entire fist. These may become infected and eventually kill you. At the least, they will delay by many weeks any attempt to liberate you from the prison of your shattered body.

But worse, both psychologically and physically, is the loss of bowel and bladder control. The spinal-cord patient typically can neither force himself to urinate nor prevent himself from passing stool. To cope with the former problem, a catheter—a rubber tube—must be threaded thru the urethra and left in place with one end inside the bladder and the other end draining into a bag strapped to the leg. For the latter infirmity, the patient is diapered like a baby. [Dr. Henry B. Betts, medical director of the Rehabilitation Institute of Chicago, has seen such patients permanently installed in boxes of sawdust. When the patients' bowels moved, the attendants shoveled out the soiled sawdust and replaced it with new.]

The loss of control over these two most elementary functions presents enormous hazards for the patient. On the physical plane, the catheter causes a constant irritation. Altho the spinal-cord patient may not feel it, the catheter encourages the formation of calcium deposits that serve as the situs—the location and hiding place—for infections. These, in turn, may spread from the bladder to the kidneys with lethal consequences.

On the emotional plane, the results are frequently even more devastating. The patient is reduced to a humiliating dependency, literally as helpless as a baby. He is compelled to submit to procedures that from earliest childhood he has been taught to regard as disgusting and demeaning. And this at the hands of the nursing staff, many of whom are young and pretty.

Because hospitals are staffed in large part by attractive women, the male patient in particular is forever reminded of his crowning misfortune: the loss of his sexual competence. Not all spinal-cord patients are similarly afflicted in this respect. Some men remain capable of an erection, tho they need help to achieve an ejaculation. Whether they will receive that help hinges on the love and skill of their wives, a fact that further emphasizes their dependency. In any event, because they have lost sensitivity in the lower part of the body, they will get little physical gratification from the act of love and must content themselves with the knowledge that they are fulfilling their roles as men, if only after a fashion. Furthermore, their muscular impairment will usually cause the sperm to be projected backward into the bladder, rendering them unable to beget children. (As in everything else pertaining to medicine, exceptions can be found to this generally. There is on record at least one Illinois couple, both of whom are paralyzed from the waist down, who have produced a succession of offspring.) Because women can adopt an entirely passive role in lovemaking, a spinal-cord injury does not inflict so grievous a loss on their sexuality. They can conceive and bear children, and indeed, the inability to feel pain may come as a positive blessing in labor.

So the spinal-cord patient finds himself beset by a sea of difficulties. First is the catastrophic injury to his body, which may prevent him from walking or even moving his legs for the rest of his life. Worse, he may never move his arms. And second is the blow to his emotions, especially to his self-esteem. In several important ways, he has reverted to infancy: He wets his pants and soils his bed; he can neither feed nor dress himself; he must be lifted and carried like a baby. And third, he has lost his place as an adult—lost his job, lost his freedom, lost his manhood. He has become an anomaly in the eyes of the world. He knows that he will be stared at if he ventures out in public. He fears that his wife and friends will reject him, and in this he is sometimes right. Depending on the kind of person he was before his accident, he will feel resentful, angry, terrified and defeated. Or he will be determined, inventive, serene and courageous. Or typically he will be all of these things at one time or another.

It's surprisingly easy to injure your spinal cord. Cook County Sheriff Richard Elrod did it in a tussle with an S.D.S. rioter on Madison Street. Many victims do it while swimming, usually by diving into shallow water and hitting their heads on the bottom. The most common cause among patients at the Rehabilitation Institute of Chicago is automobile accidents. But one way or another, the victim has suffered a traumatic injury that has broken his spine and damaged the spinal cord, the bundle of nerves that runs like a trunk telephone cable from the base of the brain downward for about 18 inches to the small of the back. Sometimes the cord is entirely severed, in which case, in the present state of medical knowledge, it can never be rejoined. Sometimes it is merely bruised and in time will regain some—possibly all—of its function. Because the cord does not visualize in X-rays, you cannot tell for sure how badly it is damaged; you can only wait and see. Patients often announce a firm expectation of walking again. Usually they are disappointed, and their failure plunges them into deeper gloom. But some achieve the miracle.

The extent of the disability depends on the location of the injury. If it is high up in the cervical vertebrae of the neck, it will disrupt the nerves that control breathing, and the victim will die. If the damage occurs somewhat lower, he will be paralyzed from the neck down, breathing shallowly but unable to move arms, legs or trunk. [This happened to Jim Braum, a 21-year-old patient at the Rehabilitation Institute, who dove into 3 feet of water one golden afternoon during a picnic in South Dakota. Still entirely conscious, he lay on the bottom of the pond, looking up at the fading sunlight on the surface but unable to reach it. Happily, his friends eventually realized that he wasn't fooling and pulled him out half-drowned.] Lower still, as the 31 pairs of nerves branch off from the spinal cord to the various organs of the body, the victim retains more function. He may be able to move a single muscle in his left shoulder. Perhaps he can shift his entire right arm altho denied the use of the fingers. Or arms and hands may work while the legs dangle uselessly.

Tho the extent of the loss varies, all spinal-cord patients can be divided into two camps: the more fortunate who can move their arms but not their legs and the less fortunate who can move neither. The first are called paraplegics; the second as quadraplegics. In the vernacular of the rehabilitation business, they are often referred to as "paras" and "quads." Most doctors and therapists who work with them deplore the tendency to categorize, to put labels on them, because like all humanity, spinal-cord patients are infinitely varied. But certain classifications must be drawn for the sake of brevity, and so this man is a para and that girl is a quad. Thru the accident of a moment, they have become lifetime members of a special minority, an aberrant class feared or despised or patronized by the ambulatory majority.

And thus they come to the Rehabilitation Institute, some of them despairing, some of them hoping for the miracle and none of them knowing what they will find inside those white-painted brick walls. The place looks like another of the warehouses and loft buildings that dot the semi-industrial area on Ohio Street out by Lake Shore Drive. Motorists, hellbent to get home for their evening martini, could pass it for a dozen years and never guess at the maimed and crippled people who dwell inside.

Just as well. At first glance, they would make you cry out in shock and horror. Here on this wheelchair is a little boy whose legs have been amputated above the knees. There, silent and withdrawn, sits a girl injured in a college laboratory explosion; the left side of her head is crushed in. On that bed lies one of the nation's ablest newspaper editors, paralyzed from the neck down by an automobile crash. His voice breaks on the edge of tears when he speaks of his misfortune. His brain is undamaged. Only his body is broken. He has not yet learned to accept this, and acceptance is an important requisite to adjustment and rehabilitation. The middle-

aged woman with the gravy running down her chin, she's a "hemi," a hemiplegic, paralyzed on one side of her body by a stroke. She used to be an office supervisor, but she won't go back to that. Her powers of speech have been entirely wiped out by the hemorrhage in her brain. And over there, lying prone on a cart, that's a bilateral amputee with disarticulation. They took off both his legs as high as they could go, which in this case means removing the top joint of the leg from the hip socket. To look at him quickly, you would think he had been sawed in half at the navel, leaving only half a man. In ages past, a man like that could make a living by displaying himself in public places, and parents sometimes maimed their own children to capitalize on the popular delight in freaks. But modern society, grown delicate and refined, prefers to shut its freaks away from view—in hospitals, in nursing homes, upstairs in the back bedroom. In the Pepsi generation, where everyone is beautiful and no one passes the age of 28, no place remains for the lame, the halt and the blind.

Even the medical profession has traditionally turned its back on them. After the "acute-care" phase, after the arm has been amputated and the stump has healed, after the broken spine has been fused, the doctors have had neither the time nor the inclination to help their patients master their newly circumscribed lives. Most of them still don't, nor do they encourage their students to take up this work.

"When I was a medical student," says Dr. Betts, who is today an improbably handsome 43 years old, "there was a subtle disparagement of chronic disease. It was infused into our minds that geriatric and chronic problems were not the most interesting. Acute cases were the ones that the professors got excited about. There was a little groaning when you got an arthritic or an asthmatic. So you ended up with a subtle feeling against this sort of thing. I once had great hope for the younger generation of medical students. They just love 'dealing with the whole man,' which is what you have to do in rehabilitation. I was delighted with them. They came here to see what we were doing in the institute, and they loved it, and almost all of them went into something else."

When the institute first opened its doors in 1953, it was starved for patients because most doctors refused to refer patients there. The situation has vastly improved since then, but to this day, many doctors will not send a patient there, either because they are ignorant of or indifferent to the new science of rehabilitation or because they fear to lose a paying customer. Money, after all, influences all mortals, even physicians.

This fact helps to deter doctors from entering the field of rehabilitative medicine. There's more money as well as glamour in the practice of surgery. And the turnover is faster. Why tie yourself up in a long-term relationship with a physical ruin who soils his pants when you can knock off an appectomy and collect your fee in a month? Besides, surgeons are community heroes, and lurking always in the background is the suggestion that rehabilitative medicine is somehow not quite respectable.

It is, in fact, a recent bloom in the garland of medical specialties, invented almost single-handedly by a physician named Howard Rusk toward the end of World War II. An Air Force medical officer at the time, Rusk observed and abhorred the crippled future that awaited many seriously wounded soldiers. For them medicine offered little help and less hope. Rusk supplied both in the new specialty of rehabilitation, which was largely pioneered in American military and Veterans Administration hospitals.

Even today, few medical schools offer training in rehabilitation. Of these few, Northwestern University is a leader. Physicians skilled in this field are called physiatrists [usually pronounced "fizzy-at-rists," but not always]. Working under them is a corps of paramedical specialists: physical and occupational therapists; prosthetists, who make and fit artificial limbs; and orthotists, who make braces. Training in these skills usually takes two or four years on the college level and is available, among other places, in branches of Chicago City College.

But the field still suffers from a lack of specialists and indeed from a lack of civilian institutions devoted exclusively to rehabilitation. Many hospitals maintain departments of rehabilitation, but many of these are understaffed, ill-equipped and poorly trained. Of large centers like Chicago's Rehabilitation Institute there are not half a dozen in the country. This is a pity for two major reasons. In the first place, it dooms 90 per cent of the physically disabled to a sort of living death, immobilized and hidden away. And in addition to the cost in human agony, this shortcoming presents society with a huge financial bill to support the nation's 250,000 disabled. It has been reckoned that, for every dollar spent on rehabilitation, $8 has been returned in welfare costs saved and income taxes paid by workers restored to usefulness. If humanitarianism will not spur this endeavor, then perhaps the motivation will come from a decent regard for the buck.

Rehabilitation itself is not cheap. Each day of inpatient care at the Rehabilitation Institute costs $100, and the average patient stays 53 days. Federal and state funds pay for some of these cases, and the institute itself carries five per cent of them free. But the majority are financed by so-called "third-party payers," mostly insurance companies, of which by far the largest share is borne by Blue Cross-Blue Shield. In general, the rich can afford the treatment; the poor will get it for nothing; and the middle-class may very well be wiped out. But for all, the money can be found one way or another. Finding a vacancy among the institute's 71 beds is another matter. At the moment, the waiting list is 8 to 12 weeks long.

A spinal-cord patient can suffer a shocking amount of deterioration in 8 to 12 weeks. Frequently he will spend these months held rigidly immobile within a Stryker frame, a two-layer cot built like a sandwich in which the patient becomes the filling. Bed sores will ravage his skin. His joints will harden from disuse, and from inactivity his muscles will wither and his tendons will stretch until arms threaten to disengage from shoulder sockets and legs from hips. And in this condition, if he is lucky, he will at length be brought to the Rehabilitation Institute.

An enormous amount of work lies ahead. Before anything else, his bed sores must be healed and new sores prevented from developing. In this the principal tactic is to turn him frequently and regularly, day and night, as often as once an hour. In some cases, it may take three people to "logroll" the patient. If he had received this kind of nursing during his earlier hospitalization, his skin would not be so ulcerated now.

His sores healed at last, the patient can work toward the considerable feat of sitting upright. He has no tolerance for this exertion, but he can be led toward it. At first he will be strapped onto a tilt table and tipped so that his feet rest lower than his head. In time, he can learn to endure an upright position for an hour or more.

From the beginning, he has submitted to the attentions of the institute's large and variegated staff. He has been interviewed by a social worker, a psychologist and a psychiatrist. He has been examined by at least one doctor and a physical therapist and an occupational therapist. And unknown to him, he has been the subject of a large conference at which Dr. Betts presided while the staff reported at length upon his case. Teamwork is important in rehabilitation. The occupational therapist must know what pitfalls the psychologist has discovered, and the nurse's knowledge of the patient's bladder program may vitally affect the social worker's recommendation for family relationships. If the doctor has detected a return in the right biceps, the physical therapist will want to know about it. If the patient is contemplating suicide, they will all want to know about it.

The bowel and bladder programs assume early importance, primarily because of the need to remove the catheter before it causes an infection. Altho the patient may never recover the ability to urinate at will, it is possible to train the bladder to empty itself periodically into a leg bag. Similarly, thru training and diet control, the bowels can be taught to move on a predictable schedule. These accomplishments are vital if the patient is ever to venture forth into the world again.

And he must learn to use a wheelchair. He may well have to spend the rest of his life in it. The wheelchair brings both freedom and restriction. In it he can move freely about his apartment—except into the bathroom. (Perversely, bathroom doors are almost always built too narrow to admit a wheelchair. If the door can't be widened, he will have to make do with a wash basin and a commode in his bedroom.) He can go outdoors, hoist himself into his car, fold up his wheelchair and stick it in the back seat, and drive away with the help of special hand controls. He can go to the movies, go shopping, go to work.

But he can't climb stairs. Unless he can find an elevator or a couple of husky friends to carry him, he is forever barred from the downstairs men's room, his favorite restaurant with the flight of steps out front, even the second floor of his own house. He will look for driveways whenever he wants to cross the street because Chicago has provided few ramps to help him up onto the curb. He can bounce his wheelchair over a curb by balancing it on its hind wheels and getting a running start, but that takes practice.

All of these tribulations must wait, however. At the point he can't even put on his own pants. The institute will teach him that too in a field of study called "activities of daily living." The problems here are formidable and the solutions often ingenious. The stroke victim, for instance, frequently suffers paralysis of both arm and leg on the same side and will probably have to get thru the rest of his life one-handed. He can make out quite nicely with a few exceptions. He can put on his clothes and button his shirt—all except the cuff button on his remaining useful wrist. This last cuff he can fasten by having a patch of Velcro sewed beneath the button and pressing it closed. Neckties can be tied one-handed more easily than he might suppose. So can shoelaces; there's a special trick that the therapists will show him. It would be easier to wear loafers, but stroke victims often need leg braces, and these work best with laced shoes. You can scrub all the parts of your body except the hand you're using, and you can scrub that, too, by gluing a scrub brush inside the basin and rubbing the hand against it.

Women stroke victims have difficulty fastening their bras. A front-opening model helps and can be equipped with Velcro instead of hooks. The application of a deodorant presents certain obstacles. So does lipstick. If she has lost all sensation on her paralyzed side, she cannot feel where she is applying her lipstick and sometimes winds up with a clown's mouth.

Often the stroke victim sustains a mental as well as a physical loss. He may no longer be able to speak or perform simple arithmetical chores such as counting his money. The institute's staff of speech therapists will help with these disabilities. But in addition,

he may be subject to a general confusion so that he gets both feet into the same trouser leg or becomes lost while trying to work his arms and legs into his undershirt.

Aside from the neuroses that may stem from his injury, the spinal-cord patient usually suffers no such mental debility. Inside his wrecked body, his brain is scheming and plotting ways to help himself. And there are a thousand ways to survive in this predicament. Most of them he'd never think of for himself, but the therapists know all the tricks. They have forks that strap to the hand and typing sticks that can punch typewriter keys and paint brushes that can be held in the teeth. They have splints that convert wrist movement into gripping action.

And they make the patient work. They set him a task, like the construction of a bookshelf, and they keep him at it, endlessly sanding and sanding. It's good for the muscles. Jim Braun, the quad who lay so long on the bottom of the pond, has already completed a ceramic serving tray for his girl and gone on to a candleholder for his parents, both made almost entirely with his right arm since his left arm and both hands are pretty well useless. He gets around now in an electric-powered wheelchair which he controls by shoving his right palm against a couple of levers. He is about ready to go home to South Dakota.

For the goal is always to go home. The institute staff talks a good deal about "goals," which differ in detail from patient to patient. Many hope to walk again, and some do. Even tho both legs are paralyzed, you can stiffen them with braces and learn to walk on crutches. A few achieve the miracle and regain the ability to walk with no mechanical assistance whatsoever. Nancy Hendricks did that. A pretty, 16-year-old blonde, she broke her spine in a motorcycle accident. Last Christmas, she was a paraplegic, flat on her back in bed. Five months later she was walking without even a cane. Now she works as a volunteer in the institute.

Most working men want to go back to their jobs. For many, the ability to support their families has been their only pride in an otherwise drab life. The man accustomed to working with his brain can usually expect to work again, but the manual laborer faces a more dubious prospect. He can no longer earn his bread by the strength of his arms. Neither can he be readily turned into an intellectual, tho there are exceptions. One institute alumnus, a 51-year-old truck driver, was found to possess remarkable computational abilities. Now he's enrolled in junior college, learning to be an accountant. The stroke victim may hold a job again, but his loss of mental acuity may prevent him from regaining his old position. One 15-year railroad veteran was forced to accept a job working for men he had once trained. His mind may have slipped, but he fully knows how his status has been degraded, and it breaks his heart. For some men, the most practical solution lies in "role reversal," in which the man stays home and keeps house while his wife goes out to work. But to the man who sets great store by his masculinity, this is often no answer at all.

Amputees face a brighter future, depending on their physical condition, their sex and the extent of their loss. It takes considerable strength to swing an artificial leg attached to a stump above the knee. Two such legs are much harder. And many amputees lose their legs as a result of the vascular diseases attendant upon old age. They are too old and feeble to support this burden, much less to master the skill of walking on prostheses, and so they resign themselves to life in a wheelchair. Men usually take more readily than women to artificial limbs. A man, after all, can hide his leg inside his trousers, but a women's dress displays her aberration. In both sexes, vanity plays an important part in fitting prostheses. Great care is taken to match shape and skin color as well as to construct a socket that will intimately fit the stump. And more ingenious devices are under development such as an artificial arm and hand that respond to electric impulses generated by the arm muscles. Much of this research, as well as the training of prosthetists and the fitting of artificial limbs, goes on within the walls of the institute. The amputees must buy their arms and legs from a commercial limb shop, but they learn to use them at the institute.

And learning is perhaps the most important part in rehabilitation. The institute sees an endless procession of nurses, therapists, medical students who have come for training. It will see still more three years from now when it completes its new $25-million building, twice as big as the one-time book-printing plant it now occupies.

But the major portion of the learning falls to the patients themselves, who have so much to accomplish. Not only must they learn again to dress and feed themselves and perform useful work and walk or wheel themselves about as best they can, but also they must learn to live in a world that was never made for them. The institute helps them with this, too. As part of "recreation therapy," they make frequent sorties into the outside, sometimes to the theater or to a concert at Ravinia, sometimes to a ball game or a department store, occassionally even to Europe on a tourist's holiday.

The goal is not so much to divert them as it is to teach them how to exist in an ambulatory society. They learn that, if the theater restrooms are downstairs, they may be able to roll their chairs to the men's room in the soda shop, two doors away [or failing that, to empty their leg bags in a dark alley]. They learn that taxis sometimes refuse to stop for a man in a wheel chair [but the next cabbie will not only stop but haul him up three steps into a restaurant]. They learn to shift for themselves as much as they can, and when they must be picked up and heaved into an automobile seat, they learn to accept that, too, with grace and gratitude. They learn to live again—tho within their limitations.

For the limitations always remain, whether as a burden or a weapon. Some patients go forth from the institute as full-fledged wheelchair generals, determined to use their disabilities to bludgeon their families into servitude. Others, despite the best efforts of the staff, go out in defeat, convinced that they have lost their future and the love of their families.

But most set out with some improvement and with reasonable expectations. Tho they may never play golf again, perhaps, at least they can hobble around on braces and canes, which is better than they could do when they came in. If they must sit in a wheelchair, perhaps they can now feed themselves and type a letter. It may be a bitter bargain, but it's better than nothing. In the final extremity, most men cling to life, even tho it must be endured in agony.

And out of the pain may come some good. A remarkable number of patients embark upon their new lives with a deeper understanding of themselves, an enlarged wisdom about mankind. In their new weakness, many find new strength. And for some, that bargain is at least acceptable.

FARM PRICES DOWN—FARM COSTS UP

Mr. HUMPHREY. Mr. President, I received a tabulation from Mr. Elmer Benson of Appleton, Minn., recently illustrating how farm prices have actually declined since 1948 and how the cost of much of what he has to buy has risen. I would like to share this important comparison with my Senate colleagues.

The figures cited below clearly show the severity of the cost-price squeeze that farmers have been subjected to over the years and which little relief has been given them recently. I ask unanimous consent that Mr. Benson's communication to me concerning this subject be printed in the RECORD.

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

TABULATION BY ELMER A. BENSON

Political leaders are again suggesting plans to help agriculture and most of these plans suggest that more credit be made available to farmers. I should think by this time, even politicians would know that it is not more credit that is needed but a better price for the things the farmer produces.

For more than twenty years the price of everything the farmer buys has gone up 300 or 400 per cent while what he produces has gone down 300 per cent.

The following table should be interesting.

	1948	1968	1971
Flax	$6.96	$3.05	$2.42
Soybeans	4.16	2.55	2.79
Rye	2.63	.98	.78
Corn	2.63	1.00	1.00
Oats	1.29	.67	.53
Eggs A	.41	.18	.18
Cream L	.92	.72	.68
Tractor TD	4,500.00	16,000.00	17,500.00
Tractor MD	2,600.00	6,000.00	7,500.00
5 bottom plow	650.00	1,200.00	1,800.00
Drill	600.00	1,500.00	2,200.00
Truck 1½ ton	1,800.00	3,000.00	5,500.00
Truck 2½ ton	2,225.00	5,000.00	6,500.00
Combine	3,400.00	7,000.00	13,000.00
Jeep	1,400.00	3,500.00	4,200.00
Digger, 17 ft	400.00	900.00	1,500.00
Taxes R. E	179.68	448.50	629.84

For the past twenty years we have had a Federal Law making it possible for the Secretary of Agriculture to set support prices at 90 per cent of parity or more but at no time have they been set at more than 70 per cent of parity. Furthermore, during most of the same twenty year period the government's policy has been to sell farm commodities in order to keep farm prices depressed and this policy has been so stated by the Secretary of Agriculture.

PUBLICATION OF PRINTED HEARINGS AND INTRODUCTION OF JUVENILE DELINQUENCY SUBCOMMITTEE STAFF REPORT ON DRUG ABUSE IN THE MILITARY

Mr. BAYH. Mr. President, we are mindful of the serious and dreadful proportions that the heroin epidemic has reached among our servicemen in Vietnam.

There is now great national interest in attacking this threat to the well-being of our men in service, to their families, and to the public, as many of these men return home addicted to or dependent upon drugs.

This drug abuse phenomenon, from a serviceman's first marihuana joint upon his arrival in Vietnam, to his smoking opium in one of the many opium dens which dot the countryside of Vietnam, to his shooting or "snorting" of "smack" in an alley in Saigon, where heroin is now as available as is any other black market commodity, is foremost in the minds of the majority of Americans today.

In recent months, committees and individual Members of the Congress have studied and reported upon this rampant abuse of drugs by U.S. servicemen, and have introduced legislation to deal with it.

The President has now responded with a message calling for a concerted national effort to combat this serious and increasing abuse of drugs by our men in service.

All of this recent concern for the problem is certainly commendable.

However, I believe that it is important to reiterate for the record the fact that the Juvenile Delinquency Subcommittee first heard public testimony on this problem in 1966, and made its findings available to the Department of Defense, which has only belatedly acknowledged the existence of a drug problem within its military ranks.

Additional testimony was heard by the subcommittee in 1968 and 1970. The record of the hearings conducted by the subcommittee in 1970 on this subject has now been printed and is available for distribution. A staff report of the subcommittee based on all of the hearings and investigations into the military drug abuse problem has been prepared.

Predicated on our findings, legislation was developed and introduced by the previous chairman of the subcommittee, the Honorable Thomas J. Dodd, on September 24, 1970, to provide for the medical discharge of drug dependent servicemen and their civil commitment to treatment and rehabilitation under titles III and IV of the Narcotic Addict Rehabilitation Act of 1966.

No action was taken on that bill however during the 91st Congress.

Mr. President, I reintroduced that bill, S. 1189, on March 11 of this year, and it is now pending before the Armed Services Committee.

There is now a national commitment to action, and I urge the Senate to give this bill careful consideration, despite the fact that other measures which have been proposed would provide for drug abuse treatment within the branches of service.

There are no easy solutions to this problem, and all approaches must be given consideration.

In addition, I have requested the Department of Defense to initiate a policy to review, pursuant to authority provided in 10 United States Code, sections 1552 and 1553, all discharges of servicemen, given under conditions other than honorable, to determine whether such discharges were related to the individual's drug addiction or dependency, and if so, to reverse, where appropriate, those discharges, so that these returning drug dependent veterans may seek and obtain assistance for their problem from the Veterans' Administration. However, the Defense Department refuses to initiate this review on its own initiative, but is adhering to a policy only to review discharges on a case-by-case basis on application of individual servicemen.

I believe that the two legislative proposals to which I have just referred would be extremely useful and helpful in curbing the runaway drug problem which now exists in the military and among the men who have returned with their drug dependencies to the United States.

Mr. President, I ask unanimous consent that the report prepared by the staff of the Subcommittee To Investigate Juvenile Delinquency concerning drug abuse in the military be printed in the RECORD.

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

STAFF REPORT ON DRUG ABUSE IN THE MILITARY BASED ON HEARINGS AND INVESTIGATIONS OF THE SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY, 1966–70

INTRODUCTION

This report sets forth the extent, the scope, and the serious nature of the problem of drug abuse in the military, with special emphasis on that aspect which concerns drug abuse in Vietnam and all of Southeast Asia, where the problem has been found to be most severe.

The findings contained in this report are based on the investigations, inquiries, and public hearings of the Subcommittee to Investgate Juvenile Delinquency beginning in 1966, when testimony was first taken on drug abuse among servicemen in Vietnam, and continuing in 1968 and in 1970.

Drug abuse in the military is related to and is an extenuation of the drug abuse phenomenon, which has pervaded segments of the youth population generally. However, it differs from the domestic aspects in that the heroin epidemic which currently exists among servicemen in Vietnam is more intense and more complex, due to the high quality of heroin found in Vietnam, its relative low cost, and its easy availability.

The findings in this report reflect the escalation from the softer drugs, such as marihuana, to the hard narcotics, such as heroin, in the years 1966 through 1970; this is an escalation which has been influenced recently by idleness or boredom among non-combatant troops in Vietnam, and which has been intensified by the relative isolation of the men serving in that theater of operations, by their fears, frustrations, and ambivalence towards the United States involvement in Vietnam.

The Subcommittee has long been concerned with the problem of narcotics addiction and drug abuse, and by resolution of the Senate, it is charged with the responsibility of examining the extent to which juveniles and youthful offenders are violating Federal narcotics laws.

EXTENT AND SCOPE OF DRUG ABUSE IN THE MILITARY

In setting forth the extent and scope of drug abuse in the military chronologically from 1966 to the present, this section of the report includes references to sources of, and trafficking in illicit drugs; the incidence and severity of abuse; the physiological and psychological effects upon the individual serviceman; the effects of drug abuse upon his ability to function as an individual and as a member of a unit; and the impact which individual drug abuse has upon the effectiveness of military units.

In 1966, during hearings upon proposed legislation to provide civil commitment and treatment of Federal offender narcotic addicts, Dr. Robert W. Baird, Director of the Haven Clinic in New York City, testified about the extent of drug addiction and dependency among servicemen and former servicemen, who were under his care at his clinic in Harlem, New York.

Dr. Baird appeared on two occasions that year and during his first appearance made the following recommendation:

Please have our troops examined coming in and out of endemic areas. It is a horrible situation for me to see boys, and I have seen this in my office, who are in the Marines, who are in the Army, who are getting narcotics when they have been stationed in Korea, Japan, Greece, Italy, Germany and France, and they have needle marks on them and they are not picked up for this. These kids are going over to do a job, and the Communists are doing a better job through the southern border of China infiltrating this stuff through Thailand and Laos.

You may say, 'Doctor, how do you get this information?'

You all recall this very famous newspaper girl who died, Dickie Chappell. When she was over there, before she went on one of the trips I had told her about this and she checked it out. She was finding out some of our CARE packages were going over there to be used by some of these people not to farm regular foodstuff, but to farm poppies which in turn wound up back in the arms of our kids.

In 1966, five years ago, Dr. Baird pinpointed a major source of illicit narcotics in Southeast Asia, which today, rather belatedly, has suddenly become a matter of grave concern to government officials who now display a significant interest in this problem.

On Dr. Baird's second appearance before the Subcommittee, he told of his work with addicted former servicemen, and brought before the Subcommittee one of his patients, a former Marine, who had served as a crew chief and gunner on a helicopter in Vietnam; the Marine was a drug abuser while in the service and became addicted to narcotics upon his return to the United States.

Dr. Baird addressed his remarks to the problem of military drug abuse not only in Vietnam, but in other areas of the world where American servicemen are stationed.

He pointed out that he had come across men in every branch of service, the Army, Navy, Air Force and the Marines, who had obtained narcotics, marihuana, barbiturates and amphetamines, both here in the United States in and around military bases as well as abroad in France, Italy, Germany, Greece, Sweden, Korea and Vietnam.

Dr. Baird's perspective of the problem was broad because of his experience in working with addicted ex-servicemen. He told the Subcommittee:

This morning I would like to present some facts and stories given to me by 24 servicemen who I have worked with that were addicted; 14 were in the Army, 5 in the Navy, 3 in the Marines, and 2 in the Air Force. An interesting point is that nearly 20 out of these 24 men had had less than 3 years of high school, and out of these, three-quarters were addicted before they went into the service, and the remaining 25 percent started while in the service.

I am extremely concerned that so many of the boys who are addicted have not been found out by the armed services themselves.

I want a far more careful screening at preinduction centers and of those boys who are coming out of the services, plus semi-annual check-ups of these individuals that are in indigenous areas where drugs are available flagrantly.

It is a shame when young men can receive illicit drugs from a base or perhaps from a station overseas, and officials are not aware of it.

Based upon his work with 24 addicted former servicemen, out of a total of 324 patients with whom he was working at the Haven Clinic, Dr. Baird cited a rate of *narcotics addiction* of 7 percent among U.S. servicemen, even as early as 1966.

With his statistics and other substantive information as indices, Dr. Baird then told the Subcommittee:

Based on the statistics that I have seen, plus talking to various addicts and other servicemen in New York, Miami, California, Boston, and New Jersey, I would predict that there is a minimum of 10,000 to 15,000 her-

oin and barbiturate addicts in the service, and easily 100,000 marihuana smokers. I know these statistics will make some of the armed services people gasp, but this is the same situation that happened in New York 7 or 8 years ago and is now a reality.

As previously indicated, an ex-Marine and heroin addict accompanied Dr. Baird during his second appearance before the Subcommittee. Dr. Baird described the Marine's drug experience while in service:

One is about a boy I have just started to work with, and who I have brought this morning so that the Senators can interrogate him. He is a 23-year-old ex-Marine who served from January 5, 1961, to January 11, 1965, and who has just been discharged for about 15 months. He served in Vietnam, flew approximately 100 to 125 combat missions, and received several unit citations.

He had joined the service at about the age of 17 years, and was stationed in Parris Island, where he heard about drugs and goofballs, but because he wanted to obtain a good service record for himself and also because he was too busy and, frankly, too scared, he didn't try them.

He was then sent to Camp Lejeune, where he said he could buy barbiturates, reefers and dexedrine in Jacksonville, North Carolina, for $1 apiece. Reefers, of course, are marihuana.

He was then sent to the naval air station in Millington, Tennessee, and while there, he found out that he could get goofballs, which are barbiturates, and pep pills. In fact, he said that it was 'SOP,' which means 'standard operational procedure,' where one could get these drugs from other servicemen for $1 apiece.

He said that they had a racket going. Some of the boys in the service would feign sickness, or say that they were obese, so they could get dexedrine, or that they could not go to sleep, and they were given barbiturates. These they would sell to the other men for $1 apiece. Some boys were given 30 tablets, he said, for a month's supply, and they would then sell them to the other boys for $5 a dozen. In turn, the money they accrued would be pocket money for alcohol.

In a particular town, in a motel in West Memphis, Arkansas, this Marine could get marihuana from a shoeshine boy working in the bar. This man said that a good night's entertainment while in the service could be had by spending Saturday night in the barracks with five or six goofballs or dexedrine pills or capsules, swallowed with 2 pints of wine as a chaser, and then waiting for the combined reaction of the goofballs and the pep pills with the wine.

He was sent to the Orient, and while in Turkey in a town, he got some hashish. The name of the town was Ismar. In Tunis, he could get heroin and hashish. In fact, during this time one of the ships he was aboard was shaken down because it had been found out that some of the men had brought marihuana aboard.

This certainly shows that the Navy has some officers who are extremely aware of this problem. This should be 'SOP' at every port. Every time a ship leaves, we should have our armed services all checked out.

In Italy, he could get goofballs in Naples, in an area called Skivvy Alley, up in the hills; in Spain, in the city of Barcelona.

The patient was then sent back to America for advanced training at the Marine Corps Air Station at El Toro, Santa Ana, California. There he could obtain barbiturates and seconal in the town, and also in Los Angeles and that great city, Tiajuana, which is just rampant with dexedrine, goofballs, marihuana and heroin.

He was then sent to Da Nang, Vietnam, and there he got 'red devils,' or seconal from a store, or even from the natives, at the cost of $34 American for 30 capsules.

He related a story that could have had a tragic ending. He was a crew chief and a gunner aboard a helicopter. One day, when he thought things were going to be rather quiet, he had taken three or four goofballs, and unexpectedly got a sudden emergency air evacuation alert.

By the time he got aboard the plane and got everything into combat readiness, the effects of the drugs had hit him, and a paranoid reaction came over him. He saw some of our allies and thought they were some Vietcong, and started to open fire upon them wounding a major and a sergeant major of the Vietnamese corps. Fortunately, he did not kill them. But no one was aware of what had happened to him, or that he had had these barbiturates.

The former Marine, identified only as "Frank" then described in detail the incident to which Dr. Baird had referred.

Well, I had been in Da Nang, I think about 3 months, and it was easy to go into any pharmaceutical or drugstore in Da Nang itself and buy seconals, which are sleeping pills, sleeping capsules, or barbiturates and pep pills such as benzedrine.

I had taken four goofballs and a glass of beer on this day. I was supposed to be ready crew chief for any emergency evacuation or anything like that. I had just, you know, just taken the drugs, and we had gotten word that there was an emergency evacuation starting.

The American advisers—in 1963, there were only advisers there, we were not fully committed such as we are now—and they called in for an emergency evacuation.

By the time my plane was airborne, I had felt the effects of the drug—I had false confidence. I felt like my heart was in the middle of my face, and like people were trying to get to me, you know.

So we went into a landing zone to pick up these wounded men, 'WIA' they call them, 'wounded in action,' and I had heard prior to that, I had had a couple of combat engagements, airstrikes, as they call them, and I heard that the VC mainly wear black clothing. What I didn't know was that the civil defense corps, as they are known, wear the same thing—black pajamas.

I had seen these three men, and my plane captain had called down that they were drawing fire from small arms from both sides. I had this illusion, as I said, that people were trying to get me and they were putting this person in the plane.

I looked up on the hill, it was just cleared in the jungle, the jungle is very thick up there, and I had seen three people up there. So I opened fire with my machinegun, and I wounded two of them.

"Frank's" description of the incident need little elaboration, except for emphasis on two aspects of this problem. One is the ease with which the men are able to buy illicit drugs from drug stores in Vietnam, and the second is the effects which the barbiturates had upon the man, impairing his ability to function rationally in his assigned mission. Both points have been alluded to by other witnesses who have appeared before the Subcommittee and are discussed in succeeding paragraphs of this report.

Subsequent to Dr. Baird's appearances before the Subcommittee on May 25th and June 14th, 1966, the Department of Defense was queried as to the extent and scope of drug abuse among service personnel. In response, the Defense Department furnished the Subcommittee with detailed information from each of the branches of service concerning the problem.

In summary, the Department was of the opinion that the problem was minimal and did not begin to approach or approximate Dr. Baird's estimate of its seriousness.

Those detailed, in-depth Department of Defense responses to the Subcommittee's inquiry are available in the files of the Subcommittee.

When the Subcommittee next heard testimony on the extent of drug abuse in the military in March of 1968, one witness, John Steinbeck IV, a former serviceman who had completed a tour of duty in Vietnam, described the abuse of marihuana.

He estimated, based upon his personal experiences, that 60 percent of the men serving in Vietnam, between the ages of 19 and 27, were smoking marihuana whenever they thought that it was reasonable to do so.

He was of the opinion that upwards of 75 percent of that same age group would be involved with marihuana as they became more sophisticated in its use.

He stated that he considered marihuana to be a relatively harmless drug—a view, he said, that was accepted by the military.

Steinbeck further told the Subcommittee that the easy access to marihuana by American servicemen was predicated on the fact that our men were in close contact with Vietnamese nationals, who supplied our men with the drug.

The Defense Department's response to Steinbeck's allegations of incidence of marihuana use by U.S. servicemen is contained in detail in another section of this report. However, it should be noted that the Department's conclusion at that time was that the drug abuse problem was practically non-existent in Vietnam.

The Subcommittee's inquiry resumed with public hearings conducted in 1970, during which many witnesses testified, including veterans who were addicts, representatives of the Department of Defense, Army psychiatrists, and other professionals, all of whom were either working or had worked with drug dependent and addicted former servicemen.

In addition to the testimony of these expert witnesses, references were included in those hearings to studies which had been conducted in Vietnam to determine the incidence and the extent of drug abuse, particularly marihuana abuse, among our men serving there.

One such study conducted in 1967 in Vietnam was done under the aegis of a Subcommittee witness, Roger Roffman, an Army social worker, who collaborated with Capt. Ely Sapol, an Army psychologist; it concerned, first, a limited study of inmates at the Long Binh Jail and, secondly, a broader study of non-institutionalized Army personnel at the replacement depot.

Roffman gave the results of his second study during his testimony before the Subcommittee:

In summarizing the study findings, I would like to remind the Subcommittee that this survey was carried out three years ago. The statistics involved, of course, are, therefore, of little use. However, there may be reason to believe that certain associations and correlations observed would not have changed markedly in the intervening time. Admittedly, this is speculative.

The survey involved 584 Army enlisted men in the middle and lower ranks (E–2 through E–6). Questionnaires were administered to small groups of respondents who were being processed through a replacement center for return to the United States. Thirty-two percent of the sample reported the use of marihuana at some time during their lives. Only 29 percent, however, indicated using marihuana while in Vietnam. Thus, the majority of the respondents indicated that they had never smoked marihuana. Two additional studies of military populations were performed in Vietnam within the same year and essentially corroborated our findings. In July of 1968, Casper and his colleagues sampled a group of soldiers in the Chu Lai area which is located in the northern section of South Vietnam. They found 31 percent of the 771 respondents indicating use on one or more occasions. Dr. Wilfred Postel polled 100 patients at a surgical hospital in Pleiku. His findings

revealed 35 percent answering affirmatively to the question of use at any time in the respondents' lives. We, therefore, saw fairly impressive congruence with regard to the number who had tried marihuana.

We were also concerned with the frequency with which individuals were using marihuana. Based on our clinical impressions concerning the patterns of marihuana use, we decided to consider use on less than twenty occasions to be indicative of 'casual' or 'experimental' use. Use on more than twenty occasions was considered to be heavy marihuana smoking. Admittedly, this is a crude categorization. Nonetheless, the findings of the survey tended to support our classification method. Of the men who had ever used marihuana, 75 percent fell into the casual user class. Close to 50 percent of these casual users had smoked marihuana five times or less. In all, only 7 percent of the 584 respondents indicated heavy use of the drug. Had we determined heavy use on the basis of ten times or greater, 10 percent of the entire sample would have been so classified.

Roffman expressed his concern over the political sensitivity of the nature of the subject matter, and, in fact, it was not until 1969 that the results of the study were released.

He indicated, however, that when Assistant Secretary of Defense Alfred B. Fitt and Assistant General Counsel Frank A. Bartimo appeared before the Subcommittee in March of 1968, they had been given a copy of the stockade study and had been advised of the basic findings of the second study to which Roffman had referred in his testimony. Roffman also testified that he was not permitted by the Department of Defense to share the results of his findings, despite the fact that he had received requests for information concerning his research.

He believed that health and medical personnel in the Army were desirous of obtaining information concerning the drug abuse problem, but that "higher headquarters tended to deemphasize the political ramifications," and therefore, he was prevented from filling those requests.

Roffman was cautious in his assessment of the effect that marihuana smoking had upon the men. He reported that adverse reactions as the result of marihuana smoking were seen by Army psychiatrists in Vietnam in 1967, but he pointed out that additional research was necessary to determine the full extent of the problem.

An important consideration in interpreting the results of any study of drug abuse conducted among service personnel in Vietnam, or in any other theater of operation, is that under the Uniform Code of Military Justice, possession and use of marihuana or any other illegally obtained drug is a violation of that Code.

Further complicating the review of results that marihuana smoking may have upon an individual is the fact that it is impossible to analyze the drug which any one individual has ingested; in addition, the strength and effect of the drug do vary, not only from place to place, but with respect to the individual ingesting the drug.

Another witness who appeared before the Subcommittee on March 24, 1970, was Dr. Joel H. Kaplan, a former Army psychiatrist who had served as Commanding Officer of the 98th Medical Detachment Neuropsychiatric (KO) Team in Vietnam. He finished his tour of duty there in October of 1969.

Kaplan referred to the ease with which marihuana is available in Vietnam. He pointed out that the plant grows wild there and that it could easily be purchased in any small town or in the cities of Vietnam. He stated that Vietnamese nationals were the prime suppliers of the drugs to the American servicemen, and referred to the plethora of opium dens, especially in Nha Trang, which were run by the Vietnamese and were patronized by U.S. servicemen.

Kaplan cited a progressive pattern and indicated that the "papasans" would first get the GI's started on marihuana and then introduce them to opium, a much stronger drug which the GI's either smoked or mixed with methedrine. Methedrine is commonly called "meth" or "speed" in the United States; the men inject it into their veins.

Kaplan cited a lax policy of enforcement by the Vietnamese officials and in fact, pointed out that if the Army's military police were to make raids upon the opium dens, then the South Vietnamese police were required to be notified first.

The results were that when the raids were subsequently conducted, the dens were devoid of GI's since the operators of the dens had been warned beforehand.

Based upon his work as an Army psychiatrist working in a clinic in Nha Trang, Dr. Kaplan testified:

We estimated that between 50 and 80 percent of all Army personnel in Vietnam had used marihuana on at least one occasion. At the time that I left Vietnam in October 1969, we did not as yet have any definitive figures. However, a research project had been planned and approved by the Army to try to find out the exact number of soldiers who had used marihuana during their tour in Vietnam. As Commanding Officer of the 98th Medical Detachment Neuropsychiatric (KO) Team in Nha Trang, I can give you the figures that we had from our Clinic and Inpatient Service. 70 percent or approximately 3,000 soldiers that we saw in the Outpatient Clinic were drug abusers.

When I refer to drug abusers, I am not referring to the soldier who smokes marihuana once a week or once every few days. I am referring to a soldier who is using drugs heavily day in and day out. In regard to these figures, 50 percent of our Inpatient population were also found to be drug abusers. Our rough estimate of 50 to 80 percent mentioned in the beginning of the statement was based upon interviews with many service personnel, both people who were patients and also ordinary soldiers whom we had experience with during our stay in Vietnam. In any case, the hard figures show that approximately 3,500 of the soldiers that were seen during my year's tour in Vietnam were using marihuana and other drugs heavily. The other drugs that I refer to included barbiturates, opium, amphetamines such as speed, LSD on occasion, sniffing glue and using the pellet of the Darvon capsule.

Other witnesses who testified as to the ease with which both marihuana and opium were obtained by U.S. service personnel in Vietnam were Doctors John K. Imahara and James W. Teague, psychiatrists and former military officers who served in Vietnam, and by Jon Steinberg, who served as an investigative reporter during his tour of duty in Vietnam.

Steinberg testified:

That night, after informing the military police of my intentions, I went into the city to look for an opium den. In the rear of a barber shop the remaining pictures were taken. The GI's in the picture were too high to worry about my picture taking. The price for the joints was nominal, the quality high. Upon request, the lady in the back room would supply marihuana cigarettes dipped in opium. This way a stronger, longer-lasting 'high' was achieved. Food was even served to hungry GI's. All in all, a pot-smoking GI stationed in the Nha Trang area was assured of a constant supply of marihuana and little, if any, danger of being apprehended for his 'high' habits.

Elsewhere in Vietnam the situation was similar. Whether in Saigon, Tay Ninh or Pleiku, the opium dens were present and the local nationals usually had access to a large quantity of pot. In most locations, a young GI could obtain pot more readily than liquor.

Dr. Teague told the Subcommittee that it was commonplace to mix marihuana and opium, as evidenced by the fact that 50 percent of the analyzed cannabis contraband from Vietnam contained opiates. The co-mingling of marihuana and opium produce a much stronger effect upon the individual ingesting the combined drugs.

Subcommittee witness Roger Roffman referred to a drug incidence study conducted by U.S. Army Captain Morris Stanton, Ph. D., in Vietnam. While Stanton did not appear before the Subcommittee, he was interviewed and the results of his study are a part of the Subcommittee's permanent record on this subject matter.

The results of the study conducted by Captain Stanton in the fall of 1969 and released by the Defense Department in 1970 show that 50.1 percent of the younger enlisted men below the age of 27 and below the rank of E-7 had used marihuana while in Vietnam. Stanton's study was conducted among men leaving Vietnam and the results were obtained through the use of a questionnaire given the men and voluntarily answered by them at the time of their debarkation from Vietnam. His study reflected that one-fourth of the men indicated that they intended to continue marihuana use upon return to the United States.

Other data in Stanton's study show that the greatest relative increase in Vietnam of all of the drugs surveyed was of opium, which almost tripled among users during their Vietnam tour, as contrasted with use prior to Vietnam. Seventeen percent of the enlisted men admitted opium use during their stay in Vietnam, while only 6 percent indicated that they had used the drug prior to Vietnam.

Thus, Stanton's study, the most recent of those included in this report, contained data showing the greatest incidence of marihuana abuse by service personnel in Vietnam and reflected the progressive seriousness of the problem.

As the incidence of marihuana abuse dramatically increased from 1967 to 1969, the changing patterns of drug abuse also emerged, to the extent that by the fall of 1970, a serious epidemic of heroin use was beginning to unfold in Vietnam among U.S. servicemen.

Evidence of this was presented to the Subcommittee in the fall of 1970 by Jon Steinberg, who had been retained as a Subcommittee investigator, and who had just returned from an intensive investigation of drug abuse in Vietnam. In citing these changing patterns of drug abuse, Steinberg presented Army statistics on heroin overdose deaths.

Steinberg testified:

For the first seven months of 1970 there was an average of two soldiers a month dying from drug overdoses. This was an increase of 50 percent over the monthly average for 1968. However, since late summer of this year a newly packaged, widely distributed, deadly, potent form of heroin is being, by U.S. standards, practically given away to our troops.

As a result, known drug overdose deaths increased 175 percent in August and September and combined with suspected overdose deaths the increase is 1000 percent, or 46 deaths.

During the first 18 days in October, 1970, there were 35 *known* overdose deaths among our troops.

At that rate, instead of the two deaths a month we experienced from January through July, we are now experiencing two deaths a day.

The information which Steinberg furnished the Subcommittee on drug overdose deaths contrasts sharply with figures which had been furnished the Subcommittee by the Department of Defense for the years

1965 through 1969, on the number of reported drug overdose deaths among U.S. servicemen in Vietnam.

The Department of Defense figures indicated that from 1965 through 1967 there were no deaths attributed to drug overdose among U.S. Army personnel in Vietnam. However, in 1968, there were 7 such recorded deaths and in 1969 the number increased to 18.

Steinberg contrasted his findings of 1970 with those of 1969, when he served his tour of duty in Vietnam:

One year ago as a member of the Armed Forces I conducted a six month investigation into the drug problem in Vietnam. At that time it was substantiated that the use of marihuana and opium among American servicemen was quite extensive. However, there was little record of harder drug use, such as heroin, methamphetamine, barbiturates, etc. The situation today, however, is different. Since my last trip to Vietnam, as my opening remarks indicate, the use of heroin and the availability of heroin has steadily increased among U.S. servicemen.

Steinberg then went on to testify as to the availability of the drug and its strength in terms of purity.

As I said, the new problem in Vietnam is heroin. For a couple of dollars you can buy a large capsule of almost pure white powder, some of which are displayed on the board. The quality of heroin is good all over Vietnam and the price is exceptionally low. Doctors say that the heroin sold in Vietnam is at least 95 percent pure. Four vials which I bought and had analyzed at the 9th Medical Laboratory at Long Binh proved to be 99 to 100 percent pure heroin. Those vials and lab reports are on the chart.

Wherever it is purchased it all looks the same. It comes in the same type packaging, it is processed the same way and it is not watered down with any other substance. This leads one to speculate as to where it is coming from and for what purpose it has been introduced into Vietnam, since it was introduced only a few months ago.

With regard to the immediate source of the heroin, he indicated that it was made available to U.S. servicemen by the Vietnamese. However, he noted that the drug began to circulate freely only after the Cambodian incursion. Steinberg thought the source of the "Red Rock" heroin was Red China, although he was unable to determine its origin from official U.S. military sources because of the fact that they did not know its origin.

Due to the ready availability of the heroin in Vietnam, its cost is minimal, especially when compared with costs of the drug in the United States. Steinberg indicated that an ounce of pure heroin costs $20 in Vietnam, whereas an ounce of cut heroin (3–5 percent pure) would cost $300 in the United States.

Steinberg's assessment of the extent of drug abuse in Vietnam, even last year, made it clear that the incidence of abuse had reached epidemic proportions which needed to be met with immediate plans and programs by the military in order to curb the runaway drug abuse problem existing among U.S. servicemen in Vietnam.

DEPARTMENT OF DEFENSE RESPONSE TO THE PROBLEM

When Secretary of Defense McNamara was first invited to appear before the Subcommittee to testify on the problem of drug abuse in the military, he delegated that responsibility to Alfred B. Fitt, Assistant Secretary of Defense for Manpower, and Frank A. Bartimo, Assistant General Counsel of the Department (Manpower and Reserve Affairs).

In testifying before the Subcommittee on March 6, 1968, Fitt said:

For the convenience of the Subcommittee, I have attached to the end of my statement the statistics which I provided to your Subcommittee on February 1, 1968. These statistics have now been updated through calendar year 1967. In general, these figures indicate there is virtually no addiction to the so-called hard narcotics and a low rate of incidence of drug abuse in the Armed Forces. Nevertheless, the most recent statistics do indicate an increase since 1965 in drug offenses. The figures in the tabulation attached are based on the number of personnel investigated for unauthorized use, possession, or sale of drugs by the investigative agencies of the services. Not all cases investigated resulted in a finding of drug abuse. The rise in marihuana investigations reflected in the tabulation attached is believed to be primarily attributable to an increased awareness of the problem and to more vigorous application of enforcement measures.

With respect to Vietnam, our latest available figures indicate that 1,267 individuals were involved in investigations during 1967 for alleged use, possession, or sale of marihuana. A summary by service follows:

U.S. Army, number of suspects, 1,118, rate per thousand, 1.545; U.S. Navy-Marine Corps, number of suspects, 64, rate per thousand, 0.996; U.S. Air Force, number of suspects, 85, rate per thousand, 0.836; total number of suspects, 1,267.

Fitt did not believe that drug abuse was a serious problem among the military and stated:

Apart from the figures relating to formal investigations, the best evaluation of the problem is provided by the statement from General Westmoreland's headquarters summarizing the views of all unit commanders in South Vietnam which we quoted in our February 1 letter. I believe it is useful to quote that statement again.

All commanders are unanimous in their considered judgment that the smoking of marihuana is not a problem of major proportions among the U.S. forces in Vietnam. All agree there has been no discernible impact on morale, health, welfare, efficiency or combat effectiveness that can be attributed to the use of this drug.

The total scope of the marihuana problem in Vietnam is best described as minor insofar as any measurable impact on the war effort, health, morale, morals, or combat effectiveness of our personnel is concerned. The impact regarding the public image enjoyed by our troops is much greater and more serious in nature. This is reflected in the current rash of press reports alluding to the widespread use of marihuana by our troops in Vietnam which is not borne out by statistics nor the best judgment of our senior commanders.

This statement and the most recent MACV communication indicate that drug abuse is not a serious factor in Vietnam, that there has been no discernible impact on morale, health, welfare, or efficiency, and that combat effectiveness has not been impaired. Similarly, there is no indication that marihuana or other drugs have been used to any significant extent during combat periods.

Mr. Fitt indicated that the Vietnamese officials have not been successful in enforcing their drug laws, and, therefore, there has been no effective eradication of the illicit traffic in the drug.

This testimony presented in early 1968 represented an evaluation of the drug abuse problem through calendar year 1967, the last year for which statistics had been compiled at the date of the Subcommittee's 1968 hearings.

It is axiomatic that official statistics concerning drug abuse rarely, if ever, indicate the true incidence of such abuse whether it be military or civilian in nature. Statistics usually simply represent apprehensions, i.e., those who have been detected and arrested for illicit drug involvement.

A serviceman is not going to come forward and acknowledge that he is either violating a Federal law or one of the Articles of the Uniform Code of Military Justice by acknowledging drug involvement. In the military such an admission is punishable as a violation of the Uniform Code.

Thus, one can reasonably conclude that official and reported statistics do not present an accurate picture of illicit drug use and abuse. However, these certainly are indicators which can be used to evaluate developing patterns, especially changes in the incidence of arrests or apprehensions.

Whatever the motivation by the Department of Defense in downgrading and minimizing the extent and scope of drug abuse in Vietnam may have been, that is now prologue.

However, the fact does remain that several Subcommittee witnesses, Mr. Steinberg and Doctors Kaplan and Teague and Mr. Roffman, referred to the suppression of information and data concerning drug abuse incidence in Vietnam.

Dr. Kaplan also testified to the way in which addicted servicemen were treated and discharged from service.

He told the Subcommittee:

Drug abuse and/or drug addiction is not considered by the Army to be grounds for a medical or psychiatric discharge. They are subsumed under the general heading of Character Behavior Disorders which must be handled through administrative channels. As a consequence, we could not AIR–EVAC a patient out of Vietnam for long-term treatment if he had a drug problem. For example, if we saw a soldier with problems of drug abuse and an underlying personality disorder who we felt could no longer function adequately in the Army, we would recommend an AR 635–212 discharge. This recommendation went to the soldier's Commanding Officer who could either use our report as a basis for an administrative discharge or could simply ignore it and keep the soldier on duty. We had numerous cases where our recommendations were not acted upon. The soldiers would get into increasing trouble until such point where they had amassed enough Article XV's or courtmartials wherein a discharge would be recommended by command on less than honorable grounds.

It was not until the Subcommittee held further in-depth hearings in March, 1970, that the Department of Defense acknowledged that drug abuse among the men in Vietnam was, indeed, a serious problem.

On April 27, 1970, a Task Group was convened by the Department of Defense to study the problem of drug abuse and to recommend appropriate revisions in Department of Defense policy on drug abuse.

The Chairman of that Task Group, Vice Admiral William P. Mack, USN, testified before the Subcommittee on August 20, 1970, and submitted the findings of his group to the Subcommittee.

One of its recommendations concerning discharge policies of the Armed Services follows:

The Discharge System now in effect in the Armed Forces represents a fair and proper method of categorizing service. Changes in it should not be made for the sole reason of allowing drug abusers to receive Veterans' benefits.

Another of the Task Group's recommendations stated:

Where discipline fails, every reasonable effort subject to availability of resources must be made to rehabilitate those who might be of further use to the Armed Services. More serious cases should be considered for sufficient rehabilitation to permit them to reenter society. A balance between the best interests of the government and the individual must be reached. Where rehabilitation within the Services' facilities is not possible, liaison

with the Veterans' Administration and State and local agencies must assure that those discharged as needing further treatment and rehabilitation are guided to those agencies.

In addition to the recommendations which were set forth in Admiral Mack's Task Group Report and to which he referred, the Subcommittee heard testimony from Assistant Defense Department General Counsel Frank A. Bartimo who was also serving as Chairman of the Department's Drug Abuse Control Committee.

Bartimo presented the Department's position in opposing the treatment of addicts in the service:

The very few hard core narcotic addicts with true addiction problems found in the service, as is true in the civilian sector, require a long-term specialized treatment and rehabilitation program which is not feasible within the services. Such persons after discharge should be referred to the Veterans' Administration or other appropriate civilian agencies.

He then continued:

The well-established program conducted by the U.S. Public Health Service and expanded Veterans' Administration facilities more properly can provide the long-term treatment and rehabilitation required for service members separated because of true drug addiction. It is essential that these follow-up programs be established in conjunction with the U.S. Public Health Service and the Veterans' Administration and become operational for those drug abusers who cannot be salvaged for military service and must be discharged. We are ever mindful of the necessity for a proper balancing of the best interests of the Government and the individual in effecting these actions.

However, Mr. Bartimo ignored the fact that servicemen who receive dishonorable discharges are not eligible for veterans' benefits, thus precluding their treatment at Veterans' Administration facilities. In addition, men who receive undesirable or bad conduct discharges have not been eligible for veterans' benefits and medical treatment, because of the inherent punitive nature of their discharges.

Thus, a problem does exist in that thousands of men who fall into the above categories of discharged servicemen only come to the attention of authorities for their drug dependency when they return to the United States. Once in the United States, they may be apprehended for a crime and subsequently determined to be drug dependent, or they may voluntarily seek assistance from an agency, other than the Veterans' Administration, for their drug problem.

Subsequent to the release of the Task Group Report, which did contain a cautious recommendation for amnesty programs within the branches of service on a voluntary basis, such programs have been established, but there is neither uniformity of implementation throughout the services, nor did they become mandatory until July, 1971.

In October of 1970, Department of Defense Directive 1300.11 was issued by the Department which reflected revisions in previous policy, and which did authorize the establishment of amnesty programs, but did not *require* such programs be created.

Since the issuance of that Directive, there have been a number of investigations conducted by members of Congress concerning drug abuse among servicemen in Vietnam.

As a result of the Subcommittee's work and the investigations of other Congressmen there has been an increasing national concern over this problem. Only recently the President of the United States has come to realize the seriousness of the matter and has taken action to create a special office, the Special Action Office on Drug Abuse Prevention, and has sent a packet of legislative proposals to the hill.

However, at this writing no legislation has yet been enacted by the Congress dealing with the drug abuse problem in the military.

DOMESTIC IMPLICATIONS OF MILITARY DRUG ABUSE

The Subcommittee has heard testimony, dating back to 1966, indicating that drug addicted and drug dependent servicemen are returning to the United States who are committing crimes, who are being committed to treatment programs and who are dying because of their drug habits. (The ex-Marine who testified before the Subcommittee in 1966 was found dead in 1970 of a drug overdose).

Former servicemen, all addicted, have appeared before the Subcommittee, and their experiences exemplify the drug abuse problem in the military and the manner in which that problem has been mishandled and ignored.

The case histories of three such men follow:

The first, a former GI, entered the Army at age 17 and spent 32 months on active duty, during which time he served in Vietnam. He became addicted while in service, overdosed himself with barbiturates, was confined to the stockade on several occasions, but was not given any treatment for his drug problem. In October of 1969, he was given an undesirable discharge and returned to his home in Connecticut. He was subsequently apprehended for crimes of violence and has been undergoing treatment for his drug problem at a drug rehabilitation facility in Connecticut.

The second, a soldier and addict who recently died as the result of an automobile accident, entered the Army at age 17. He served three years, abused drugs constantly while in service, but was given an honorable discharge, because of the fact that he was not detected and punished by the Army for his drug abuse involvement. He subsequently returned to the United States, committed crimes of violence, was convicted, and as a condition of his sentence was referred to a drug rehabilitation program. He completed that two year rehabilitation program successfully, but an automobile accident took his life in June of 1971.

The third, a former Marine, had served 9 years in the Marine Corps prior to his going to Vietnam. He had intended to make the Marines his career, but became involved with drugs in Vietnam using marihuana and opium constantly. His drug abuse was not detected. However, upon his return to the United States, and assignment to the Quantico Marine Base, he was questioned about his drug involvement in Vietnam by officers of Naval Intelligence. The result of that inquiry was his undesirable discharge from service even though he had never been detected, apprehended, nor disciplined for drug abuse while in the Marine Corps. He entered civilian life, became addicted, committed crimes, was apprehended, convicted and stipulated to a drug rehabilitation program which he has now successfully completed.

In summary, two of the men were ineligible for Veterans' Administration medical assistance and the third did not seek it.

It is incumbent upon the Federal government to insure that such incidents and histories of drug abuse and dependency are not repeated in the future.

Legislation can and will be helpful towards meeting this goal.

RECOMMENDATIONS

The primary recommendation resulting from the inquiries conducted by the Subcommittee is embodied in a bill which Senator Bayh, Chairman of the Subcommittee, introduced on March 11, 1971.

S. 1189 is a bill "to extend the provisions of the Narcotic Addict Rehabilitation Act and to provide that members of the armed forces be discharged by reason of physical disability for civil commitment under such Act when such members are suffering from drug addiction or drug dependence," and it was introduced in response to the problem of drug dependency among servicemen.

It provides for the honorable separation from the service on medical grounds for men who are either addicted to, or dependent upon, drugs.

It provides further that the provisions of Titles III and IV of the Narcotic Addict Rehabilitation Act of 1966 be utilized to treat and rehabilitate these men within their own communities, rather than at far distant military hospitals.

This concept of drug rehabilitation requires community-based residential treatment. The military is simply not equipped, nor is it its function to provide such services and facilities for the treatment and rehabilitation of drug dependent servicemen.

There is a substantial body of opinion which supports the approach set forth in the bill.

When Subcommittee investigator Steinberg returned to Vietnam in September and October of 1970, he questioned responsible military officials, including medical officers, about the approach provided for in this bill.

Their responses, as excerpts from Steinberg's testimony, follow:

Colonel Clotilde D. Bowen, the USARV Psychiatric Consultant (the military's top psychiatrist in Vietnam), said:

"Certainly the military cannot do it here (treat drug addicts) in Vietnam. I would think the only possibility would be to return these people to the States, with the possibility that they would have some center there or some type of organization there to treat these people. But I don't think that this is really the mission of the Army, that is the point. Yes, I do agree with this approach, (that recommended in the bill). I think the one thing that we would have to watch in Vietnam though would be to carry our testing to be sure that they are truly addicted to drugs . . . We do have some of these things available to us. We are getting Naline in the country, and we are going to be using it to test if people are truly addicted."

Major Jerome Char, the psychiatrist for the 101st Airmobile Division, estimated that anywhere from 40 to 50 percent of the men in his division experiment with, or are hooked on, hard drugs. In relation to that high drug use rate, Major Char made the following observations about the Amnesty Program and the bill:

(Under the Amnesty Program) a man is supposed to turn in his drugs, seek treatment, but there is no real treatment available for the problem. It looks to me that the whole philosophy is sort of moral. A man should turn in drugs and then his conscience should catch up with him, and he just is supposed to use his own willpower to stop using drugs, which is a totally ridiculous idea. To advertise it (the Amnesty Program) as the answer to the problem I think is incorrect, because it just doesn't work. As Mr. Steinberg has outlined the program (contained in the bill) it is a very good one, and I think the authority should rest with the medical people in the Army. And the program as Mr. Steinberg outlined it would be a very good one by trying to help these people when they get back to the States rather than by throwing them out on the streets where they have to take drugs.

Major John O. Ives, the psychiatrist for the 483rd Air Force Hospital at Cam Rahn Bay, doesn't think the Amnesty Program can work.

What we are doing at the moment (with the Amnesty Program) I do not consider at all adequate. We offer an AP which consists

simply of an amnesty. A person is offered the chance to give himself up in return for amnesty from prosecution for anything he has done up to that time, after that the medical people see the person and give him help in withdrawing himself from drugs. We can do this quite effectively. However, I suspect that the rates of return to drugs are quite high. We have seen many individuals who have returned to the drug after being sent back to their units here in Vietnam. We have made certain attempts at aftercare but these have been lately unsuccessful. I feel quite strongly that because of the availability of drugs here in Vietnam, that it is difficult, and almost impossible, to treat and expect a trooper who has been on heroin to stay off heroin once he is returned to his unit. Consequently, I agree with Colonel Bowen's proposal that people who have been addicted to heroin here in Vietnam should be evacuated to the United States as soon as possible.

Colonel William Bethea, XXIV Corps Surgeon, said the drug problem in Vietnam is uncontrollable under existing conditions for discharge and treatment:

If we took all the psychiatrists in the U.S. Army, we wouldn't have enough medical men to treat the drug abusers in Vietnam.

Lieutenant Colonel Lawrence E. Ison, Brigade Surgeon, 1st Brigade, 5th Infantry Division, Mechanized, felt that drug addiction should be treated as a medical problem and said of the bill:

The discharge and treatment provisions contained in the bill would be a great help.

Colonel Jasper C. Vance, XXIV Corps Provost Marshall, said:

I am completely against giving a man a dishonorable discharge for his drug use. It's a medical problem. We owe it to the man and to our country.

Colonel George A. Robinson, Commander of the 355th Tactical Fighter Wing (Air Force), said the existing policy of discharge for military drug abusers is not acceptable.

We wait and allow a man to get in more serious trouble until we can get rid of him by dumping him on society where he'll even get into bigger trouble.

Major Richard Cameron, the 1st Air Cavalry Division psychiatrist claimed that the Amnesty Program doesn't work, and as to treatment which could work, he said:

(The Amnesty Program) sort of reminds me of how we are approaching pollution in the United States. The Army for years has been sort of painting its own house, sort of dumping these people back in society, and I certainly think that we have to do more. I'm not sure this is the Army's job, but I think the civilian community has to do something with these people.

Thus, based upon the testimony before the Subcommittee and the additional information that has been made available to the Subcommittee, it is reasonable to conclude that the best means to treat and rehabilitate drug dependent servicemen is to follow that approach set forth in S. 1189.

A second recommendation is that the Secretaries of each of the branches of military service undertake immediate reviews, pursuant to the authority provided in 10 U.S. Code Sections 1552 and 1553, of all dishonorably discharged servicemen, and all other men who have been given either undesirable or bad conduct discharges, to determine whether their discharges were, in fact, based solely on their drug addiction or drug dependency problem.

On June 8, 1971, and again on August 15, 1971, Senator Bayh wrote to the Department of Defense recommending this wholesale review in each of the services. However, on June 21, 1971, and on August 19, 1971, Major General Leo E. Benade, USA, Deputy Assistant Secretary of Defense, replied that the Department would not conduct such a review, but would instead, only reconsider less than honorable discharges on a case-by-case basis upon application of each serviceman. This is unsatisfactory because many servicemen will not be aware of this procedure, or will be discouraged from utilizing it by a misapprehension of expense and difficulty.

The Subcommittee record reflects that there are less than honorably discharged servicemen who have entered and progressed satisfactorily in drug rehabilitation programs. However, they are precluded from employment in many sectors of the economy because of the nature of their discharge. Thus, there is good reason to review, and in many cases reverse, discharges that have been given under less than honorable conditions because of drug addiction or drug dependence.

While the Subcommittee record does substantiate the need for the above two recommendations, rehabilitative efforts alone are not going to resolve the problem of drug abuse in the military.

There is a need for intensive drug abuse education efforts and such programs must be intensified within the military establishments; first, to make each man who enters military service aware of the mental and physical effects of drug abuse and second, to make him aware of the consequences that drug abuse would have upon his ability to perform his duties, and the consequent endangering of the lives of his comrades.

In carrying out such programs the military should consider using young enlisted men to present programs of orientation and training on drug abuse, so that they might develop methods of communication and presentation that are meaningful to the intended audience.

In addition to this accelerated program of drug abuse education, there is a need for intensified investigative efforts, preferably coordinated among the branches of service, to seek out and identify sources of supply of illicit drugs. This is especially essential in Southeast Asia because of the abundance of opium and heroin in that area of the world.

Further, in cooperation with officials of those governments in which these drugs originate, efforts must be made to eradicate the sources of illicit drugs. In addition, efforts must be undertaken to apprehend and prosecute traffickers. Many of them are former military men who have served in Southeast Asia and who have been discharged but remain there to ply a trade in illicit narcotics.

If the recommendations set forth in this report in terms of specific legislation and in terms of other action programs are implemented, then inroads can be made into the problem of military drug abuse.

THE CANNIKIN DECISION

Mr. HUMPHREY. Mr. President, I am dismayed at the news of the President's announcement to carry out the massive underground test called Cannikin within a week's time. The President has made this decision despite sound objections which have led to the opposition of a large group of Congressmen, the Governments of Canada and Japan, and a number of public interest groups throughout the country.

This announcement is even more surprising considering the fact that the appellate court of Washington, D.C., ruled that the district court would have to hear arguments that the environmental impact statement was not completed in accordance with the regulations of the Environmental Protection Act.

To go ahead with the Cannikin test not only ignores opposition from several circles, but above all raises the risk of seriously damaging our environment. Despite the assurances of the Atomic Energy Commission that the risks are minimal, it is generally agreed that it will take years to determine the ultimate effect of Cannikin because of the huge megatonnage involved.

As if this were not reason enough, there are the equally important strategic arguments against the staging of Cannikin at this time. We know that the test is designed for the basic Spartan warhead, which may be rapidly outmoded as we move according to the plans of the Department of Defense to an improved Spartan missile for our ABM defense. Perhaps it was this fact which prompted the Office of Science and Technology to call the Spartan warhead, which will be tested in Amchitka, obsolete. And perhaps it was this fact, as well as all the environmental arguments against Cannikin, which prompted the Department of State, the U.S. Information Agency, and the Council on Environmental Quality to call for a delay.

The President apparently took these questions into consideration before making his final decision. But I question if he considered all the ramifications of this test in sufficient depth. I question if he gave sufficient weight to SALT and the strong support both here and in the Soviet Union for a comprehensive test ban treaty, which is bound to suffer a great setback because of Cannikin. Holding such a massive underground test gives credence to the utility of underground testing—a conclusion which I personally do not endorse.

It may well be true that the chances or risk of Cannikin resulting in harm to people or the environment are fairly low, but in my judgment even low risk is too high a cost in this case. When the diplomatic and political costs are added, we are paying a high price indeed for a relatively worthless venture.

TRIBUTE TO CHARLOTTE REID

Mr. PERCY. Mr. President, I wish to pay tribute today to the newest member of the Federal Communications Commission, former Representative Charlotte Reid.

I am pleased that my years in the Senate coincided with part of Charlotte's tenure in the House because that enabled me to observe firsthand her work in behalf of the people of Illinois. As we worked together on Illinois matters, our friendship grew and I realized that the praise of her work that I had heard expressed so often in Illinois was indeed well deserved.

I know that the people of the 15th Congressional District of Illinois are proud that their former Representative is continuing to serve the country as a member of one of the important regulatory bodies. But I know, too, that they will miss the able leadership and representation she provided them. From the time she first took her seat in the House of Representatives in 1963, Charlotte has been devoted to the needs and concerns of the citizens of the 15th District of Illinois.

I am pleased that all Americans now will have the benefit of Charlotte's wisdom and good judgment as she pursues her new role with the FCC. As the first female appointee to the FCC since 1948, and as the mother of four children, she will bring new insights to the work of that agency, particularly in such areas as the effect of televised violence on children. And I might add, with due deference to the other Commissioners, she will certainly make the Commission more attractive.

We shall miss Charlotte Reid in Congress, Mr. President, but I know that I join with my colleagues in the House in wishing her well in her new role as a Federal Communications Commissioner.

CHANCELLOR WILLY BRANDT WINS NOBEL PEACE PRIZE

Mr. HUMPHREY. Mr. President, I want to express my admiration for Chancellor Brandt who last week was named recipient of the 1971 Nobel Peace Prize.

This prize in my estimation is one of the most coveted awards which a man can receive during his life and surely, few, if any, have merited this prize more than Chancellor Brandt.

In an age of mini-men and mammoth problems my dear friend Willy Brandt stands out as a great national and world leader. His life in itself is a monument to courage and humanity. He soared into prominence when he became mayor of Berlin. Faced with what would seem insurmountable problems for any city, worsened by the special nature of Berlin, an anomaly of the cold war, Mayor Brandt oversaw the renaissance of Berlin as a cosmopolitan, democratically run city.

As a leader of the German Socialist Party, he was largely responsible for the renewed strength and popularity of his party and the restoration of a fluid party structure within his country. When he became Foreign Minister, he prepared much of the groundwork for a policy which later won him the Nobel Peace Prize. His idea of Ostpolitik, or improving relations with the Soviet Union and Eastern Europe, could not be fully implemented under a coalition government.

But now that he is Chancellor of the Federal Republic of Germany, he has made enormous strides in achieving the goals he had enough foresight to set for his country earlier in his career.

What was once considered the focal point of potential confrontation throughout the cold war era has been significantly reduced, greatly due to the efforts of Willy Brandt. Ostpolitik, which in substantive terms now means an agreement on Berlin, and separate treaties between the Federal Republic and the Soviet Union, and Poland, is not just related to the Federal Republic's eastern policy. It also affects the West. It promotes a general climate of detente in areas of traditional concern to the United States and the Soviet Union.

There is a momentum to this process of detente which can be encouraged by the continued work of Chancellor Brandt. While tension still exists, while treaties remain to be signed, and a formula for reductions in armaments and armed forces in Europe still needs to be decided, there is reason to be optimistic.

Willy Brandt is a young man. He has done much to create a climate of change, and I know that he will have a principal role to play in the final shape of developments in Europe. It is what he can do in the future, as much as what he has already accomplished, that makes the awarding of the Nobel Peace Prize to Chancellor Brandt so fitting.

I ask unanimous consent that an editorial entitled "The Nobel Peace Laureate" be 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. 21, 1971]

THE NOBEL PEACE LAUREATE . . .

In his State of the Nation address to the Bundestag last January, Willy Brandt downgraded, with a self-effacing Berlin proverb, the claim advanced by others that on the diplomatic front 1970 had been a "German year." Then he added: "All the same, we can say without complacency that in the difficult search for a lasting peace the Federal Republic of Germany has not been a sleeping partner but a driving force, and this will remain so."

Yesterday the Norwegian Parliament recognized in the most dramatic way Chancellor Brandt's strenuous efforts in that search for peace by awarding him the Nobel Peace Prize. If 1970 was not a "German year," despite Bonn's conclusion of nonaggression treaties with the Soviet Union and Poland, 1971 in a genuine sense will go down in the books as a "Brandt year."

Willy Brandt is no ordinary statesman nor ordinary politician. As a youth, he courageously fought Nazism and was forced to flee Germany in the first year of Hitler's rule. As a political leader he has never hesitated to remind his countrymen bluntly of the heavy burden of the Hitler legacy. This readiness to acknowledge fairly the burden of Germany's past doubtless helped make Mr. Brandt eligible for the Nobel Prize. Yet it was clearly the energy and persistency with which he has pursued his Eastern policy—the effort to build normal relations with the Soviet Union and its allies, including East Germany—that clinched the award. His sponsors called this the most important initiative for the relaxation of tension in the last decade.

Mr. Brandt has proceeded with imagination but without illusions to make a distinctive German contribution to a wider effort to build *détente* in Europe. And he made this effort while remaining a trustworthy ally in NATO and an activist for the bolstering and expansion of the European Economic Community.

As Mayor, Foreign Minister and Chancellor, Willy Brandt has done more than any other German to dissipate the image of a West Germany headed for neo-Nazism and bent on revenge. The award announced yesterday in Oslo is impressive tribute to his success.

RESOLUTION ON MIDEAST AND ADDRESS BEFORE AMERICAN LEGION

Mr. JAVITS. Mr. President, I ask unanimous consent that a resolution of the American Legion on the Mideast, adopted at its 1971 National Convention, and an address of the Honorable Shimon Peres, the Minister of Transportation and Communication of the Government of Israel before the convention be printed in the RECORD.

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

RESOLUTION NO. 492 OF THE 53D ANNUAL NATIONAL CONVENTION OF THE AMERICAN LEGION

Whereas, the Middle East has persisted in a state of instability and military crisis since 1947 because of the refusal of Arab countries to recognize the right of Israel to exist as an independent, democratic, Jewish state; and

Whereas, the instability and constant threat of renewed warfare exist now because of the inability of Arab states and Israel to find common grounds for agreement among themselves guaranteeing secure and stable borders for Israel, the return of certain Arab territories occupied by Israel since June 1967, and due regard for the rights of the Palestinian refugees; and

Whereas, the threat of renewed warfare is dangerously heightened, if not actually instigated, by the refusal of the Soviet Union to stop supplying modern weaponry to the Arab states or to join in a total arms embargo in the Middle East; and

Whereas, it remains necessary for the United States to supply sufficient arms and other war materiel of the most advanced types to Israel to insure that it maintains a balance of military power in the Middle East, pending a definitive political settlement; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Houston, Texas, August 31–September 1, 2, 1971, that we urge the Congress and the President of the United States to continue to insure Israel's survival by providing the arms necessary for its defense and to do everything possible to assist the Arab states and Israel to reach a definitive, peaceful political settlement of their differences; and be it further

Resolved, that we approve the recent efforts of our Department of State to assist in negotiations between the Arab states and Israel.

AN ADDRESS BY SHIMON PERES, MINISTER OF TRANSPORTATION AND MINISTER OF COMMUNICATION, GOVERNMENT OF ISRAEL, BEFORE 1971 AMERICAN LEGION NATIONAL CONVENTION

Mr. Commander, Ladies and Gentlemen, it is my privilege to convey to you the greetings of the State of Israel, its people, its soldiers, its government. Our Prime Minister, Mrs. Golda Meir, has asked me to thank you deeply for the continuous support and deep understanding that your higher important organization has shown to our country and its people. Your support is especially appreciated since it comes from the minds and hearts of people who fought for their country and practically for the free world at large—so democracy could live and flourish. People who fought can never forget; they paid too dearly for their cause to abandon it once they are out of uniform. It is with very high regard for you and your organization, that I report to you on the Israeli posture, its problems and outlooks.

Israel is in many ways a tiny country. The number of people in Israel today is comparable to the population of America when George Washington was made president of the United States, namely 4 million. Out of these, 2,600,000 are Jewish people, and 1,300,000 are Arab people. The land that Israel occupies is one-third of 1% of the total area of the Arab countries. But true to tradition: the Jewish people were always richer in history than in geography. The tiny piece of land we have gained didn't come easily to us. Since the creation of the State of Israel a quarter of a century ago, we have had to fight three wars: the war of Independence in 1948, the Suez Campaign in 1956 and the 6 Day War in 1967. As you know, we didn't do too badly in those wars, yet peace did not come and we are still in a

state of no war and no peace. While we would like to deter war the Arabs insist on deterring peace. Yet, in spite of the uninterrupted menace of war, the thing which makes us proud is the fact that liberty prevailed. Whatever one may say about the State of Israel, it is a free country, intensely democratic, cherishing the same values which the United States introduced so vividly to modern life: institutions of freedom as a source of national strength. As a matter of fact, in one aspect we are a little ahead of you: while you have just two parties, we have nine—more than you could have experienced and more than we can afford.

It is our decision to maintain a complete democracy and a self-defense posture between the Jordan River and the Mediterranean Sea. In order to achieve this we must have (A) an understanding with the Arabs who are our immediate neighbors; (B) negotiations with the Arab states; (C) a deterrent against Russian involvement and intervention; (D) a full understanding with the United States of America.

(A) Never before in the history of the Jewish people or in the events of the Middle East were there so many Jewish people and Arab people living together under the very same roof. Can't we co-exist in an atmosphere of difference and mutual respect? As time passes on, more than 4 years since the 6 Day War it appears more and more that the answer to this question is becoming a positive one. There are 600,000 Arabs living on the West Bank; 300,000 in the Gaza Strip; and 70,000 in Jerusalem. There is a state of full employment. Arabs have the right to move freely in Israel and there are open bridges over the Jordan River. They have freedom of speech and they can, as they do, maintain full contact with the Arab world. As a matter of fact, we had over 100,000 visitors from Arab countries spending their summer vacation in the West Bank. And we hope to create a society based on two assumptions: (a) every citizen, no matter whether Arabic or Jewish, has the right to be equal; (b) each community be it Arabic or Jewish has the right to be different—worshipping its own Lord, speaking its own language, cultivating its own tradition and remaining true to its rich past and modern destiny. My dear friends, may I say, that this development is probably the most promising step toward a permanent peace in the Middle East, because peace, like justice, begins at home.

(B) As far as the Arab states are concerned, there are different options for them as well as for us. Theoretically, one may say that there is an option for a full peace or for partial peace; for a full-fledged war or for a war of attrition. The chances for complete peace are very dim for the moment. The Egyptians would like us to withdraw completely from the territories we have taken in the 6 Day War without them retreating from their policies of belligerency, which they have maintined from the very first day the State of Israel was created to this day. The Arabs accuse us of being expansionists but they tend to forget that the army of Israel was already at the Suez Canal in 1956; retreating completely three months later against the promise that the Straits of Tiran would remain open. But then, they have blockaded the Straits again in 1967 for no good reason. Is it too much for us to ask that this time a guarantee for free navigation in the Straits of Tiran be based not just upon a promise, but also upon a strp of land which will enable Israel to guard free passage in the Straits, while the Egyptians will control the Suez Canal?

Another Arab demand is that Jerusalem, now completely united, be re-divided into two parts, guarded by two hostile armies facing each other at pistol range. Ladies and gentlemen, Jerusalem is the heart of Israel, and may I say, in the words of Robert Frost: "The land was ours before we were the land's." Jerusalem guarded the fate and destinies of the Jewish people even while dispersed in the four corners of the world. The Jordanian army conquered a part of the old city because they had the upper hand in the War of Independence. Their rule of Jerusalem was never recognized by the international community. In the 6 Day War, the Jordanian army decided to participate in the Egyptian campaign and they lost and Jerusalem was re-united under Israel. Fortunately enough, there is no real suggestion for the internationalization of Jerusalem, which means combining Western and Russian control and putting the capital of Israel under their uncertain rule. So Jerusalem will remain unified and people of different faiths—Christians, Moslems and Jews—will have free access to and complete protection of their holy places.

They say that Israel is intransigent because we refuse to accept a dictate which may lead again to blockade and division without any real peace. The Arab nations are preparing themselves for the renewal of war. May I say rather briefly and clearly that the only deterrent to such a possibility is to maintain the strength of the Israeli army—and that is what we are trying to do. Secretary Rogers, who addressed you yesterday, came out in favor of an interim solution. Israel has accepted this initiative and on that point we are in full accord with the Secretary's view. The time has come to "stop shooting" and "start talking." The shooting was stopped but the talking has not yet begun. We would like to see the continuation of the cease-fire and the commencement of a real dialogue between the Arab states and the State of Israel. And we don't think that such a dialogue should really start by the Egyptian army crossing the Suez Canal. I'm afraid that there is a reason why the Arabs are refusing such a dialogue and this leads me to the 3rd point—which is Russian involvement in the Middle East.

(C) Apart from the Iron Curtain countries, never before has Soviet Russia sent military personnel abroad except now to Egypt. There are close to 15,000 Russian officers and soldiers on Egyptian soil. They run their air force units in Egypt and they command a sizeable naval strength in the waters of the Mediterranean as Admiral McCain pointed out last night. It is a departure from communist ideology to a long-lived Russian dream. It's not an army of destiny, but an army of appetite. Since the Russians have discovered the potential of the oceans and gained the feeling of a new military might, their strategy has expanded from the protection of the Iron Curtain to the threatening of the independence of other nations.

Let's make it clear, the Russian presence in Egypt is not because of Egyptian reasons but because of Russian interests. It seems that the Russians have decided to make the Middle East a chapter in the glories of Russian history. It is because of this Russian presence that Egypt is looking for victories in the military field instead of agreements in the political domain. It wasn't an easy experience for us, back in 1955, when Russian involvement began. Yet we didn't lose heart. We feel, in the final analysis, that we can maintain our independence and liberty because for us the place we live in is the most important matter we have. For the Russians it is, after all, a secondary consideration.

We would not provoke the Russians, yet we will not give in. We won in two wars in spite of the fact that the Russians were already in Egypt. And even today, while we maintain a watchful eye on Russian maneuvers in the Middle East, our aim is to secure peace through agreed boundaries with the Arab countries—achieved in direct negotiations and not because of a Russian threat. We can cope with the total Arab strength; we can cope with the present Russian involvement limited in size and scope, provided the Russians are deterred from the sort of intervention which is not essential to their own national security nor should it become as a foregone conclusion in the global relationship between West and East. And this leads me to my last, but not least, point and this is the American posture in the Middle East.

(D) May I start by saying that we are deeply grateful to the American people and its administrations: From the very first day of our independence to this day, you have helped us in many ways. First in the understanding that the American people, by and large has shown to the State of Israel. You were the first to recognize our independence and you provided us with the necessary tools to make our self defense possible. You helped us politically and economically. I hope that we did not misuse your generosity—nor shall we ever forget it.

We don't ask American boys to fight for us, nor do we expect an American military involvement in the Middle East because of us. But, we do hope that America won't escape its world responsibility of deterring Russia from becoming too dangerous to the existence of smaller nations in maintaining their independence and liberty. I do believe that Israel is an example which fits like a glove ir the Nixon doctrine which is based upon the assumption that regional conflicts must remain localized and not drag in the major powers: that the American deterrent posture coupled with American assistance to maintain a balance of power will enable smaller nations to protect their life and freedom. The American administration has recognized the importance of maintaining a balance of power which may serve as a deterrent against the renewal of war. We hope that this understanding will remain intact and that we shall be provided with the necessary equipment, not personnel, so that we shall be able to prevent or deter a renewal of hostilities. There is no hope for small nations to remain free unless the largest democratic state makes it clear that each state is entitled to decide its own destiny without a massive Russian threat.

We don't have in mind to give in to any Russian pressure. We do have in mind to arrive at an agreement with the Arabs: a permanent solution if possible; a partial solution if necessary. We don't think the way to agreement must pass through Moscow. The road to peace can be as direct as possible between Jerusalem and Cairo. We hope that we shall be able to achieve it—basically with our own efforts, yet we feel that as a democratic nation we are a unit in the formation of freedom, a strength in the armies of the light. We hope to maintain our strength in order to remain free and we are convinced that freedom is the real source of strength.

EXPULSION OF NATIONALIST CHINA FROM UNITED NATIONS

Mr. MONDALE. Mr. President, in the wake of the diplomatic fiasco over the China question at the United Nations, we are now hearing the inevitable talk about retaliation.

This is understandable. Even if we recognize—as we should—that the expulsion of Nationalist China was in large measure a result of our own myopic and heavy-handed diplomacy, the sting of defeat and injustice is still very real.

I deplore the action of the General Assembly as much as anyone else, and I would hope that when tempers have cooled we might still find a way to bring the people of Taiwan back to the representation they deserve in the U.N. The administration should devote no less energy to that task than they are now de-

voting to the President's plans to visit Peking.

But it is simply uninformed, and self-defeating, to follow the administration's defeat in New York with the further folly of the Senate cutting U.N. funds.

Amid all the talk about the U.N. living beyond its means, let us ask specifically just who will be living so high on the $141 million proposed for our voluntary contributions for United Nations programs.

Just what so-called fat do we cut?

Is it the $100 million for the United Nations development program, the focal point of the entire U.N. effort to help developing countries? Is that the way we encourage multilateral efforts and burden sharing in foreign assistance?

Or do we cut the $13 million proposed for UNICEF? Why do we not ask the children of Biafra, who were saved by UNICEF milk, to tell us how much fat there is in this program?

Or do we cut the $7 million proposed for the U.N. population program? Do we think that $7 million is an excessive investment to try to help other nations stem the tide of population growth that could so relentlessly devour every other advance in education and health and jobs? If population continues to grow at its present pace in some countries in Latin America, they could invest their entire gross national product in nothing but schools for the next 30 years and still not have enough classrooms. Is this $7 million what the Secretary of State means by taking a hard look at U.N. spending?

And of course there is a number of other smaller programs we could cut. We could cut our $2 million contribution to the U.N. drug abuse program. But I need not describe the absurdity of that at a time when we are locked in a life or death battle against the international traffic in narcotics.

Or we could cut the $1½ million we give to the World Meteorlogical Organization, except that we would be making a mockery of our efforts to provide international warning against climatic disasters such as the cyclone in East Pakistan, where the very lack of warning brought human suffering which cost us many millions in the end.

Perhaps we could cut the $312,000 for the World Health Organization and further cripple its already strained efforts to fight disease and death for two-thirds of the world's people, and to control epidemics that threaten our own population.

Then there is the $400,000 we spend for training and research, an incredibly meager investment in a program to help other people stand on their feet, and ultimately remove the very need for our foreign assistance.

And finally, there is the $22 million we could provide for the Arab refugee program. How would this administration or Congress—who so often plead for peace in the Middle East—justify the suffocation of that program? This program is the only real alternative Arab refugee children have to the hate and despair and terrorism which undermine any hope for a just settlement in the area. Do we punish them—and thereby all the people of the Middle East?

If the President or Members of Congress were offended at the bahavior of U.N. delegates in New York when the China vote was announced, I would simply ask them to remember that a cut-off of U.N. funds would not punish those delegates. On the contrary, we would be exacting our retribution on innocent men, women, and children in every corner of the world who had no part or responsibility in Monday night's spectacle.

Those people have no time for sophomoric antics and little reason for glee, no matter what happens in the General Assembly. Most of them are consumed in a day-by-day battle just to keep themselves and their children alive.

I would not for a moment pretend that the United Nations has even begun to meet its promise, or that our membership there, and our contributions to its programs, are not in many ways an act of forebearance in the face of provocation and chronic frustration.

But we must not make the poor and sick children of the world pay the price for our diplomatic blunder in New York, for the mindless behavior of U.N. diplomats—or for an administration tactic to scuttle the foreign aid bill because it contains a provision to end the war in Vietnam.

We have already failed one great trust this week: the trust of the 14 million people of Taiwan that we would find an honorable solution to the problem of their representation.

Let us not follow that failure by breaking faith with millions more.

POPULATION AND INDUSTRIAL EXPANSION IN UTAH

Mr. MOSS. Mr. President, this week I have had the pleasure of assisting members of the Tooele County Commission and Planning Commission, who are in Washington to further the formulation of a balanced growth and planning policy for the future development of the country's human and economic resources. I wish to call attention to the outstanding and progressive leadership demonstrated by these local government officials from my home State of Utah, and for their efforts to achieve a rural-urban balance.

In preparing for the population and industrial expansion now spreading into Tooele from the bordering Salt Lake Valley, the Tooele County Commission has demonstrated remarkable energy and will to design a constructive and orderly development policy that has as its central premise the relationship of people to land, water, air, and resources, and that permits people to live in harmony with their environment.

A comprehensive county master plan is now being developed with the aid of a Government grant. Moreover, this week Tooele County officials have engaged in detailed discussions with new community planners from the Department of Housing and Urban Development and also have carefully studied the exciting new communities of Reston, Va., and Columbia, Md. In cooperation with the Federal Government and Terracor, a Utah-based community development corporation, Tooele County also is planning the development of a pilot new community, Stansbury Park. This "new town," being developed to accommodate a population of some 40,000 people, has the ultimate goal to become a self-contained community with all the life-support systems such as housing, recreation, commercial support, and industrial development. This project can serve as a guide for community planning throughout the west.

George Willis Smith, George Buzianis, and Sterling Halladay, have compiled an impressive record of public service over the past 16 years on the Tooele County Commission. Their combined commission experience adds up to slightly over half century—51 years of service.

During this period a climate of trust and cooperation has prevailed as Tooele County government has demonstrated an honest interest in growth to excellence. For example, this year the Tooele School Board won the coveted Thom McAn award from the National Education Association for longstanding commitments to improved education.

Under the direction of the Tooele County Commission, the county presently is being considered as a primary location for NASA's Spaceport Shuttle and recovery site. The Tooele Army Depot has undergone extensive growth. The Dugway Proving Grounds has become the focus of nationwide attention. The famed Bonneville Salt Flats Speedway on Utah's unique salt flats has continued its high-quality operation. And significant new industry has been attracted into the county, including the project of National Lead Co., which seeks to extract magnesium and other valuable minerals from the saline water of Great Salt Lake.

Mr. President, I commend the leadership of Tooele County for their outstanding efforts to bring vitality into rural areas and especially for their wisdom in seeking to design an orderly growth policy.

FUNDING OF PUBLIC LAW 81–815

Mr. CRANSTON. Mr. President, I have this week presented to my colleagues on the Appropriations Subcommittee for Labor and Health, Education, and Welfare, information I have received from the Office of Education relating to the funding of Public Law 81–815. Because I know the material will be of interest to Senators, I ask unanimous consent that an excerpt from these documents be printed as appendix I to my remarks.

As the senior Senator from California, I have a very direct interest in having my State secure equitable funding of this program. A review of the table appended, showing eligible, unfunded applications under sections 5 and/or 9 of Public Law 81–815, will disclose the extent to which, I feel, under current funding practices, the people of my State are being shortchanged by the Office of Management and Budget.

Public Law 81–815 was enacted in 1950. It represents a commitment on the part of Congress, the executive, and the peo-

ple of the United States to meet in part the costs which are associated with increases in school enrollment directly attributable to the Federal presence. We are all aware that because of its sovereign nature, the Federal Government is not taxable as an entity, as is a private establishment. It did not seem fair to our predecessors in the Senate, nor does it seem fair today, that a local school district bear from its property tax the total cost of educating the children of those who live and work, or who live or work, on Federal property.

Under Public Law 874 payments are made from the Federal Government to the affected schools, based on the number of children who are federally connected. The funds are used by local school authorities to meet operational and maintenance costs.

The other half of this "impacted aid areas" legislation addresses itself to the physical facilities aspect of local education. This is Public Law 81–815, and it is designed to pay a substantial portion of the costs of construction of such facilities.

Mr. President, it would be helpful to many of my colleagues to have as ready reference a short description of the operation of this program under the various sections of the act which provide entitlement for these purposes. I therefore ask unanimous consent that excerpts from the annual report prepared by the Office of Education on the operation of the impacted aid program be printed in the RECORD following appendix I.

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

ELIGIBLE AND POTENTIALLY ELIGIBLE, UNFUNDED APPLICATIONS FOR ASSISTANCE UNDER SECTIONS 5 AND/OR 9 OF PUBLIC LAW 81–815

No. and applicant	Project No.	Priority [1]	Subsection 5(a)(1) Number to be paid on	Subsection 5(a)(1) Amount	5(a)(2)s to be paid on	Maximum grant (total)	End of increase period membership 5(a)(1)	5(a)(2)	Tota
(1)-(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Ala-67-C-10: Huntsville City Bd. of Ed	A17	(3.5)			1,140	$558,600	835	13,726	32,627
Ala-70-C-10: Ozark City Schs	A20	10.8	17	$20,833	255	185,308	601	1,979	4,482
Ala-71-C-10: Ozark City Schs	A21	10.4	33	45,144	210	[2] 196,344	634	2,189	4,601
Ala-68-C-11: Enterprise City Bd. of Ed	A18	12.0	8	7,752	272	146,472	60	2,279	4,652
Ala-69-C-11: Enterprise City Bd. of Ed	A19	7.8	21	24,339	169	127,429	81	2,448	4,850
Ala-70-C-11: Enterprise City Bd. of Ed	A20	4.5	30	36,765	156	137,385	111	2,604	4,995
Ala-71-C-11: Enterprise City Bd. of Ed	A21	.8	25	34,200		[2] 34,200	136	2,560	5,132
Ala-70-C-1401: Daleville City Bd. of Ed	A20	37.9			462	297,990	3	1,113	1,447
Alaska-71-C-5: Greater Anchorage Area Boro. S.D	A21	22.6	221	566,865	4,925	[2] 7,215,615	933	11,812	34,841
Alaska-70-C-401: Alaska Dept. of Ed., Juneau	A20	20.3	634	1,457,566	148	[2] 1,636,646	3,410	1,019	6,137
Alaska-69-C-1401: Fairbanks-North Star Boro. S.D	A19	2.6	162	361,665	209	[2] 607,240	371	2,287	7,272
Alaska-72-C-1002: Ketchikan Gateway Boro. S.D	A22	6.0	91	259,350		[2] 259,350	91	108	2,942
Alaska-67-C-1402: Greater Juneau Boro. S.D	A17	(3.3)			112	118,720	12	878	3,400
Ariz-68-C-10: Avondale S.D. No. 44	A18	13.0			[2] 187	91,723	468	[2] 281	2,230
Ariz-70-C-25: S.D. No. 1 Tucson	A20	(3.3)	52	67,184	2,210	[2] 276,100	630	7,135	37,350
Ariz-70-C-201: Yuma Co. E.S.D. No. 1, Yuma	A20	11.8	388	501,296		501,296	752	1,236	6,559
Ariz-71-C-201: Yuma Co. E.S.D. No. 1, Yuma	A21	23.8	768	992,256	127	1,078,616	1,520	1,367	7,484
Ariz-68-C-202: Tempe E.S.D. No. 3	A18	13.7			158			571	
					[3] 729	560,914		[3] 1,309	9,646
Ariz-68-C-501: Sierra Vista C.S.D. #68	A18	16.0			164	89,380		1,178	1,652
Ariz-69-C-501: Sierra Vista C.S.D. #68	A19	5.4			48	30,960		1,226	1,758
Ariz-71-C-501: Sierra Vista C.S.D. #68	A21	22.1			348	[2] 288,840		1,574	2,187
Ariz-71-C-502: Palominas C.S.D. #49	A21	21.7	3	4,731	29	[2] 28,801	3	85	215
Ariz-71-C-506: Litchfield S.D. #79	A21	(8.0)			68	56,440		170	844
Ariz-68-C-507: Sunnyside H.S.D. #12, Tucson	A18	12.6	4	4,142	95	55,917	15	250	1,552
Ariz-72-C-508: Alpine E.S.D. #7	A22	70.4	26	45,942	11	[4] 56,172	44	49	105
Ariz-68-C-701: Buena H.S.D. #40, Sierra Vista	A18	3.2			15	8,175	243	420	914
Ariz-69-C-701: Buena H.S.D. #40, Sierra Vista	A19	11.6			60	38,700	302	480	1,036
Ariz-71-C-701: Buena H.S.D. #40, Sierra Vista	A21	39.2	88	138,776	210	313,076	390	690	1,517
Ariz-72-C-701: Buena H.S.D. #40, Sierra Vista	A22	28.4	60	103,740	185	[2] 272,090	450	875	1,717
Ariz-71-C-1901: Snowflake Un. H.S.D. #60	A21	9.6	7	11,039	28	34,279	14	128	727
Ariz-72-C-2001: Continental S.D. #39	A22	86.8	42	74,214	108	174,654	57	185	280
Ark-70-C-11: Gosnell S.D. #6, Blytheville	A20	56.2	557	677,312	56	713,152	1,588	216	2,179
Ark-71-C-11: Gosnell S.D. #6, Blytheville	A21	28.4			334	[2] 237,140	1,400	550	2,350
Ark-69-C-1201: Ashdown S.D. #31	A19	22.0			82	45,520		395	1,766
Calif-68-C-9: Vallera City Unif. S.D	A18	56.1	226	367,137		367,137	931	5,715	16,037
Calif-71-C-14: Alameda Unif. S.D	A21	32.0	907	2,050,727		[2] 2,050,727	2,528		4,752
Calif-69-C-15: Moreno Valley Unif. S.D	A19	(5.0)	126	240,597	179	420,492	1,309	2,578	6,052
Calif-69-C-19: Muroc Unif. S.D	A19	1.6	21	40,009	15	55,174	3,108	326	4,296
Calif-68-C-34: Oceanside U.S.D	A18-1	(0.5)	44	71,478		71,478	1,933	3,080	7,676
Calif-69-C-34: Oceanside U.S.D	A19-1	1.9	28	53,466	74	127,836	1,961	3,067	7,901
Calif-68-C-37: Coronado Unif. S.D	A18	1.6	31	50,359		50,359	664	1,877	3,734
Calif-69-C-40: Barstow Unif, S.D	A19	(0.6)	6	11,457		11,457	1,047	4,017	10,758
Calif-67-C-42: Seeley U.S.D	A17	(1.1)	2	3,116	4	6,396	247	39	524
Calif-68-C-45: So. Bay U.S.D., Imperial Beach	A18	(1.4)			77	65,835	5	3,252	5,357
Calif-69-C-45: So. Bay U.S.D., Imperial Beach	A19-1	4.9			237	238,185	9	3,489	5,789
Calif-71-C-45: So Bay U.S.D., Imperial Beach	A21	12.4	1	2,261	384	[2] 459,221	10	3,873	6,200
Calif-72-C-45: So. Bay U.S.D., Imperial Beach	A22	17.8			643	[2] 842,330	10	4,516	7,181
Calif-67-C-47: Victor Valley Jt. U.H.S.D	A17	(2.1)			85	69,700	385	616	3,886
Calif-69-C-47: Victor Valley Jt. U.H.S.D	A19	4.0			102	102,510	538	724	4,725
Calif-71-C-47: Victor Valley Jt. U.H.S.D	A21	6.6	109	246,449	76	336,889	655	800	5,550
Calif-70-C-50: Indian Wells Valley Jt. U.S.D	A20	10.0	1	2,033	90	98,333	5	801	1,801
Calif-71-C-50:									
Indian Wells Valley Jt. U.S.D	A21	20.6			209	[2] 248,710		1,010	2,020
Do	B21	8.8				[2] 86,710			
Calif-67-C-57: Chula Vista City S.D	A17	(0.9)			111	91,020		4,593	12,414
Calif-68-C-57: Chula Vista City S.D	A18-1	(2.1)			284	242,820		4,877	13,237
Calif-69-C-57: Chula Vista City S.D	A19	1.8			129	129,645		5,006	13,739
Calif-70-3-57: Chula Vista City S.D	A20	9.8			782	836,740		5,788	15,650
Calif-71-C-57: Chula Vista City S.D	A21	9.0			812	[2] 966,280		6,600	17,700
Calif-69-C-58:									
San Diego Unif., S.D	A19-1	33.2	1968-244) 621 1969-377)	650,341	1968-18) 1969-19) [4] 35	[4] 1,137,981	1969-5839 1968-5470	1969-27, 258 1968-26, 352	1969-134, 500 1968-129, 238
Do	A19-2	19.8				(346,769)			
Do	A19-4	(25.9)				(36,571)			
Calif-70-C-58:									
San Diego Unif., S.D	A20-1	6.0	74	150,362	1	151,512	1,993	10	2,003
Do	A20-4	(5.6)				(40,227)			
Calif-71-C-58: San Diego Unif., S.D	A21	3.0	460	1,040,060	1,704	3,067,820	6,800	33,040	138,100
Calif-68-C-61: Vista Unif., S.D	A18	2.2			87	74,385		3,152	8,217
Calif-69-C-63:									
Oxmard S.D	A19	(6.5)			596	598,780		2,296	9,168
Do	B19	(6.5)				(163,819)			
Calif-68-C-203: Oceanside-Carlsbad U.H.S.D	A18	3.6	11	17,869	56	65,749	219	1,017	3,167
Calif-69-C-203: Oceanside-Carlsbad U.H.S.D	A19	5.6	49	93,565	52	145,825	268	1,069	3,506
Calif-70-C-203: Oceanside-Carlsbad U.H.S.D	A20	3.4	1	2,033	67	73,723	269	1,136	3,806
Calif-69-C-209: Long Beach Unif. S.D	A19	38.2	363	693,148		693,148	1,989	6,698	81,085
Calif-70-C-227: Adelanto, S.D	A20	11.5	124	252,092		252,092	1,613	250	1,992
Calif-71-C-227: Adelanto, S.D	A21	17.4	176	397,936	32	[3] 436,016	1,789	350	2,400
Calif-72-C-227: Adelanto, S.D	A22	2.0	25	62,225		[2] 62,225	1,814	262	2,293
Calif-68-C-234: Livermore Valley Jt. Unif. S.D	A18	(1.6)			173	147,915	3	4,826	10,193
Calif-69-C-234: Livermore Valley Jt. Unif. S.D	A19	1.7			184	184,920	5	5,010	11,138

Footnotes at end of table.

ELIGIBLE AND POTENTIALLY ELIGIBLE, UNFUNDED APPLICATIONS FOR ASSISTANCE UNDER SECTIONS 5 AND/OR 9 OF PUBLIC LAW 81-815—Continued

No. and applicant	Project No.	Priority [1]	Subsection 5(a)(1)		5(a)(2)s to be paid on	Maximum grant (total)	End of increase period membership		
			Number to be paid on	Amount			5(a)(1)	5(a)(2)	Total
(1)-(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Calif-69-0-246:									
San Francisco Unif. S.D.	A19-1	2.8	223	425,818	1	426,822	2,325	7,042	103,442
Do	B19-1	52.2				(391,447)			
Calif-70-0-246:									
San Francisco Unif. S.D.	A20-1	59.2	533	1,089,688		[2] 1,089,688	3,287		106,551
Do	B20-1	105.6	518	1,417,001		[2] 1,417,001			
Calif-71-0-246:									
San Francisco Unif. S.D.	A21	56.3	588	1,329,468		1,329,468	3,177		3,117
Do	B21	13.0							
Calif-71-0-401: Wheatland S.D.	A21	3.4	2	4,522	54	68,782	2,653	231	3,121
Calif-72-0-401: Wheatland S.D.	A22	20.0	436	1,085,204		[2] 1,085,204	3,667	329	4,320
Calif-67-0-405: Folsom-Cordova Jt. Unif. S.D.	A17	(2.3)			245	200,900	1,631	3,179	10,849
Calif-69-0-405: Folsom-Cordova Jt. Unif. S.D.	A19	.6	44	84,018		84,018	1,777	3,141	11,885
Calif-70-C-546: Kern Jt. U.H.S.D., Bakersfield	A20	63.4	186	378,138	522	[2] 936,678	951	875	2,230
Calif-69-C-608: Poway Unif. S.D.	A19	6.0			144	144,720		1,302	4,680
Calif-70-C-608: Poway Unif. S.D.	A20	2.6			75	80,250		1,377	5,579
Calif-70-C-623: Ocean View S.D., Oakland	A20	8.6	2	4,066	117	129,256	725	382	1,844
Calif-71-C-623: Ocean View S.D., Oakland	A21	16.6			173	[2] 205,870	702	555	2,067
Calif-72-C-623: Ocean View S.D., Oakland	A22	6.4			74	[2] 184,186	702	629	2,267
Calif-70-C-627: Los Alamitos S.D.	A20	(6.3)	294	597,702		[2] 597,700	294	361	4,676
Calif-69-C-635: Travis Unif. S.D.	A19	(5.0)	200	381,900		381,900	3,837	97	3,955
Calif-71-C-635: Travis Unif. S.D.	A21	(5.6)	234	529,074		529,074	4,071	17	4,116
Calif-72-C-635: Travis Unif. S.D.	A22	3.6	76	189,164	5	[2] 195,714	4,284	90	4,411
Calif-70-C-638: Oxnard U.H.S.D.	A20	14.2	115	233,795	579	853,325	359	2,494	13,099
Calif-70-C-702: Central U.E.S.D., Lemoore	A20	16.6	196	398,468		398,468	1,835	54	2,349
Calif-71-C-702: Central U.E.S.D., Lemoore	A21	32.8	719	1,744,447	48	1,801,567	2,554	96	3,160
Calif-68-C-707: Center Jt. S.D., North Highland	A18	(12.5)	78	126,711	72	188,271	846	170	1,199
Calif-69-C-811: Wheatland U.H.S.D.	A19	30.8	127 166	126,027	50	[3] 300,290	490	90	752
Calif-70-C-811: Wheatland U.H.S.D.	A20	14.6	161	124,013			551	86	830
Calif-71-C-811: Wheatland U.H.S.D.	A21	28.2	111	250,971	25	280,721	662	115	961
Calif-70-C-815: Lemoore U.H.S.D.	A20	10.1	47	95,551	44	250,467	271	276	1,518
Calif-72-C-815: Lemoore U.H.S.D.	A22	13.2	83	206,587	33	[2] 249,817	354	300	1,750
Calif-69-C-1101: Oceanside-Carlsbad Jr. Col. Dist.	A19	10.0			29	29,145	19	169	578
Calif-67-C-1111: Riverdale Jt. U.S.D.	A17	(3.5)			33	27,060		143	952
Calif-69-C-1411: Napa Jr. Col. Dist.	A19	9.4	2	3,819	50	54,069	2	185	1,098
Calif-67-C-1023: Apply Valley S.D.	A17	(1.2)			12	9,840		254	1,021
Calif-67-C-1409: Buckeye U.E.S.D.	A17	(2.0)			13	10,660		107	664
Calif-69-C-1502: Washington U.S.D.	A19	(5.4)			25	25,125		67	460
Calif-71-C-1502: Washington U.S.D.	A21	(7.4)			43	[2] 46,010		110	581
Calif-67-C-1513: Sylvan U.S.D., Modesto	A17	(4.3)			110	90,200		122	2,585
Calif-67-C-1514: Walnut S.D.	A17	(3.1)			82	67,240		102	2,666
Calif-68-C-1516: Fountain Valley S.D.	A18	(1.7)			130	111,150		517	7,828
Calif-71-C-1516: Fountain Valley S.D.	A21	(1.0)			96	[3] 114,240		613	9,787
Calif-68-C-1602: Arena U.E.S.D., Point Arena	A18	(5.8)	22	35,739		35,729	73	39	378
Calif-68-C-1603: Stony Creek Jt. Unif. S.D.	A18	34.4	29	47,110	12	57,370	37	29	238
Calif-68-C-1604: Escalon Unif., S.D.	A18	6.8			67	57,285		145	1,956
Calif-69-C-1606: Petaluma City Cons., S.D.	A19	11.0			199	199,995		455	3,232
Calif-68-C-1607: Petaluma City H.S.D.	A18	10.4	4	6,498	218	192,888	13	431	4,266
Calif-69-C-1702: Kern Jt. Jr. Col. Dist.	A19	66.4	58	110,751	41	151,956	126	66	298
Calif-70-C-1802: San Joaquin Delta Col. Dist.	A20	7.6			252	269,640	2	463	6,553
Calif-71-C-1802: San Joaquin Delta Col. Dist.	A21	3.2			133	158,270	1	596	7,930
Calif-70-C-1803: Mineral E.S.D.	A20	51.4	9	18,297		18,297	20		35
Colo-69-C-3: Colo. Springs S.D. #11	A19	1.6			267	184,230	319	9,994	30,475
Colo-69-C-12: Harrison S.D. #2, Colo. Springs	A19	20.4			508	[4] 350,520		2,712	4,942
Colo-70-C-12: Harrison S.D. #2, Colo. Springs	A20	(0.8)			45	32,625		2,757	5,358
Colo-71-C-12: Harrison S.D. #2, Colo. Springs	A21	.4			11	[2] 8,000		3,010	5,900
Colo-72-C-12: Harrison S.D. #2, Colo. Springs	A22	13.4			448	[2] 409,920		3,205	6,600
Colo-72-C-206: El Paso C.S.D. #8, Security	A22	11.6			189	172,935	1,802	822	3,253
Colo-68-C-505: El Paso C.S.D. #2, Security	A18	2.6			85	53,550		3,713	660
Colo-70-C-505: El Paso C.S.D. #2, Security	A20	7.4			286	207,350		4,107	7,603
Colo-71-C-505: El Paso C.S.D. #2, Security	A21	7.4			654	523,200		4,252	8,074
Colo-72-C-505: El Paso C.S.D. #2, Security	A22	4.4			[3] 107-84	[3] 167,079		[3] 4,257-84	8,490
Colo-70-C-603: USAF Academy S.D. #20	A20	10.0	41	56,477	172	181,177	2,081	812	4,254
Colo-70-C-1801: Summit S.D. Re-1, Frisco	A20	(13.0)			83	60,175	1	129	634
Colo-71-1801: Summit S.D. Re-1, Frisco	A21	18.6			84	[2] 76,860	1	213	900
Conn-69-C-3: Twn of Groton	A19	(2.0)	186	307,458		307,458	2,742		9,216
Conn-68-C-406: Twn of Ledyard S.D.	A18	2.5	6	9,348	79	74,128	10	978	3,461
Conn-70-C-406: Twn of Ledyard S.D.	A20	(3.9)			147	154,350	9	1,125	3,756
Conn-67-C-604: Twn of Monroe S.D.	A17	(4.0)			112	87,360		197	2,781
Fla-70-C-1: Brevard Co. Bd. of Pub. Instr.	A20	0.8	261	312,417		312,417	2,308	26,700	62,082
Fla-69-C-3: Bay Co. Bd. of Ed., Panama City	A19	9.6	79	88,559	781	549,349	537	3,857	17,662
Fla-68-C-5: Clay Co. Sch., Ed., Green Cove Spg.	A18	7.3	36	36,594	274	183,184	233	2,575	7,168
Fla-69-C-5: Clay Co. Sch., Ed., Green Cove Spg.	A19	6.5	40	44,840	307	225,970	273	2,882	7,860
Fla-70-C-5: Clay Co. Sch., Ed., Green Cove Spg.	A20	8.4			383	241,290	263	3,265	8,992
Fla-69-C-7:									
Okaloosa Co. Bd. of Pub. Instr.	A19	22.2	516	578,436	2,998	2,341,356	3,051	12,894	25,567
Do	B19	16.1							
Do	C19	10.0							
Fla-69-C-407: Dade Co. Bd. of Pub. Instr.	A19	31.2	296	331,816		331,816	1,892		1,892
Fla-70-C-11: Cobb Co. Bd. of Ed.	A20	3.4	147	414,092	400	[2] 788,092	1,085	11,356	41,079
Fla-69-C-14: Houston Co. Bd. fo Ed., Reahy	A19	(3.7)			592	378,880	750	8,633	15,587
Hawaii-68-C-201:									
Hawaii State Dept. of Ed.	A18	5.8			951	698,985	4,709	16,751	52,224
Do	B18	1.2							
Hawaii-69-C-201: Hawaii State Dept of Ed.	A19	3.4	233	336,542	248	524,932	3,501	10,617	27,519
Hawaii-70-C-201:									
Hawaii State Dept of Ed.	1A20-1	3.0	806	1,264,147	442	[2] 1,628,797	2,193	6,345	17,333
Do	A20-3	5.6							
Hawaii-71-C-201: Hawaii State Dept. of Ed.	A21	5.8	232	403,332	279	[2] 658,617	18,295	40,249	182,950
Hawaii-72-C-201:									
State Dept. of Ed.	[12]	9.6	2,300	4,916,250	172	[2] 5,109,750	20,645	42,118	183,176
Do	A22	9.6							
Do	A22-1	1.6							
Do	A22-2	2.2							
Idaho-68-C-7: Jt. S.D. No. 204, Kamiah	A18	12.4			45	25,425	19	179	728
Idaho-70-C-201: S.D. No. 193, Mountain Home	A20	30.0	250	337,250		337,250	1,832	1,150	4,305
Idaho-69-C-1201: I.S.D. No. 1, Lewiston	A19	1.8			55	38,500		599	6,353
Ill-69-C-1: Mascoutah Comm. Cons. S.D. No. 10	A-19	3.4	51	74,128		74,128	1,557	618	2,838
Ill-70-C-1: Mascoutah Comm. Cons. S.D. No. 10	A20	14.1	312	477,204		477,204	2,324	764	4,139
Ill-72-C-1: Mascoutah Comm. Cons. S.D. No. 10	A22	37.0	954	1,785,411		[3] 1,785,411	3,278	640	5,158
Ill-71-C-2: Rantoul City Schs. Dist. No. 137	A21	9.6	259	440,429	12	451,169	2,606	2,189	5,631
Ill-69-C-3: Savanna Comm. Unit S.D. No. 300	A19	(9.2)			145	110,925	32	413	1,576

ELIGIBLE AND POTENTIALLY ELIGIBLE, UNFUNDED APPLICATIONS FOR ASSISTANCE UNDER SECTIONS 5 AND/OR 9 OF PUBLIC LAW 81-815—Continued

No. and applican (1)-(2)	Project No. (3)	Priority[1] (4)	Subsection 5(a)(1) Number to be paid on (5)	Subsection 5(a)(1) Amount (6)	5(a)(2)s to be paid on (7)	Maximum grant (total) (8)	End of increase period membership 5(a)(1) (9)	End of increase period membership 5(a)(2) (10)	End of increase period membership Total (11)
Ill-69-C-4: O'Fallon Comm. Cons. S.D. No. 90	A19	22.8			194	$148,410		872	1,688
Ill-70-C-4: O'Fallon Comm. Cons. S.D. No. 90	A20	9.8			88	[2] 70,840		970	1,788
Ill-70-C-8: O'Fallon Twp. H.S.D. No. 203	A20	5.6			(68-22) 69-26 (70-34) 82	62,770		(68-317) (69-343) (70-377)	(68-809) 69-928) 70-1040)
Do	A21	(7.5)			88	[2] 70,840		465	1,165
Ill-71-C-12: Comm. Cons. S.D. No. 70, Freeburg	A21	7.4	20	$34,010	8	[2] 41,170	48	47	741
Ill-69-C-13: North Chicago ESD No. 64	A19	1.9	69	100,291		100,291	2,278	441	3,596
Ill-70-C-13: North Chicago ESD #64	A20	9.5	244	342,608		342,608	2,502	428	3,807
	B20	(5.8)							
Ill-69-C-17: Willmington Comm, Unit S.D. 2094	A19	13.0			139	106,335	29	751	2,128
Ill-71-C-19: Braidwood Comm. Cons. S.D. #5C	A21	5.8			21	[2] 16,905		152	708
Ill-70-C-20: Reed-Custer Twp. H.S.D. #206	A20	(8.7)			(1969-21) (1970-13) 34	26,530		1969(60)73	(69-240)256
Ill-70-C-201: Comm. H.S.D. #123, N. Chicago	A20	22.8	120	183,540	93	[2] 258,405	388	308	1,342
Ill-69-C-601: Mascoutal Comm. H.S.D. #18	A19	21.7	88	127,908	47	163,863	455	207	1,013
Ill-70-C-602: Rantoul Twp. H.S.D. #18	A20	16.6	29	44,355	104	128,075	453	605	1,599
Ill-69-C-701: Joliet Pub. Schs. Dist. #86	A19	11.9			1,182	904,230		1,599	11,684
Ill-70-C-701: Joliet Pub. Schs. Dist. #86	A20	2.2			135	[2] 108,675		1,742	11,884
Ill-69-C-1101: Wesclin Comm. U.S.D. #3	A19	45.6			339	259,335		595	1,485
Ill-69-C-1103: Gifford Comm. Cons. Gr. S.D. #188	A19	(13.1)			45	34,425		148	341
Ill-70-C-1502: Thomasboro Comm. Cons. S.D. #130	A20	(18.6)			47	37,835		100	252
Ill-70-C-1503: Manteno Comm. U.S.D. #5	A20	(2.0)			27	[2] 21,735		146	1,293
Ill-68-C-1505: New Lenox Dist. #122	A18	(1.7)			28	19,740		161	1,687
Ill-70-C-1505: New Lenox Dist. #122	A20	3.8			39	[2] 31,200		200	2,040
Ill-69-C-1506: E.S.D. #114, Manhattan	A19	21.4			39	29,835		57	366
Ill-70-C-1506: E.S.D. #114, Manhattan	A20	(1.8)			7	5,635		64	369
Ill-69-C-1508: Bradley E.S.D. #61	A19	4.8			48	32,895		152	1,787
Ill-71-C-1508: Bradley E.S.D. #61	A21	(.2)			3	[2] 2,685		227	1,800
Ill-68-C-1602: Homer Comm. S.D. #33-C	A18	(6.8)			23	16,215		30	336
Ill-69-C-1601: Bradley-Bourbonnais Comm. H.S.D.	A19	7.4			75	57,375		92	1,325
Ill-68-C-1603: Joliet Twp. H.S.D. No. 204	A18	(8.1)	4	5,358	426	305,688	10	632	5,298
Ill-69-C-1603: Joliet Twp. H.S.D. No. 204	A19	(1.0)			59	45,135	7	691	5,469
Ill-70-C-1603: Joliet Twp. H.S.D. No. 204	A20	3.8	5	7,647	149	[2] 127,592	12	840	5,980
Ill-69-C-1604: Lincoln-Way H.S.D No. 210, New Lenox	A19	9.9			70	53,550		102	1,339
Ill-70-C-1604: Lincoln-Way H.S.D No. 210, New Lenox	A20	(.8)			12	[2] 9,660		114	1,456
Ill-69-C-1701: Valley Viec E.S.D No. 96, Romeoville	A19	7.4			187	143,055		318	4,937
Ill-70-C-1701: Valley Viec E.S.D No. 96, Romeoville	A20	(.4)			208	[2] 167,410		350	7,400
Ill-69-C-1702: Custer Park S.D. No. 44C	A19	(15.6)			29	22,185		52	186
Ill-69-C-1703: Braceville ESD No. 75	A19	41.4			54	41,310		75	249
Ill-70-C-1703: Braceville ESD No. 75	A20	21.6			37	[2] 29,875		112	340
Ill-69-C-1704: USD No. 81, Joliet	A19	47.4			75	54,375		79	316
Ill-70-C-1704: USD No. 81, Joliet	A20	16.2			31	[2] 24,955		110	380
Ill-70-C-1705: Cent. E.C.S.D. No. 103, O'Fallon	A20	18.4			43	34,615		100	389
Ill-70-C-1706: Gardner Comm. Cons. S.D. No. 72-C	A20	5.2			21	[2] 17,150		56	278
Ill-69-C-1707: Okawville Grade S.D. No. 46	A19	(11.6)			27	20,655		39	231
Ill-69-C-1708: Bourbonnis ESD No. 53	A19	(6.2)			77	58,905		80	1,227
Ill-69-C-1709: Herrin Comm. USD No. 44	A19	7.9			200	153,000		426	3,234
Ill-70-C-1709: Herrin Comm. USD No. 44	A20	(.4)			208	[2] 167,410		435	3,400
Ill-69-C-1710: Plainfield Comm. S.D. No. 202	A19	(5.8)			192	146,880		323	3,283
Ill-70-C-1803: Oswego Comm. USD No. 308	A20	(5.0)			149	[2] 120,000		200	3,143
Ill-71-C-9101: Peotone Comm. USD No. 207U	A21	(7.2)			105	[2] 93,975		175	1,465
Ind-70-C-1101: Maconaquah Sch. Corp	A20	41.0	1,004	1,775,000		[2] 1,775,000	2,494	637	5,281
Ind-69-C-1701: E. Washington Sch. Corp, Perin	A19	(3.8)			46	39,790		238	1,193
Ind-69-C-1702: Scott Co. S.D. No. 2, Scottsville	A19	(4.5)			123	106,395		610	2,702
Ind-69-C-1703: W. Wash. Sch. Corp., Campbellsbury	A19	(7.3)			88	76,120		111	1,191
Ind-69-C-1704: Scott Co. S.D., Austin	A19	9.0			74	64,010		210	1,639
Ind-69-C-1705: N. Central Sch. Cons., Palmyra	A19	16.8			133	115,045		192	1,579
Iowa-68-C-203: Burlington Comm. S.D	A18	(4.6)			360	235,800	79	1,813	7,912
Do	B18	(2.3)				(85,800)			
Iowa-68-C-1101: Lewis Central Comm. S.D	A18	2.4			29	18,995		324	2,374
Kans-69-C-3: Derby Unif. S.D. No. 260	A19	3.0			92	61,640	873	2,625	6,031
Kans-70-C-206: Ft. Leavenworth Unif. S.D. No. 207	A20	8.4	100	135,850		135,850	2,338	21	2,359
Kans-71-C-206: Ft. Leavenworth Unif. S.D. No. 207	A-21	16.8	218	323,076		[2] 323,076	2,556	20	2,576
Kans-67-C-803: Shawnee Mission Unif. S.D. No. 512	A17	(3.8)			116	69,600		271	309
Kans-69-C-1501: Unif. S.D. No. 449, Easton	A19	13.4			41	27,470		203	613
Kans-68-C-1602: Cons. Unif. S.D. No. 101, Erie	A18	23.6			183	113,460		193	1,540
Kans-68-C-1603: Unif. S.D. No. 247, Cherokee	A18	(1.8)			21	13,020		152	1,120
Kans-69-C-1702: Unif. S.D. No. 503, Parsons	A19	26.2			464	310,880		648	2,798
Kans-70-C-1801: Auburn-Washburn Unif. S.D. #371	[13] A20	7.6	43 48	54,739 65,208	95	183,597	1,913	399	3,739
Kans-70-C-1803: Santa Fe Trail Unif. S.D. No. 434	A20	(6.7)			77	55,055		183	1,142
Ky-67-C-4: Hardin Co. Bd. of Educ	A17	(3.2)			228	135,660		2,673	7,297
Ky-69-C-1601: Jefferson Co. S.D., Louisville	A-19	10.8	2	2,774	4,698	3,425,000	3	7,464	86,844
Do	B19	9.0				(1,360,000)			
Do	C19	8.6				(705,000)			
Ky-71-C-1901: Newport I.S.D	A21	28.2			643	[2] 585,130		643	4,543
La-71-C-1: Bossier Parish, Dist. #13	A21	(2.9)	288	404,928		[2] 404,928	1,504	2,632	9,795
La-71-C-602: Vernon Parish, Pickering S.D	A21	70.1			411	[2] 304,140		415	707
La-71-C-901: Bossier Parish, Dist. #27	A21	(15.1)			508	[2] 375,920		1,718	3,358
La-71-C-1501: Bossier Parish, Dist. #3	A21	12.7			198	[2] 146,520		678	2,409
Md-67-C-1: Bd. of Ed., Harford Co., Bel Air	A17	(2.2)			517	413,600	1,502	7,573	23,095
Md-69-C-1: Bd. of Ed., Harford Co., Bel Air	A19	(2.3)			643	546,550	1,796	8,216	27,921
Md-70-C-3: Bd. of Ed., Anne Arundel Co	A20	9.8	740	1,251,340	2,740	1,500,000	3,513	13,441	70,788
Md-69-C-7: Bd. of Ed., St. Mary's Co	A19	4.2			338	287,300	900	3,731	9,754
Md-70-C-7: Bd. of Ed., St. Mary's Co	A20	(4.0)			430	382,700	948	4,164	10,559
Md-67-C-8: Bd. of Ed., Prince Geo. Co	A17	(4.7)	25	38,000	5,455	2,980,536	992	42,742	116,599
Md-69-C-8: Bd. of Ed., Prince Geo. Co	A19	(7.3)	169	272,935	10,503	1,468,000	1,161	53,245	146,772
Mass-69-C-605: Town of Shirley Sch. Comm	A19	(7.4)			59	61,950		236	789
Mass-69-C-1701: No. Andover Sch. Comm	A19	10.2			136	142,800		190	2,621
Mich-70-C-217: Oscoda Area Schools	A20	.2			6	6,420	2,063	789	4,409
Mich-69-C-416: Rudyard Twp. S.D. No. 11	A19	4.4	64	116,736		116,736	2,159		2,875
Mich-71-C-604: Forsyth S.D., Gwinn	A21	6.6	118	272,403		[2] 272,403	2,441		3,538
Mich-70-C-801: Anchor Bay S.D., New Baltimore	A20	1.6	25	50,825		50,825	667		2,793
Minn.-63-C-5: Circle Pines I.S.D. No. 12	A18	(7.6)			241	191,595		346	3,160
Minn.-69-C-5: Circle Pines I.S.D. No. 12	A19	(5.7)			188	167,320		534	3,242
Minn.-72-C-601: Ind. S.D. No. 390, Baudette	A22	13.8	8	18,620	65	[2] 70,135	64	147	1,056
Minn.-68-C-1601: I.S.D. No. 15, St. Francis	A18	(8.4)			137	94,500		190	1,640
Miss.-68-C-2: Biloxi Mun. Sep. S.D	A18	4.4	167	[7] 166,582	(7)	[7] 166,582	1,923		1,923
Miss.-70-C-5: Ocean Springs Mun. Sep. S.D	A20	(8.8)			285	149,625		1,198	3,213
Miss.-68-C-202: Long Beach Mun. Sep. S.D	A18	(5.8)			148	57,550		897	2,613
Miss.-70-C-202: Long Beach Mun. Sep. S.D	A20	6.1			145	76,125		1,042	2,936

Footnotes at end of table.

ELIGIBLE AND POTENTIALLY ELIGIBLE, UNFUNDED APPLICATIONS FOR ASSISTANCE UNDER SECTIONS 5 AND/OR 9 OF PUBLIC LAW 81-815—Continued

No. and applicant	Project No.	Priority [1]	Subsection 5(a)(1)		5(a)(2)s to be paid on	Maximum grant (total)	End of increase period membership		
			Number to be paid on	Amount			5(a)(1)	5(a)(2)	Total
(1)-(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Miss-69-C-701:									
Jackson Co. S.D., Pascagoula	A19	5.6			131	$68,775		1,105	4,542
Do	A20	10.2			251	131,775		1,225	4,914
Do	A21	2.6			76	[2] 54,340		1,301	5,463
Miss-71-C-1102: Hancock Co. Unit S.D	A21	(14.1)			139, [3] 80	[2] 246,031		139, [3] 80	[3] 1,544
Mo-68-C-3: Center S.D. No. 49, K.C	A18	7.6			221	148,070		788	5,726
Mo-68-C-11: Cons. S.D. No. 4, Grandview	A18	(6.2)			307	200,000		1,341	4,985
Mo-69-C-18: Oak Grove Reorg. RVI S.D	A19	(8.2)			69	49,680		129	839
Mo-69-C-206: Ft. Osage Reorg. S.D. No. 1	A19	(3.2)			134	96,480		753	4,149
Mo-68-C-213: Cons. S.D. No. 1, Hickman Mills	A18	3.0			202	135,340		2,994	13,569
Mo-68-C-407: Excelsior Springs S.D. No. 40	A18	2.0			25	16,750		260	2,585
Mo-68-C-801: Harrisonville H.S.D	A19	(4.2)			65	46,800		181	1,533
Mo-68-C-805: Raymore-Peculiar, RII S.D	A19	5.6			37	26,640		271	1,332
Mo-67-C-1502: S.D. of Marshall	A17	(4.4)			87	56,115		128	1,999
Mo-67-C-1504: Lexington Reorg. S.D. R-U	A17	(2.5)			36	23,220		257	1,438
Mo-68-C-1505: Hazelwood S.D	A18	(1.3)			222	148,740		1,442	17,573
Mo-69-C-1505: Hazelwood S.D	A19	1.8			185	133,200		1,627	21,385
Mo-68-C-1601: Fort Zumwalt S.D., O'Fallon	A18	7.0			125	83,750		282	3,606
Mo-70-C-1801: Richmond R-XIII S.D	A20	8.4			87	66,555		299	2,052
Mont-72-0-803: Great Falls H.S.D	A22	10.0	169	$284,173	128	397,543	436	717	5,916
Mont-70-C-906: S.D. No. 57, Havre (Sec. 9)	A20	131.6	106	150,043		[3] 150,043	133		150
Mont-71-C-1901: E.S.D. No. 14, Shelby (Sec. 9)	A21	68.6			454	[3] 376,820		522	1,198
Mont-71-C-1904: H.S.D. No. 14, Shelby (Sec. 9)	A21	22.2			58	[3] 48,140		100	524
Mont-71-C-1905: H.S.D. No. 19, Brady (Sec. 9)	A21	19.6			11	[3] 9,130		27	112
Mont-72-C-1907: H.S.D. No. 10, Conrad (Sec. 9)	A22	68.2	206	346,389	41	33,845	206	41	725
Mont-72-C-1908: E.S.D. No. 10, Conrad (Sec. 9)	A22	65.4	449	754,993	91	402,410	449	91	1,650
Nebr-70-C-1: S.D. of the City of Bellevue	A20	17.2	497	712,946	421	1,030,801	4,560	3,776	10,670
Do	B20	1.5				(60,801)			
Nebr-71-C-1: S.D. of the City of Bellevue	A21	8.0	140	223,440	316	[3] 488,880	4,700	4,092	11,294
Nebr-67-C-7: S.D. No. 2, Grand Island	B17	(.5)	8	10,108	380	22,808	25	1,033	6,145
Nebr-68-C-7: S.D. No. 2, Grand Island	A18	(4.7)			303	209,070	12	1,349	6,323
Nebr-71-C-12: S.D. of Plattsmouth	A21	13.2			124	104,160		554	1,863
Nebr-70-C-801: S.D. of Papillion	A20	11.6			203	153,265		901	3,474
Nebr-70-C-1801: Shelton Pub. S.D. No. 19-41	A20	17.4			34	25,670		82	389
Nev-70-C-601: Churchill Co. S.D., Fallon	A20	9.6	69	98,980	147	209,965	375	591	2,751
Nev-71-C-601: Churchill Co. S.D., Fallon	A21	9.6	69	110,124	73	[1] 171,444	444	664	2,933
Nev-72-C-601: Churchill Co. S.D., Fallon	A22	8.2	85	151,810	48	[1] 196,930	460	639	3,209
Nev-68-C-603: Clarke Co. S.D., Las Vegas	A18	3.4	124	161,386	946	809,396	1,876	13,246	63,300
Nev-69-C-603: Clarke Co. S.D., Las Vegas	A19	3.8	61	82,289	1,228	954,169	1,937	14,474	67,834
Nev-71-C-603: Clarke Co. S.D., Las Vegas	A21	.6	276	440,496		[2] 440,496	2,213	14,434	75,766
N.J.-68-C-202: Bd. of Educ. Twp. of Ocean	A18	9.2			202	170,000		796	4,372
N.J.-69-C-601: Burlington Twp. Bd. of Educ	A19	13.6			171	166,725		367	2,499
N.J.-71-C-901: N. Burlington Co. Reg. S.D	A21	36.6	423	976,495		976,495	1,183	158	2,301
N.J.-68-C-1103: Lenape Reg. H.S.D., Medford	A18	9.0			117	105,000		254	2,627
N.J.-70-C-1104: Monmouth Reg. H.S.D	A20	(6.5)	14	29,127	82	118,917	225	334	1,423
N.J.-67-C-1201: Bd. of Educ., Evesham Twp	A17	(3.8)			73	67,890		150	1,935
N.J.-67-C-1402: Cherry Hill Twp., Pischs	A17	(3.9)			518	400,000		874	13,428
N.J.-68-C-1501: Washington Twp. Public Schs	A18	(2.3)			77	74,690		442	3,282
N.J.-68-C-1601: Shore Reg. H.S.D., W. Long Branch	A18	(8.0)			72	69,840		257	896
N.J.-69-C-1701: Somers Point Bd. of Educ	A19	(8.4)			77	65,000		142	812
N. Mex.-69-C-1: Alamogordo Mun. S D. No. 1	A19	13.3	135	156,465	673	566,995	2,129	4,686	9,940
N. Mex.-70-C-1: Alamogordo Mun. S.D. No. 1	A20	(4.4)	449	545,984		545,984	2,578	4,106	10,099
N. Mex.-71-C-1: Alamogordo Mun. S.D. No. 1	A21	9.6	(1972 99 (1971 545	145,777 730,027	448	[2] 1,223,005	3,140	5,134	11,764
N. Mex.-67-C-12: Las Cruces S.D. No. 2	A17	(3.2)			485	266,750	889	4,220	15,005
N. Mex.-69-C-12: Las Cruces S.D. No. 2	A19	(1.4)			232	141,520	1,001	4,452	16,337
N. Mex.-69-C-402: Gallup-McKinley Co. Bd. of Educ.	A19	(3.5)	299	346,541	104	409,981	5,613	999	11,423
N. Mex-70-C-501: Clovis Mun. S.D. No. 1	A20	(3.0)	273	331,968		331,968	1,252	1,636	9,026
N. Mex-70-C-508: Cloud Craft Mun. S.D. No. 11	A20	14.4	27	32,832		32,832	62	146	373
N. Mex-69-C-518: Cuba Ind. Rural Schs	A19	(11.0)			90	54,900	346	230	815
N. Mex-69-C-608: Las Lunas Cons. Schools	A19	10.7	156	180,804	30	199,104	197	651	3,017
N.Y-67-C-409: Common S.D. No. 2, Blooming Grove	A17	(.7)	18	35,397	4	39,537	882	266	3,254
N.Y-67-C-1501: U.F.S.D. No. 3, Brookhaven	A17	(4.7)			154	159,390		234	3,249
N. Car-68-C-1: Craven Co. Bd. of Educ., New Bern	A18	5.0			223	130,455	1,906	1,924	8,820
N. Car-69-C-4:									
Cumberland Co. Bd. of Educ	A19	9.4			1,413	[4] 861,930		13,757	29,843
Do	B19	5.1				(347,090)			
N. Car-68-C-501: Wayne Co. Bd. of Educ., Goldsboro	A18	6.2			136	79,560	1,703	702	[2] 4,304
N. Dak-67-C-501: Grand Forks Public S.D. No. 1	A17	(2.0)	207	251,712		251,712	3,021	761	10,402
N. Dak-71-C-603: Minot Public S.D. No. 1	A21	(2.5)	261	411,597		[3] 411,597	3,148	1,107	10,226
N. Dak-72-C-2001: Walhalla Pub. S.D. No. 27	A22	84.0	[10] 484	813,846	39	[2] 848,361	488	100	1,233
Ohio-70-C-8: Windham Exempted Village S.D	A20	2.4			20	[2] 17,100		145	1,606
Ohio-63-C-9: Mad River Green Local S. D	A18	8.0			120	81,600		1,086	3,018
Ohio-67-C-15: Mad River Twp. LSD (Dayton)	A17	(2.2)	146	181,697		181,697	1,721	864	6,594
Ohio-70-C-15: Mad River Twp. LSD (Dayton)	A20	(8.6)	700	1,137,150		[2] 711,000	2,421	1,125	8,114
Ohio-70-C-23: Beavercreek L.S.D. Xenia	A20	11.4			478	[3] 408,690		2,258	8,349
Ohio-71-C-208: Wayne Twp. L.S.D. Dayton	A21	14.2			562	[2] 536,710		2,190	7,900
Ohio-71-C-211: Hamilton L.S.D. Columbus	A21	11.4	237	430,036		[3] 400,000	1,640	375	4,091
Ohio-69-C-429: Southeast L.S.D. Ravenna	A19	(1.2)			29	22,910	27	176	2,273
Ohio-70-C-429: Southeast L.S.D. Ravenna	A20	10.5			11-187	[3] 153,310	17	187-593-187	2,350
Ohio-68-C-508: Pickerington L.S.D	A18	(6.3)			66	44,880		177	1,049
Onio-67-C-1103: Heath City S.D	A17	(2.1)			42	27,930		567	1,966
Ohio-69-C-1701: North Olmsted City Schs	A19	4.5			332	120,000		623	7,348
Ohio-70-C-1801: Frontier L.S.D. New Matamoras	A20	(7.6)			117	[2] 100,035	1	116	1,532
Okla-69-C-13: Moore I.S.D	A19	2.4			27	70,450		1,561	7,331
Okla-69-C-415: Claremore I.S.D. #1	A19	16.0			183	[3] 136,530		450	2,541
Okla-70-C-1801: Stuard I.S.D	A20	(23.1)			64	40,960		123	277
Okla-70-C-1802: Shawnee I.S.D. #93	A20	13.5	42	51,072	310	[3] 249,472	45	1,082	5,110
Pa-70-C-603: Pocono Mt. S.D. Swiftwater	A20	6.6	33	73,672	119	213,497	129	403	2,703
R.I.-70-C-1: Twn of Middetown Sch. Comm	A20	15.9	553	992,911	72	1,000,000	1,711	1,454	4,795
R.I.-67-C-2: Twn of N. Kingstown Sch. Dept	A17	(.9)			44	33,440	1,109	1,737	4,711
R.I.-69-C-2: Twn of N. Kingstown Sch. Dept	A19	15.8	295	473,622	79	350,000	1,469	1,816	5,527
R.I.-70-C-401: Newport Sch. Dept	A20	(3.6)	217	389,623		389,623	562	2,043	6,014
So. Car-68-C-1: Summerville S.D. #2	A18	9.4			233	132,810		1,864	4,924
So. Car-71-C-401: Berkeley Co. S.D., Moncks Corner	A21	5.2	168	223,440	628	[2] 663,040	1,544	4,392	17,518
So. Car-71-C-501: Sumter Co. S.D. #2, Sumter	A21	(W)16.1	673	997,386	71	[5] 1,052,766	1,710	1,676	10,398
Texas-69-C-2: Ysleta I.S.D., El Paso	A19	4.0			610	359,900		6,727	30,145
Texas-70-C-37: Azle I.S.D	A20	(7.5)			207	139,725		829	2,742
Texas-69-C-49: Flour Bluff I.S.D. Corpus Christi	A19	26.0	301	337,421	18	348,041	692	842	2,438
Texas-70-C-49: Flour Bluff I.S.D. Corpus Christi	A20	5.2	67	85,927		85,927	759	873	2,561
Texas-71-C-49: Flour Bluff I.S.D. Corpus Christi	A21	7.0	108	153,900	12	[2] 162,900	1,041	995	3,427

ELIGIBLE AND POTENTIALLY ELIGIBLE, UNFUNDED APPLICATIONS FOR ASSISTANCE UNDER SECTIONS 5 AND/OR 9 OF PUBLIC LAW 81-815—Continued

No. and applicant	Project No.	Priority [1]	Subsection 5(a)(1)		5(a)(2)s to be paid on	Maximum grant (total)	End of increase period membership		
			Number to be paid on	Amount			5(a)(1)	5(a)(2)	Total
(1)-(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Texas-68-C-61: Del. Valle I.S.D., #910	A18	17.0	76	$80,864	158	$169,344	812	425	2,759
Texas-71-C-61: Del. Valle I.S.D., #910	A21	23.8	373	531,525	64	[2] 579,525	1,185	523	3,663
Texas-69-C-64: Northside I.S.D. San Antonio	A19	10.4			1,757	1,036,630		9,068	16,873
Texas-67-C-80: Burleson I.S.D.	A17	(4.3)			100	54,500		293	2,332
Texas-70-C-81: Joshua I.S.D.	A20	(5.9)			51	[2] 34,425		112	858
Texas-69-C-213: Burkburnett I.S.D.	A19	(12.8)	91	102,011	365	317,361	930	1,485	3,562
Texas-70-C-213: Burkburnett I.S.D.	A20	3.1	21	26,932	75	77,557	951	1,560	3,832
Texas-70-C-413: Copperas Cove I.S.D.	A20	14.4			212	[2] 143,100		2,196	2,944
Texas-67-C-414: Denison I.S.D.	A17	(6.4)			378	200,000		1,117	5,876
Texas-67-C-504: North East I.S.D. San Antonio	B17	(1.1)			1,683	389,532		6,654	22,383
Texas-69-C-504: North East I.S.D. San Antonio	A19	(3.5)			928	547,520		7,582	25,966
Texas-67-C-509: Pottsboro Common S.D.	A17	(1.6)	3	3,106	6	6,376	13	232	556
Texas-69-C-804: Judson I.S.D., Converse	A19	28.9			665	392,350		1,217	2,384
Texas-71-C-804: Judson I.S.D., Converse	A21	(27.5)	1	1,425	989	[2] 743,175	1	2,049	3,600
Texas-68-C-1502: Crowley I.S.D.	A18	(7.6)			54	30,240		119	714
Texas-71-C-1502: Crowley I.S.D.	A21	24.2			138	[2] 103,500		257	1,139
Texas-69-C-1504: Medina Valley I.S.D. Casdroville	A19	7.4			55	32,450		205	1,457
Texas-68-C-1601: Peasder I.S.D.	A18	(8.6)			11	6,160		42	128
Texas-69-C-1701: Sherman I.S.D.	A19	7.8	43	48,203	282	214,583	294	1,161	6,750
Texas-70-C-1801: United Cons. I.S.D., Laredo	A20	44.1	411	527,107	89	587,182	411	246	1,489
Utah-67-C-1: Bd. of Ed. of Tooele Co., Tooele	A17	(4.5)			48	33,095	749	3,860	6,712
Utah-69-C-3: Weber Co. S.D. Vaden	A19	2.6	7	8,977	246	175,027	67	8,740	18,430
Virginia-71-C-1:									
City of Virginia Beach Sch. Bd.	A21	10.6	247	377,786	3,053	[2] 1,610,000	1,184	19,671	46,143
Do.	B21	(5.3)				(310,000)			
Virginia-67-C-3: Fairfax Co. Sch. Bd.	A17	(4.9)			4,672	3,000,000	442	45,996	96,068
Virginia-70-C-5: Co. Sch. Bd. of Yorktown	A20	14.2	455	639,730	558	1,052,650	1,950	2,550	8,151
Virginia-68-C-12: Prince George Co. Sch. Bd.	A18	4.1			149	99,085	1,473	1,004	5,249
Virginia-71-C-13: Stafford Co. Schools	A21	10.9			403	[2] 324,415		1,975	6,278
Virginia-70-C-14: Sch. Bd. of King George Co.	A20	15.4	144	202,464	21	218,004	182	819	2,121
Virginia-69-C-17: Co. Sch. Bd. of Prince Wm. Co.	A19	4.9			1,254	1,766,860	24	9,724	25,522
Virginia-71-C-17: Co. Sch. Bd. of Prince Wm. Co.	A21	1.6			250	[2] 201,250	17	10,895	21,513
			78	95,589	1,704	1,194,669	1,397	6,547	28,644
Va-67-C-501 B17: City of Newport News Sch. Bd.	B17	(.8)				394,669			
Wash-68-C-4: Clover Park S.D. #400	A18	(3.3)	501	785,317		785,317	4,325		15,049
Wash-67-C-34: Cent Kilsap S.D. #401	A17	(2.8)	49	73,083	48	110,763	209	1,937	3,438
Wash-69-C-34: Cent Kilsap S.D. #401	A19	11.3	31	49,476	262	269,556	240	2,199	3,952
Wash-70-C-59: So. Kilsap. S.D. #402	A20	10.0			307	150,000	19	2,991	6,053
Wash-70-C-513: No. Mason S.D. #403, Belfair	A20	(5.1)			47	40,000		419	918
Wash-69-C-1101: Coulee Dam S.D. #401	A19	24.5			155	130,200	106	568	835
Wash-67-C-1202: Waitsburg Jt. S.D. #401-100	A17	(4.7)			20	15,700		58	424
Wash-67-1301: Dayton S.D. #2	A17	(3.9)			40	28,772		113	1,038
Wash-69-C-1701: Grand Coulee S.D. #55-201-205J	A19	43.7	1	1,596	271	229,236	2	396	722
Wash-70-C-1701: Grand Coulee S.D. #55-201-205J	A20	3.6			14	[2] 13,300	2	410	780
Wash-71-C-1701: Grand Coulee S.D. #55-201-205J	A21	4.6	2	4,275	16	[2] 22,275	4	426	780
W. Virginia-69-C-801: Pendleton Co. Bd. of Educ.	A19	(W) 23.8	26	36,062		36,062	26	71	1,627
W. Virginia-71-C-801: Pendleton Co. Bd. of Educ.	A21	(W) 33.4	35	59,850		[2] 59,850	61	102	1,630
W. Virginia-71-C-1901: Berkeley Co. Pub. Schs.	A21	(.7)			57	[2] 51,300	737	70	8,167
Wis-71-C-1001: Jt. S.D. #1 City of Bayfield	A21	16.4	17	32,461	22	[2] 54,571	39	56	470
Wis-69-C-1701: Jt. S.D. #1 Village of Black Earth	A19	(8.9)			133	[2] 112,385		143	1,485
Wis-70-70-C-1801: Jt. S.D. #1 Mausdon	A20	18.4			209	188,100		256	1,820
Wis-70-C-1802: Unif. S.D. #1 Ashland	A20	13.4	75	128,250	95	213,750	97	150	2,502
Wyo-68-C-1601: S.D. #6 Lymon	A18	61.8	3	3,762	119	82,302	24	172	395
Guam-69-C-601: Dept. Of Educ., Aguna	A19	(5.7)	249	409,231	918	1,203,301	4,322	6,691	20,369
Guam-70-C-601: Dept. of Educ., Aguna	A20	14.7	538	909,758	1,396	[2] 2,152,198	4,611	7,169	21,776
Guam-71-C-601: Dept. of Educ., Aguna	A21	9.2	544	1,126,624	1,103	[2] 2,298,294	[1] 5,340	8,527	25,910
Total			35,392	61,396,821	113,905	138,716,933	[1] 194,195	[1] 649,189	[1] 2,262,681

[1] Figures in parens-subpriority.
[2] Tentative data, application has not been processed.
[3] Section 5(a)(3).
[4] Includes 1968 grant and pupils.
[5] Includes 1969 maximum.
[6] Section 8 also.
[7] Keesler A.F. waiver.
[8] Request.
[9] Waiver less than numbers eligible for district as whole.
[10] 209 considered to be sec. 9.
[11] Excludes overlapping applications.
[12] Waiver (3).
[13] From 1969.

III. Public Law 81-815—Providing Financial Assistance for School Construction in Federally Affected Areas

PURPOSE

Public Law 81-815 authorizes Federal financial assistance for constructon by local education agencies of urgently needed minimum school facilities in school districts which have had substantial increases in school membership as a result of new or increased Federal activities. Assistance is also authorized for construction of minimum school facilities by local education agencies for pupils residing on Indian lands, and by the Federal Government on Federal property (such as Army, Navy, and Air Force installations) when no State [1] or local education agency can legally do so.

Payments may be made to local education agencies where there has been or will be an increase in school membership of children residing on Federal property, of children residing on private property with a parent employed on Federal property, or of children whose membership has resulted or will result from activities of the United States, carried on directly or through a contractor. Provisions of the Act are specific regarding the increase in the number of such children in the applicant's schools required to establish eligibility for aid during any 4-year increase period and the amount of Federal assistance authorized. Congress has amended and extended the provisions of P.L. 81-815 a number of times since its enactment. P.L. 85-620, which the President signed on August 12, 1958, made permanent certain provisions of the Act concerning children who reside on Federal property. P.L. 89-750, approved November 3, 1966, made permanent the provisions of section 14, which formerly pertained to children residing on Federal property, primarily Indian reservations, and P.L. 90-247, approved January 2, 1968, made the provisions applicable exclusively to Indian lands. Authorization for payment for all other categories of Federal impact has been extended from time to time since 1958, most recently by P.L. 90-247 to June 30, 1970. Thus, for fiscal year 1969, the provisions for all categories of children were in effect.

The law contains two sets of provisions under which Federal funds for school construction may be granted to local education agencies. Sections 5 and 9 of the Act authorize grants based on increases in federally connected membership (under section 9 only if the increase is expected to be of temporary duration), and section 14 authorizes grants based on numbers of children who reside on Indian lands and for whom responsible local education agencies are unable to provide needed minimum school facilities.

GRANTS BASED ON INCREASES IN FEDERALLY CONNECTED MEMBERSHIP—SECTIONS 5 AND 9

Estimating increases in membership

Each application filed by a local education agency under section 5 or section 9 is a claim for Federal assistance for the construction of school facilities based on an increase in federally connected children in the school district in a specific 4-year period. Applicants may file claims in the 3d or 4th year of any increase period and the Commissioner is required to estimate the increase in the membership of federally connected children as of the end of that increase period. Total membership may be estimated for 2 years beyond

[1] A recent amendment brings American Samoa under provisions of P.L. 81-815 as a State.

the end of the 4-year increase period for determining unhoused children. This permits more effective advance planning for school construction, except when funds are insufficient to fund all eligible applications, such as in fiscal years 1967, 1968, and 1969.

Under the Act as currently amended, the increase period and the base year move forward 1 year each July 1. For example, the 1969 fiscal year covered by this report is the 4th year of the 4-year increase period July 1, 1965 to June 30, 1969, and the 3d year of the 4-year increase period July 1, 1966 to June 30, 1970.

Eligibility requirements (section 5)

Three categories of federally connected school children may be considered in determining the eligibility of local education agencies for Federal funds under this section of P.L. 81-815. Two of these categories [subsections 5(a)(1) and 5(a)(2)] are based on the relationship of the children to Federal property. Children classified under subsection 5(a)(1) are those who reside on Federal property with a parent who works on Federal property; children classified under subsection 5(a)(2) are those who either reside on Federal property or whose parents work on Federal property, but not both. The Federal property on which a claim is based must be in the same State as the applicant or within reasonable commuting distance of the school district.

To be eligible for a grant of funds under subsection 5(a) (1) and 5(a) (2) categories, a school district must, during a 4-year increase period, have an increase in membership in one or both categories of at least 20 children and equal to at least 6 percent of the district's total average daily membership [2] in the base year—i.e., the school year preceding the 4-year increase period.

The third category of federally connected children is defined in subsection 5(a) (3) to include those children whose attendance in an applicant district is due to activities of the United States carried on directly or through a contractor. To be eligible for payment under this provision, the school district's estimated membership increase in the 4-year period must be at least 20 in number and at least 10 percent of the total base-year average daily membership. In addition, it must be established that the construction of needed minimum facilities for that number of children would impose an undue financial burden on the taxing and borrowing power of the district.

Number of children counted for payment

In addition to the foregoing minimum requirements for increased membership, school districts are required under section 5 to absorb an increase of 6 percent in non-federal membership during any 4-year increase period. Should a district fail to meet this requirement, the difference between 106 percent of the non-federal average daily membership in the base year and the estimated non-federal membership as of the end of the increase period is deducted from the number of qualifying federally connected children in determining the number of pupils counted for payment.

The number of pupils counted for the payment is also limited to the number in excess of the estimated federally connected membership as of the end of an increase period covered by a prior eligible application, or of the number of such pupils previously counted for payment.

Amount of the Federal payment

The maximum allowable grant under section 5 is determined by multiplying the number of federally connected children to be counted for payment under subsection 5(a) (1) by 95 percent of the average per-pupil cost of constructing minimum school facilities in the applicant's State during the 2d year of the 4-year increase period designated in the application; those to be counted under subsection 5(a) (2) by 50 percent; and those under subsection 5(a) (3) by 45 percent.

The amount is further limited to the actual cost of constructing minimum school facilities in the applicant district for children who would otherwise be without such facilities.

[2] Average daily membership is determined in accordance with State law and practice. By definition the term means the aggregate number of days of membership in the applicant school district divided by the number of days school was actually in session.

UNIFORM ACCOUNTING STANDARDS FOR DEFENSE DEPARTMENT—ISSUANCE OF REGULATIONS

Mr. PROXMIRE. Mr. President, the first regulations establishing uniform cost accounting standards for defense contractors will be published by January, 1972, and will become effective by the following July 1.

The schedules for the new regulations are contained in a letter from Elmer B. Staats, the Comptroller General of the United States and Chairman of the Cost Accounting Standards Board, which I am making public today. The Board was created by Congress in 1970 following hearings by the Joint Economic Committee, the Banking and Currency Committees of the House and Senate, and legislation which I proposed and which is now law.

The new regulations can be the beginning of a fundamental and much needed reform of accounting practices in the defense industry.

Moreover, if the changes work well, I see no reason why similar ones could not be used to clean up the mess in corporate accounting generally.

Defense contractors will be required under the new rules to disclose their cost accounting practices and to follow those practices consistently.

Several specific cost accounting standards will also be issued by January 1972, to become effective in July. A more comprehensive set of standards is being considered and will probably be decided upon in the near future.

The potential significance of these steps cannot be over-emphasized.

We found in our investigation of military spending that the lack of uniformity in cost accounting was being used to cover up practices that cannot be tolerated.

Some defense contractors have used the confusion that now pervades cost accounting to disguise double counting of costs, excessive profits, and other questionable charges.

The Cost Accounting Standards Board is itself, by its progress and expeditious action, setting a new standard of efficiency in the operations of a government agency. It has managed so far to move ahead into an area of problems that have plagued both Government and industry for many years, and has already made excellent headway in the few months of the Board's existence.

The Board's work has been facilitated by the cooperation of a number of Government agencies, professional accounting organizations, and industry representatives.

I ask unanimous consent that Mr. Staats letter be printed at this point in the RECORD.

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

Washington, D.C., October 21, 1971.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: Your letter of September 20, 1971, inquires about the progress we are making in establishing Cost Accounting Standards for defense contracts. You express an interest in our overall planning and timing for promulgating such standards.

As you know, there was about a 5-month lag between the time the Board was established by Public Law 91-379 (approved August 15, 1970) and the time funds were first provided for operation of the Board in the Supplemental Appropriations Act, 1971 (approved January 8, 1971). The members of the Board were appointed in January 1971 and an Executive Secretary was appointed and started work with the Board on March 29, 1971.

Since March we have selected 17 professional staff members from Government, industry, and the public accounting profession. The staff includes 10 Certified Public Accountants, 4 lawyers and 3 individuals who come from industry comptrollers' offices. Their recruitment is the result of review of approximately 575 applications and interviews conducted with about 100 individuals. The work of the staff is currently supplemented by three consultants who are professors at major universities.

The Board intends to cooperate in every way with the various groups which are interested in its activities, Government agencies, professional accounting organizations, and industry associations which represent contractors. The Board has met with representatives of these groups, and its staff has developed working relationships with them. Every opportunity has been provided for informal exchange of information and suggestions about progress toward the objectives established for the Board.

Staff effort is concentrated in five major areas, most of which arise out of the enabling legislation itself. These five areas are summarized below.

DISCLOSURE STATEMENTS

As a condition to entering into any negotiated defense contract in excess of $100,000, contractors will be required to file with the Government statements disclosing their cost accounting practices. The contractors will then be required to follow those disclosed practices consistently. Changes will be permitted in disclosed cost accounting practices under rules to be prescribed by the Board.

In developing the disclosure regulation, we are designing a statement that will provide compliance with the legislative requirements for disclosure and consistency and at the same time facilitate establishment of a data bank showing what contractors' cost accounting practices are by class of contractor, by dollar volume of business with the Government in relation to total business, by size of contractor, etc. This kind of empirical data does not now exist anywhere in the United States. With such information the Government will be in a better position to develop specific Cost Accounting Standards.

A preliminary draft of a Disclosure Statement has been prepared by the staff and has been sent to selected industry associations, Government agencies, and professional accounting associations for review and comment. In addition, the draft Disclosure Statement has been distributed to 32 defense contractors and subcontractors for field testing; that is, sample statements are being

filled out with the intent of ascertaining any difficulties encountered.

Following the initial input from organizations from whom comments are being solicited and modification on the basis of field testing, the proposed Disclosure Statement, with attendant rules and regulations, will be published in the Federal Register for further comment. The first publication in the Federal Register is expected by January 1972. A second publication in the Federal Register and the 60-day advance notice to the Congress of the proposed rulemaking, as required by Public Law 91–379, are expected by the end of February 1972. The statutory promulgation procedures that must be followed by the Board require the passage of a minimum of 121 days and a maximum of 209 days after the second publication in the Federal Register before any rule or regulation of the Board will become effective. Thus, the effective date for requiring Disclosure Statements will probably be July 1, 1972. This procedure permits ample advance notice to all contractors to make ready for the filing.

COST ACCOUNTING STANDARDS

The second major area of staff effort concerns research and development leading to the promulgation of specific Cost Accounting Standards. Our staff has identified more than 100 subjects that could possibly lead to standards. Of these, seven subjects were selected by the Board for initial research and development because they were highlighted as significant problem areas in the General Accounting Office feasibility study and in testimony before the Congress on proposed legislation that led to the Board's creation.

The seven subjects are summarized as follows:

1. Eliminating the instances in which like items of cost are charged to defense contracts in the same time period both as direct costs and as a pro-rata share of indirect costs—commonly termed "double counting".

2. Providing consistency between the manner in which contractors present cost data in pricing proposals and the manner in which they record the actual cost of contract performance.

3. Separate identification and segregation in contractors' records of costs made unallowable by Government regulation.

4. Criteria for equitable selection of the base period during which indirect costs are incurred and accumulated for distribution to the contract work performed in that period.

5. Appropriate handling of credit where they relate to costs previously charged to defense contracts.

6. Methods by which depreciation charges are to be computed and allocated to defense contracts.

7. Appropriate methods to be followed in the allocation of general and administrative expenses to Government contracts.

We are moving forward as rapidly as possible on each of these subjects as candidates for promulgation of Cost Accounting Standards. It is anticipated that several proposed Cost Accounting Standards will have been developed to a point where their initial publication can take place by January 1972. The same promulgation procedures will be followed for Cost Accounting Standards as were outlined above for Disclosure Statements, with the result that the first standards will probably become effective July 1, 1972.

EXEMPTIONS

Another subject embodied in the enabling legislation of the Board is the authorization to exempt classes and categories of defense contractors and subcontractors from Board standards, rules and regulations. The staff is considering possible bases for exempting contractors and subcontractors such as the dollar volume of Government negotiated contracts in relation to a company's total business and the dollar volume of such contracts in relation to advertised fixed-price contracts. There is the possibility, of course, that no blanket exemptions will be authorized by the Board; instead, the Board may consider exemptions to individual standards on a case-by-case basis.

EXAMINATION OF RECORDS

A fourth major area under consideration concerns examination of records to determine that contractors are in compliance with established Cost Accounting Standards and Board rules and regulations including Disclosure Statements. The Board's enabling legislation states that the Board, the Comptroller General, or the head of the contracting agency shall have access to contractors' records for the purpose of determining compliance. The Board's staff is studying (1) who should make the examination, (2) how frequently the examination should be made, (3) the scope of the examination, (4) the type of report to be prepared, (5) to whom the report should be directed, and (6) who should make the determination of compliance.

TERMINOLOGY AND CONCEPTS

We are currently developing a glossary of terms dealing with cost accounting; none adequate to the need currently exists. The purpose of this effort is to provide consistency and comprehension in any materials promulgated by the Board. When standards are issued, they will carry the Board's definitions of key words and phrases.

The Board's staff has been working with the Management Accounting Practices Committee (MAP) of the National Association of Accountants on the Committee's development of a statement of objectives or concepts for contract costing. The purpose of the statement will be to provide the criteria against which specific Cost Accounting Standards can be tested to provide better assurance that they are consistent and are not based on mutually exclusive or conflicting objectives. Several meetings have been held with the MAP Committee at which Board and staff views have been offered on the proposed statement. These discussions are continuing.

The MAP Committee is comprised of outstanding professional accountants. Accordingly, the Board will recognize the statement of concepts for contract costing, when published, as coming from an authoritative body and as such it will be considered, together with other authoritative literature of the accounting profession, in development of Cost Accounting Standards.

We trust that this summary of our progress to date is responsive to your request.

Sincerely yours,

ELMER B. STAATS,
Chairman.

CONSUMERS SHOULD HAVE THE FACTS ABOUT NONPRESCRIPTION DRUGS

Mr. McINTYRE. Mr. President, a great many Americans have no idea what is contained in the pills they "pop" every day. Many so-called new drugs are simply new brand-name versions of old ingredients. A major contributor to this problem, I feel, is misleading advertising by drug manufacturers.

This situation deeply disturbs me. For this reason I would like to call the attention of my colleagues to a thought-provoking article on the problem in the October 21 issue of the Machinist, the newspaper published by the International Association of Machinists and Aerospace Workers.

The article, written by Sidney Margolius, presents many disquieting facts. One in particular is the revelation that drug companies in their advertisements often omit vital information which is necessary for intelligent self-medication. Even more disturbing is the possible danger he mentions of people overmedicating themselves or becoming psychologically dependent on certain nonprescription drugs.

Certainly we can all benefit from a deeper look into this problem. The Small Business Committee's Monopoly Subcommittee, of which I am a member, is now making an intensive study of this subject.

I commend the Machinist and Sidney Margolius for their efforts in this regard and ask unanimous consent that the article be printed in the RECORD at this point.

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

[From the Machinist, Oct. 21, 1971]

MISLEADING MEDICINE ADS

(By Sidney Margolius)

While some medical authorities for a long time have questioned the claims and even effectiveness of many household remedies sold without prescriptions, government authorities at long last are getting braver about challenging such products.

Recently Dr. Charles Edwards, head of the Food and Drug Administration, told a Congressional committee that the FDA had sought to seize Excedrin P.M., Asper Sleep and Ornex because manufacturers had indicated in ads that these were something "new." But when charged with failure to comply with "new drug" requirements, the manufacturers then contended that the products were not new but consisted only of well-known ingredients.

One of the most revealing incidents, showing how manufacturers reformulate, repackage and rename old ingredients, is the case of Vivarian. This product is being promoted as making you "a more exciting woman" if you have come to realize that you may be "boring your husband to death."

ONLY CAFFEINE

But it turned out that the main active ingredient in Vivarin, as in many similar stimulants, is caffeine, at three times the cost of a cup of coffee which even an exciting wife could easily prepare.

Sometimes doctors themselves seem to become captivated by a particular over-the-counter medicine when it is simply a brand-name version of standard ingredients. Such is the case with Maalox, a widely-used combination of aluminum hydroxide, magnesium oxide, and sodium, which outsells many similar products that cost less.

While antacids for indigestion and laxatives are probably the most widely-promoted over-the-counter medicines, another heavily advertised group is nonprescription sleeping pills. Most of these merely have a mild antihistamine as the chief active ingredient and are "essentially ineffective in the dosages used," Commissioner Edwards has said.

Whether they make you sleep or not, the public certainly is buying a lot of them. There now is a huge assortment on the market including such widely-advertised brands as Sominex, Nytol, Compoz, Mr. Sleep, Nervine, Sta Kalm, Quiet World, Dormin and Sleep-Eze. Actually people could fool themselves at less cost by buying the private-

brand antihistamine "sleep" products for as little as $1 instead of paying $2 for the advertised brands.

EFFECTS OF ADVERTISING

However, there may be other dangers than inflated prices in overmedicating yourself with non-prescription drugs. Dr. Edwards has warned that the overuse of "mood drugs" is becoming increasingly acute. He attributes the heavy use to "the tremendous wave of advertising, especially on TV, creating an environment in which the consumer feels that reaching for a pill, tablet or capsule is a panacea for all his life." He believes that the antihistamine in many of the nonprescription sleep products could create psychological dependency.

W. James Bicket, a representative of the American Pharmaceutical Assn., the national organization of pharmacists, also has testified that much advertising for non-prescription drugs exaggerates and "even attempts to convince people they have non-existent diseases."

Yet none of the government agencies, including the Federal Trade Commission which has the major responsibility over advertising, has stepped in to tone down the misleading commercials. The fooling that takes place nowadays more often is in the omission of relevant facts than in the actual commission of a deception. Thus manufacturers of pain-relieving products advertise over and over that they have more of "the most effective ingredient" or "the ingredient that doctors recommend" without saying that this much-boasted "ingredient" is merely aspirin.

The first step in cleaning up some of the misleading medicine advertising would be to require that if the manufacturer claims highly-effective ingredients in ads, he must name them. Presently he is required to name the active ingredients on the labels but not in his ads or TV commercials.

Many retailers now offer an increasing number of household medicines packaged under their own brand names at sharply lower prices. If you are dealing with a reliable store, all you really need do to assure yourself that you are getting an equivalent product, is to read the list of ingredients on the bottle or box.

If you do, you may also observe that many of these advertised products are simply old-time remedies, like the bicarbonate of soda (baking soda) found in many brand-name digestive products, sometimes in combination with our old friend, that famous "most effective ingredient—aspirin."

THE U.N. VOTE ON CHINA

Mr. McGEE. Mr. President, the United Nations' vote last Monday to seat mainland China and expel Nationalist China has given rise to considerable anger and threats of recriminations on the part of the United States.

The vote was indeed inequitable and regrettable in its treatment of Nationalist China. And many have called for a reduction of our financial obligations to the U.N. Others have stated that we should withdraw from that international body because it no longer represents our interests.

However, I would urge my colleagues to give close scrutiny to an article which appeared in the July 1971 issue of Catholic World. The article was written by our Ambassador to the African nation of Burundi, Mr. Thomas Patrick Melady.

I have known Mr. Melady for some time. Last February I had the opportunity to visit with him in Burundi while heading a Senate Appropriations Committee study mission to Central and East Africa. I am very impressed with his capabilities, his foresight and the acute understanding he has concerning problems of the Third World.

In his article entitled, "The United Nations Faces the Next 25 Years," Mr. Melady observes that the presence of the "Third World in the United Nations has turned it into a truly global institution."

He goes on to state that—

Once the impact of the new nations was felt at the United Nations, a significant change in the items under discussion on the annual General Assembly Agenda could be observed. The Third World brought into the halls of the United Nations the poor man and made him a topic of concern for the major powers.

Mr. Melady recounts the grim predictions that the admission of these "small poor states" would distract the United Nations from the major problems facing the world in favor of the narrow interests of these countries.

He notes that—

The opposite has happened: the Third World has humanized the United Nations and sustained a larger view of a world struggling to achieve the vision of mankind ever evolving toward a better life for all.

I believe that Mr. Melady strikes to the heart of what the United Nations is today. For all our complaints as to its ineffectiveness and weaknesses, the U.N. is truly a universal institution.

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

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

THE UNITED NATIONS FACES THE NEXT 25 YEARS

The twenty-fifth anniversary of the United Nations has come and gone. Forty-five heads of state or government and ninety-one foreign ministers attended the twenty-fifth United Nations General Assembly. It was an unprecedented moment of international diplomacy. All of these high international personalities engaged in multilateral and bilateral talks.

President Nixon gave a major policy address at the United Nations on October 23, 1970. Secretary of State Rogers had bilateral meetings with twenty-one heads of state or government.

President Nixon, after listening to the speech of the world's longest reigning head of state, His Imperial Majesty Haile Selassie I, stressed in his address United States support for the United Nations and its programs. The President gave great emphasis to the ability of the United Nations to work in the field of the family of man's struggle for a better life; in mankind's war on the triple curse of poverty, illiteracy, and disease. He especially suggested that the United Nations concentrate on reducing the gap between the rich and the poor in the family of man; curb the pollution of the world environment, protect the seabed resources for the benefit of all, limit the galloping birth rate, assure the humane treatment of prisoners of war, and take appropriate action against drug abuse and air piracy.

The Silver Anniversary recorded some distinct accomplishments. There were also some clear disappointments. Inspired by the President's address, the United Nations proclaimed that the seabed beyond the area of international jurisdiction was a "common heritage" of the family of man. Many observers believed that this declaration may be recorded as one of the greatest accomplishments of the twenty-fifth anniversary, as it will especially protect for the developing countries their future access to the revenues that will be produced from these international resources. In order to implement this concept, the Assembly called for a conference on seabeds and the Law of the Sea in 1973.

The Assembly also:

1. Established a United Nations Volunteer Corps.
2. Set targets and adopted a comprehensive strategy for the second development decade.
3. Spoke strongly on the humane treatment of prisoners of war, aerial hijacking, and illicit drug abuse.

The clear disappointments included the failure to make any progress on peacekeeping. The Assembly also failed to approve a United States-sponsored proposal to create a committee to examine ways to improve the role of the International Court of Justice. Failure to enact the proposal for a United Nations Commissioner to protect Human Rights caused disappointment in humanitarian circles.

The United Nations is an international forum, and some feel this aspect was exaggerated at the twenty-fifth session which adopted five major declarations. They were:

1. The declaration on friendly relations between states.
2. The strategy for the second development decade.
3. Strengthening international security.
4. The declaration on the twenty-fifth anniversary.
5. The declaration on the tenth anniversary of the colonialism resolution.

While the first three were regarded by most observers as appropriate forward-moving steps for the world body, the last two generated a great deal of controversy. The last one particularly was regarded as being unbalanced, as it gave the United Nations blessing to the use of violence by liberation movements and called for further mandatory sanctions in southern Africa.

There were fifty founding members at San Francisco in 1945. Part way through the twenty-fifth anniversary session in 1970, the Fiji Islands were admitted as the 127th member of the world body.

The admission of the 127th member generated some concern about the advisability of automatically admitting mini-states to the United Nations solely because they become independent.

The anniversary session was the occasion for many to re-evaluate the United Nations. Among these was the President's Commission for the Observance of the twenty-fifth anniversary. The Commission, headed by Ambassador Henry Cabot Lodge, was concerned about the decline in public support for the United Nations among Americans. While around 80% of Americans once believed that the United Nations was the best hope for peace, only around 50% so believed this in 1970. While very few felt that the United Nations was in danger of collapse, there was clear indication that many in the twenty-fifth anniversary year regarded the institution as somewhat irrelevant to the modern world situation.

However, the world at long last has in the United Nations an international institution with worldwide membership which is dedicated to saving succeeding generations from the scourge of war. And furthermore we have a going organization which has as its goals "to reaffirm faith in the fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and of nations large and

small. To promote social progress and better standards of life."

The United Nations has six principal organs to implement these noble goals. They are the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice, and the Secretariat.

They are all well established and functioning mechanisms. For the first time in history such an organization exists.

PRESENCE OF THIRD WORLD

The presence of the Third World at the United Nations is a significant new political development of the past decade. Every September each new General Assembly of the United Nations unfolds another chapter in the postwar rise of the Third World and the significant changes this has brought in international affairs. Today, any observer standing at the top of the escalator used by United Nations delegates at the General Assembly building in New York can read—in microcosm—the story of Afro-Asian emergence in the sight of a turban, a sari, or a boubou. It is like holding up a mirror to the emergence of the Third World.

By 1955, the tenth anniversary of the United Nations, the late Dag Hammarskjold cited in his annual report "the great upheaval in the relationship of nations and peoples that is under way" and pointed out that "the peoples of Asia today, and of Africa tomorrow, are moving toward a new relationship with what history calls the West." By 1957, as the pace of the change quickened, Mr. Hammarskjold reported:

"The United Nations reflects, but is in no sense a cause of, the renaissance of Asia, the awakening of Africa, and the other great changes that are under way in the balance of power and relationships of the peoples are likewise part of the dynamics of history itself, As always, they bring with them many grave problems of adjustment."

The mirror threw back a much different image from that of 1945, when the United Nations was mainly a white man's club. The people of color who, in 1945, constituted the majority of the world's population were hardly represented. By the time the United Nations celebrated its twentieth anniversary in 1965, this situation had significantly changed—from eleven Afro-Asian states present in 1945 to sixty-five in 1967. And the four new nations of the Caribbean that are inhabited predominantly by the peoples of color also can be added to the Third World. In 1970, with the admission of Fiji, the majority of the 127 members were Third World states.

The presence of the Third World in the United Nations has turned it into a truly global institution. The point was made dramatically by Pope Paul VI on his visit to the United Nations on October 4, 1965, when he declared:

"Permit us to congratulate you on having had the wisdom to open this Assembly to the young peoples, to the States which have recently attained independence and national freedom. Their presence here is the proof of the universality and magnanimity which inspire the principle of this institution."

Once the impact of the new nations was felt at the United Nations, a significant change in the items under discussion on the annual General Assembly Agenda could be observed. The Third World brought into the halls of the United Nations the poor man and made him a topic of concern for the major powers.

For the Third World nations, the United Nations is a unique opportunity and a special instrument. Through their permanent missions to the United Nations they are able to maintain contact with fellow Third World countries without the heavy commitment of men and money to diplomatic missions in all these countries. Thus most Afro-Asian states assign their leading diplomats to the United Nations post.

More important, the United Nations is the only place in the world where the influence of these countries outweighs their economic and military strength. And it is through the Secretariat and the Secretary-General that their influence is particularly felt. This strength was clearly evident in the arrangements for the visit of Pope Paul VI to the United Nations in October, 1965. The Third World nations enthusiastically supported the visit because they felt that the Pope would add the prestige and influence of the Holy See in support of their three central concerns: war, peace and disarmament; efforts to eliminate racism and colonialism; aid programs to reduce poverty, illiteracy and disease. As expected, Pope Paul's visit was significant on all three counts.

The support coming for the Third World nations at the United Nations by the Holy See and other international religious and humanitarian groups has influenced the whole complex of the United Nations—from the offices of the Secretary-General and specialized agencies to the periphery of nongovernmental bodies. All three central concerns of the Third World are now in the forefront of United Nations interest. This is a far cry from the grim prediction that the admission of these "small, poor states" would distract the United Nations from the major problems facing the world in favor of the narrow interests of these countries. The opposite has happened: the Third World has humanized the United Nations and sustained a larger view of a world struggling to achieve the vision of mankind ever evolving toward a better life for all.

The presence of the Third World has almost transformed the United Nations into a fully universal institution. The China question is the one main question to be resolved in this regard. One has the feeling that, as we enter the second twenty-five year period, we are at the eve of an equitable solution to this problem that has been a vexing one for all advocates of universality. Here again, there was no predestined guarantee that the United Nations would solve this problem the moment it appeared on the agenda of the United Nations. Nevertheless the United Nations machinery provided the forum for over ten years of discussion and this dialogue has in it the seeds of eventual solution.

THREE NEW SOURCES OF CRITICISM

Three new schools of criticism for the United Nations have developed in the past few years. First, the advocates of rapid evolution from the United Nations institution to a world government have been disappointed that the United Nations did not evolve to a new super-world sovereignty in its first twenty-five years. In the late 40's and the early 50's there was in Western circles a small but articulate group supporting the United Nations as a means to a goal that they wanted—world government. As a matter of fact, world government was never envisaged as the end-product of the new institution launched in 1945 at San Francisco. The United Nations is not a supra-state. It does not legislate, though it provides machinery for member states to cooperate in an organization of sovereign states.

The world government enthusiasts in the first few years of the United Nations seized upon it as a means to accomplish their end. Now, twenty-five years later, while the United Nations has facilitated greater conversation and in many ways has implemented Teilhard de Chardin's vision of universal pluralism, it has not resulted in world government. This group of early enthusiasts has, in a way, soured on the United Nations and has joined the original isolationists and others in criticizing it.

Second, Israel always has had an articulate group of supporters. Since the United Nations facilitated, if not sponsored, the birth of the state of Israel in 1947, the pro-Israel enthusiasts enlarged their affection for Israel to include the United Nations. It was a matter of course in the 50's to find that American organizations who were wholeheartedly supporting Israel were also in the pro-United Nations group.

In the past few years Israel had been witnessing some difficulties in the United Nations. The strengthened nationalism of the Arab states plus their *"marriage de convenance"* with select Afro-Asian countries has given them a vastly strengthened posture at the United Nations. In the 1970 General Assembly, Israel was defeated on several key matters affecting its interests. This new development has resulted in some of the pro-Israeli supporters cooling their affections towards the United Nations.

Another area of criticism of the United Nations has been the subsidiary role that it has played in any attempts at resolving the Vietnam conflict. These critics hold that "somehow" the United Nations should have been able to resolve this problem. As a matter of fact Vietnam never did emerge as a full-scale world conflict. Nor is the United Nations involved in the present negotiations.

This criticism is based on the assumption that the United Nations should contain properties of greatness—if not magic—that would allow it to resolve—and to everyone's satisfaction—the problems plaguing mankind. It has not been able to do this in the case of Vietnam. Should the United Nations be "written off" for this and other defects and non-accomplishments?

These three developments are unfortunate and, while it is only perhaps natural for groups with overriding primary interests to be disappointed when the United Nations no longer coincidentally supports their interest, one would hope that they would rise above the temptation to do harm to an institution that Pope Paul VI so clearly had hailed as the leading universal secular facility to serve the family of man.

DANGER OF EXTREME POLEMICS

There is another, more serious, danger now present in the United Nations. Some of the new members whose independence came in the wake of what they regarded as oppressive foreign domination and who still see parts—albeit small—of the Third World under foreign control, are highly emotional on some of these very sensitive issues. When the complicated questions of southern Africa—colonialism, human rights, and so forth—emerged on the agenda of either the General Assembly or the Security Council, there has been the tendency in the past few years for certain of the newer nations to seize this opportunity to engage in inflammatory polemics.

This is contrary to the tradition that inspired the founding fathers of the United Nations. Both physical and emotional violence was to be avoided within the walls of the serious global institution of the United Nations. The representatives of the sovereign states were to set forth their theses and their arguments in a calm, cool, and collected fashion. Unfortunately, in the past several years this has not been the case. Although not the only one, the Committee of twenty-four—the General Assembly's Special Committee on Decolonization—has been among the offenders. In early 1971 both the United Kingdom and the United States withdrew from membership on this committee. Many committed believers of the United Nations are concerned that, if the tendency to engage in highly emotional polemics continues at the United Nations, its usefulness as an institution of dialogue, as an institution of universal pluralism, will be impaired.

CHALLENGE: TO RENEW

In looking back over the twenty-five years and glancing even further back over the attempts of mankind in the past to facilitate conversation and to reduce the tendency to confrontation, we can, as President Nixon remarked to the United States staff at the United Nations, be thankful that mankind's vision has evolved from a point where an international institution was established and has survived twenty-five years. All of us, regardless of our interests, should avoid the temptation to attack and criticize. We should avoid participating with those who would destroy the United Nations. Our challenge is to engage in reform; to work quietly and patiently to improve the institution.

Teilhard de Chardin, one of mankind's leading prophets of universal pluralism, has said "The task before us now, if we should not perish, is to shake off our ancient prejudices, and to build the earth".

The United Nations has emerged from man's arduous journey. It, like man, is not perfect. But, like man, the United Nations has, in its essence, the seeds of greater perfection.

The task for us now is to seek the greater perfection of an institution that evolved in mankind's nobler moments. Reform has always taken more courage to implement than destruction. But, as Teilhard said, "the future of the earth is in our hands. How shall we decide?"

THE PAKISTANI REFUGEES

Mr. PERCY. Mr. President, the heavy influx of refugees from East Pakistan has sorely taxed the already overburdened resources of India. Because the refugee population has now reached 9 million, pressures are mounting in India to take military action against East Pakistan to stem the tide of refugees. Indeed, the threat of war hangs heavy over India and Pakistan. The New York Times, in an article written by Malcolm Browne and published on October 26, 1971, reports that "501 enemy troops defined as Indians and Indian agents" were killed by West Pakistan forces. In fact, the Times further reported that "these statistics indicate that the fighting had reached its greatest intensity since the brief Indo-Pakistani conflict in 1965."

It is all too apparent that the mobilization of forces along the Indo-Pakistani frontiers is intensifying the threat of war. In the Washington Post of October 17, 1971, it is stated:

It is believed that neither side want to go to war. The chief danger is seen as coming from accidental escalation along the East Pakistan border.

The ever-increasing total of Pakistani refugees in India complicates the matter greatly. Sydney H. Schanberg, in an article published in the New York Times of October 10, 1971, writes that—

India's willingness to absorb the refugee pressure is not limitless—that there is a breaking point and that it could come soon.

I have recently been to both East Pakistan and India and witnessed firsthand in eight different camps the despair and tragedy of the refugees. As Malcolm Browne notes in the New York Times of October 14—

. . . the chances of reversing the tide of millions of destitute refugees who have fled to India seem remote.

It is obvious that the situation is deteriorating. In these circumstances, all interested nations should be exploring, by diplomatic means, the possibilities of solutions which would maintain the peace between India and Pakistan, and lead to the return of the Pakistani refugees to East Bengal as soon as their security can be assured. Our own State Department is working toward this objective.

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 New York Times, Oct. 26, 1971]

PAKISTAN CLAIMS 501 OF FOE KILLED

(By Malcolm W. Browne)

KARACHI, PAKISTAN, Oct. 25.— The Government reported tonight that its forces had killed 501 "enemy troops"—defined as Indians and Indian agents"—in heavy fighting in East Pakistan.

The Government, here in Pakistan's western wing, uses the term "Indian agents" to refer to all of its adversaries in East Pakistan, including the Pakistanis there who have been battling for Bengali independence since March with Indian support.

U.N. OBSERVERS SUGGESTED

Today the Government said some of the bodies bore identification tags of the Indian Army. If the casualties are indeed Indians and if the toll even approaches the figures given, that would indicate that the fighting had reached its greatest intensity since the brief Indian-Pakistan conflict in 1965.

[In New Delhi, Defense Minister Jagjivan Ram reiterated that India would not pull her troops back from her borders "as long as the Pakistani threat continues."]

Meanwhile, the Government announced that President Agha Mohammad Yahya Khan had asked for the intercession of Secretary General Thant of the United Nations in the dispute.

According to the Pakistani radio, President Yahya Khan proposed that United Nations observers be posted on both sides of the border between East Pakistan and India to supervise a mutual withdrawal of forces to an agreed distance. He had previously proposed such a withdrawal to India, which rejected it.

He suggested that troops and armor be withdrawn by both sides to "peacetime positions," implying for the first time that India and Pakistan are in a state of war. If such a withdrawal is not possible, he added, a withdrawal should be made to positions affording security to both nations.

INDIANS AND INDIAN AGENTS

In a communique, Pakistan said that the latest casualties among "Indians and Indian agents" numbered 438 yesterday and 63 today. The communique did not mention Pakistani military casualties but said that Indian shelling of seven East Pakistani villages had cost the lives of 67 persons.

The Pakistani leader's request for the intercession of Secretary General Thant was made in a letter he sent Thursday in response to one he had received from Mr. Thant.

President Yahya Khan said that an immediate visit to the area of confrontation by Mr. Thant would yield "useful results."

He reiterated Pakistani charges that border tensions had been caused by Indian aggressive designs and said that an Indian statement last Tuesday had threatened the capture of the Pakistani cities of Lahore and Syalkot, "proving the gravity of the situation."

Meanwhile, the Government said the army had beaten back an attack by Indian troops and guerrillas on the Pakistani border post of Kamalpur, in Mymensingh District.

The attack was said to have involved two battalions, presumably about a thousand men. In two successive assaults, the Pakistani communique said, 63 of the enemy were killed and Indian identification cards were found on some bodies.

Attacks of similar strength yesterday were said to have been repulsed by Pakistani forces in the Comilla District of East Pakistan.

India has repeatedly rejected proposals to station United Nations observers or a peacekeeping force along the frontiers on the Indian side.

[From the Washington Post, Oct. 17, 1971]

INDIA, PAKISTAN BUILD UP BORDER MILITARY STRENGTH

India and Pakistan were reported strengthening their military forces along the borders between the two countries yesterday as signs of war intensified.

A spokesman of the Indian Defense Ministry said India was moving troops up to its borders with both East and West Pakistan—separated by 1,000 miles of Indian territory—as a "precautionary defensive measure."

According to Western sources in New Delhi, the Indian move followed reports of five Pakistan army divisions taking positions along the West Pakistan-India frontier.

Indian newspapers headlined stories of massive Pakistani troop deployments. A diplomatic source reported that a senior member of Prime Minister Indirma Gandhi's cabinet told an ambassador Friday night that "war is inevitable" and could erupt within two weeks.

Both sides continued to stress that they would not initiate a war. Indian Foreign Secretary T. N. Kaul said, "We won't fire the first shot, but we will defend our territorial integrity if attacked." His statement reflected similar Pakistani claims.

Mrs. Gandhi met for the second straight day with her cabinet to review the tense border face-off. She is expected to outline India's stance at a news conference Tuesday, just five days before she is scheduled to leave on a three-week six-nation tour, including the United States.

It is believed that neither side wants to go to war. The chief danger is seen as coming from accidental escalation along the East Pakistan border.

The approaching end of the monsoon is likely to increase the fighting inside Pakistan between the Bangla Desh (Bengal Nation) guerrillas and the Pakistan army. This could also lead to more incidents along the border, where the main guerrilla training camps are located.

A Pakistan official announcement in Dacca Friday claimed that artillery shelling from the Indian side of the frontier had killed 38 villagers and wounded 57 in 34 border villages in East Pakistan. The announcement did not say when the shelling took place, but unofficial reports in Dacca say the border areas have been under constant artillery attack for the past two weeks.

Indian officials reported three shooting incidents along the U.N. policed cease-fire line in Kashmir, and there were reports of at least one clash involving casualties farther south along the border.

There has been a steady increase in tensions since March, with the abortive revolt in East Pakistan and the influx of an estimated 9 million East Pakistani refugees into India.

According to Western sources one of the areas of heaviest Pakistani troop concentration was reported at the Sialkot Salient facing the main Indian supply route to Kashmir.

Sialkot was the scene of the first thrust across the border in the 17-day war between India and Pakistan in 1965.

Observers believe that a new Indo-Pakistan war would not last much longer than that conflagration, owing to the economic inability of both countries to support a protracted war.

But prowar elements in India argue that only a war can force Pakistani President Yahya Khan to create the political conditions in East Pakistan which would tempt the refugees to return home. The Bengali dissidents themselves insist that only an independent Bangla Desh would end the conflict between their guerrilla forces and the Pakistani army.

Those Indians who support a war say the consequences would be less disastrous for India in the long run than the prolonged drain on the economy as well as political haggling and communal imbalance caused by the massive refugee presence.

To date, Mrs. Gandhi has rejected these arguments, very probably guided by the restraint of the Soviet Union.

[From the New York Times, Oct. 10, 1971]

BENGEL: BREAKING POINT IS NEAR—AND IT MAY MEAN WAR

(By Sydney H. Schanberg)

CALCUTTA.—When the Bengalis of East Pakistan began crossing the border into India six months ago in flight from civil war, they were greeted by the Bengalis of India with sympathy and tolerance despite the disruptions created by the refugee flood. But life is a survival affair in this corner of the world and magnanimity a luxury that few can afford for long.

Last week, with the refugee population swollen to 9 million, West Bengal, the Indian state on the East Pakistani border, was in an explosive condition. Across the border, the Pakistani Army was still killing and burning in an effort to crush the East Bengal independence movement—and still sending refugees pouring into India at a rate of 30,000 a day or 1 million a month. In West Bengal, tensions were festering both inside and outside the refugee camps. And the temptation to get rid of the crushing refugee burden by intervening in the fighting across the border—even if that meant another war with Pakistan—was growing for Indians all the way up to the Government in New Delhi.

In the beginning, when there were only 1 or 2 million refugees, the Government of Prime Minister Indira Gandhi, although strained by the relief effort, exhibited no sense of crisis. In fact, the refugees were a political asset that India could use in denouncing Pakistan's military repression and expressing New Delhi's sympathy for the independence of Bangla Desh, or Bengal Nation, the name the Bengali separatists have given to East Pakistan.

But now the relief program is cracking at the seams. The refugees are complaining that they are not getting their full rations; some have accused camp officials of black-marketing relief supplies. Angry local people are protesting that the refugees are getting more food free than they can afford to buy on their meager wages as field hands and construction laborers. Refugee pressures have pushed local food prices up, and surplus refugee labor has driven local wage rates down. Firewood for cooking is scarce, and refugees have been caught stripping wood off fruit trees in local orchards.

Several clashes, and even some near-riots, have erupted; some refugees have been killed either by the police or local people. Marxist and Maoist political groups are trying to exploit these tensions to foment even wider trouble. Indian officials have hired several thousand young men to try to curb extremist agitation in and around the camps.

What the Indians fear most is that the tension might take on a communal color—most of the East Pakistani refugees are Hindus terrorized by the Moslem West Pakistani Army—and touch off a nationwide chain reaction in which India's majority Hindus would take revenge on the country's 60-million Moslems.

The pressures are building in India to take some bold action that would stop the flood of refugees, a major threat to the country's already-fragile social and economic fabric. Bangla Desh officials are pushing hard on New Delhi to give them the support needed for a major offensive. They are asking for sufficient heavy weapons and air cover, although not Indian troops.

In the United Nations General Assembly last week, the Pakistani delegate charged that India has in fact been carrying on a clandestine war against Pakistan for the last few months. The charge bears some truth, for India has been giving sanctuary and arms to and training the Mukti Bahini (liberation forces) of Bangla Desh and has occasionally provided covering artillery and mortar fire for the Bengali guerrillas. With their hit-and-run raids, the guerrillas have been able to keep East Pakistan in chaos and the Pakistani Army off balance. They have been severing roads and bridges, knocking out power installations and killing a significant number of Pakistani troops.

The most dramatic of the guerrilla successes has been the damaging and sinking of ships in East Pakistan's two major harbors. The latest casualty was a Greek tanker, which Bengali frogmen damaged in Chittagong harbor about a week ago. Some shipping lines are thinking of halting all their traffic into East Pakistan. That would be a severe blow to the ability of the Pakistani Government to support its military occupation there.

Up to now, the Indians—themselves restrained from any rash move by their closest ally, the Soviet Union—have refused to help the guerrillas mount a major offensive that could seize a sizable chunk of East Pakistan territory and set up the Bangla Desh Government. But more and more people, including key Indian military officials, are shaking their heads gloomily and saying that unless the civil strife across the border is ended very soon by a political settlement, there may be no alternative to some kind of military action against East Pakistan.

Even if the Indians do not immediately sanction a full-scale thrust to seize major territory, where at least some of the refugees could go back to live, reports here indicate that New Delhi is increasing its arms supply to the guerrillas and that there will be a sharp increase in guerrilla activity within a few weeks—"a big punch," as one Bangla Desh official described it.

How far India is prepared to go eventually to support the guerrillas is not clear. Most observers here feel that India's ability and willingness to absorb the refugee pressure is not limitless—that there is a breaking point and that it could come soon.

No decision on that is likely to be made until Mrs. Gandhi returns from her major tour of Western capitals, including London and Washington, on which she embarks later this month. The Prime Minister will be pressing for stronger Western support for India's position—that Pakistan's military regime must negotiate a settlement in East Pakistan with the Awami League, the autonomy-minded party that won 160 of East Pakistan's 169 National Assembly seats (a national majority) in last December's elections and was outlawed when the Pakistan Army struck in March. Mrs Gandhi will also presumably be probing subtly—particularly with the Nixon Administration—to find out what the Western reaction would be to a major Indian military action.

If Mrs. Gandhi gets nothing but more urgings of caution and restraint and comes home feeling that India is being abandoned or isolated, then caution and restraint may be the next casualties on this disturbed subcontinent.

[From the New York Times, Oct. 14, 1971]

HORRORS OF EAST PAKISTAN TURNING HOPE INTO DESPAIR

(By Malcolm W. Browne)

DACCA, PAKISTAN.—The horror of life in East Pakistan shows every sign of becoming permanently institutionalized, and most if not all the foreigners who came hoping to help are on the verge of despair.

In particular, the chances of reversing the tide of millions of destitute refugees who have fled to India seem remote. Most governments consider the refugee problem the main catalyst in the atmosphere of war prevailing on the subcontinent.

India charges that military terror in East Pakistan since the central Government moved against the Bengali separtists March 25 has driven nine million refugees across her borders. Those people, the Indians say, are an intolerable drain on already vastly overtaxed economic resources and a force that could result in a political catastrophe or internal warfare.

The New Delhi Government has hinted that as a last resort it might try to change the situation in East Pakistan by force to induce the refugees, whom Pakistan numbers at less than a third of the Indian figure, to leave India. Pakistan has hastened her own preparations for war. Major troop movements have been reported here and in India in the past few weeks.

The Soviet Union, China and the United States, among other nations, are deeply entangled in the feud. The United Nations and other international organizations have been working with great urgency to alleviate the misery and, especially, to prevent a war.

Dozens of governments have teams of experts, technicians and diplomats working in East Pakistan. The United Nations East Pakistan Relief Operation alone has 75 officials here.

There is some disagreement among the hundreds of foreign officials about the techniques by which the refugees could be repatriated. But there is apparent unanimity on one subject: that East Pakistan should overcome its reputation as a place of endless horror and suffering.

To that and many Governments, including that of the United States, have pressed the Pakistani Government at Islamabad for fundamental changes in East Pakistan, among them these:

NO REAL PROGRESS DISCERNED

The end of police and military terror directed against thousands of political suspects and millions of non-Moslem members of ethnic and religious minorities.

A reasonably representative government in Dacca, capable of restoring the faith of East Pakistan's population in the future of democracy.

A much more convincing effort by the central Government to relieve the physical suffering wrought on East Pakistan's predominantly Bengali population by flood, cyclone and war in the last year.

The consensus among the foreigners working here is that there has been no real progress in any of those areas.

Whispered conversations with Bengalis still have to do largely with alleged atrocities by the occupation army, which is largely made up of West Pakistanis and is hatred by most of the population.

One tale that is widely believed and seems to come from many different sources is that 563 women picked up by the army in March and April and held in military brothels are

not being released because they are pregnant beyond the point at which abortions are possible.

A government spokesman denied the report and challenged any accuser to name the place where the women are supposed to be held. On the other hand, a number of Bengali gynecologists are known to have been performing many abortions on girls held at army installations and released.

TWO OF THREE RELEASED

In a clandestine meeting elaborately arranged to elude military surveillance, a Bengali farmer told this correspondent about one such experience. Talking with great reticence and glancing around in fear that he had been led into a police trap, he said:

"The army came to the village on the night of April 11. One patrol led me away from my house to identify something, and when I got back I found my sister was missing. Another girl, the daughter of a neighbor, was gone, and there was a Hindu family whose girl was missing.

"In the middle of May they released my sister and the neighbor's daughter, but the Hindu girl is still gone. The two girls who came back are both pregnant and will have their babies. At the place where they were kept there were 200 or 300 girls doing the same thing. They had to wash clothing and to make love to soldiers two or three times a day."

"My sister doesn't know where she was kept," the farmer added.

Many Dacca residents, including foreigners, tell of having seen young women taken away by military policemen without even an identification check.

Other people, obscure and prominent, are also subject to arbitrary arrest, although President Agha Mohammed Yahya Khan proclaimed a general amnesty for political prisoners last month and his action was warmly applauded by foreign diplomats seeking political accommodation in East Pakistan.

The diplomats, who now say that the amnesty was purely cosmetic, report that the Government not only has failed to release any important prisoners but also has continued arresting politicians, professors, lawyers and others by the hundreds.

According to a number of reports, some foreign observers, a number of persons under amnesty have been arrested and shot.

THE MOST PROMINENT PRISONERS

The most prominent prisoner is Sheik Mujibur Rahman, universally acknowledged as the political and spiritual leader of East Bengal. Sheik Mujib's Awami League party won a sweeping election victory last December for National Assembly seats allocated to East Pakistan and he had been scheduled to become Prime Minister of all of Pakistan.

Most diplomats and other foreigners believe that a resolution of the East Pakistan crisis can be found only if Sheik Mujib is permitted to exercise the role of leadership in East Pakistan to which he was elected. But he remains a prisoner undergoing a secret military trial and facing a possible death sentence.

Members of his family, while not accused of any crime, are held as virtual prisoners here.

Such political repression has extended not only to the banned Awami League but to any politician or group likely to embarrass the military regime.

The effect was dramatically underscored last week by a former chief of the air force, who decided to try running for public office in view of the Government's announced intention of moving toward democratic processes.

The officer, Mohammad Asghar Khan, a retired air marshal, is known throughout Pakistan as a patriot and political moderate. He commanded the air force in 1965 during Pakistan's brief but bloody war with India and has always insisted that Pakistan remain one country.

PROGRAM WAS CENSORED

Mr. Asghar Khan, a West Pakistani and a leader of the movement that brought about the collapse of President Mohammad Ayb Khan's Government in 1968, offered a conciliatory program calling for major development efforts in East Pakistan and genuine political freedom for its people, but it has been completely censored. On Friday he announced that no candidate could run unless he could reach the public through the press, so he was withdrawing.

"Today is a black day for democracy in Pakistan," he said, "when even I, with a mild program breaking no martial-law regulations, am frozen out."

When the army occupied East Pakistan and banned the Awami League, the election was, in effect, annulled. Some elected assemblymen were cleared by the army to take their seats, but most had fled to India or joined the guerrillas.

In July, President Yahya Khan announced that by-elections would be held to fill the seats.

Government-approved candidates and parties, most of them strongly right-wing and fundamentalist Moslems and all heavily escorted by troops, have begun giving speeches in East Pakistan, and are reported on at length in the controlled press. All have advocated a war to the finish against "miscreants" and "Indian agents"—words invariably used by the Government to describe the Bengali guerrillas.

Meanwhile, the anguish of war continues in the countryside.

The guerrillas are taking an increasing toll of the occupation army and medical circles report growing numbers of bodies of soldiers. The guerrillas are also said to be assissinating members of the local "peace committees," civilian groups made up mostly of non-Bengalis and assigned to carry out army administration of occupied areas.

When troops or peace committees are attacked, the army burns hamlets to the ground in reprisal, and local reports usually tell of heavy losses of life.

In the prevailing circumstances, according to most foreign observers stationed here, the refugee crisis and the other major problems are not susceptible of solution, however much foreign assistance is poured in. It is especially unlikely, they say, that East Pakistan's Hindu minority, about 10 per cent of the March population of 75 million, will ever return in any numbers.

The Hindus were particular targets of the soldiers. Hindu communities and shops burned out by the army stand deserted, their temples smashed. The Government has made it plain that Hinduism will no longer be tolerated in East Pakistan; to reinforce the point, the new civilian Governor, Dr. A. M. Malik, did not appoint a Hindu to his interim cabinet.

CENTERS NO LONGER VISITED

A foreign relief worker, reflecting the failure of the Government's amnesty, said: "We no longer bother to visit the Government's 60 or so refugee reception centers. It's obvious they aren't coming back in more than a tiny trickle—none in some areas."

"At one place," he added, "we discovered the Government had a staff of professional refugees that they brought out whenever visitors came to show that something was going on."

"The army authorities tell you there are 2,000 refugees at some camps," another expert related. "You go there and find a handful of people wandering around, and under continued questioning the authorities agree maybe there are only 200.

"After hearing as many deceptions as we do, it quickly reaches the point at which we cannot take the Pakistan Government's word for anything, however trivial."

There are universal complaints that even in the matter of humanitarian relief the army has commandeered all available trucks, cars, motor launches and boats—the only available means of moving food or supplies until foreign relief vehicles can be brought in.

BLAME PUT ON INDIA

The Government insists that all or most of the troubles would disappear if India would end her "provocations" and stop infiltrating men and arms into East Pakistan.

The Pakistanis say India's warlike actions are demonstrated by her unwillingness to allow United Nations or other foreign relief workers to enter the border zones near East Pakistan. Pakistan, on the other hand, has admitted relief teams.

Some diplomats believe that a partial solution would be the imposition by the United Nations of a military peacekeeping force between East Pakistan and India, through which refugees could move if they chose. It seems unlikely that either country would agree to such a move.

The pessimism among foreign observers is formidable.

"There is really nothing anyone with any amount of money can do for East Pakistan," a relief expert commented. "It seems to be an irredeemable land whose people are doomed from birth, and as the population of the subcontinent doubles every generation, it will only get worse."

"My own feeling," he added, "and I know lots of us share it, is that the outside world might just as well pull out now and let things here take their inevitable course."

COURT ORDERED BUSING

Mr. BROCK. Mr. President, my constituency continues to struggle under the heavy burden of court ordered busing of our children in a well nigh unattainable attempt to achieve some mythical racial balance in our public schools.

Apparently completely obscured is what should be our prime objective, quality education for all children. Such disruption of our schools has resulted from many of these plans that not only is it impossible for children to learn in such an atmosphere, it is also impossible to maintain discipline.

Reports of events taking place in schools such as West End Junior High in Nashville strike terror in the heart of every parent who must send his child off in the morning with a prayer that he or she will return safely at night.

One such report was presented by Mr. John N. Shockley, Jr., gives us a graphic picture of the ordeal our children and parents are enduring. I ask that the attached article from the Nashville Banner of September 29, 1971, be included in the RECORD.

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

WEST END PARENTS AIR FRUSTRATIONS

Worried and frustrated by lack of discipline, a 58 per cent Negro-42 per cent white ratio and absence of textbooks three weeks after the beginning of school, representative of parents of West End Junior High School appeared before the Metro school board Tuesday.

Spokesman for the group was John N. Shockley Jr., who with quiet, courteous and firm delivery, outlined the West End Junior High School as viewed by his group.

His complete remarks are as follows:

"We appreciate this opportunity to appear before the School Board.

"We represent a large number of parents and others, evidenced in part by this large gallery, who are concerned with some unfavorable conditions at West End Junior High School.

"1. We assert that there is a vast discipline problem at West, involving physical abuse, molestation between the sexes, and intimidation that for many parents and children is casting a shroud of fear over them. I have in my possession a number of affadavits signed by individual parents that will attest to the severity of the discipline problem. I am free to share the content of these with you privately, or perhaps in an executive session, but not, within the context of this public meeting.

SLOW START

"2. We assert that the school year has been very slow in getting started this year. We are concerned about class organization, schedules, the number of teachers, and whether or not students have been grouped according to the best interests of each, as far as mental aptitude and achievement are concerned.

"We are especially concerned that, by and large, textbooks are not yet available at West, although school has been in session almost a full month.

"3. We are convinced that these circumstances are aggravated by the fact that the school has a black majority—an apparent 58–42—black-white ratio.

We maintain that the black majority at West is in direct violation of the recent court order. We suggest that this, as well as idle time, contributes greatly to the discipline problem.

"4. We ask school officials to examine closely the conditions alleged, and to examine closely the breadth and depth of the curriculum at West. We ask you to consider whether or not this environment is conducive to preparing young men and women for responsibilities of later life.

ASK FOR ACTION

"5. We ask for action on each point noted. We ask that positive, definite steps be taken immediately to control the discipline, and that parents be informed of such action.

"We ask that there should be textbooks at West tomorrow, if the books exist today.

"We cite the black majority point as a legal one, and emphasize that if the School Board, in its wisdom, does not see fit to challenge or change this imbalance, our next consideration will be to initiate litigation in the courts. We suggest that the Board may wish to consider the feasibility of a joint action with us in this event. We have received legal advice that the court order is not being effected as intented.

"Finally, we wish to assert the fact that this is not a personal attack upon the principal of West End Junior High School. It is instead, an attack upon a problem. It is, in our opinion, a matter of a job that is not getting done.

"We respectfully ask your assistance in providing safety in fact and the assurance of a good education for a large group of children—black and white," he concluded.

SOLVE PROBLEMS

Indications by Dr. Elbert Brooks, director of schools, were that a meeting would be set up with Shockley today to attempt to solve the problems he outlined.

School Board Chairman C. R. Dorrier assured Shockley "we'll do something about all these things."

"Discipline, of course, is a continuing problem," he said.

"We are just as concerned as Mr. Shockley about discipline," Dr. Brooks said.

Concerning pupil ratio, Dr. Brooks said that if the ratio of more Negroes than white children had resulted from an error, this could be corrected. But if it had occurred because fewer whites had appeared at West End that were zoned to West End, it was not a matter that could correct itself.

"The staff has moved to correct the error of zoning at West End," Brooks said. A total of 125 Negroes are to be moved from West End Junior High to John Moore to improve the racial balance at West End. John Moore Elementary would still remain predominantly white, according to what Dorrier told Shockley.

Brooks noted that the students had been improperly zoned to West End, rather than to John Moore, and that "we are simply correcting the situation."

West End, following the change, would have just under "50 per cent black with 668 pupils, more or less," Dorrier said.

A member of the staff said there would be plenty of textbooks at West End with the shift of the 125 students authorized by the board. "I don't know if they have been issued, but the books are in the building," he said.

PARENTS DEMAND END TO SCHOOL LAWLESSNESS—CURRICULUM, LACK OF BOOKS ALSO CITED

(By Grady Gallant)

Spokesmen for parents with children in public schools appeared before Metro School Board Tuesday and demanded action to halt street fighting tactics by some pupils, enforcement of discipline and school rules, and issuance of textbooks to some students who have been in classes for almost three weeks without any.

One parent made an eloquent plea for authorization for transfer of his son from Bellevue High School to Hillwood High School so he could take required courses for college entrance as a major in veterinary medicine.

The 192 seats in the board room were filled with parents and observers of the Metro School Board in action as those who spoke took the speaker's stand to recite frustrations, fears, criminal activity by some pupils against their children and demanded action to solve their problems.

The meeting lasted two hours and 15 minutes.

Cecil Scaife, "father of four teen-agers—three cheerleaders and a football player," told the board his daughter had been robbed as she sold football tickets in the hall of Maplewood High School.

"One of our All-City ends was struck by a chair and knocked unconscious" in another incident at the school, he said.

"On Sept. 21, a student in the class with my daughter was attacked at knifepoint. The overall length of the knife was 10 inches," he told the Metro Board of Education.

"When my daughter told the teacher, who had been temporarily absent from the classroom, what had happened, the assailant threatened her, saying: 'I'll take care of you later.'"

Scaife said the knife-wielding student "stayed in the class all week."

"I called the assistant principal and asked what action was being taken. Two days later, this last Friday, the student was on probation, but still in class," Scaife said.

The assistant principal told him, Scaife said, that "I had citizen rights, if I wanted to press charges."

"I asked him, 'where is your system? Can a student actually come in a classroom with a lethal weapon and make a threatening attempt to pull it on someone and still stay in school.'"

Scaife, who is an official at Columbia Records here, recommended that armed guards be placed in Metro schools.

W. W. (Billy) Benz Jr., a member of the school board who said he is a friend of Scaife and knows Scaife's daughter, said:

"I think it is ridiculous that a parent has to come out here and present this to us. This girl is still in school and she threatened someone's life. They have the knife in the office. There is no doubt about this. I'm a parent as well as a board member and this is just absurd to me."

Board Member Frank Grisham said that he didn't think the board should "sit in judgment on particular cases as detailed as this in open meeting like this until such time as it has been properly reviewed by the staff."

"We're not trying to hide anything," Grisham said. "We know we've got problems. At the same time, we need to inform the community that we know their problems and do something about them."

Metro school system has no policy whereby incidents involving breaches of conduct are reported to school headquarters, unless the matter is serious enough—in the judgment of the individual school principal—to warrant suspension.

Dr. Elbert Brooks, director of schools, said that he was not aware of the incident of knife play described by Scaife. Since no reports are routinely made concerning such activities, unless the principal suspends the student, this would not be unusual.

Hugh Waters, area superintendent of District 1, noted there had been a staff meeting with school principals on matters and procedures concerning discipline in the schools. All the principals had left the meeting resolved to enforce discipline, he said.

Jack Paramore, director of development for Free Will Baptist Bible College, spoke from the audience to say "we do have a problem and it's developing into a serious matter."

"Some of us are afraid for our children's safety," he said. "We are deeply concerned; we are deeply concerned for their education.

"I feel that my child is getting less from his education this year than in any previous years. We've been forced into a situation we don't like. We are going to have to find some way to secure our children's safety and proper education, which points up to a private educational system," he said.

"I don't like that. But I sincerely believe that the public system is in deep trouble. Many people here today have already placed their children in private schools. Others are going to follow suit. We are not correcting the deep-seated problem wherever we may locate it. It is intensifying. 'What is going to happen to public education in the future?'" Paramore asked.

John N. Shockley, a parent appearing as a spokesman for a group of parents with children at West End Junior High School, asked immediate action to correct slack discipline at that school, provide textbooks and adjust the pupil ratio.

Shockley said the white-Negro ratio at West End is 53 per cent Negro to 42 per cent white. If this could not be corrected, he said his group was prepared to enter into litigation in the matter and invited the school board to join with the group in this action, if it became necessary.

"We assert that there is a vast discipline problem at West, involving physical abuse, molestation between the sexes and intimidation that is casting a shroud of uneasiness over many of the children and their parents," he said.

He asked for textbooks for the children, who have had none since school began.

Dale Edwards appeared before the board in behalf of his son, who wants to study veterinary medicine in college and who needs Latin as a requirement.

A junior at Bellevue, Dick Edwards found that the one Latin class there—which has not yet begun—conflicted with a needed course in chemistry.

Edwards had requested transfer to Hillwood High for this reason and the request was denied.

"This is a plea for academic necessity,"

the father told the board. "We are requesting a transfer from a school which has less than 40 black students to one which has over 400—from a school which has over 200 more students than projected to one that has over 200 less."

Dr. Brooks told Edwards he would meet with him in an attempt to solve the matter and that he would call him to make the appointment today.

THE INAUGURATION AT DENMARK, S.C., ON OCTOBER 22, 1971, OF DR. HARRY PIERSON GRAHAM AS PRESIDENT OF VOORHEES COLLEGE AND THE INAUGURAL ADDRESS BY WASHINGTON, D.C., MAYOR WALTER E. WASHINGTON

Mr. THURMOND. Mr. President, it was my pleasure on October 22, 1971, to attend the inauguration ceremonies for Dr. Harry Pierson Graham as president of Voorhees College in Denmark, S.C. He is a native South Carolinian who brings distinction and dedication to the position he now holds and I know him as a man who will render great service to the college, the community, and all whose lives he will touch.

On the occasion of his inauguration, a most fitting ceremony was held at the college which was attended by a large gathering of students, alumni, and friends of Voorhees. Included in the official guests were Congressmen FLOYD D. SPENCE, W. J. BRYAN DORN, and MENDEL J. DAVIS, all of South Carolina; Lt. Gov. Earle E. Morris, Jr.; and Denmark Mayor Walter E. Brooker. There were also representatives there from a large number of colleges and universities from around the Nation. The Protestant Episcopal Church which is the college's sponsoring institution also was well represented by the Reverend Stephen B. Mackey, the Reverend William O'Neal, and the Reverend Canon James Davidson.

One of the highlights of the ceremony was the inaugural address which was delivered by Washington, D.C., Mayor Walter E. Washington. His remarks on Americanism provided an inspiring message to the college, its students, and its leaders and were highly befitting the inauguration of such an outstanding new president as Dr. Harry Pierson Graham.

Mr. President, the high caliber of this new administration is in keeping with the tradition of educational excellence and service to mankind. I am very pleased to reiterate my congratulations to Dr. Graham and to Voorhees College for this new chapter in their history of service.

ADDRESS BY DR. HAROLD J. SCHULTZ

Mr. PEARSON. Mr. President, Bethel College of North Newton, Kans., one of our finer church-related colleges in the State, has a new president this year, Dr. Harold J. Schultz.

On October 22, the college held a convocation to initiate inaugural festivities. Our distinguished colleague, Senator MARK HATFIELD, spoke at this convocation. Upon returning, Senator HATFIELD told me that he was most impressed with the convocation address by Dr. Schultz. Since that time, I have had an opportunity to read Dr. Schultz' speech. I found it to be an excellent statement. Dr. Schultz, an accomplished historian and an innovative educator, has a great deal to say about the role of the small college in the American educational system today. But his frame of reference is much larger than this, and he makes a number of most worthwhile observations about American society at large.

Mr. President, I want to call this statement to the attention of my colleagues and ask unanimous consent that it be printed in the RECORD.

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

WITHOUT A VISION

(By President Harold J. Schultz)

To everything there is a season and a time to every purpose.
A time to begin and a time to be born.
A time to plant and a time to heal.
A time to weep and a time to laugh.
A time to breakdown and a time to build up.
A time of war and a time of peace.
A time to mourn and a time to dance.
A time to keep silence and a time to speak.

And the presidency is all these things and more, I find, and yet there is never enough time to do the things or dream the dreams that give life and meaning to an institution. In recent years in America there has been more time given:

To war than to peace,
To breaking down than to building up,
To pessimism than to optimism,
To putting others down than to reaching out and lifting others up,
To typing and stereotyping than to individualizing or humanizing,
To winning instant ends by dubious means, blind to the fact that means determine ends.

This morning, on this occasion, take the time to join me as I join you in dreaming some dreams. For without a dream, without a vision of what we can be or hope to be, a people, a college, or a church perish. Carl Sandberg puts it simply: "Nothing happens unless first a dream," or the British poet of the 19th century Arthur William O'Shaughnessy captures it in "The Fountain of Tears." He writes:

We are the music makers
And we are the dreamers of dreams.

One man with a dream, at pleasure
Shall go forth and conquer a crown
And three with a new song's measure
Can trample an empire down
For each age is a dream that is dying
Or one that is coming to birth.

"For each age is a dream that is dying or one that is coming to birth." That is where we stand this morning as a private Christian liberal arts college at the crossroads of two eras—of an age dying and of one that is coming to birth.

That is both the peril and the promise of any turning point in history. Education is currently in a state of flux. The pace of change quickens each year. Change *per se* is neither good nor bad, it is simply a fact of life. The excitement, the challenge, is to channel that change so that our life becomes more lovely, more humane, and our educational institutions more enriched and creative.

There is, understandably, a tendency to have only a rear view mirror of life and of education, to return to the "good old days" with a locked in curriculum, and isolated campus and a prescriptive code of ethics. It served its purpose, and often well, at one time, but you can't turn back the clock. One can no longer separate the college from the collision of ideas found in the larger culture.

Bethel College can be proud of its past. You can't read the history of this institution without being moved by the drama of men with vision dreaming impossible dreams. When we talk about risks today, or a vision for 1980, we are in the tradition of Bethel's founders who took great risks and leaps of faith in their day. To be authentic, to be true to itself, Bethel will continue to find identity in its Anabaptist and Mennonite heritage. Such a heritage, however, demands a vision of how a college, so conceived and so dedicated, can find both resources and educational experiences that minister to the current and future needs of Bethel students.

The challenge of the future will be greater perhaps than ever before. Lip worship or a printed list of Bethel's goals will not be sufficient. We must be what we say we are. We must bend ourselves to the service of all men. Father Hesburgh speaking to the ACE two weeks ago pointed this out. He said we were all so busy growing in the last twenty years that we did not have time to ask whether what was good for two percent of the college age group in 1900 was equally good for the forty percent of the college age group, or eight and one half million students, in 1970.

I would concur with Senator Hatfield, our inagural speaker, when he says in his book, *Conflict and Conscience*, "Our nation was born in revolution why is it then that we have suddenly become so fearful of change . . . peace will not come to earth until the total needs of mankind are met . . . we cannot protect the status quo." Such horizontal or peripheral vision of man and his needs is made complete by the reconciliation of man in Christ Jesus I have found, or, as Hatfield puts it, "I believe the wisdom and compassion demanded to solve any of today's personal or societal problems cannot be found in any person or place other than in the power of God working through man."

The profile of events and issues that force change becomes increasingly clear. The shear growth of numbers in young adults entering post-high school education challenges the structures of education established for a more limited clientele. In growing older there is also a tendency in each institution to proliferate its functions and objectives for very good reasons at the time. In time, institutions multiply their commitments and permit their growth to be governed too quickly by the random availability of the resources of the moment. Such random growth patterns lead obviously to a conflict of purpose, of goals, and always of means to achieve our goals. We are tempted to go into many things and do many things poorly.

The pressures are compounded by the random growth of community colleges dotting the landscape and giving away almost free, except to the tax payer, what the private college has to charge for around the corner. Add to this the spiraling costs—the fact that it costs more to do less every day in education—and the yawning credibility gap between those who provide the resources in private education, the donors, and the students who use those resources, the consumers. In such a context it's quite tempting to give in to the new pessimism about the future of private education, and to say that it has been tested and found wanting.

I am neither an optimist nor a pessimist. I am simply convinced that it is possible not only to survive but to grow in stature and in service. If one looks at history one sees again and again that the direction of change is not locked in or predetermined. You see crossroads, a selection of options. Two roads diverge. The real question is to learn what are the viable and meaningful alternatives open to us in 1971. Here is the excitement and occasion to dream dreams. The current ferment should open up a variety of educational options in the seventies. We can either help form these models or be formed by them. And playing safe is no security. In the highly competitive academic world of education today when our admission counselors are scrambling to outsell one another to a pro-

spective student who is already worldly wise and jaded by such undue attention, students and donors are not going to buy an outdated or nondescript college.

Our future is to be *more* distinctive at Bethel, not *less*. To do a few things very well, not many things poorly. There is risk in this but there is infinitely more risk in trying to be all things to all people or in being a nondescript ex-Christian college, Dag Hammarskjold, the late secretary general of the UN, says, "It is when we all play safe that we create a world of utmost insecurity." As a historian, my mind flits from example to example where a small determined minority changed the world. That is what is exciting and threatening. One did not really take the Bolsheviks too seriously in Russia in 1917. After all they were only 200,000. How could they take over a giant nation of six million square miles? The interim premier, Kerensky, knew they were plotting but he did not take them seriously until the night before the coup; by then it was too late.

Turn the coin and ask who really believed that a small band of disciples, unarmed, often illiterate, could overturn the mighty Roman empire and be the church, the only institution to survive its fall. Martin Luther King puts it "Almost always the creative dedicated minority has made the world better, not the passive majority." Private education in America will never again be the establishment. Our numbers are dwindling every year. As Christians reflecting on such a minority status in the world this should really not distress us. The real question we have to face is are we, or can we become, a creative minority and offer a joyful authentic alternative in the spectrum of higher education. Here is where Bethel has a challenge. And I join you this morning in responding to that challenge. For the college or university can be an excellent vehicle for innovation.

Sam Gould, recently chancellor of the State University of New York says:

"The university has always been ahead of its time yet behind the needs of its people. Rightly understood a university is not a place; it is an ideal and an activity, guided by vision and reshaped in action. The paradox of our time is that the university has been so busy reshaping knowledge and culture in the face of incredible changes in space, time and value, it has not had time to reshape itself."

Certainly the ability to understand and adjust to change is precisely what higher education today is all about. I see the college of the future far more flexible than it has been in centuries. It will increasingly be a global university with exchange of students and professors across cultural and international frontiers.

First, a few comments on the means of change because means are more important than ends since they determine ends. To assume that instant change, like instant coffee, can occur with little regard to the process that successful change demands is not a vision but a nightmare of nihilism and anarchy, and that is the worst tyranny of all. Jean Francois Revel, in his current best seller, *Without Marx or Jesus*, makes the valid point that in America we will not be saved either by the destruction of civilization or by its mere continuation. Rather, it is essential to develop the ability to reshape our civilization and our educational institutions without repudiating or annhilating them. This is the originality of the American Revolution that profound changes can transform American society without wrecking the institutions.

In distilling a few observations from history I am drawing on the pleasure of the study of history and no doubt stealing, though not by design, some reflections made by others. After all, as Will Rogers puts it, "All work and no plagiarism makes a dull speech." And some of you students extend his remarks to claim that "all work and no plagiarism makes an equally dull term paper." My mind turns first to Mahatma Gandhi, a skinny, frail, stooped, Indian who had a vision of a free and independent India. Gandhi's method was satyagraha, or soul force, whereby your opponent was weaned from error by patience and love, not crushed. During World War II, Gandhi had a perfect chance to purchase independence by guerrilla tactics and violence. He refused, knowing the means would poison the goal. Instead, when the Indians, led by the frail Gandhi in a loin cloth, allowed themselves to be beaten with batons and rifle butts and did not cringe or reply in kind, they showed the English rulers that they were ultimately powerless and that India was invincible. Thereafter it was merely a matter of time and patience.

Martin Luther King, the American counterpart to Gandhi, became the instrument that pricked the conscience of white America. Drawing on Gandhi and abiding faith in God, and God's means—love and the power of spirit over matter—he used means that gave moral momentum and dignity to the cause of civil rights. Like Gandhi he realized as Eric Hoffer, the longshoreman philosopher, puts it, "Retribution often means that we eventually do to ourselves what we have done to others." In the months ahead our means and motives in becoming what we can be and wish to be will be as important as our goals and probably speak much louder.

What then might we become? This is not the time to draw blueprints, rather, this is the time to shar hopes and to dream things that we are not yet, and ask, Why not?

First in the year of our Lord 1971, we should stand in judgment of ourselves for symbolizing all too clearly the fracturing of the Christian community. Our competitive sectarian colleges dot the Kansas landscape. We profess the unity that is in Christ; we practice the disunity that is in our rival Mennonite branches and in other branches of the Christian faith. The church college should be in the vanguard, not in the wake, of efforts to bring about reconciliation among Christians, among churches, and among their schools. Enlightened self interest, if nothing higher, says join hands, cooperate, complement one another. We wish to put it to the test to see whether it is really possible to love thy neighbor as thyself when thyself and thy neighbor happen to be neighboring institutions. Are we ready and willing to remove the ethic from the page of Holy Writ to the arena of human conflict and academic competition?

Secondly, can we retool to make continuing education a vital characteristic of our educational philosophy? Educational experiences in the sense of learning to communicate, to grove, to love, to share, are never obsolete. Only information becomes obsolete. Will we increasingly "stop out" and "stop in" more, aware that age 21 or 22 is not the end of learning but only the beginning of wisdom. As Alvin Toffler puts it in *Future Shock:*

"The rapid obsolescence of knowledge and extension of the life span make it clear that the skills learned in youth are unlikely to remain relevant by the time old age arrives. Superindustrial education must therefore make provisions for a lifelong education on a plug-in-plug-out basis."

Thirdly, we have not yet learned how to capitalize on our size and to make it a distinctive plus that neither the multiversity nor the community junior college can match. Smallness can lead to suffocation, to triviality, but it can also lead to a genuine community of young adults. Granted "community" is one of those magic words that is often more rhetoric than reality. We yearn so intensely for it because our transient, impersonal society makes life and community so difficult. We sense every day the consequences of estrangement from our fellowmen. Community does not arise, however, simply from living together on 37 acres or in units small enough to know everyone else. But it can arise from a common sense of identity, a shared commitment, from the unity of the heart as much of the mind.

It was not primarily academic issues that unravelled our universities across this country in the past several years, but the breakdown of community, of concern, and moral consensus. In the keynote address by President Hesburgh at the ACE two weeks ago he reinforced this point when he noted that, "When members of a college stop caring about each other or their institution, or become unclear about personal or institutional goals, then community ceases to be and chaos results." In this sense authentic community is directly tied up with the kind of school we want to be and the kind of people who will be attracted to it. We are not an academic cafeteria. Other schools can and will cater to other goals and purposes. Our reason for being is based on a Christian philosophy of education that attempts to grasp the fullness of life in the Lordship of Christ and the abiding freedom that is found in the preception of truth.

This means that this kind of school has an obligation to unify. To unify people and disciplines. For a liberal education, by definition, is a liberating experience. Therefore we will not focus on sub-specialties at the expense of the center. Granted it is very important to learn a trade or a profession. We need Christian professionals in every walk of life but we don't fragment the whole—the great humanistic question of justice and injustice, love and hatred, war and peace, or the meaning of life and death—to meet that objective. How to live a more complete life and be a more complete person will continue to be central.

Finally, although any good college stands for a number of things or has a clear cut image among its peers or prospective students, such as Antioch, Berea, Wheaton, Reed, or Goddard have, Robert Nisbet, in his book *The Degradation of the Academic Dogma* says:

"Always . . . there is some single recognized and inspiring function that gives a college its character that supplies cement for human allegiances. Thus no matter what range of things a family does for its members we are in no doubt of what its central, its unique function is. And it is the continuing vitality of this function that will alone serve to hold in degree of importance the other things the family represents."

Even in the judgment of critics hostile to the thrust of any of the above schools, Morris Keeton notes that there is a distinct benefit to have such a distinctive model or models in our educational spectrum, not only for their own clientele, but for the benefit of education at large.

I see Bethel, therefore, as continuing its scholarship and service dimensions but with a much more visible and complete focus on peacemaking and conflict resolution. This could and should permeate its core offerings and be the capstone that clarifies the school's reason for being.

Let me explain. I am not referring here to the conventional stereotype of the peacenik. The *Saturday Review* editorial of September 18, 1971, puts it this way:

"Everyone seems to agree from the president down that we have to find some way other than war to protect ourselves, support the cause of freedom in the world and serve the cause of man. But who is giving any consecutive thought to 'another way'. We ask the world's people to spurn communism and we back up this advice with the offer of guns, but what revolutionary idea do we ourselves espouse?"

Two weeks earlier the *Saturday Review* asked about a curriculum for peace. Where do politicians, scholars, or citizens go to

learn how to prevent wars and stop them once they have started? Where do you find the contingency plans for peaceful settlements of international disputes? Where is our Peace Pentagon? Is there no strategy for peace or for peacemaking that can be taught and learned?

For thousands of years we have run through wars and war games and after our thousandth and perhaps ten thousandth failure we just keep on with more of the same. "How many universities, scientific institutes, or government agencies in any country are agreeing on social strategies and principles for peacemaking; to proclaim, teach, and apply them on a national and international scale?" We mock the idea. It is as absurd as Jesus' Sermon on the Mount we say, or as ridiculous as the life of St. Francis of Assisi. And yet, college students asked to name the three most influential men in the twentieth century put at the top of the list two out of the three most conspicuous practitioners of nonviolence. The three who won these laurels were Lenin, Mahatma Gandhi, and Martin Luther King. Two out of three were practitioners of nonviolence.

The first International Peace Academy opened last summer in Helsinki to study and to act on the issues of peace and war and to train professionals in the field of nonviolent settlement of international dispute and internal wars. In our own country Manhattan College in the Bronx, New York, offers this fall an undergraduate interdisciplinary peace studies major. I wrote its director, Mr. Tom Stonier, Professor of Biology, a letter asking for an explanation of their program. In his response he catches the excitment that came with the introduction of this major. In part, he responds:

"The announcement of Manhattan's peace studies major on March 28 drew unprecedented response from the media and well wishers all over the world. With the Associated Press, United Press International, and Religious News Service carrying the news of the 'major breakthrough in education' the announcement of the major was spread to every major Sunday paper in the country and in papers in at least a half a dozen other countries. Radio stations called for telephone interviews with Brother Francis Bowers, Dean of the School of Arts and Sciences. Radio stations in New York did an editorial that was played throughout the day applauding the new major . . . Manhattan was not the first college to offer an undergraduate peace studies major but letters and calls of inquiry and congratulations continue to pour in from all over the world."

For Bethel such a distinctive would be authentic and legitimate. Far more, perhaps, than for Manhattan College which is capitalizing on the current concerns of the times. Bethel would draw on four hundred years of peace testimony, but not shield that dimension from the larger culture. Rather, it would share it. One wonders if peace games, instead of war games, could become best sellers. In the current issue of *Moneysworth* one of the bestselling games right now and ranked "first-rate" is the game called Risk by Parker Brothers, where you conquer the world if you can by placing your armies in the right places. Or you might prefer the game Diplomacy which sells for $8. More complicated than Risk, it requires doublecrossing and shrewd bargaining. The aim is to control Europe by means of secret agreements. Finishing one game can take ten or twenty hours.

The reality of such a model for Bethel hit me in Oxford, England. You seniors may recall the special *Time* issue of June, 1968 given over to the student leaders of America that year at Berkeley, Dartmouth, Harvard, UCLA, and elsewhere. One so featured was Robert Reith who helped head Robert Kennedy's campaign and who started the first free university in the Dartmouth area. I met Reith at Oxford where he was enrolled as a Rhodes Scholar at University College. I was pleasantly surprised to pick up the May, 1971, issue of *Time* and read about him again. Here his ideas at Oxford had jelled and he was now having some second thoughts. He is no longer leading marches on the Pentagon or seeking confrontations where masses of humanity move against an unseen enemy. Instead, as *Time* puts it, he is still committed to social change but he is now less confident about how to achieve it!

"On his return from Oxford Reith looked up McCarthy campaigners who had gone on to more anti-war marches and discovered to his horror that they had become burnt out cases running on pure energy and not really thinking about what they were doing any more. Now at Yale Law School and living in an urban commune Reith has ruled out the career for either regular law firms or most storefront legal service projects because they use law as an instrument of confrontation not conciliation."

He talks now of delegalizing society so that people can resolve conflicts without lawyers as in no fault auto insurance systems. To get such ideas across he has joined law and business students at Harvard and Yale in starting a public policy union to work with city officials and state legislators on social problems. He plans to get involved in Senator George McGovern's presidential campaign. This is only one example of the reality of conflict resolution and the overwhelming need to meet the problem.

So runs my dream: possible? impossible? Who knows? But why be satisfied with less? Not every evil that is faced can be changed but nothing is changed until it is faced. There must be a place for peacemaking in collective bargaining, in conflict resolution among families, between offenders and offended, among ethnic groups. I am not optimistic about peace—as opposed to war in human history. But I am willing to light one candle for peacemaking and reconciliation rather than curse the darkness of conflict and violence. Senator Hatfield writes:

"The leader who is dedicated to Christ is a man of peace for he serves a God of love. He sees every man without prejudice or favoritism as a creation of God. Thus even though he may disagree with another person's ideas he can accept and respect the other person on the basis of their shared origin. At peace with his creator and with himself the Christian can become a true peacemaker among other men for he will radiate the attitude of peace in all his relationships."

Or, as he puts it in an address in California:

"It is peace that we all yearn for today. Yet we know that peace is far more than can ever be negotiated at a conference or written into a treaty. It requires not only that hostility be ended but that the needs of people be fulfilled. And peace can never come perfectly among people until peace has come within them. In our day, the call to bring about such peace must be our calling. We who know something of the power and love of Jesus Christ that make men whole and that yearns to bring together all creation must make it our calling to bring about such peace."

Martin Luther King had a dream in which he said "Man must evolve for all human conflict a method that rejects revenge, aggression, and retaliation":

I have a dream of nonviolence;
Of a society in which vengeance and realiation are taboo;
Of a country which will not be ruled by bullets and by dynamite at home
And which will not seek to rule by bullets and by bombs abroad.
I have a dream of a day when little children
And their fathers and their mothers will not be judged
By the color of their skin but by the content of their character;
When personal values will be more important than property values;
When we shall see our brother's good as our own,
And feel our brother's pain as our own;
And we shall truly love our neighbor as ourselves.[1]

An impossible dream—for Bethel—for America? Never dream what is, but rather what we can be. Like Don Quixote in the "Man of La Mancha" one must hold fast to dreams for if dreams die life is a broken winged bird that cannot fly.

This morning, this year, another chapter opens for Bethel. Another beginning has been made. Let us dream together, and as a community of people who care let us pay the price to make our dreams come true.

For this weekend and this school year my hope, my dream is that:

There be joy,
That there be peace,
That there be a vision of what
Bethel College can be—and let us not be content with anything less.

[1] From Peter Ediger, *The Prophets' Report*, pp. 55–56.

BUSING OF SCHOOLCHILDREN

Mr. BROCK. Mr. President, is it too much to ask that some small measure of the balm of understanding and compassion be applied to the massive hurt being suffered by our children in the matter of forced busing? As a Tennesseean and as a representative of that State I continue to chafe under the deluge of mail which documents hardships and more importantly serious threats to the future of today's students. I refer to such cases as that of Dick Edwards, whose goal in life has been firmly set for some years toward becoming a physician in the field of veterinary medicine.

Dick is a junior in Bellevue High School, Nashville, Tenn., and has now discovered that subjects needed to matriculate in his chosen field are simply not available to him at Bellevue. His application for transfer has been denied presumably, because local school officials, struggling to comply with a well nigh impossible edict from HEW, fear that to grant Dick's request would subject them to added harassment at the hands of this agency and/or the courts.

Dick's whole future may be at stake here. Surely, when it is known what this program is doing to the lives of fine young men and women by imposing its will on them, the Congress will see fit to take action which will provide relief. I ask unanimous consent that the article attached from the Nashville Banner of September 29, entitled "Father's Concern Is Son's Education" be included in the RECORD.

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

FATHER'S CONCERN IS SON'S EDUCATION

L. Dale Edwards appeared before the Metro School Board to present his problem concerning academic courses his son, Dick Edwards, a junior at Bellevue, needed in order to have proper credits for entrance in college as a major in veterinary science.

Following this presentation, Board Chairman C. R. Dorrier told Edwards, "You made a very eloquent plea and it makes a lot of sense."

Edwards' appeal follows:

"Frankly, I feel almost ridiculous coming up here after all these problems have been aired. I'm just appearing on behalf of my son, and I didn't even bring him with me.

"My sole purpose for appearing here was to appeal a rejection of a requested transfer because of conflict in classes. I have a 10-minute presentation and I simply hate to take up the board's time on this. It's important to us. May I go ahead? Thank you.

NOW ENROLLED

"Now, Dick is a junior at Bellevue High School. He is enrolled for American history, chemistry and English and Latin. He plans, and has planned ever since junior high school, to go into veterinary medicine. I hope to direct this interest into medical school.

"Perhaps the easiest way to explain my dilemma is to recount exactly what has happened to date. We discovered a week before school was to open that Latin was not offered at Bellevue. On or about Aug. 31, we requested a transfer to Hillwood from whence we had been rezoned because we knew Latin was available there.

RECEIVED NOTICE

"It was not until Friday, Sept. 17, that we finally received notice that the transfer was refused because Latin was to be offered at Bellevue for the first time. Incidentally, it is interesting to note that as of today there still is no Latin class in Bellevue.

"Monday, Sept. 20, which was Fair Day, I went with Dick to make certain his curriculum was in proper order at Bellevue and promptly found that chemistry and Latin were both given only in the first period.

"I feel that these courses are essential to my son's plan and particularly to my own hopes. Therefore, we requested another transfer based on conflicting classes. And I personally delivered the request. Last Wednesday, my wife called this unit and was told the request was refused.

"The reasons given were entirely unsatisfactory to us and I will discuss them a little later. If you don't mind.

"Thursday my son and I went to Bellevue to see what could be salvaged in preparing for his future education. The counselor was most gracious and I was pleased to note that he, too, agreed that both chemistry and Latin were essential in Dick's projected plans. However, he stated that since it was necessary to make a choice between chemistry and Latin that it would be best to sacrifice Latin. I might add that term 'sacrifice' was his exact wording.

EXAMINED CHOICE

'We then examined the choices of courses that were available. If he did not reschedule his classes, there were two.

"One was sociology-psychology, the other was Algebra II. By rescheduling, there was a choice of Spanish I, typing, mechanical drawing or architectural drawing. Now, I was unable to see anything in the choices available that would be of any value to my son in furthering his plans for the future.

"I must give the counselor credit, though; he did try. We find that typing would be beneficial because it would help my son with his grades in future college courses if he could prepare his papers neatly for perusal by his college professors. Then, too, Algebra II would be good because it would provide mental discipline, and if he were going into medicine this would keep him sharp and alert. At this point, I became a little concerned. Not only can't my son get what he needs, now he is forced to take courses that he does not need and is not even interested in.

SOME CHOICE

"Anyway, to keep the wheels of education moving some choice had to be made so that he could be rescheduled to meet the academic requirements of the school. Last year, Dick had three "As" two "Bs" and one "C". The "C" was in mathematics. He neither likes nor does well in math.

"He has met his requirements for graduation from high school in mathematics. Nonetheless, now he is enrolled in Algebra II. After this choice was taken care of, I evaluated the situation, which seemed quite unreasonable to me. Since I was personally involved, I sought counsel with acquaintances and friends, including my minister, to see if there was something wrong with my thinking.

"The concensus was that my request was most reasonable, and hence my request to appear before you.

"Now let's return to reasons given to my wife over the phone about the denial of the request for transfer. I might add, we still haven't received official notice on this. I can't vouch for the absolute sequence of these answers because they were in a give and take situation and it's safe to say my wife was quite irritated at the time.

REQUEST DENIED

"Basically, when she asked why the request was denied, the answer was given that the languages are on the way out and you don't really need them to get into college. And for that matter, Latin is strictly passe.

"However, if we felt that Latin was necessary there was still plenty of time for him to take chemistry. Besides, he could go to summer school to pick up his requirements.

"And then if he didn't get them all in by the time he graduated there are provisions in colleges to make up any deficiencies. Perhaps the crowning blow of all these reasons was that besides how do you know that he wouldn't like to do something else next year. These, so help me, are the answers that my wife gave me that this is what she got out of the conversation. This is probably accurate. It's probably prejudiced, too, but it is a summary.

LATIN IS PASSE

"I'll not dispute that languages are no longer important on the high school level, because frankly, I don't know. But I submit that even if Latin is passe in school today that anyone interested in any field in the area of medicine has an absolute need for a sound basis in Latin.

"Now as to the statement that my son has plenty of time to take chemistry. I would point out that he is a junior, that his counselor says that he needs to get as much science as he can and that he has this year and next to get them in. It is true that my son could go to summer school, but why should he?

"Why should we incur the extra cost and inconvenience to see that he attend summer school? Why should he be deprived of the opportunity to earn money to help further his education when it is not absolutely necessary for him to do so?

FOUR MILES

"Why is it necessary for him to make up in college deficiences of high school education when what he needs is readily available to him simply by going to a high school four miles northeast of his home instead of four and one half miles west?

"Finally, we do not know that Dick will not change his mind next year. This is true, he may. All we can say is this young man has never expressed a desire to be anything other than a veterinarian in the past four years.

"I previously mentioned that I hope I can divert his interest to medicine, but if he persists I will certainly not stand in his way.

"It seems to me that this issue boils down to whether or not chemistry or Latin are essential to the future education of my son. Keeping in mind that he is a junior and has other educational requirements to meet in his currently proposed career to me it seems obvious that he needs both and he needs them this year. I can elaborate on this belief, but I will not.

BASED SOLELY

"So then my request for transfer is based solely on the fact that the school to which Dick is assigned does not meet his educational requirements.

"Hillwood can.

"Now I have another fine son who is a sophomore at Bellevue and his requirements are being met. If Bellevue can provide Dick with the chemistry and Latin as well as the required courses in history and English, I will be most happy to withdraw my request for a transfer. I simply cannot understand, nor can my wife, nor can my son why this request has been denied, unless there is some fear over the current busing situation.

"I cannot conceive in any way in which there would be any violation in any court imposed guidelines in this case.

ACADEMIC NECESSITY

"This is a plea for academic necessity. We are requesting a transfer from a school which has less than 40 black students to one which has over 400, from a school which has over 200 more students than projected to one that has over 200 less.

"Frankly, I do not recall ever being so frustrated and angry over a situation as I have with this. I feel that the actions taken to date have been completely arbitrary and unreasonable and I am seeking redress from you," Edwards concluded.

At the completion of his appearance before the board, Dr. Elbert Brooks told Edwards he would "contact him tomorrow" (Wednesday) concerning his son's case.

LORRY HOMER DAWKINS DAY

Mr. THURMOND. Mr. President, it was my pleasure on October 17, 1971, to attend "Lorry Homer Dawkins Day" in Denmark, S.C. On this occasion a new dormitory for the Denmark Regional Technical Education Center was dedicated to the memory of Lorry Dawkins, the first principal of this school, who served from 1948 until his death in 1969. Dawkins Hall will stand as a lasting monument to the man who contributed so much to the education of young people in the Palmetto State.

Mr. Dawkins became principal of this trade school, which later became a technical education center, when I was Governor of South Carolina. I had the privilege of working closely with him and always had a high regard for him personally and professionally. He was a fine educator and leader and stood out for his adherence to good citizenship. The success of this school during the first 21 years of its existence was due in large measure to the capabilities of this man.

The Dawkins Day dedication was keynoted with an address from the Honorable Solomon Blatt, speaker of the South Carolina House of Representatives. I ask unanimous consent that this speech, along with a copy of the Denmark City Council resolution proclaiming October 17, 1971, as "Lorry Homer Dawkins Day," be printed in the CONGRESSIONAL RECORD.

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

REMARKS BY SOLOMON BLATT

I would certainly be remiss in this most pleasant assignment today if I did not tell you how thoroughly pleased I am to look

about me and see this grand student body—this wonderful faculty—here to give proper image to this program. No institution can be great, or is greater than the students and faculty that it seeks to serve. We have greatness here.

I must also direct your attention and our praise to M. B. Robinson, Director of the Division of Manpower Centers of the State Commission for Technical Education. Director Robinson has given vitality to a vital program and he has done much for Denmark Center for which we are deeply grateful.

I must also pause in great respect for Director McDuffie of Denmark Center. He is so dedicated—a man of vision who is already surveying new horizons for Denmark Center.

Over the years and until his most untimely death in 1969, our dear friend, the late Lorry H. Dawkins, did me great honor by blessing me with his friendship. And now, today, this great institution, you his friends, do me great honor by allowing me this coveted opportunity to participate in and dedicate this new and wonderful dormitory here at Denmark Area Technical Center in the lasting memory of the late Lorry Dawkins.

With all of its sorrow, this is a proud occasion for me and I know it is a proud occasion for the family of our friend.

This would have been a proud occasion for Lorry Dawkins—for our friend was totally involved in the betterment, the progress, the uplift of this institution. This campus mourned his passing as did a host of friends.

But here is inspiration enough for us all—for from the grief which surrounded us in his death, has emerged a new dedication, a new love, a new commitment for this institution, for which he gave the better part of his life.

We look around us and see countless improvements—changes which Lorry Dawkins dreamed of and worked for, which he inspired his friends and students to seek. You sought these things. I sought these things. And now we have realized this progress, all dedicated to the lasting memory of Lorry Dawkins. We dedicate Dawkins Hall not as monument to this man, but as a living memorial for this man who has brought new life to this fine institution.

Maybe to some people the life of our beloved Lorry Dawkins might not seem impressive. But to me—he surely walked in Glory.

From simple and humble beginnings on the red clay banks of the Broad River in Union County Lorry Dawkins walked a purposeful path until he settled in our midst and from the metal of a brillant and determined mind he hammered out the beginnings of this institution.

His Union County Home was the backdrop of the very descriptive nickname which he carried most of his life. It was at South Carolina State College that Professor Lewis watched the relentless energy of the young Dawkins as he crammed an education into a searching mind and started calling him "Broad River" Dawkins.

Our friend received his B.S. and his M.S. Degree from State College. He was outstanding in football there and in 1929 he helped fight his team to the state championship. And that was like Lorry Dawkins for he knew that a strong body was a willing tool of a strong mind.

His civic, fraternal, educational, athletic and governmental boards and committees were many and he was an outstanding servant to them all.

A tribute to any man is a happy family and Lorry Dawkins' family was a happy family, and they all loved and rightfully cherished Lorry Dawkins. So did we all. Many of them are here today. To you who are here, there is little I can say to tell you of all that is in my heart—but I hope you understand how deeply I feel when I say—"Thank you for Lorry Dawkins, and for what he was to us all."

Lorry Dawkins was a Christian. When the writers put together his biography, possibly the greatest tribute they can say about him was that he was a life-long member of the Paradise Church. Men do not advertise the depths of their relationship to God, their total faith and belief in the Eternal Father, but it is there. And Lorry Dawkins had such a faith. I firmly believe that it was his closeness to God, that gave him such a wellspring of optimism and boundless energy, of constant goodness and of his love for all—love for his fellow man.

As we stand and look about us today on this campus, it is difficult to imagine what it was like years ago. It was here in a temporary building and with eight others who made up the faculty that Lorry Dawkins started the Denmark Area Technical Center. Forty-two students made up that student body. Today, a faculty of over 40 dedicated persons under the inspired leadership of President McDuffie is teaching 20 trades to an annual enrollment of over 600 students.

And this is the mark of the man we honor today. He brought Denmark Center this far. Now we must take it further. President McDuffie—you are doing an outstanding job and I know you will continue to do so. We are with you.

Hundreds of men and women and young men and women are living productive and Christian lives today because of the tremendous influence of Lorry Dawkins the educator and Lorry Dawkins, the Christian. No better tribute can be said of any man than that he gave a part of himself to us all in his teachings, in the example he personally set.

Mr. Dawkins and I shared a common dream—and we talked of it often.

We wanted to see Blacks qualified to insert themselves into all trade levels, into all professions, into all areas of public service, in business, in industry and in government. We wanted to see Blacks qualified and we worked to have qualified Blacks.

This Society we live in today is a massive umbrella which shelters all people of all origins and all callings. It is too complex and demands too much to compromise its progress by crippling attitudes. Each man and woman has a role to play and that role must be played for the benefit of all.

We cannot back into the next generation nor the next century and we cannot walk bravely and freely into the future harnessed and restricted by blinders. Each of us has our rendezvous with Destiny and we must be allowed the opportunity to seek it.

That was Lorry Dawkins' dream—and that is my dream.

It was my pleasure to have worked with this great man during his life. It is my commitment to continue to work for the things he believed in—even in his death. It is my commitment that in all ways that I can work—Denmark Center will be all the things he wanted it to be. All the things Mr. Robinson and Mr. McDuffie want it to be.

In these extremely difficult times it is hard for one to remain objective and dedicated to a goal. And we will not attain those goals unless we love them enough to resist all threats and deny all temptations which would hinder our journey forward.

We are now on trial before past generations to prove ourselves and our worthiness by performance. We will stand trial before future generations for our promises—fulfilled or forgotten.

How wonderful it would be if our way could be as purposeful as it seemed to be for our friend whom we honor today.

He had a single-minded purpose which perfectly matched his dedication and his love.

There have been others like him but they have been few. There have been others like him of his race but they have been few.

But each wrote his name in history by profoundly affecting the lives of others for the good.

It is easy for us to call to mind such names as George Washington Carver and Booker T. Washington. But we do not have to look beyond the borders of South Carolina to find Black greatness. There is among others, Dr. Benjamin Payton, who is elevating Benedict College to new heights of service and leadership. There is Dr. M. M. Nance, Jr., who has brought stability, purpose and a promise for giant steps of progress to South Carolina State College. And there is Dr. Harry Graham, the most dynamic President of Voorhees College. There is Mr. McDuffie, whose outstanding leadership and fine character as Director of this trade school has made it a model for similar institutions of learning.

At this point I would like to take the liberty of inserting the name of Betty Williams of Orangeburg. You may not have heard of the young Black girl, but many have. I like to think she is representative of the Black youth today who must be judged by their promise for their potential for greatness of service is there and their horizons are unrestricted as they seek the education to prepare them for any task which lies ahead.

Betty is a language student at the University of South Carolina and as such she hopes to equip herself with the knowledge and language skills which will allow her to become a strong communications link not only between races but between nations.

I single out Miss Williams for comment because she was the first recipient of a scholarship under the Solomon Blatt Scholarship Fund, established by my friends at the University of South Carolina. I made that selection and I remain proud of my choice. Miss Williams was an Honor Graduate from Wilkinson High School—the daughter of an Orangeburg cab driver who was determined his children would benefit from an education which was denied him.

I ofttimes wonder what would have been the result if that determination and dedication to a self-set goal could have been given strength through education, through knowledge.

Regardless of how humble, how restrictive our beginnings, each of us has an obligation to establish and seek goals and to reach those goals. Each accomplishment by each individual is a stepping stone for generations to come.

Back in 1770 a thoughtful man whose columns in the Public Advertiser bore only the name Junius, observed and wrote this most meaningful statement:

"The least considerable man among us has an interest equal to the proudest nobleman, in the laws and constitution of his country, and is equally called upon to make a generous contribution in support of them whether it be the heart to conceive, the understanding to direct, or the hand to do."

And it was Winston Churchill who noted with challenge:

"The destiny of mankind is not decided by material computation. When great causes are on the move in the world . . . we learn that we are spirits, not animals, and that something is going on in space and time, yes, beyond space and time which, whether we like it or not, spells duty."

This "something-that-is-going-on" is education and the spirits that we single out today are the Carvers, the Washingtons, the Paytons, the Nances, the Williams, the Grahams, the McDuffies—and the Lorry Dawkins of this world.

These were and are educators. Men who know that man's ultimate weapon is the well-prepared mind. Our progress is geared to the well-prepared minds in our society—minds of all people. Since the beginning of time man has waged wars for those wars began in the minds of men. Thus it is in the

minds of men that the defenses of peace must be erected.

Show me the man who feels with his heart, thinks with a well-prepared mind, is inspired by his conscience, and works for the good of his fellowman and I'll show you another Washington, a Carver, a Payton, a Nance, a Graham, a McDuffie and a Dawkins.

Mindful concern, not militance, should be our watchword today. For in working together, always thoughtful and concerned for the welfare of others, we can achieve any goal. We can achieve our destiny.

The thought I leave with you as the result of what I have said or hereafter say simply is, man can travel the road of life for as great a distance as his character, ability and dedication will warrant, and to this end, he must sell himself to his fellow citizens and convince them he possesses the necessary qualifications to warrant their confidence and support. In simple language, you are entitled to what you deserve, nothing more, nothing less.

There are evil forces and influences loose in the world today. You know them as well as I do. How appropriate it is to restate the old phrase, these are the times which try men's souls.

Pressures come from many sides and in many forms. It is no longer enough to ask the question, "What are our challenges?" We must add the question, "What are our chances?"

There is a chance for service. There is a chance to change the course of Society for the total good. There is a chance through education, preparing one's self through education, an education to understand the purpose of man, an education and training to work man's machines, an education today to meet the challenges of the tomorrows.

An education and its opportunities for all men and women, for all young men and young women, for all little boys and all little girls and an education for all people regardless of race or color.

For knowledge reaches maturity in wisdom and wisdom recognizes no color lines, no boundaries, no prejudice, no restrictions, and wisdom from minds which can reach out for each other when hands cannot touch.

We face a tremendous challenge to reach that high point in civilization. But I think we can attain it.

We are slowly arriving at that point in time when the sins of the past will be forgotten, there will be forgiveness of sins as there must be and there will be a better tomorrow for each of us will make it better.

We really have no choice. This society, this country, yes, even civilization as we know it today has no choice. It can live and prosper or it can die, we can kill it with ignorance, with poverty, and with indifference.

We can save it with education and understanding.

I hope the good Lord will bless you and me so that we can continue to work toward this goal and that we can all be present for many more dedications such as this. We have thrown off the shackles and chains for man has learned that while he can enslave a body—the mind—ever in search, seeks new heights of understanding and freedom.

And so it will always be. Through education we will strengthen the mind and keep it ever free, ever soaring on its flight toward freedom and peace.

I now dedicate this building in memory of my departed friend, Lorry H. Dawkins, and it shall be hereafter known as Dawkins Dormitory, a name worthy of a great American who gave his life so that the sins of yesterday will be forgotten and tomorrow will be a good day for all mankind of every religion, race or color.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DENMARK

Whereas, Lorry Homer Dawkins because of his outstanding contributions in religion, education, community leadership and athletics, and;

Whereas, he has shown to all who knew him and were associated with him directly or indirectly that his prime concern, as a civic leader, was to upgrade and uplift the best in his fellowmen, and;

Whereas, his efforts enlightened the minds of the many thousands of students and teachers, and;

Whereas, the citizens of his community and State takes pride in being a part of his thoughts, deed and life.

Therefore be it resolved, as Mayor of Denmark, South Carolina, and with unanimous consent of the City Council, do proclaim the Seventeenth Day of October, Nineteen hundred and seventy-one as "Lorry Homer Dawkins' Day."

By the authority invested in me as Mayor with the members of the City Council. We therefore sign this proclamation and ascribe the seal of the city of Denmark, South Carolina.

MASSIVE FORCED BUSING OF SCHOOLCHILDREN

Mr. BROCK. Mr. President, Tennesseans continue to live with the nightmare of massive forced busing of our children to achieve racial balance. More and more the truth is being revealed that riding a bus x number of miles does not necessarily contribute to a child's education. Those who are charged with the task of educating our children under these conditions are speaking out and calling for some relief. One such person, well qualified to speak on the subject is Dr. Elbert Brooks, Metro School Director of the Nashville, Tenn., schools, whose remarks are contained in an editorial from the Nashville Banner. I ask that this editorial "For Ban on Busing, Amendment Backing Grows," be included in the RECORD.

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

FOR BAN ON BUSING EDICT, AMENDMENT BACKING GROWS

If any one thing is clear on the education front—where ideological fog sometimes obscures and pressure groups occasionally confuse with their noise—it is that the overwhelmng majority of the American people oppose school busing designed only to achieve racial balance in the public schools. The scale of that objection, 76 per cent, as measured by the Gallup Poll, is state by state and region by region—though as yet the court order for it has been inflicted almost entirely on the South.

There are members of Congress who did not wait to ascertain the public view to assert their own objections. There are a number of proposals, introduced by these, and backed by others of them, for constitutional amendments forbidding busing for such a purpose. And members of Congress who have not taken that stand can well note it when they hear from home.

The latest such proposed amendment was proposed by Michigan Sen. Robert P. Griffin, specifically to declare:

"This Constitution shall not be construed to require that pupils be assigned or transported to public schools on the basis of their race, color, religion, or national origin." It is his declared belief also that forced busing not only is expensive, but actually represents a wasteful diversion of tax dollars that could, and should, be used to improve the quality of education.

Nashville knew that from the outset of the H.E.W. proposal—latterly adopted in Judicial fiat by Federal Judge L. Clure Morton, and inflicted on children, black and white, throughout this metropolitan community. Anyone who did not know it must have come now totally to the realization—the facts of it underscored in statements of warning by Dr. Elbert Brooks, Metro School Director, concerning the deepening financial crisis ahead.

The facts are so elementary as to seem beyond argument: The vast outlay involved for purchase and operation of enlarged bus fleets comes out of the funds more properly used for education. Yet by this fantastic arrangement of redrawing bus routes for the maximum hardship of patrons, the funds are frittered away. The neighborhood school pattern is destroyed. The children suffer. The school system suffers. And the cause of education is set back for years.

Anyone with an ounce of judgment knows that compulsory congregation of children, by bus, is not the same thing as equality of education opportunity, or "desegregation" of schools. It is alien to both. It destroys and disrupts for all.

President Nixon, along with a majority of Congress as measured by a previous Civil Rights Act, strongly opposes compulsory busing. The President tried in the school desegregation bill approved earlier this month by the House Education and Labor Committee, to ban use of any of its funds for busing. The committee disagreed.

The Civil Rights Act of 1964 spelled out the legislative conviction forbidding compulsory busing for the purpose of achieving racial balance in the schools. Nevertheless, under the pressure of the Health, Education and Welfare Department—and through the courts, at places—this nightmare experience has been inflicted on city after city.

Tennessee, through the amendment proposal by Sen. Bill Brock, backed by Sen. Howard Baker, and concurred in by the House delegation, is working to establish justice and reason on the solid premise of the organic law.

Texas' Congressman Jim Collins, aided by Sen. John Tower and other legislators, is pushing for the needed amendment.

Senator Griffin, as noted, is taking a big hand in the fight for this essential change. And—as further noted—the rank and file of the American people, black and white, and in state after state are demanding action to recover the authority in their schools.

They are entitled to affirmative action by their Congressmen.

HEW'S NEW WELFARE PROGRAM

Mr. BYRD of Virginia. Mr. President, it is important that the Senate and the Nation understand the facts regarding the new welfare program being advocated by the Department of Health, Education, and Welfare.

Secretary Richardson on his official statement to the Senate Finance Committee put the new program in capsule form when he termed it "revolutionary and expensive."

Before discussing the new program, let me say that I think the present outdated welfare system should be changed; and most certainly the administration of the program should be tightened.

But in changing the present system it is important that we be sure we are getting something better—and not just an expanded and more expensive program.

I cannot support the revolutionary and expensive program for the following reasons:

One. It lacks adequate work incentives.

Two. I doubt the wisdom of writing

into law the principle of a guaranteed annual income.

Three. The annual cost of the new program would be at least $5 billion greater than the present program.

Four. The number of welfare recipients would be increased from 12 million persons in 1970 to 26 million persons.

Five. Richard P. Nathan, Deputy Under Secretary for Welfare, says the Government would need to hire an unprecedented 80,000 new Federal employees to administer the program.

With 101,000 employees, the Department of HEW already is so huge that it is almost impossible to effectively administer. One can well imagine the added confusion and chaos if 80,000 more workers are added to that Department.

I feel that the Government has an obligation to our fellow citizens who are physically or mentally unable to earn a living. But the "revolutionary and expensive" proposal of Secretary Richardson goes far beyond that. It does not have adequate work incentives, nor does it have adequate provisions to keep off the welfare rolls able-bodied citizens who should be seeking jobs instead of handouts.

The new "revolutionary and expensive" welfare plan is not in keeping with—and, indeed, runs directly counter to—the President's anti-inflation efforts.

It is not welfare reform. It is welfare expansion.

I submit we are not going to be able to lick inflation until the Government puts its own financial house in order.

The Government had a Federal funds deficit last year of $30 billion; it will have a Federal funds deficit this year of at least $35 billion.

The "revolutionary and expensive" program of Mr. Richardson will add an additional $5 billion to the deficit—and to the national debt, which is now $409 billion.

But an even more important objection, in my view, is that Secretary Richardson's "revolutionary and expensive" welfare plan would double the number of welfare recipients.

With the huge deficits the Government has been running, it is neither logical nor sound to attempt to double the number of people drawing public assistance.

If the Government cannot now effectively administer the present welfare program, how can it effectively administer a program with twice as many persons drawing Government checks?

One evidence of the difficulty of administration is this: In New York City at the present time 1,000 welfare families are being housed in New York City hotels.

I wrote the Department of HEW to ascertain the average monthly rental being paid by the taxpayers for those families.

I was informed in a letter from HEW that the average monthly rental per family is $763.

When President Nixon was a candidate for President in 1968, he stated again and again that he wanted to reverse the trend to the welfare state.

But the administration's proposal for revising the welfare laws would double the number of welfare recipients.

The question I have been asking for the last 18 months—and I ask it again in the Senate today—is this: How does one reverse the trend to the welfare state by doubling the number of people on welfare?

Mr. President, I shall vote against H.R. 1 which is now before the Finance Committee and shall oppose its being reported to the Senate during the calendar year 1971. If and when it is reported to the Senate in 1972, unless it is greatly improved, I shall vote against reporting it.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

FOREIGN ASSISTANCE ACT OF 1971

The PRESIDING OFFICER (Mr. ALLEN). In accordance with 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. 9910, an Act to amend the Foreign Assistance Act of 1961, and for other purposes.

AMENDMENT NO. 538

The PRESIDING OFFICER. The pending question is on agreeing to the amendment (No. 538) offered by the Senator from Michigan (Mr. GRIFFIN) in behalf of the Senator from Tennessee (Mr. BROCK) and the Senator from New York (Mr. BUCKLEY). The amendment will be stated.

The assistant legislative clerk read as follows:

On page 61, line 8, strike out all through line 15, and renumber succeeding sections accordingly.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time for the quorum call be equally charged against both sides on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Who yields time?

Mr. BROCK. Mr. President, I yield myself such time as I may require.

My amendment would delete section 410 of the bill. If I may call the attention of my colleagues to the language of that section, it reads, very briefly, as follows:

The joint resolution entitled "Joint Resolution authorizing the President to employ the Armed Forces of the United States for protecting the security of Formosa, the Pescadores, and related positions and territories of that area", approved January 29, 1955 (69 Stat. 7; Public Law 84-4), is repealed effective upon the date of adjournment sine die of the first session of the Ninety-second Congress.

That section was amended yesterday by the amendment of the Senator from Alaska to extend the effective date to April 15, 1972.

Mr. President, I understand the desire of those who have labored long and hard for this provision over a period of years to see it enacted, and I understand the logic of their position, and their desire to place the responsibility for war-making decisions in Congress, where the Constitution places it; and I cannot fault the committee for action taken prior to this week.

But on Monday last, the United Nations took an action which I think challenges the wisdom of enacting this particular section at this particular time, because on Monday last, the United Nations took what to me was the unconscionable, incredible, and immoral action in expelling the Republic of China, the government and the people of Taiwan, from the United Nations.

One of the things that bothers me about the current debate on this particular bill is the emotional atmosphere, the charged atmosphere, which surrounds this debate as a result of that action. It is unfortunate, because it can color the judgment and the logic of this body if we do not carefully avoid that pitfall. But my amendment is not offered in a sense of retribution. It simply is an attempt to recognize the political and military realities of the situation as it exists today as a result of the act of the United Nations on Monday; because if Congress, if this body, were to repeal the Formosa resolution at this time, in the same week that the United Nations took its action, our words and deeds would be interpreted around the world as a total abdication of an old and valued friend and ally, Nationalist China.

I cannot in good conscience avoid this particular issue. It must be faced. It is not one that was brought to us as a result of this body's action, but as a result of the action of the United Nations on Monday last. It seems to me that one of the most dangerous things this Nation could do at this point in time would be to withdraw, in a public sense, our guarantees of the security of Formosa and the islands surrounding, the Pescadores and the rest. It would be an open invitation to aggression. I cannot, for the life of me, gage the wisdom of such an action.

Therefore, Mr. President, I earnestly solicit those who would share this concern in support of my amendment to strike section 410 and, by word and deed in this particular act, evidence our desire and our commitment to support a fine and a free people on the island of Formosa.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of West Virginia. Mr. President, on behalf of the distinguished manager of the bill, I yield to the Senator from Maryland whatever time he desires.

Mr. MATHIAS. Mr. President, I know that the Senator from Tennessee recognizes where the ball is in this game, and I think he recognizes what is really the

important element in American foreign policy as it is reflected in our relationships with the very important nations of Asia. I know that he supports, as I do, the courageous initiatives that have been taken by President Nixon in taking a new look at the realities of the world, particularly the realities of the world as they are reflecting on the continent of Asia, where 800 million mainland Chinese are in a sense reentering the global picture and reentering it armed with nuclear weapons.

What the President is doing, as I see it—and I think as the President sees it, and I hope as the Senator from Tennessee sees it—is to achieve a reordering of the relationships of the superpowers so that there can, in fact, be the era of negotiation and the generation of peace about which the President has spoken so eloquently and has worked so hard to achieve, and for which, in all candor, he has undertaken some very serious political and personal risks.

That is really what this is all about. I think that is the direction in which the country has to look, and that is the direction in which the Senate has to look—where the ball really is. We do not want to have our attention diverted into the other and lesser diversions which can take our attention away from what is important about what is happening in the world picture. I would suggest that to bog down with this amendment is to allow ourselves to be led into a diversion that not only can distract our attention from what is the big picture but also could perhaps even hinder the President when he sets out on that very difficult journey to Peking, a journey which will not be without peril, either at home or overseas.

Let us examine with some particularity what this amendment proposes to do. It proposes to strike from the bill a repeal of the Formosa or the China Straits resolution, which has been on the books since 1955.

What does that resolution do? The Department of State says it does not do very much. I am reading at this point from a letter from the Department of State, dated May 18, 1971, addressed to the Honorable J. W. FULBRIGHT, chairman of the Committee on Foreign Relations, in which they say:

> We would not look upon the resolution as legal or constitutional authority for either contingency planning or the actual conduct of our foreign relations.

I would agree wholeheartedly with the Senator from Tennessee in the statement he has just made to the effect that we should not at this particular moment withdraw any guarantees of defense or assurances of security that we have heretofore offered to the Nationalist Government of China situated on Taiwan. I believe that. I think he is right. That could dislocate arrangements that are now existing and could have consequences that no man can presently foresee. But that does not have anything to do with this. That has nothing whatever to do with the pending amendment.

The pending amendment is a purely domestic arrangement between Congress and the President of the United States, and I think that was made perfectly clear as late as yesterday by the Secretary of State, who appeared before the Committee on Foreign Relations. He said, and I am quoting from the Secretary of State's testimony—he was asked the question whether it was true that the administration had taken a position for or against the repeal of the China Straits resolution—and the Secretary of State said:

> No, our position has not changed. The Department of State has no objection to the repeal of this resolution.

I say again to the Senator from Tennessee that this has nothing to do with our guarantee, so far as the security of Taiwan is concerned, of assurance of assistance in the event of attack. That is not the issue here. What is at issue is the domestic arrangement between the President and Congress as to what coordination would be required between the legislative and executive branches of Government, in the event we are called upon to make good that guarantee.

Now, Mr. President, we have had some experience with what I might call the automatic trigger. This is a sort of automatic trigger in which Congress has said to the President: "You can go ahead and do whatever you want, whatever you feel you must do, without further reference to Congress."

The exact language is:

> The President of the United States hereby is authorized to employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack.

We have had experience with this kind of automatic trigger, an experience from which we have not altogether recovered, an experience that has perhaps been the most painful in our national existence. That experience, of course, is Vietnam.

In 1964 I was a Member of Congress, and I voted for the Gulf of Tonkin resolution. That was another automatic trigger.

We should have foreseen, when we voted for that Gulf of Tonkin resolution—and very few Members voted against it—that such a trigger could lead to the kind of painful experience that Vietnam has become.

We have not suffered a similar experience so far as the Formosa resolution is concerned, and I hope that we do not; but, nevertheless, the potential is there.

What I would say to the Senator from Tennessee—and one of the reasons I regret the amendment has come to the floor as it does at this time—is that the powers which Congress delegated to the Executive, the automatic trigger provided to the Executive in 1955, which was slowly expiring and which the President, through the Secretary of State, said he did not want any more, would, by adoption of this amendment, be refreshed, renewed, and revitalized. It could, in effect, be taken by some future President as a new grant of authority, a Mach II of the automatic trigger.

Frankly, Mr. President, I am not prepared to take the responsibility for so arming the executive branch, whoever may occupy the office of the President.

I agree with the Senator from Tennessee that we should not withdraw our guarantee from Taiwan, but I respectfully submit that this amendment has nothing to do with that guarantee, because that guarantee was embodied in a treaty negotiated by the President of the United States and ratified by the Senate in 1954 before the Formosa Straits resolution was adopted. Our commitment to provide assistance predated this resolution and it will outlive this resolution. It has nothing to do with it. Our commitment is clear. It is a matter of public record.

The President and many Members of Congress have reaffirmed it, so that really we are not talking about a guarantee of security. I think it should be made clear, both within the Senate and around the world, that we are talking about our arrangements within the United States.

I said earlier that I thought it would be a great mistake to make the President's trip to Peking more difficult. The Senator from Tennessee raises the question as to whether this is emotionally the time to take the step which is embodied in the committee bill for repeal of the Formosa resolution, that emotionally this is a bad time to do it. I understand that. I might even agree with him, that when we are in a period of intense interest and excitement over a subject, it is probably a bad time, as a general principle, to legislate within the area of that subject matter; but we are dealing with—again, as I said before—a world picture, a global policy which the President of the United States is trying carefully to construct.

A part of that global policy was the deliberate decision of the Government of the United States to advocate the admission of mainland China into the United Nations. The fact that the United Nations went further than we wanted it to go is a matter of disappointment to me, a matter of shock that commitments that were claimed to have been made were not kept. I am as disappointed as anyone in the Senate over that. But the fact is that what the United Nations did was, in fact, to implement the policy of the United States. We said we were in favor of admitting mainland China and the United Nations did it.

Now, if we turn around today and adopt this amendment and defer repeal of the Formosa resolution—which will come some day—we would be, in that case, contributing to a clouding of the clear purpose enunciated by the President in his new China policy. I do not want to do that. I want to make the President's trip as fruitful for the American people, and as helpful for the world, as it can possibly be.

I think that for us in a moment of disappointment to deviate from the very clear road that should be followed, would be a great mistake.

The law of the land is the treaty of 1954—the mutual defense treaty of 1954 between the United States and the Republic of China. That is the law of the

land. That will not be affected by whatever we do today. What we are doing today is to take a necessary step to put our house in order.

I am a strict constructionist. A strict construction of the Constitution does not, over a period of some 16 years, convert a mechanism adopted in an emergency into a permanent arrangement by which the separation of power, so jealously and carefully guarded by the Founders of the Republic, becomes blurred and confused by this automatic trigger arrangement.

Let us make no mistake about it. This unlimited and unrestrained authority which is involved in the original resolution is an automatic trigger. It is of the kind which was embodied in the Gulf of Tonkin joint resolution. It is of the kind that, I think, Congress should in the future grant only under very limited circumstances and for very limited periods of time. But, for now, I think we should repeal this and every other similar grant in setting our house in order and being able to take care of the new global policy which is obviously emerging as a result of the leadership of the President of the United States.

The PRESIDING OFFICER. Who yields time?

Mr. BROCK. Mr. President, I yield myself such time as I may require.

Mr. President, I find a certain inconsistency in the position of those who would argue on the one hand that the resolution has no legal force and effect and on the other hand that it is an automatic trigger to grant authority to the President of the United States. We belie our constitutional responsibility.

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

Mr. BROCK. I yield.

Mr. MATHIAS. Mr. President, the Secretary of State has said it has no force and effect. I said that I view it as an automatic trigger and that a new Secretary of State might also so feel. We are dealing for all time and not for this Secretary of State. A new Secretary of State might treat this exactly as the last Secretary of State treated it, whereby he said the Gulf of Tonkin joint resolution was a declaration of war. This could be treated the same way.

Mr. BROCK. The Senator knows perfectly well that the Gulf of Tonkin resolution had no force and effect.

Mr. MATHIAS. Then how did the half million people get to Vietnam?

Mr. BROCK. Under the administration then in office. The Gulf of Tonkin joint resolution was just that. These are statements of intent, statements of political purpose, of dedication and commitment.

To review the arguments of the Senator from Maryland—and I have great regard for his integrity and sincerity—he says that this amendment is a diversion, that it is an attempt to attract our attention from the true picture and that it would hamper the President in his attempt to negotiate a reduction of tension. They are in themselves distracting and diverting arguments.

This amendment is dedicated to one purpose, and that is to strike from the bill a section which would deny and belie our commitment to the people of Formosa. I cannot in all conscience accept the fact that this body, with the noble statements of purpose of the last 25 years of commitment and dedication to that small island with 14 million people, take the action today or any other day of saying in effect to those people, "We don't care anymore. We simply don't care. It is a case of the little country and the big one. We are going to take the side of the big one. That is politically expedient."

I do not believe in that. I believe that is how we get ourselves into wars. I resent the prospect of enticing Red China into an act of aggression with this country.

Mr. SCOTT. Mr. President, would the distinguished Senator yield?

Mr. BROCK. I yield.

Mr. SCOTT. Mr. President, I thank the distinguished Senator. I agree with him that it is particularly untimely to take actions which would weaken our resolve to make it clear to the people of Nationalist China on Taiwan that we have certain commitments to them that we are honoring and will continue to honor, both military and economic. We fought a good fight for them in the United Nations. In striking out or repealing the resolution we might be setting up a situation which would be at the very least misinterpreted by the Asian press. It is really unnecessary to go to the extent of repealing it.

I do not at the moment recall how the vote was taken in the committee on this matter. However, I think it was a voice vote. I recall that I was opposed to it then. I think there was a disposition to just repeal everything in sight more than anything else at that time. There also seems to be a supposed relationship to the Gulf of Tonkin joint resolution, which I do not see myself.

I have suggested from time to time when we do not have any other business that we repeal the Gulf of Tonkin joint resolution again because it is always equated with breast-beating and an attempt to get away from the fact of mea culpa, that everyone now in the Congress voted for it.

I would hope we could agree to the amendment for the reason that we would then have said to the people of Nationalist China, "We will observe our commitments. We do not anticipate, we certainly would not encourage, and would not be a party to any repeal of an act that would be against Nationalist China. We have obligations and we intend to live up to these obligations, and we will not take any action that could be so construed by the Asian press because there is enough tumult in Taiwan now."

Mr. BROCK. Mr. President, I thank the Senator. I know of no Member of the Senate who has greater concern for the people of China and their freedom and aspirations than the Senator from Pennsylvania. I am grateful for his statement and for his support.

I wonder sometimes at the inability of this Nation to learn from history. I was reminded of the comment of the Senator from Maryland that we do not want to burden the President with this amendment, that we do not want to hamper him in his attempts to negotiate peace.

I happen to be a supporter of this President. I happen to believe he is the finest President in my lifetime. I happen to believe he has done more for peace than any man in my lifetime. I believe he will continue to do so. I also happen to believe that, unless he receives the support of Congress and of the people of this country, he cannot succeed.

We were all indignant, I think, and rightly so with the United Nations action in expelling Taiwan last Monday night. But have we honestly explored why that happened, the fact that there was a political circus on that floor that particular night, as members of the United Nations engaged in dances and slapped each other on the backs and traded opportunities to insult the United States and stepped on the heel of the big boy?

I wonder if anybody really thought about whether this could happen in one night, or whether it has been coming for 10 or 15 years, and why. Maybe the why is because people do not have confidence in this country any more, and maybe the why is because we keep retreating; we have allowed ourselves to be patsies time and time again by nations that abuse our good hospitality and friendship, by people who take our largess with one hand and stab us with the other.

Maybe, just maybe we have brought all of this on ourselves, and we have no one else to blame, certainly not Russia or Red China, or even others in the United Nations. But the fact is that this country lost the respect of people in the world because on too many occasions we stood on the ground of political expediency rather than principle.

Mr. President, I think that is a dangerous thing to do and I think action like the repeal of this particular section at this particular time is a dangerous thing to do. I think it is dangerous because it implies very clearly an abdication of responsibility on the part of this country to a people whom we have been committed to for 15 years, since 1955.

The State Department, as the Senator from Maryland agreed, said that this resolution has no legal or constitutional authority. In other words, it has no binding effect. If that is the case, and I think it is, then it is a statement of intent, no more and no less. As such a statement, if it is repealed it will be so interpreted by the people of Asia. What does the resolution say? It states that the President may, at his discretion, employ force to protect against an armed attack, by any nation against the Pescadores or Formosa. I wonder if anybody has ever stopped to think what kind of situation that implies. Certainly there is no nation to the east of Formosa that would attack her or that would have a reason to do so, other than the country that says time after time and year after year they are going to take that island and take it by force, the Chinese on the mainland, the Communist Chinese, and the People's Republic of China.

That little island has done more and those people have done more than almost any other country in the world since World War II. Look at their history. Just 23 years ago 1 million Chinese came to Formosa with nothing but the shirts on their backs. They had absolutely nothing. They came to an island that had nothing; it had no industry; it had no productivity. In 22 years they have built that little island with only 14 million people into one of the highest producing areas in that entire area. They have one of the highest per capita incomes and they are one of the very few countries in the world that has the integrity to say, "Thank you for your foreign aid. We used it wisely. We do not need it anymore. Now we will contribute to the people of the world. We will stand on our own hind legs." Are we going to turn our backs on them as the United Nations did? I do not participate in that kind of hypocrisy.

If we honestly believe they might engage in an armed attack and, therefore, we want to repeal this resolution, by what incredible degree of logic did we bring them into the United Nations as a peace-loving nation of that body? It is purely inconsistent.

Let us take the matter one step further. Every time this country has gotten into trouble it has gotten into trouble because we backed away from a principle and we have given the impression to people that we would not stand up when it came to the countdown. Every war we have been in has been the result of miscalculation of the intention and integrity of the United States on the part of some other nation. Are we going to repeat that process again? Do we want to repeal a resolution which says we will stand behind the people of Formosa at the very time they have been thrown out of the United Nations? Do Senators want to repeal that resolution and let those people in Red China again misinterpret the dedication and commitment of the American people? No. We must not do that. It is wrong; it is wrong and it is dangerous. It would be a slap in the face at a very, very valuable ally.

The United Nations, where two-thirds to three-fourths of the countries involved in that body are less productive and less free than the people of Nationalist China, by that act took an absolutely incredible step when they expelled Nationalist China from the United Nations in order to cater to the big boy. If we play that game, we are going to start losing American lives again because that is how we got into World War I, World War II, Korea, and Vietnam, and it will get us into the next war too, because the people around the world simply do not ever accurately assess the character, dedication, and commitment of the American people. That character is here and it will remain, the commitment is here and it will remain, but for goodness sake, let us for once in our lives evidence that character and commitment by standing behind commitments to our allies and friends, and let us not start repealing resolutions in the face of the obvious reaction that that would achieve.

Mr. STEVENS. Mr. President, would the Senator yield to me for 30 seconds so that I may submit an amendment?

Mr. BROCK. I am delighted to yield to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I send to the desk an amendment which is offered by the Senator from Arizona (Mr. GOLDWATER) for himself and me, and I ask that it be printed. I would like to call that amendment up later today.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. BROCK. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, I do not believe there is much more to be said about this issue. We discussed it yesterday and reached what was thought to be an acceptable compromise in view of the motion of the Senator from Alaska. As we discussed yesterday there has been no change in the administration's attitude toward the repeal of the so-called Formosa Resolution. It is my understanding that the administration has no objection to the repeal, as was stated yesterday. The administration says that it does not rely on the resolution for contingency planning or anything else.

As the Senator from Maryland said, it is one of those resolutions which is a hangover from the grief of the cold war.

Mr. President, I do not know that there is much more to be said. If the Senator from Tennessee is ready to yield back his time and have a vote on this issue, I see no reason to debate this issue any longer.

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

Mr. FULBRIGHT. I yield.

Mr. BROCK. I would be delighted to do so but I have one request. The cosponsor of the amendment is absent and if we could take just a few more minutes to give him time to arrive, I would be delighted.

Mr. FULBRIGHT. Mr. President, I will suggest the absence of a quorum, but before I do that I want to say for the record that there have been rumors, both verbal rumors and I think I read an account of it in the newspapers, that there may be an effort made to table the bill or recommit it. The motion for recommittal was discussed the other day. I did not want to miss the opportunity to say that if that or a similar procedure is attempted again, I shall do what I can to prevent the continuation of this program by continuing resolutions. These continuing resolutions are devices which have been adopted in the past and accepted more or less routinely when a bill has not been reported, and when time is needed to cover a transitional period between reporting a new bill and the old legislation so that the authority would not lapse.

In this case we have before the Senate a bill reported by the Foreign Relations Committee. I see no justification whatsoever for adopting a continuing resolution. To me, the only proper way to proceed is to vote this bill up or down. Senators who oppose it have the perfect right to offer amendments to change it in any way they see fit, but I only wish to give notice that, as one Senator, I shall oppose a continuing resolution with all the capacity that I have and that I shall consider a vote to table or a vote to recommit this bill as a vote to discontinue or stop the foreign aid program altogether.

I think it should be understood that that would be its significance, because I think it would be possible—very probable, at least—that a continuing resolution could be stopped under the circumstances, and I want to take this opportunity today to state that I do not believe Senators who are contemplating a motion to table or a motion to recommit should be under any illusions that this is an easy way to avoid facing up to the questions that are raised not only by the amounts but by the policy recommendations in this bill. So I think Senators who favor that procedure should give consideration to the possibility that a continuing resolution could not be passed.

Mr. BROCK. Mr. President, if the Senator has concluded and if he will yield to me, I would like to ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. MATHIAS. Mr. President, I would just like to revert to what I consider to be really the domestic part of this discussion, the part which relates to the internal governmental arrangements of the United States.

As I said before, I am a strict constructionist of the Constitution, and I believe the Constitution means what it says when it apportions the various powers of government among the three coordinate branches; and I feel very strongly about that.

It has been said that all this resolution provides is the following: "The President of the United States hereby is authorized to employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack."

Of course, it is true that the resolution does provide that, but it would be well for the Senate, which has not considered this subject since 1955, to further consider what the resolution provides. It provides this language:

This authority to include the securing and protection of such related positions and territories—

What are "related positions and territories?" That is not defined—

of such related positions and territories of that area now in friendly hands and the taking of such other measures—

Let me underline the words "and such other measures"—

as he judges to be required or appropriate in

assuring the defense of Formosa and the Pescadores.

That is the end of the quotation. I have added some repetition for emphasis:

Mr. President, we have a situation here that I think deserves very careful consideration. I feel comfortable with Secretary Rogers' interpretation, which he gave in a letter of last May to the Committee on Foreign Relations, which he repeated as late as yesterday, in saying that this administration does not consider that this resolution has any force and effect as far as empowering the Government to take military steps is concerned.

If the Senator from Tennessee were so minded to modify the resolution to say it would continue until Inauguration Day 1973—or I think he and I hopefully might make it Inauguration Day 1977—I would still feel comfortable; but I am not so short of memory that I do not recall that Nicholas Katzenbach, the former Attorney General and Under Secretary of State, speaking for the last administration, construed very similar words in the Gulf of Tonkin resolution to be, I think in his phrase, a "functional equivalent of a declaration of war."

Mr. President, if the last administration could construe those words to be a "functional equivalent of a declaration of war" and could send half a million men to Vietnam and could spend over $100 billion of the American taxpayers' money on a "functional equivalent of a declaration of war," some future administration could do it. That is the decision before the Senate. That is what the founders of this Republic and the framers of the Constitution really were trying to prevent when they provided for a separation of powers. That is what a strict construction of the Constitution involves.

The people of Asia cannot misinterpret it. The Secretary of State was on record last May as saying this language was not going to govern the policy of the United States. Every one of us, I think, fully understands the situation.

What we do here, as far as the rest of the world is concerned, is not going to be taken as any change of policy, one way or the other. But what is important is our own internal arrangements, whereby, if we adopt this amendment, we refresh the authority of some future President—this President has made his position clear—to fortify, to garrison territories somewhere in the Orient.

Mr. President, I say that is an automatic trigger—a weapon which we should not leave lying on the table without the existence of a clear and present danger.

The President is moving in the right direction. He understands the global picture. He is trying to move the United States and the world in the direction of new relationships which will lead to a new era of negotiations and a generation of peace. The adoption of this amendment will do nothing but impede his effort.

The PRESIDING OFFICER. Who yields time?

Mr. BROCK. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be divided equally between the proponents and opponents of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BROCK. Mr. President, I yield such time as he may require to the distinguished Senator from Colorado (Mr. ALLOTT).

The PRESIDING OFFICER. The Senator from Colorado may proceed.

Mr. ALLOTT. Mr. President, I rise to support what I think is one of the best amendments that will be offered to this bill and one which I believe is absolutely necessary if we are to keep a balance on things in this world.

I spoke briefly on this subject the other afternoon at the time the Senator from Alaska was offering his amendment. The amendment under consideration seeks to strike section 410, which states:

> The joint resolution entitled "Joint Resolution authorizing the President to employ the Armed Forces of the United States for protecting the security of Formosa, the Pescadores, and related positions and territories of that area", approved January 29, 1955 (69 Stat. 7; Public Law 84-4), is repealed effective upon the date of adjournment sine die of the first session of the Ninety-second Congress.

That date has, by the amendment of the Senator from Alaska, been changed from the adjournment of Congress of this session to April 15, 1972.

There are two arguments that are being used against this particular amendment. The first, and probably the most significant—and we have to recognize its significance, if we are to be fair—is that this is only an attempt to bring back to Congress the powers that rightfully belong to it with respect to the warmaking powers of the Federal Government.

The unfortunate thing about this particular amendment is that it was prepared before this section was inserted in the bill and before the affairs and events of last Monday in which the United Nations, in a somewhat hilarious, gleeful, and boisterous mood, voted to eliminate Taiwan, the Republic of China, from the United Nations.

I could discuss for a long time how I feel about the United Nations, because I think it can and should be very important. But I am disillusioned with several aspects of it, among them the leadership of the Secretary General, which I think has not been productive overall to the cause of the free representative governments in the world; and, second, because of the constant and escalating increase in the cost of the United Nations these past 10 years.

The reason I oppose this particular section and support the motion to strike made by the junior Senator from Tennessee is that I think it is high time we in this country started to learn something from history. Too many times we ignore history and think that somehow we can change the basic behavior of mankind by passing a resolution. It cannot be done.

I again call the attention of the Senate to the occurrences which happened in the fall of 1949 when the then Secretary of State Dean Acheson published a white paper and in that paper drew a line between the country of Japan and the Philippines and said that we had no interest in anything to the west of that line. That was repeated by him again later that fall. It was reiterated in a speech by President Truman in January of 1950.

What happened after that? A few months after that we were involved in the Korean war. Now, if anyhing should teach us the lesson that we should not draw lines and say that we have no interest to the east or west or north or south of us, that should because it was a very unfortunate war.

That war was carried on under the flag of the United Nations, but we all know that it was basically carried on by the U.S. troops. The materiel that went into the carrying on of that war was furnished and supplied from this country.

While I do not remember the exact number of casualties in that war, they were very, very high. It was very costly to this country in terms of lives and in terms of wounds and in terms of permanent injuries to the young men of this country.

Now, at a time when Red China has been admitted to the United Nations—and I recognize and have recognized for many years the inevitability of that, and the fact that the margin by which she was being kept out was growing smaller and smaller each year—upon what I consider rather a funny legal theory—perhaps I should strike the word funny because it is not funny at all—upon the very peculiar legal theory which we have held up for many years, that the Government of Taiwan represented all the people of China. Now that Red China is admitted upon the theory that she represents all of the people of China, we are faced with a very peculiar situation.

What is going to happen in the next few months, in the next year, or in the next 2 years, if we should retain in the bill this section? What will happen in the Straits of Formosa, Quemoy, Matsu, and the Pescadores, and eventually Taiwan or Formosa itself? What will happen when we say—and this is the interpretation the Red Chinese will put upon this section, even though we still have our mutual defense pact with China—"Boys, this is yours. It is up for grabs. Go after it"?

I was on the Pescadores. I was on Quemoy. I was on Matsu in 1956, and particularly Quemoy when that island was being shelled and when that fire was being returned. I am very fearful that the repeal of that particular resolution—which I remember so well on the floor of this Senate, led by that great statesman, former Senator Walter George, of the State of Georgia, probably one of the greatest men we have ever had in the Senate—at this time is going to have the same effect upon the Red Chinese. The Red Chinese claimed they would never come into the United Nations with Taiwan or Nationalist China as a member. And they did not. They claim that they are the only

government of the Chinese people. They claim that Taiwan actually belongs to them.

What other interpretation can or will the Red Chinese put upon the repeal of this than to say, "They have opened the gates for us."

I predict that if we should not be successful in striking this from the bill, we will see one of two actions taking place in that area within a reasonably near time in the future. I am not necessarily talking about weeks or even a few months. We will see either a resumption of the military type of activity that was carried on in 1955 and 1956 when they were firing across the straits at each other. We will see a buildup of aircraft and military personnel along the southeast China coast opposite Formosa or, in the alternative, we will see a very, very strong counter insurgent movement developed by the Red Chinese in the Taiwan Government and the island of Formosa in an attempt to overthrow the government.

I am trying to be rational about this. I feel very strongly about it. I could become very emotional about it. Other people may have different ideas. I am sure that perhaps other people here have different ideas from mine. However, everyone has to form his own judgment about a matter based upon his own experience and based upon history. And history tells us that they will move if we give them the slightest pretext for moving.

Mr. President, I therefore hope very much that the amendment of the distinguished Senator from Tennessee will be agreed to because I feel it detrimental to our interest and the interests of the Taiwan Government, who have always been our close friends in the past. I think it augurs nothing but trouble in the future.

Mr. BROCK. Mr. President, I thank the Senator from Colorado. I am very grateful for his support.

Mr. President, I yield 3 minutes to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 3 minutes.

Mr. STENNIS. Mr. President, I rise to make the observation that I would like to see all of our commitments or obligations or guarantees, by whatever name they are called, reviewed and some perhaps renegotiated. However, just here within a few hours after the time we were insisting on this area of the world, Formosa or Taiwan, having a seat in the United Nations, and that having failed to carry, I do not see how we can turn around and repeal, without prior notice and negotiation, this guarantee that we had given to them.

I do not think it ought to be done now, even if it should be reconsidered and revised after proper notice and consideration.

I know the fine intentions of the committee. I do not know of any other provision to get this protection. I have not had a chance to hear all of the debate. However, I do not believe there is anything that protects this arrangement as does this agreement. To repeal the resolution now without any negotiation or prior notice and before the ink is hardly dry on the vote in the United Nations where we were espousing the cause of this country or this area, would just leave them standing alone. It is inconsistent, and it is not in keeping with our policy. There is no other provision that has the meaning that this provision has behind it because of its historical significance and its development. I shall vote for the Brock amendment.

I thank the Senator for yielding.

Mr. BROCK. Mr. President, I am very grateful to the Senator from Mississippi. I value his words and his support.

I yield 3 minutes to the Senator from Ohio.

Mr. TAFT. I thank the Senator for yielding.

Mr. President, I take this time to express support for the Senator's amendment and to elaborate somewhat on that statement by commenting to the effect that there are pending before the Committee on Foreign Relations a number of resolutions, including my own, the effect of which would be to repeal the very section that is repealed by current section 410 in this bill.

However, I do not feel that section 410 should be allowed to remain in the bill and have the effect of repeal for a number of reasons. First of these reasons is that this is a foreign aid bill. While section 410, the Formosa resolution repealer, does apply to the area of foreign affairs, it does not have an open relationship to foreign aid, and to have it come at this time and to try to explain to other nations that although this is a foreign aid bill we took this action with respect to U.S. foreign policy at this time on an overall basis, after what happened in the United Nations this week, is a great mistake.

I do not know the prospects for passage of this amendment but it is important whatever way it goes to emphasize again and again that this is merely a routine step which was underway, and which by the amendment agreed to yesterday was put off until April 15 in its effective date, but it has little to do with the overall commitment of the United States to support the Republic of China and the commitment we have through treaty obligation, or the commitments which remain on the books and which transcend any authority which might be given to the President.

I emphasize again that this issue must not be misinterpreted and I feel unless this amendment is agreed to no matter what we say about it on the floor to explain it is not the case, it is bound to be misinterpreted by some in the press. For that reason it would be a clarifying step to agree to the amendment and eliminate this issue without prejudice to whatever future action we might take on it without regard to this bill.

It seems to me that foreign policy resolutions relating to the power of Congress and the President which are before the Committee on Foreign Relations merit debate, not that they change the course of our foreign policy but they have long-range implications in respect to the United States in the conduct of its foreign affairs.

I thank the Senator for yielding.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on October 27, 1971, the President had approved and signed the following acts:

S. 414. An act to authorize and direct the Secretary of the Interior to convey certain property in the State of North Dakota to the Central Dakota Nursing Home; and

S. 654. An act for the relief of Frederick E. Keehn.

EXECUTIVE MESSAGES REFERRED

As in executive session, the PRESIDING OFFICER (Mr. GAMBRELL) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 46) to correct the enrollment of S. 137.

The message also announced that the House had passed the joint resolution (S.J. Res. 167) to extend the authority conferred by the Export Administration Act of 1969, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the first amendment of the House to the amendment of the Senate numbered 2 to the bill (H.R. 4590) relating to the dutiable status of aluminum hydroxide and oxide, calcined bauxite, and bauxite ore.

The message also announced that the House had passed a bill (H.R. 11418) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1972, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 10458) to broaden and expand the powers of the Secretary of Agriculture to cooperate with Mexico, Guatemala, El Salvador, Costa Rica, Honduras, Nicaragua, British Honduras, Panama, Colombia, and Canada to prevent or retard communicable diseases of animals, where the Secretary deems such action necessary to protect the livestock; poultry, and related industries of the United States.

The enrolled bill was subsequently signed by the President pro tempore.

HOUSE BILL REFERRED

The bill (H.R. 11418) making appropriations for military construction for

the Department of Defense for the fiscal year ending June 30, 1972, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

FOREIGN ASSISTANCE ACT OF 1971

The Senate continued with the consideration of the bill (H.R. 9910) to amend the Foreign Assistance Act of 1961, and for other purposes.

Mr. MATHIAS. Mr. President, the Senator from Colorado has properly urged us to learn from the lessons of history. I subscribe to that principle, and hope the Senate will follow his advice.

The copies of the Formosa resolution available on the Senate desks today suggest, by their form and size a significant lesson we ought to have learned. They are painfully similar to copies of the Tonkin Gulf resolution that former President Johnson used to carry with him and produce to justify his actions in Indochina. In contrast to the present administration's interpretation of both the Tonkin Gulf and Formosa resolutions, the Tonkin Gulf language was viewed by the Johnson administration as the "functional equivalent of a declaration of war." The next administration may so interpret the Formosa resolution.

In order to recall that lesson of history it is helpful to compare the similarities of the language in the operative sections of both resolutions, which I would like to quote here.

FORMOSA STRAITS RESOLUTION

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be and he hereby is authorized to employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack, this authority to include the securing and protection of such related positions and territories of that area now in friendly hands and the taking of such other measures as he judges to be required or appropriate in assuring the defense of Formosa and the Pescadores.

GULF OF TONKIN RESOLUTION

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

Mr. FULBRIGHT. Mr. President, are Senators prepared to yield back their time on the pending amendment and have a vote?

Mr. BROCK. I am delighted to do so.

Mr. FULBRIGHT. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment (No. 538) proposed by Mr. GRIFFIN for Mr. BROCK and Mr. BUCKLEY. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. Mr. President, on this vote I have a live pair with the Senator from South Dakota (Mr. MCGOVERN). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Oklahoma (Mr. HARRIS), the Senator from Hawaii (Mr. INOUYE), the Senator from Washington (Mr. JACKSON), the Senator from Louisiana (Mr. LONG), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Maine (Mr. MUSKIE), and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

I further announce that, if present and voting, the Senator from Washington (Mr. JACKSON) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Idaho (Mr. JORDAN), and the Senator from Iowa (Mr. MILLER) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Colorado (Mr. DOMINICK), the Senator from Arizona (Mr. FANNIN), and the Senator from Oregon (Mr. PACKWOOD) are detained on official business.

If present and voting, the Senator from Tennessee (Mr. BAKER) would vote "yea."

The result was announced—yeas 43, nays 40, as follows:

[No. 270 Leg.]

YEAS—43

Allen	Eastland	Saxbe
Allott	Ervin	Schweiker
Beall	Fong	Scott
Bellmon	Gambrell	Smith
Bennett	Goldwater	Sparkman
Bible	Griffin	Stafford
Boggs	Gurney	Stennis
Brock	Hansen	Stevens
Buckley	Hollings	Taft
Cannon	Hruska	Thurmond
Chiles	Jordan, N.C.	Tower
Cook	Magnuson	Weicker
Cotton	McGee	Young
Curtis	Percy	
Dole	Roth	

NAYS—40

Aiken	Hart	Nelson
Anderson	Hartke	Pastore
Bayh	Hatfield	Pearson
Bentsen	Hughes	Pell
Brooke	Humphrey	Proxmire
Burdick	Javits	Randolph
Byrd, Va.	Kennedy	Ribicoff
Case	Mansfield	Spong
Cooper	Mathias	Stevenson
Cranston	McClellan	Symington
Eagleton	Metcalf	Talmadge
Ellender	Mondale	Tunney
Fulbright	Montoya	
Gravel	Moss	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Byrd of West Virginia, for.

NOT VOTING—16

Baker	Jackson	Mundt
Church	Jordan, Idaho	Muskie
Dominick	Long	Packwood
Fannin	McGovern	Williams
Harris	McIntyre	
Inouye	Miller	

So the amendment was agreed to.

Mr. BROCK. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SCOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. TAFT. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 20, lines 19 and 20, strike out "$320,000,000" and insert in lieu thereof "$445,000,000."

On page 29 strike out lines 7 through 20, and insert the following:

Sec. 292. Authorization.—Of the funds provided to carry out the provisions of Part I of this Act for each of the fiscal years 1972 and 1973, $125,000,000 shall be available only to carry out the purposes of this Title and, notwithstanding any other provision of this Act, funds used for such purposes may be used on a loan or grant basis."

Mr. TAFT. Mr. President, I ask unanimous consent that the amendments be considered en bloc, and, notwithstanding whatever action may be taken on this amendment, that it be in order for the Senator from Idaho (Mr. CHURCH) to offer at a later time an amendment to lines 19 and 20 on page 20 of the bill relating to the amount therein stated.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. TAFT. Mr. President, the purpose of this amendment is to restore to the bill the exact form of earmarking language for population control programs which has prevailed in the foreign aid bills of the last 4 years. While serving on the Foreign Affairs Committee of the House of Representatives 4 years ago, I became convinced that if our population control programs were indeed to make the type of progress they should make under our AID program, earmarking of this type would be necessary.

The results since that time have borne out the validity and wisdom of that approach. Let me state to the Senate the earmarking situation and the amounts which have been expended for population control programs under AID during this period.

In fiscal year 1967, without any earmarking provision, the total amount spent on population control programs was approximately $4.4 million. In 1968, with earmarking of $35 million which we succeeded in getting in through my amendment in the House Foreign Affairs Committee, the total expenditures went to $34,750,000. For 1969, we succeeded in earmarking $50 million, and the total expenditures for that year were $45,444,000.

For 1970, we raised the earmarking to $75 million, and the expenditures went to $74.5 million. In 1971, the earmarking

was $100 million, and the total expenditures were approximately $96 million.

I think we could have no better proof of the validity of the approach which was used in this connection.

What the amendment does is merely change the position of the $125 million authorization for population control in the bill. It moves it up into the overall authorization under title I of the bill, increasing that amount by $125 million to a total amount of $445 million. This does not change the overall authorized expenditure for this portion of the bill. All it does is to bring under this part of the bill the population control programs.

I believe that this approach will guarantee the continued attention that I think Congress has many times expressed as being desirable from the point of view of putting a priority on our population control programs.

The President, with whom I talked on this subject a number of times, has indicated his feeling that, so far as he is concerned, he is for earmarking for population control programs.

I feel sure that without an expanding population planning program, many countries which we have aided in the past will continue to be progressively poor despite all our foreign aid.

Mr. President, the same bill includes $250 million for a single year of relief help for East Pakistan refugees, an important and humanitarian effort. Yet it provides only half that amount to try to deal, on a worldwide basis, with the population explosion that has been a root cause of both India's and East Pakistan's distress and poverty. And in its present form it drastically weakens the program that AID has developed over the last 4 years.

Since this bill is in many ways an interim measure, calling for further study and basic revision of the entire program, restoration of the language that has, ever since 1967, provided a firm basis for the population assistance programs in AID, language that has already won the explicit support of the Secretary of State and the President, would be the best way to insure the continuation and necessary expansion of the program.

AGENCY FOR INTERNATIONAL DEVELOPMENT—POPULATION PROGRAM

Mr. CRANSTON. Mr. President, I support the population program amendment to the Foreign Assistance Act of 1971 which the Senator from Ohio (Mr. TAFT) and I are offering.

Mr. President, a most significant program carried out by the Agency for International Development is the family planning and population work which was specifically authorized by the Congress in 1967 when $35 million was allocated to be spent only on population work.

Each year since 1967 the Congress has consistently supported this program earmarking $35 million for fiscal year 1968, $50 million for 1969, $75 million for 1970 and $100 million for 1971. Each year AID officials have told Congress that funds should not be increased over the previous year's level and that the money could not be wisely expended.

Yet, Mr. President; the fact is that the AID population program has developed into an outstanding technical assistance program and had a major impact in encouraging both U.N. agencies and other governments to increase their own support in this field.

It is particularly important that the U.S. Government support for this activity maintain its current momentum. As the committee report points out:

> Since it is estimated that the average number of women in the less developed countries aged 20 to 29—the peak years of human fertility—will increase by about one-third during the 1970s and two-thirds during the 1980s, over the average number for the 1960s, every effort should be made to extend family planning information and services on a voluntary basis to couples in the developing countries. Unless population growth rates in these countries are reduced, their populations will double in 20 to 30 years and their development efforts over the next two decades will not result in any noticeable improvement in individual standards of living.

In addition to the important work overseas, a number of institutions in my State of California have played an important role in training, research and overseas technical assistance activities under this program.

For example, the California Institute of Technology and the National Academy of Sciences are cooperating to develop economic and social data that will be relevant and useful for the location and the administration of international family planning programs.

The University of California at Los Angeles is running a demonstration family planning maternal health program under this program in Ghana. Also under this program, the Salk Institute at San Diego is undertaking a major research effort designed to produce a once-a-month contraceptive suitable for use in developing countries. Conducted by some of the Nation's most eminent scientists, this project may lead to a basic contraceptive breakthrough within the next few years.

The main thrust of the AID population program is to provide assistance where it can be most effective to national programs, U.N. agencies and private voluntary organizations throughout the developing world to insure that the program continues to grow at the pace necessary to meet the increasing world need of population stabilization.

Mr. President, section 292 of H.R. 9910 as reported from the Foreign Relations Committee threatens the continuation of the import gains which have been made by the AID population program. As I stated earlier, since 1967 Congress has expressly set aside a specified amount of money to be utilized solely for population programs by AID.

This year, the administration has suggested, and has been successful in achieving changes in this longstanding practice. These efforts have resulted in the language of section 292 of the bill before us. This language discontinues the traditional system of earmarking specifically for population programs a certain amount of funds appropriated for the development loan fund, and substitutes for it a separate authorization of appropriations which funds would remain available until expended. The real effect of this change is to give to the Office of Management and Budget the opportunity for independent action in this vital international program area. Over the years, Congress has expressed its concern for the continuation of such programs by steadily increasing the amount earmarked. At the same time officials of the administration in both the Office of Management and Budget and AID have not requested annual increases in the population program or shown any sense of urgency despite the crucial worldwide need. I believe they can be expected to continue to take this shortsighted attitude and should this program become dependent on a separate authorization and therefore a line item in the President's budget, they can be expected to come up with only minimum budget requests based upon fiscal considerations which take inadequate account of actual program need.

For this reason, I have joined with Senator TAFT in offering the amendment to H.R. 9910 which would restore the language of previous years earmarking funds for population programs, and increasing the amount of those sums to $125 million for both fiscal years 1972 and 1973. The amendment we offer also raises by $125 million—from $320 to $445 million—the total amount authorized for appropriation to the Development Loan Fund, out of which the population program reservation would be taken. I believe only through such a reservation of funds can we be insured that these vital programs will be continued at an effective level and can the expressed concern of Congress be followed.

Mr. President, I strongly urge that the language which has been in this Foreign Assistance Act since 1967 not be altered at this point but be retained in its present form. Major changes in this program should only be considered in connection with the overall review and revision of the foreign aid program which the committee has recommended at a later date. For the present, I believe the language now in the law should simply be updated in order to provide $125 million for fiscal year 1972 and fiscal year 1973, although even this amount is not adequate given the enormous dimensions of the problem and the gravity of the world population situation.

Mr. President, the Special Subcommittee on Human Resources, which I am privileged to chair, of the Senate Labor and Public Welfare Committee, was fortunate to hear testimony on October 8 which as poignantly and effectively as any material I have read makes clear the need for U.S. assistance in the international population program field. Our witness was Dr. Norman Borlaug, one of the outstanding men of our times, winner of the Nobel Peace Prize in 1970 for his achievement in developing a new strain of wheat which can be planted in extremely diverse climates and which produces extremely high yields. Dr. Borlaug's discovery was heralded as the answer to problems facing developing nations whose population growth is far outrunning food supplies. Dr. Borlaug, however, has repeatedly stated that his so-called miracle wheat, merely forestalls

a major food crisis for 25 to 30 years, and even then only if nations are able to commit sufficient scientific and capital resources to achieving maximum production.

Dr. Borlaug was presenting testimony on Senate Joint Resolution 108, a resolution calling for a national policy of population stabilization through voluntary means, whose principal sponsors are myself and Senator TAFT, and which I am happy to say now has a total of 34 cosponsors. He strongly endorsed the resolution as a means of establishing the requisite credibility for the United States in the population field in order to make its international population efforts truly effective.

Dr. Borlaug spoke vividly of the implications of high levels of population density in one nation for other nations and of the necessity of each nation to recognize its own responsibilities toward finding a solution to the problem of an exploding world population. I believe this is undoubtedly one of the greatest problems facing all mankind in the next few decades. If we do not slow down and then stabilize world population growth by the turn of the next century, the world faces enormous risks of mass starvation and violent revolution.

I believe Dr. Borlaug's career which has been devoted to finding means of staving off starvation in any corner of the world, and which has taken him to numerous nations with varying degrees of development and population density, has given him an enormous insight into this subject, which is very evident in the testimony he delivered before the Special Subcommittee on Human Resources. The ideas he expressed are of great pertinence to the amendment to H.R. 9910, the proposed "Foreign Assistance Act of 1971," which I am honored to sponsor with the distinguished Senator from Ohio (Mr. TAFT). I ask unanimous consent, Mr. President, that portions of the hearings covering Dr. Borlaug's appearance before the subcommittee be printed in the RECORD.

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

STATEMENT OF DR. NORMAN E. BORLAUG, AGRONOMIST, DIRECTOR OF THE ROCKEFELLER FOUNDATION AGRICULTURAL PROGRAM IN MEXICO CITY, MEXICO; NOBEL PEACE PRIZE WINNER FOR 1970, BEFORE SPECIAL SUBCOMMITTEE ON HUMAN RESOURCES OF THE SENATE LABOR AND PUBLIC WELFARE COMMITTEE

Dr. BORLAUG. I have spent these past 27 years of my professional life in trying to do something about bringing a little better balance into the capability to produce food enough to feed the people of these developing nations. Always food has been in short supply in these countries, and I have worked in a great many of them, ranging from Mexico to India, all across North Africa, and the Near and Middle East.

All too often, food is in short supply for the average man. In these past few years, we have begun to make some measureable and significant progress; in a few of the crops, especially in wheat, on which I have worked, and more recently in rice, and in maize or corn. But this is small, compared to the total needs.

It is my estimate that cereal grains are still 30 per cent short of human needs, if we take a global measure of the situation—not a very pleasant picture. In a privileged nation, such as the USA, of course, we do not think in terms of cereal grains, and I would like to qualify why.

Senator CRANSTON. You are referring to minimum needs, I assume.

Dr. BORLAUG. Minimum needs. Here we think in terms of how much meat and how much milk and how much eggs, and so on, is included in our diet, and bread per se is a rather minor, unimportant part of our total diet. But it is not so in the other countries, because there, you see, they can not afford to produce, nor can the average man afford to buy, these animal proteins, animal products.

The reason for this is simple. To produce a pound of poultry meat, chicken meat, takes two and a half pounds of grain. To produce a pound of pork chops will take about four and a half pounds of grain, and beefsteak, such as we ordinarily think about, will take six and a half to seven. You can not afford this conversion factor in a hungry world. Even were it possible, the purchasing power of the low-income people would not make it feasible.

And so we have made certain progress. But this progress, as I said when the press descended upon me at the time of the Nobel award, might buy us 20 years, or 25, or 30, if we could get governments to commit reasonable resources to permit us to have the scientific base and the inputs necessary to continue pushing forward.

I said "if." There is no certainty about this. Because now you see even here, within our own very privileged country—and I would like to state here and now that even though I have lived outside of the United States for 27 years of my life, I am a very proud American, and yet I am sometimes a very confused American now when I come back and read the press and look at the television, because there is a certain segment here which doesn't understand what a difficult problem we have on this food production funding. They think things are much better now in the developing nations—and it is not so. It is just nip and tuck. We do not have any room for complacency. We have to work aggressively.

And what I said was that we might be able to buy 20 or 25 years in which to bring into balance population growth and the capability to provide a decent standard of living to all who are born into this world.

And unless we can provide this, Senator Cranston, so far as I am concerned, we will never have any lasting peace. We will have international strife and recurring troubles, and there will not be any peace. You can not build international peace on empty stomachs and poverty and unempolyment. And this is the situation in a vast segment of the world today, and unfortunately some of our great idealists do not understand this. They think you change governments and you solve these very basic problems. Everyone wants a simple solution to all of these very complex and interrelated problems that bear on human life. But it isn't that easy.

Senator CRANSTON. Do you feel that we have at most 25 years?

Dr. BORLAUG. This is optimistic; this is optimistic. For example, unforeseen developments on the interrelating and interreacting forces of population, food production and environment that have to do with our capability of producing food, first here in the United States and then elsewhere may reduce that number of years by half.

Senator CRANSTON. I gather that it is your feeling that if we do not get population growth under control quite soon, we will just face utter chaos in many parts of the world, which will then really engulf the whole world.

Dr. BORLAUG. It is my feeling, sir, that already some of the great cities of the world are so large and so complex that we are already on the verge of chaos. New York City, Calcutta, Dacca, Tokyo, you name them. And so many things can go wrong, whether it be with power, with transport, with water systems and sewage disposal, that somebody, in some sort of a manifestation, steps on somebody else's toe, and suddenly you have a riot.

And this is always, of course, more explosive the more poverty stricken one of those large cities happens to be. You have a riot and it can become a civil war, and then an international war, and we again will get tangled into these things inadvertently, or some other nation will, and it will go on to all sorts of extremes, with sad consequences.

So I have great fear for the large cities of today, and the instability that is being incorporated into them, simply because too many people are piled up in these megalopolises. So you see all of this population growth, no matter what arm or what appendage you look at in this octopus, I call it, that affects all of the different spheres of human life even in a privileged country such as the USA.

Senator CRANSTON. If, in the USA, we manage to handle the problems within our cities, I assume you feel that we could not avoid the consequences of a failure in the rest of the world, particularly in Latin America or Asia, to come to grips with the population explosion.

Dr. BORLAUG. What we do here at home will have a lot to do with how the developing nations will react.

Senator CRANSTON. Yes.

Dr. BORLAUG. Is this the main thrust of your question, Senator?

Senator CRANSTON. No, I was really asking this: If we manage to handle the problems here but they are not handled in Asia and elsewhere, we will not avoid the consequences here, will we?

Dr. BORLAUG. No, of course not. We all, as good Americans, want to have a stable world situation. I think we are all humanitarians enough to want to see a decent standard of living for all people, and a decent opportunity for all who are born into this world. And we cannot stand political chaos, as I see it, and continue to have our own way of life, our own democratic form of government. Sooner or later we will become embroiled in issues that boil over from neighboring countries.

So what happens in foreign countries seems to me to be of great concern to us back home here in the USA. And I say this with great feeling, having lived outside of the country for all of these years.

Senator CRANSTON. One of the clauses in the Senate resolution touches on the other point you alluded to, i.e., what we can do by example. And it reads as follows: I would be interested to know if you have any comment or revision you think might be appropriate:

"Whereas it is by its own example that the United States can play a leading role in the fight to curb world population growth which is obstructing economic progress and threatening starvation, mass unemployment, and civil strife in the developing countries of Asia, Africa, and Latin America."

Dr. BORLAUG. I would agree a hundred per cent with what you have said. I would just like to say a few words to add emphasis to this from the position from which I have looked at the whole issue.

I have expressed concern not only on this population issue, but on other issues which are of international importance to the United States.

On the population issue, I think it is immoral for us to say, "Oh, we are privileged; we have a good standard of living; we don't need a population policy. But Country A, B, or C, because of its vast total population and great population density, must, as soon as

possible, establish such a policy and implement it."

It is perfectly obvious to me, and I am sure to most of the people who stop to think about it here in the USA, that it is immoral to say that, to say, "This is good for you, but I do not need it."

And as long as we have this attitude, we will never be effective in trying to assist another nation in trying to come to grips with its population problem.

Senator CRANSTON. Can you cite any specific examples where you have confronted this credibility issue about us in your conversations with leaders and scientists in other countries?

Dr. BORLAUG. Yes, very definitely.

I have had scientists in India straightforwardly ask me this question, "How is it that you in the USA, who have no population policy, can be here in various types of agencies advocating and trying to help us with this issue?"

And I think that this person wasn't at all vicious, but only raising a perfectly legitimate question. And I am sure it exists in the minds of many scientists and educators and government leaders abroad. I think we must all realize that were we the head of the Ministry of Public Health, let us say, in one of these countries where there is a tremendous population problem, or a prime minister or a president trying to cope with this—how stable a ground would such a person have in trying to work from this platform of ending population growth?

That is another issue.

But the point is, if we are going to assist these countries to strengthen their positions and their capabilities of solving the population growth problem, we have to start out from a sound base ourselves. Otherwise, the image we project to our foreign friends, even though we are trying to help them in every way we know possible, will be misinterpreted, at least by certain segments of those societies.

And this, Senator Cranston, is why I feel very deeply about this.

Senator CRANSTON. As you know, there is evidence that there is a sharp decline in the United States fertility rate at this particular moment—nobody knows for how long that may endure. I suppose we will not really gain any credibility along with such a population growth decline unless it is part of a national policy and not an accident, perhaps attributable to our economic recession.

Dr. BORLAUG. Well, I am sure from my own limited experience in this field here inside of the USA that it is probbaly a very complex issue. I hope that even though the decline in population growth may be accidently it can be put on a continuing basis so we can look forward to stabilizing this situation.

We are greatly concerned about what happens in our environment and, of course, the amount of pollution, up to a certain point, is directly related to the number of people we are piling in together, and especially in the large cities.

Senator CRANSTON. Do you feel that the scheduled UN Environmental Conference in Stockholm lends some additional urgency to the development of an explicit United States population policy?

Dr. BORLAUG. I definitely feel that if such a policy could be established by the United States Congress before that time, it would speak in a loud voice. It would be very helpful, I think, to indicate our concern and deep interest in doing something about this whole environmental problem and, of course, about human dignity as it relates to population growth in its broadest sense.

Senator CRANSTON. We are very hopeful that we can get the resolution enacted prior to the time of that conference.

Getting back to the 25 or 30 years that we might in effect buy through miracle wheat in accordance with your statement—if the nations committed the necessary means—have the committed the necessary means for that particular achievement?

Dr. BORLAUG. At the present time, no. It is a struggle every step of the way to get the commitments, and we must recognize that in these developing nations there are a great many demands on their limited resources.

Let me use a concrete case in point:

We can do very little in these countries without large investments in fertilizer and fertilizer plants. The soil has been farmed for centuries, and in some cases for even thousands of years, and it is depleted of many of the essential plant nutrients. And the only way that we can restore these in an economically feasible sort of way is with fertilizer.

And fertilizer and its use cost money. It costs money to build these plants, and in order to move the fertilizer, you have to change your whole transportation system. It calls for credit for the small farmer. There are many roadblocks to implementing this.

And then the government is pushed to all other sides, not only on this food front but on the educational front. They are running behind; they are falling behind.

Let me illustrate: In one particular developing country, the population was 18 million people about 30 years ago. At that time there, 50 per cent of the reading-age population, 9 million people, were illiterate according to government figures. Today that nation has 50 million people and they say that the illiteracy has been cut to 25 per cent. But 25 per cent of 50 million, a quarter of 50 million, is 12 million. So there are more illiterates now than there were then, even though the percentage shows that it has been cut in half.

And this nation spent greater sums on education than any other nation in its part of the world.

And this is the sad tragedy of many nations.

You see, it is deceiving to talk in terms of percentages when population growth is exploding.

I mentioned education, but population growth affects many other facets, such as, let us say, employment, or unemployment.

With the exploding population growth in some of these countries, even though these nations, in some cases, are making surprising growth in industrialization, it is not fast enough to cope with these three or three and a half per cent population growths. So we are losing ground on that front.

And I could go on and name many more.

So this, I think, points out the urgency of trying to help these nations to come to grips with this population problem. But, without a policy of our own, I do not think we will project an image that is at all satisfactory.

I testified a few months ago about the need for reproductive biology research, as the devices and means that are available in the developing countries are inadequate even if people by their own choice, and governments by their own choice, decide to try to stabilize this balance. Many of those countries obviously do not have the scientific capabilities and scientific manpower for conducting the research and checking their validity and their safeness so that we could hopefully have better methods in the future.

That is another aspect, but yet I think it is something that we need to think about. It is perhaps outside of the general sphere of this hearing.

Senator CRANSTON. In regard to the miracle wheat matter, how close is our country to doing what it should be doing to help the world achieve development——

Dr. BORLAUG. In food?

Senator CRANSTON. In miracle wheat specifically.

Dr. BORLAUG. I think the situation here on wheat is quite different than in other parts of the world. We are one of the great exporters of wheat.

Senator CRANSTON. But can we be helping other countries more than we are by foreign aid and assistance?

Dr. BORLAUG. United States aid has done a creditable job in assisting the world; the American people have. During the near-famine crisis of 1965 and 1966, had it not been for the vast quantities of wheat shipped from the United States to India and Pakistan, there would have been millions who would have starved to death.

Beyond the particular sale of P.L. 480 wheat or other cereal grains, the United States Government has also sent to foreign countries over the past—I am not familiar exactly with the number of years, but let me say 20 or 25 years since the beginning of U.S. AID or its predecessor—technical people to assist in the development of their agricultural programs. I think these have been good investments in world stability.

This is a long, difficult road, and it has many different roads that turn off from the main road, the one that we hope will bring us to some decent semblance of human dignity for those who are born into this world. And I have spent most of my time on this road of bread and food.

Senator CRANSTON. While a green revolution could hopefully forestall mass starvation, I assume that it would not make possible a continuing population explosion; is that correct?

Dr. BORLAUG. No. Certainly we hope to recognize that the old Malthus theory some day or other will come true.

Don't look for science and technology to continue to push back this barrier long enough so that this does not become an issue. The whole question is: Can we hold the line? And can we provide food enough, which is the first basic necessity for human beings? We can not talk about the other necessities of life, because without food you only can live about three weeks. But we must hold on this front and permit the world to come to grips with population growth.

There is a point beyond which we will never be able to cope with this, and we should not look for a simple answer to this problem.

We are different from all other animals, Senator, in virtually all animals there is a built-in biological device to control their populations in numbers so the population will adjust to the carrying capacity of the habitat, so-called, their own environment.

This is true of the Arctic lemming, the little Arctic mouse, which builds up into fantastic numbers and then becomes irritable, and starts migrating, in a suicidal march to the sea, and they die by the millions.

And it is true of the snowshoe hare in the northern woods of Minnesota and Wisconsin and Michigan and south of Manitoba. They build up to large numbers, and something goes wrong in their nervous systems and they just die from internal hemorrhaging. It was thought to have been diseases and viruses and many things up until a relatively few years ago.

The lion prides in East Africa have a built-in device. And it is a funny one in this case. During a certain season, when the animals they prey on are in the lowlands or in the brush country, there is an ample food supply. But when these zebra and other animals migrate, the lion stays in place. And during this stress period, the weak ones are killed off.

There are all kinds of devices, but God gave man a brain, and he can look at where we are now and project ahead with a fair degree of certainty what the situation will be like 20 years from now or 40 years from now. And this device is a unique one. But

we refuse to use it to preserve our own democratic way of life, which I value very highly.

You see, sir, I have worked with all types of governments, from military dictatorships to completely socialistic states, working as a scientist, engaged in this struggle on the food production front. These problems are common to all, sir, and they aren't going to go away and we need to cope with them and deal with them.

Senator CRANSTON. I would like to ask you one rather sweeping question, and I have to ask you to answer it in not more than three minutes, because I have to go and vote on something now.

Beyond setting an example, what should we be doing to help other countries deal with the population problem where they want our assistance? What are the main things we should do?

Dr. BORLAUG. I think in this whole study of reproductive biology which I feel strongly about, our techniques are inadequate and we have to, through our own medical excellence, try to evolve better ones.

Then perhaps also in our whole system of communications, although I feel on the national front this is a job to be carried on by the nationals of the country, we should certainly provide them with certain technical competence as consultants in some of these pilot-plant projects, at least.

This has been done, up to a certain point, especially by some of the foundations, but I think more will be needed in the future.

Senator CRANSTON. Our efforts there relate back to the credibility matter.

Dr. BORLAUG. Right.

Senator CRANSTON. And our efforts should relate first to our own policy making here, if we can, and then to rendering assistance to others.

Dr. BORLAUG. You are so correct. We are going to be ineffective until we have shown the world by an action, such as adoption of the population stabilization resolution being discussed here, that we are determined to halt our own population growth.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, with the time to be taken out of this side.

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

Mr. MANSFIELD. Mr. President, because of plane difficulties, a Senator who wanted to speak on the pending amendment is not available; but I understand—and I hope that this is corroborated by the distinguished Senator from Ohio (Mr. TAFT) and the distinguished minority leader—that what the Senator has in mind is being fully protected, regardless of the action taken by the Senate at this time.

Mr. TAFT. It is my understanding that this is protected by the unanimous consent agreement.

Mr. SCOTT. We will do whatever is necessary to protect the Senator. I understand that he has an amendment on this subject, but it can be covered by his own separate amendment, and I understand that he has no objection to the amendment of the Senator from Ohio. Is that correct?

Mr. TAFT. That is my understanding.

Mr. SCOTT. And I understand that if there is no objection—if the manager of the bill would so indicate—we will simply call for the vote.

Mr. STENNIS. Mr. President, will the Senator yield me a half minute?

Mr. TAFT. I yield.

Mr. STENNIS. Mr. President, I send an amendment to the desk for printing and for later consideration.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

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

Mr. TAFT. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, the Senator from Ohio has discussed this amendment with me; and before I stand aside to let it pass, as the majority leader has suggested, I should like first to give the Senate the situation and then ask Senator Taft a question.

On the very last day of the markup, the posture of this particular item of $125 million was that it was authorized for the specific purpose of population control and that it was to be deducted from some part of the bill to the extent of $125 million, which would have reduced other aspects of the bill.

At the very last, on a motion which I offered, with the support of a substantial majority of the committee, the provision that the $125 million was to be charged against the aggregate sum in the bill, thereby reducing the bill by that $125 million, was excised, so that it came to the floor with $125 million for population control in addition to all other items of the bill.

The Senator has been over this amendment with me and represents to me that the structure of his amendment is such that the additional amount is retained, except that when it comes to appropriations, the authorization will be in a larger figure, including other items, of which this will be a part, but clearly this figure is itemized and specified for this particular purpose.

So that two things are covered: One, that it is in addition to other sums in the bill; and, second, that whatever is available by appropriation is clearly to be utilized for this purpose, though it is a part of a larger appropriation for this and other purposes. If those two points are confirmed by the author of the amendment, and with full knowledge of the fact that another colleague intends to offer an amendment which will restore the situation that was changed by my amendment, then I would have no objection to this one going through, and then deal with the other one when it arises; but I want to be positive that we are not going to reverse the course the committee has taken so far.

Mr. TAFT. I would like to assure the distinguished Senator from New York that I have studied this matter in considerable detail and my understanding is, as the Senator has pointed out correctly, that an overall amount in the bill is increased by the $125 million figure and now we have a requirement to restore it to the law, which has been in the law for the past 4 years, so that this certain sum represents what will be for the population control program and not for any other program. With the understanding of the Senator from New York, which is correct, and my understanding of it, we have as well the actual interpretation.

Mr. JAVITS. If the amendment is agreed to, I would certainly appreciate it if the distinguished Senator from Ohio would not move to reconsider or table it, in view of the fact that another Senator does have to come in on it. Other than that, I have no objection to it.

Mr. SCOTT. Does the Senator from Ohio yield back the remainder of his time?

Mr. TAFT. I yield back the remainder of my time.

Mr. SCOTT. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. GAMBRELL). The question is on agreeing to the amendment of the Senator from Ohio (Mr. TAFT).

The amendment was agreed to.

AMENDMENT NO. 482

Mr. SCOTT. Mr. President, I call up my amendment No. 482 and ask for its immediate consideration, and will follow this with a unanimous-consent request.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 58, line 1, strike out all through page 59, line 2, and renumber succeeding sections accordingly.

The language proposed to be stricken by the amendment reads as follows:

WITHDRAWAL OF UNITED STATES FORCES FROM INDOCHINA

SEC. 406. (a) The Congress hereby finds that the repeal of the joint resolution entitled "Joint Resolution to promote the maintenance of international peace and security in Southeast Asia", approved August 10, 1964 (Public Law 88-408), known as the Gulf of Tonkin Resolution, has left the Government of the United States without congressional authority for continued participation in the war in Indochina. Therefore, in order to bring an end to the involvement of the armed forces of the United States in the hostilities in Indochina, to secure the safe return of United States' prisoners of war held by North Vietnam and its allies, and to help bring about a political settlement of the war in Indochina, it is the sense of the Congress that it should be the policy of the United States to provide for the expeditious withdrawal from Indochina of all United States armed forces.

(b) On and after the date of enactment of this Act, in order to carry out the policy of withdrawal of all United States armed forces from Indochina, funds authorized for use by such forces by this or any other Act may be used only for the purpose of withdrawal of all such forces from Indochina and may not be used for the purpose of engaging such forces in hostilities in North or South Vietnam, Cambodia, or Laos, except for actions necessary to protect those forces against imminent danger as they are withdrawn.

Mr. MANSFIELD. Mr. President, will the distinguished minority leader yield to me?

Mr. SCOTT. I yield.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending amendment occur at the hour of 3 p.m. today.

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

Mr. MANSFIELD. Mr. President, it is not anticipated that the full 2 hours will be taken on this amendment. My understanding is that, if that is the case, the next amendment to be offered will be by the distinguished Senator from Nevada (Mr. CANNON), which would seek to strengthen the so-called Hickenlooper amendment relative to expropriation of properties in foreign countries.

So, Mr. President, there will be plenty of business here. I understand that the distinguished Senator from New York (Mr. BUCKLEY) and the distinguished Senator from Colorado (Mr. DOMINICK) have amendments to offer. I hope they will be offered at the appropriate time so that we can get as much as possible out of the way today.

Mr. President, as of now, it is anticipated that the Senate will stay in late, come in early tomorrow, and stay in late tomorrow night, with the hope that we can finish the bill by tomorrow night.

If we do, there will be no Saturday session, but if we do not finish the bill by tomorrow night, then there will be a Saturday session.

Mr. SCOTT. Mr. President, I agree with the distinguished majority leader. We are all now on notice, and we should all do our best to finish the bill and to finish it on Friday, if possible.

Mr. President, I yield myself 10 minutes on the amendment.

The PRESIDING OFFICER (Mr. HUGHES). The Senator from Pennsylvania is recognized for 10 minutes.

Mr. SCOTT. Mr. President, this is an amendment to delete beginning on page 58, line 1, all through page 59, line 2, and renumber the succeeding sections accordingly.

In other words, it is to delete what has become known as the Cooper-Church amendment.

It should be self-evident that congressional intervention in the complex and difficult problem of disengaging the United States from the war in Indochina must be measured against the simple standard of whether or not this intervention will contribute to the achievement of U.S. goals. The intervention proposed by this amendment does not meet this standard. On the contrary, as in the case of other such interventions, it is likely to complicate rather than facilitate U.S. policy.

It is the fundamental goal of the United States to disengage, to withdraw all our Armed Forces from Indochina. Congress has no reason to doubt this goal, the enemy has no reason to doubt it. It is also our objective, if possible, to negotiate an end to the war itself, to obtain the release of all of our prisoners of war and to assure the people of Vietnam of at least a chance to maintain their own defense. As we withdraw, our Armed Forces continue to be our principal bargaining point for the achievement of all of our objectives. For the Congress to place restrictions on the employment of this bargaining point nullifies its capability to achieve our objectives.

To tell the President of the United States that he may not expend funds other than to carry out a program which in fact he has said he is carrying out is a public expression of lack of confidence. There is nothing to warrant this lack of confidence. The only effect of such a declaration of no confidence would be to weaken the ability of the United States to deal successfully with this particular foreign affairs problem, and others as well.

By publicly letting the North Vietnamese know that a restriction has been placed by the Congress on the employment of U.S. forces, narrowly defining their use, the Congress would remove any uncertainty on the enemy's side regarding our intentions. This in itself would pose a danger for our troops, imminent or not. It certainly could pose a problem for South Vietnam. In the absence of doubt or uncertainty, in addition to losing any inducement to negotiate, the Communists could take full military advantage of this new development. They could increase the threat against South Vietnam and therefore against our own forces.

Congressional action along these lines is therefore not only unnecessary for the achievement of U.S. goals, but on the contrary carries the serious risk of prejudicing the very objectives which all Americans must share, the successful end of U.S. involvement in Vietnam, the return of our prisoners, and the survival of the country for which we and the people of that country have already paid such a heavy price.

An equally worrying aspect of the Church-Cooper amendment is the limitation it would place on the President's ability to use U.S. air power in a manner which best protects American soldiers withdrawing from Vietnam and to achieve our national objectives in Indochina. Is bombing of the Ho Chi Minh Trail considered to fall within the purview of this amendment? Would bombing of the trail be considered a measure necessary to protect our forces against imminent danger as they are withdrawn? Any legislation affecting the President's use of air power in Indochina constitutes a decision of major consequence and is not a decision the Senate should reach hastily or without full understanding of the consequences.

The phasing down of the war in Indochina and the efforts to free our prisoners of war require that every bit of flexibility, every possible negotiating option, be in the President's hands over the ensuing months. The proposed bill would throw away, in advance, the very bargaining options which he needs.

There is nothing Congress can do legislatively to take away any options of the enemy at the bargaining table, but there are things Congress can do to remove from the U.S. side of the discussion valuable options which should be available to the President of the United States.

Let us consider the question of prisoners of war. If we remove all our forces without any commitment from Hanoi, and Hanoi has made no such commitments—statements of others to the contrary notwithstanding—if we remove all our forces and leave the prisoners of war there, they may stay there forever.

We must preserve, through the United States, the kind of options which would make it worth while for Hanoi to say to us: "We will surrender the prisoners of war."

What are these options? They are not the retention of the U.S. ground forces. They are coming out. And they will continue to come out and they are certainly coming out as fast as they have been in the past, and they may come out faster.

A large portion of the ground troops are out. They are now below the level of 200,000 men in Vietnam or will be within a matter of days.

So what is left? What is left is the hopes of the United States to maintain its airpower and its seapower. Why do we reserve the airpower? Why do we reserve the seapower? Is it to complicate this war? It is not. Is it to extend the war? It certainly is not. Is it to widen the war? It decidedly is not.

We reserve the airpower and the seapower to protect our forces in the process of withdrawal and to protect those to whom we owe an obligation as far as Indochina or Vietnam is concerned and to protect the civilian population in the process of withdrawal.

But suppose we withdraw the Air Force. Suppose—and I lean on Rudyard Kipling here, "Far-called, our navies melt away, on dune and headland sinks the five."

The ground force, yes. But suppose the Air Force is gone. Suppose the Navy is gone. How reckless can we be? We will have left the prisoners of war there at the fate of an enemy which does not observe the Geneva Conventions.

All of the votes in the world will not get those prisoners of war back unless we have either negotiated our way out of this situation or have succeeded in persuading Hanoi that our intentions to make a total and absolute withdrawal of all our forces are credible and that we mean it and are doing it.

No one who has criticized the President ever rises to point out that the enemy never does any of these things. It is the enemy who has not withdrawn. It is the enemy who does not propose to lessen the burden of combat. It is the enemy who is not ceasing his unending efforts to move down these trails. It is the enemy who invaded Cambodia. It is the enemy who invaded Laos.

The President is doing it. I have said many times before that this is what the President is accomplishing. The American people well know and well understand that. There is the understandable desire of the Senate of the United States to share in the credit.

To my mind, getting the prisoners of war out with the full authority of the President and reserving to him all of the available options would be more creditable to the Senate than for us to go to the American people and say, "See, we passed some resolutions. We passed some amendments. We will see that they are going to do it." What we are doing

is playing a little charade. The President is doing it. All we are doing is sharing the credit.

Goodness knows, there is credit enough for us if we get at it. I did not see anyone sharing the credit when we went in. I did not hear the Senate of the United States then saying, "We will take full responsibility for the war." We have heard people telling the President how to run it and what to do.

We repealed the Gulf of Tonkin joint resolution. If it makes Senators feel better, I will introduce it and we will repeal it again. We can repeal it again if anyone likes to do so.

We ought to stop this rush for credit. We ought to stop this rush for praise. We ought to stop telling the President that we are going to take his bargaining chips away from the table and leave him helpless in the face of the longing of the prisoners of war to return home.

We are not going about this in the right way. We are not helping the U.S. cause. We are not helping the United States in whatever chance remains, however slim it may be, for negotiations.

Let me tell the Senator this, that if all hope of negotiation fails, the administration will give a full accounting to the American people of every step taken to persuade Hanoi to come to the peace table and make an agreement. And when that particular revelation is made, it will cast into the deepest kind of shadow all the futile attempts of the Congress of the United States to dictate to the President what should be done.

Whatever we have said to him, he has tried. Whatever we have proposed, he has already proposed. Whatever channels we say that he should follow, he has followed.

The effect will be devastating when that information comes out. Let us wait until the 15th of November and hear what the President has to say. Let us give the President of the United States the same trust and confidence we give to any President of the United States. It is high time now, I think, for us to do it.

Indeed, the operating language here, "against imminent danger" is confusing. The phrase "as they are withdrawn" leaves certain things in doubt. It leaves in doubt whether we have the right to use airpower. It leaves in doubt, among other things, whether we have the right to protect villages caught behind the line.

What does the commanding officer do if this withdrawal leaves 2,000 persons in a village 1 mile from our men who are being withdrawn? Does the commanding officer have the right to protect that village and to protect the civilian population from massacre, as more than 3,000 were massacred at Hue?

What does the commanding officer do? A couple of lawyers with him will not tell him any more than the Supreme Court will. In the loneliness of the decision he has to make he has to decide whether, if this amendment were to pass, he has the power to go back and protect these 2,000 civilians.

That is one of the dangers in the amendment.

To me, this means the authority to do anything is denied except to withdraw. He could not move back a mile to protect the 2,000 civilians but would have to leave the village and the civilians helpless.

For many reasons, and I think I have cited a few, I think this amendment, if agreed to, would do damage.

Some are still going to ask to share in the credit with the President. I wish we could record it in golden letters and do that. It could be published here and everywhere, except in Hanoi, where we would not have a guarantee that they would be published exactly as written here. However, let us publish that if we want to. Let us say that the Senate wants to share in the credit. However, let us not tie the hands of the President of the United States.

Mr. MANSFIELD. Mr. President, if the Senator from Kentucky would allow me, I would like to make a predicate for the substantial response which he will make.

Mr. President, as always, it is a pleasure and most interesting to listen to the leader of the President's party in the Senate.

I note that he seems to indicate that Senators are rushing to achieve a certain degree of credit and rushing to achieve a certain degree of praise, or whatever, and that we are attempting to dictate to the President of the United States.

Let me say, speaking as one Senator, that I would be the happiest man in this country if the President were to pull the rug out from under those of us who have been advocating an accelerated withdrawal from Vietnam and those who have been trying to do something about the release of the POW's and the identifiable or recognizable MIA's in connection with this withdrawal.

The distinguished minority leader has asked why we do not wait until November 15. I do not see any reason to wait until November 15, because the pending bill will either be tabled, recommitted, or passed and in conference, if passed, by that time.

The conference will not be decided in a week, 10 days, or 2 weeks, but time is a factor on the part of those who are still serving in Vietnam.

While I noted that only seven Americans—"only" is the callous word so frequently used in the press—were killed last week in Vietnam, combat dead, 35 other Americans, according to the press this morning, were wounded or dead from other causes such as disease, accident, and the like, and about 85 Americans were wounded. That was the third week in a row in which less than 10 Americans were killed.

Mr. President, one American is just as important as 10 or 35, and as far as the record is concerned, I want to again call to the attention of the Senate the need for action and the need for this body to assume its share of the responsibility. We have a responsibility and we should live up to it.

The latest figures up to the 16th of this month are 45,577 combat dead, 9,828 noncombat dead, or 55,405 Americans dead in Vietnam as of the 16th of October, 1971. As of October 16, 1971, in Vietnam, 302,020 Americans wounded. Total casualties as of that date were 357,425—357,425 Americans. 35,000 totally disabled, and somewhere between 450 and 1,601 POW's and missing in action.

And we are asked to wait for a date. We are asked to delay and sit back. We are accused of seeking praise, of dictating to the President. We all realize the President has tremendous responsibilities but each Senator and this Senate collectively likewise have a responsibility. What the distinguished Senator from Kentucky (Mr. COOPER) and the distinguished Senator from Idaho (Mr. CHURCH) are attempting to do is not to tie the President's hands but to join in making sure the withdrawal continues, and in line with that withdrawal, that our troops are protected.

This is the record, the only record which counts. We can make speeches here and everywhere but the record is 357,425 American casualties in this war in which we had no business, in this part of the world which is not tied to the security of this country. The sooner we wind it down and bring about the withdrawal of our men in line with the release of our prisoners the better off all of us will be.

This war has cost us these casualty figures I have mentioned and more. It has cost us well over $100 billion. This war has been and is responsible for much of the difficulties, economic, social, and otherwise, which afflict this Nation today.

This war has brought about a tremendous increase in drug addiction, and I am not talking about marihuana. This war has intensified the racial friction within the Army, if not, indeed, in the Nation. This war has introduced new concepts, such as fragging into the military services. This war has weighed heavily on the American people and has weighed heavily in our relations not only at home, but also with other nations throughout the world.

I know the distinguished minority leader is as anxious as the rest of us to bring this war to an end, to bring the casualties to an end, and to decrease the costs, so that our problems at home can be better faced. But we cannot sweep this question under the rug and it will not be swept under the rug.

May I say, in conclusion, that if the President wants to pull the rug from under those of us who are advocating such a proposal as the Cooper-Church amendment I will be the first to applaud him because I want the rug pulled from under the opponents of the war, because I want this war brought to an end. I want our men returned home and I want our prisoners released at the same time.

[Applause in the galleries.]

The PRESIDING OFFICER (Mr. HUGHES). There will be no demonstrations in the galleries, or the Sergeant at Arms will have to clear the galleries. There will be no responses of any sort in the galleries of the Senate.

Mr. MANSFIELD. Mr. President, I yield 15 minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. COOPER. Mr. President, I express my appreciation for the words of the distinguished majority leader. The Senator from Montana (Mr. MANSFIELD), has long urged the withdrawal of our forces

from Vietnam and Indochina as expeditiously as possible. The Mansfield amendment has been passed by the Senate but was modified to a large extent in conference. The Mansfield amendment is a part of the pending bill and it will be given great support.

The subject I am about to discuss has been debated many times in the Senate, and I do not propose to make a long speech. I know what the amendment intends.

Like the Senator from Montana, I always enjoy hearing my minority leader speak. He is a good speaker, he is very persuasive in argument, but not so persuasive today, and I believe he confuses the issue. After I explain the amendment, I will respond to the statements he made.

He would almost have us believe that a commanding general, or sergeant, or corporal—faced with some unusual situation, in Vietnam, could not take action to protect his troops without consulting our amendment.

Our amendment is a tough amendment. It provides for the continuous expeditious withdrawal of all U.S. forces from South Vietnam, Laos, and Cambodia. In this respect it is consistent with the action, and I underline "action," of the President who has ordered thus far the withdrawal of over one-half of our forces. For this, I join in praising President Nixon, as I have done before on the floor of the Senate. He deserves the greatest credit for reversing the previous policy of constantly augmenting our forces in Vietnam and maintaining a high level of military action attended by great casualties and cost.

But, conversely, I want to make plain that this amendment is not consistent, as I understand it, with keeping residual forces in Indochina, or remaining until South Vietnam is reasonably able to defend itself.

I think it is obvious that South Vietnam, its forces having been trained for years by U.S. military personnel, having been supplied with billions of dollars of equipment, and now with over 1 million men under arms, surely should be able, at least, to defend its own land if it has the will to do so.

Our amendment would prohibit, as I have said, the maintenance of a residual force in Indochina. It would prohibit military actions by our Air or Navy from outside Indochina striking against Laos, Cambodia, or Vietnam, after withdrawal of our forces.

I do not know whether many are concerned about the constitutional basis of the amendment, but I want to say that it is clearly constitutional. The past administration relied to some degree on the Tonkin Gulf resolution as the basis for its military action. I voted for the resolution and understood its meaning. I said on the Senate floor during the debate that, as I understood it, the resolution could give President Johnson the authority to lead into war. But the Tonkin Gulf resolution has been repealed, and our amendment declares and we believe constitutionally, that with the repeal of that resolution, the President has no authority—this President or any President—to maintain the United States in military operations without the explicit and specific consent of the Congress.

The distinguished minority leader has raised the question of the protection of the troops. I think if one understands the amendment, and it is not difficult to understand, it envisions the continuous procession of our forces, of all services, out of Vietnam. But there is nothing in this amendment which would deny to our forces the best and fullest protection in that process of withdrawal.

The concept is, that our amendment denying funds for any purpose except for the withdrawal of our forces—would effect a constant, expeditious, and nonstop withdrawal of all forces from South Vietnam, Laos, and Cambodia. The question of protection is not in doubt, and protection against imminent danger is correct.

If the term "imminent" danger is not used, the President, and I say this with no disrespect to him—I am speaking of the office—could decide, as it has been decided in the past, that an expedition into Cambodia or Laos would be necessary for the protection of the troops.

The constitutional authority of any President for the protection of U.S. troops, unless he has been given authority to go to war, is to protect them against imminent danger. The amendment would not deny the continuing authority to bomb the Ho Chi Minh Trail, if we are engaged in withdrawal, and it provides to the President the flexibility to take whatever action he thinks necessary to prevent the troops from being destroyed or hurt by any situation which could bring about their imminent danger. Beyond that, and without the restriction of "imminent danger," the world is open, and there is no limit against my military operation. Our amendment would insure their certain protection—withdrawal—and full protection as they leave.

I want to talk about negotiations. I have talked with all of our chief negotiators. I have talked with them in Paris, and in our country. I talked with Ambassador Harriman, with Ambassador Lodge, and with Ambassador Bruce. I have talked many times with Ambassador Habib, who I believe knows more about the course of the negotiations throughout the years than anyone else. There have been no negotiations. All our representatives have told me that. I was in Paris last August. Ambassador Habib told me then that there had been no substantive negotiations. It is not the fault of the United States, but the one central point that is essential to any agreement is that the United States intends to withdraw its total forces from Indochina.

In my opinion, there will be no negotiations until it is decided by the President, and announced, or if we help him decide it by adopting an amendment such as the pending one, that we will withdraw all our forces.

That does not say North Vietnam is correct in its position. North Vietnam has been the aggressor from the start, and I agree that this has been forgotten or ignored by a great many people, and some who continue to place all blame against our country. But the fact is that there will be no negotiations until there is a policy of full withdrawal. At minimum that is the record thus far.

It has always been my hope that the war would come to a full close in Vietnam—in Cambodia and Laos, as well as South Vietnam, and that all fighting will cease. Cambodia and Laos, particularly, are victims of this war, for, without their desire, they have been brought into the war, and they, too, have suffered casualties—the dead and wounded—and loss of property.

But the fighting will never stop in Cambodia and Laos until the war stops in South Vietnam. In my judgment, they will never have any chance for any kind of independent government until the war is ended and until we are out of Vietnam.

I will make this statement also: We have had little or no assistance from other countries toward negotiations, and we will not have any as long as we keep our forces in Indochina. What friends we have in the world—and they seem to be fewer, unhappily, and I do not think that it is deserved—will not interfere in negotiations if they consider they are interfering with U.S. policy. The neutrals will not help in negotiations as long as they believe we intend to keep forces in Indochina. Of course, there is no chance of help at all from the two Geneva powers, China and Russia.

As for the prisoners of war, they are held as hostages because of our continuing presence. History shows that prisoners of war have been released at the close of war or because of negotiation. The longer we remain, there will be more prisoners of war. In my view, they will not be released until a decision is made to remove ourselves wholly from the war. I hope I am wrong, and that they could be released immediately, but I do not believe we should use the prisoners of war issue as a reason for continuing the war.

Two years ago I offered a forerunner to the amendment in the Senate, on August 12, 1969. It was debated and later adopted, the assertion being made that it would not amount to anything. It passed this body by 60 or 70 votes, but it was rejected in conference. This amendment is consistent with amendments offered in the past not particularly with my cosponsor today, Senator CHURCH—to whom the people of our country owe much for his constant effort to help bring the war to a close.

The amendment does not establish a date. I have thought that the strict establishment of a date might make negotiations more difficult—without a date, it provides the President greater flexibility.

But nevertheless, without the establishment of a date, if the amendment becomes law and faithfully followed, the requirement for withdrawal of all forces from Indochina expeditiously, protecting against imminent danger, and the requirement that no funds can be spent except for that purpose would assure complete withdrawal, and within a short period of time—as similarly proposed by the amendment of our majority leader (Mr. MANSFIELD).

Mr. President, Congress has its au-

thority. It is not a question of encroaching upon the President's authority; it is a question of asserting and maintaining our own constitutional authority to have a part in war policy, which affects all our people, and is a matter of life and death to those who fought.

The distinguished minority leader spoke of our national goals in respect to this war. I believe the national goal now is to end the war, and to remove our troops as quickly as possible.

In closing, I thank the Senate for its consideration of the amendment. I hope very much the motion to strike will be defeated. I do not think it infringes upon the President's power. I think there is now an infringement on our power. But I hope more than ever that our policy will be to completely withdraw from South Vietnam, Laos, and Cambodia, to give the people of those countries a chance to live in some kind of peace, to have a better chance to establish their own governmental system, and, finally, to save the lives of our men and to provide a better chance for the release of our prisoners of war and their return to their families.

The PRESIDING OFFICER. Who yields time?

Mr. CHURCH. Mr. President, I yield myself such time as I may require.

First of all, Mr. President, I commend the distinguished senior Senator from Kentucky for his remarks in support of the amendment that we both sponsor. I fully agree with everything he has said.

For the past 3 years, Senator COOPER and I have been collaborating in an effort to invoke the power of Congress to limit and define American purposes in Southeast Asia. We have sought to do this, not by attempting to infringe upon the President's constitutional power as Commander in Chief, but by utilizing the purse strings which belong to Congress.

The first Cooper-Church amendment, enacted into law in 1969 and renewed again last year, prohibits the use of funds to finance the introduction of American ground combat troops into Laos or Thailand.

The second Cooper-Church amendment was signed into law only after a long legislative struggle. It finally passed both Houses of Congress in the closing days of the last session, on December 29, 1970, as part of the supplemental foreign assistance authorization bill. The amendment extended to Cambodia the ban against the use of American ground combat troops, and expanded it to include military advisers as well.

These amendments, considered at a time when the Gulf of Tonkin resolution was still in effect, sought to prevent American involvement—beyond South Vietnam—in a spreading land war throughout the rest of Indochina. The amendments have been observed, and a wider war involving American ground troops has thus far been avoided.

The situation we face this year differs markedly from the past. With the repeal of the Gulf of Tonkin resolution, no congressional authorization remains to sanction continued U.S. participation in the war. A constitutional vacuum has resulted. The President, in our judgment, now lacks legitimate authority to keep on prosecuting the war. At most, his inherent power as Commander in Chief entitles him to do no more than preside over the safe and orderly disengagement of American forces.

Under these circumstances, a great opportunity is presented to Congress, the chance to fill this constitutional vacuum with a disengagement policy that could help unite the country again. Having fought the war so deeply divided, it is now possible to end it—at least our part in it— in a manner that most of us, erstwhile hawks and doves alike, could support.

Quite aside from whether we should have gone into Vietnam in the first place, the fact is that we have done what we went there to do. With our own troops, we have prevented the forceable overthrow of the Saigon government. In the process, we have built up a South Vietnamese Army of over a million strong. They now possess the means, if they have the will, to successfully defend themselves.

So, without doubt, the time has come for American forces to leave Vietnam. Three-quarters of the American people want them out by a date certain, and with no residual force left behind to fight on in the air or at sea. Having equipped the South Vietnamese to defend themselves, the time is at hand for them to fully assume that responsibility.

To give effect to the popular will, to fill the constitutional vacuum which now exists, and to offer Congress the elements of a disengagement policy which could command majority support from both Democrats and Republicans, we proposed—and the Senate Foreign Relations Committee, by a vote of 11 to 5, approved—the following amendment to this year's foreign aid authorization act:

(a) The Congress hereby finds that the repeal of the Joint Resolution entitled a "Joint Resolution to Promote the Maintenance of International Peace and Security in Southeast Asia," approved August 10, 1964 (Public Law 88-408), known as the Gulf of Tonkin Resolution, has left the Government of the United States without Congressional authority for continued participation in the war in Indochina. Therefore, in order to bring an end to the involvement of the Armed Forces of the United States in the hostilities in Indochina, to secure the safe return of United States' prisoners of war held by North Vietnam and its allies, and to help bring about a political settlement of the war in Indochina, it is the sense of the Congress that it should be the policy of the United States to provide for the expeditious withdrawal from Indochina of all United States armed forces.

(b) On and after the date of enactment of this Act, in order to carry out the policy of withdrawal of all U.S. armed forces from Indochina, funds authorized for the use by such forces by this or any other Act may be used only for the purpose of withdrawal of all such forces from Indochina and may not be used for the purpose of engaging such forces in hostilities in North or South Vietnam, Cambodia or Laos, except for actions necessary to protect those forces against imminent danger as they are withdrawn.

In view of the Senate's general familiarity with the issues involved, I will not undertake a lengthy exposition of the amendment now, but I do think that its salient features should be underscored.

Subsection (a) expresses the sense of Congress that it should be the policy of the United States to provide for the expeditious withdrawal from Indochina of all U.S. military forces. This would include, of course, all land, sea and air forces, together with all American prisoners of war. The policy would leave no room for the retention of a residual American fighting force in Indochina, or for lingering American participation in the war there, either from the air above, or from the sea around. Disengagement from hostilities is to be made the national objective, not continued American involvement in some new form.

The objective of total withdrawal is the only realistic one for the United States. No sensible purpose could be served by leaving American forces astride a powder keg in South Vietnam. Moreover, with prospects at least improving for a thaw in Sino-American relations, nothing could possibly be gained by attempting to retain an American garrison on the very doorstep of China.

As for our prisoners of war, it should be painfully evident by now that North Vietnam and its allies will never be willing to give up the prisoners until we are willing to give up the war. We must not allow the prisoners to become an excuse for prolonging our involvement in the war. We could do them no greater disservice than that.

Subsection (b) of the amendment invokes the power of Congress over the public purse. It provides that, on and after the date of enactment, funds may be used only for the purpose of withdrawal, and may not be used for the purpose of engaging U.S. military forces in further hostilities in North and South Vietnam, Cambodia, or Laos except for actions necessary to protect the forces against imminent danger as they are withdrawn.

Recognizing the constitutional responsibility of the President to give safe cover to our withdrawing forces, this section of the amendment furnishes funds to protect them against imminent danger. The language, however, would not permit the financing of military operations whose connection with the safety of our withdrawing troops is remote or farfetched. For example, the language is not designed to underwrite another expedition into Laos or Cambodia like those which occurred in the recent past. Nor would the language permit far-ranging bombing throughout Indochina unconnected with the interdiction of enemy supply lines into South Vietnam or the giving of necessary air cover to our troops.

Also, it should be remembered that this subsection limits the use of public money from every source. If enacted, it would have the effect of substantive law, and is not to be confused with the mere sense of Congress resolution which expresses no more than a sentiment.

Mr. President, this amendment is offered not to obstruct, but to implement President Nixon's expressed desire to achieve the complete withdrawal of all U.S. forces from Indochina. It is neither necessary nor fitting for the President alone to shoulder all the risks of withdrawal should the South Vietnamese Army subsequently falter and collapse.

The disengagement policy should be one of shared responsibility in which the Congress fully participates. This is the indispensable basis for any lasting bipartisanship in foreign affairs. The lack of it in the past, both with respect to Korea and Vietnam, has opened a gulf between the legislative and executive branches which must be closed.

Most of all, passage of such an amendment, embracing both political parties, and based on the largest possible consensus, might well prevent a post-war era of bitter recrimination, about which the President has correctly expressed his apprehension.

For these reasons, Mr. President, I join my colleague and friend, the distinguished senior Senator from Kentucky (Mr. COOPER), in the earnest hope that the Senate will support the amendment by resisting all attempts to emasculate it, to render it meaningless, or to strike it from the bill.

The PRESIDING OFFICER (Mr. ROTH). What is the pleasure of the Senate? Who yields time?

Mr. DOLE. Mr. President, in the absence of the distinguished minority leader, I yield myself 5 minutes.

Mr. President, I have had great experience with other so-called Cooper-Church amendments. In fact, I supported the Cooper-Church amendment of a year ago. I also offered the amendment to repeal the Gulf of Tonkin resolution, which was accomplished by an overwhelming vote in this body.

I have read with interest the amendment offered by the distinguished Senator from Idaho and the distinguished Senator from Kentucky on page 58 and the first two lines of page 59, but I support the amendment of the distinguished minority leader, Senator SCOTT.

The President has often stated—almost weekly or monthly—that his policy, in the words of the amendment, is to—

> Bring an end to the involvement of the Armed Forces of the United States and the hostilities in Indochina, secure the safe return of the United States' prisoners of war held by North Vietnam and its allies, and to help bring about a political settlement of the war in Indochina.

He is expeditiously withdrawing U.S. military forces from Indochina, and he is in no doubt that Congress and the American people also want these things; so the amendment would not tell him anything he does not know.

OUR GROUND COMBAT ROLE HAS ENDED

It is not disputed that our ground combat role in Indochina has virtually ended and that our combat support logistics, air, and naval efforts, have been diminished as well. All the actions the President has taken which critics have branded as escalation—the Cambodian incursion, our support for the ARVN incursion in Laos, and our protective reaction air strikes over Vietnam—have had the intention of protecting our forces as they withdraw and have had the effect of lowering U.S. casualties and permitting a more rapid U.S. withdrawal.

Mr. President, I point out that last week the casualties in Vietnam were seven, that the week before they were five or six, and that the week before they were six. That is still seven and six and five too many. One casualty in South Vietnam is too many. But it does indicate that the President's program is working. It does indicate the sharp difference between the casualty rate this year and this week and this month from a year ago or 2 years ago or 3 years ago.

There are some who say that the President should withdraw troops even faster, and perhaps he should, and he will make a judgment on this between now and November 15, when he again will announce to the American people the next step in his program in South Vietnam.

THE PRESIDENT NEEDS DIPLOMATIC FLEXIBILITY

Thus, while the amendment is not inconsistent with the President's policies, I believe that it would be unwise for Congress to tie his hands by imposing a fund cutoff. The fact that the North Vietnam Government and the North Vietnamese soldiers are not quite sure what the President will do limits their own flexibility and breeds caution, which in turn restricts their military activities, to the benefit of our troops. This uncertainty is not something of which they should be relieved by a congressional act. They should be forced to bargain for it in Paris. Congressional attempts to tie the President's hands always strengthen those of the North Vietnamese and lead them to hope that Congress will get for them what they have not been able to get for themselves at the negotiating table or on the battlefield.

THIS AMENDMENT IS CONTRARY TO U.S. POLICY AND AGREED GOALS

It should be self-evident that congressional intervention in the complex and difficult problem of disengaging from the war in Indochina must be measured against the simple standard of whether or not this intervention will contribute to the achievement of U.S. goals. The intervention proposed by this amendment does not meet this standard. On the contrary, as in the case of other such interventions, it is likely to complicate rather than facilitate U.S. policy.

Mr. President, I say this based on the record made by President Nixon, based on the changes made since January 20, 1969. I have said many times on this floor, and other places, that had this President escalated the war in Southeast Asia, then perhaps we should be doing something of this kind. But the President has a policy and has stuck to it. Every withdrawal promised by him has been made. He has kept his promise to the American people.

I believe that the program of Vietnamization has been successful.

I believe that the greatest single achievement of this administration—not because it has a Republican President—has been in the winding down of the tragic war in Southeast Asia.

I know this is of great concern to everyone in this body. I do not quarrel with the distinguished Senator from Idaho or the distinguished Senator from Kentucky, but do believe that we must allow the executive some flexibility, so that we will have negotiations in Paris based on what the President does or, perhaps, in part on what the Senate does—if it cuts the ground out from under the President. But the President, whether he be a Democrat or a Republican—President Nixon or whoever—will negotiate ultimately in Paris. If this does not happen, then the program of Vietnamization initiated by President Nixon will continue.

It is the fundamental goal of the United States to disengage, to withdraw all our Armed Forces from Indochina. Congress has no reason to doubt this goal, and the enemy has no reason to doubt it.

I have not seen any doubt about the Nixon policy although some have said it should be faster. Most Members of this body and members of the other body recognize that the President's program has amounted to a reduction of over 300,000 American men since January 20, 1969—in fact, since June of 1969 when the first withdrawal announcement was made. The reduction has been from 542,000 men to around 208,000 today.

To me, that is moving in the right direction. It has been done without the "help" of the Senate or the Congress. It has been done by the Executive.

During all that time, we keep negotiating in Paris or keep hoping to negotiate in Paris.

I believe, as indicated this morning to a group of Senators, it is the President's hope the war will end by negotiation and that our prisoners of war and Americans missing in action will be returned. That is our real objective, to end it by negotiation—and to end it quickly and as we withdraw our armed forces, to continue to bargain for the achievement of our objectives, the release of American prisoners of war and those missing in action, and giving the South Vietnamese Government at least some hope for survival. But, as we withdraw, our Armed Forces continue to be our principal bargaining point for the achievement of all of our objectives.

For Congress to place restrictions on the employment of this bargaining point nullifies its capability to achieve our objectives.

To tell the President of the United States that he may not expend funds other than to carry out a program which, in fact, he has said he is carrying out, is a public expression of lack of confidence.

If we want to vote on the question of no confidence in President Nixon today, that is one thing, but he is doing what the amendment says should be done.

I believe the wording of the amendment should be changed to commend the President what he is doing in South Vietnam and to indicate that he can use funds for that purpose, rather than trying to tie it down and restrict it which, in effect, makes it a vote of no confidence in this President.

There is nothing to warrant this lack of confidence. The only effect of such a declaration of no confidence would be to weaken the ability of the United States to deal successfully with this particular foreign affairs problem, and others as well.

THE AMENDMENT CRIPPLES OUR ABILITY TO NEGOTIATE

Mr. President, why should we, in effect, let the enemy know that we in

Congress are tying the President's hands?

Why should we narrowly define the use of U.S. forces?

Why should Congress remove any uncertainty that may be lingering on the other side?

To me, this, in itself, poses some danger for our troops, imminent or not.

It certainly could pose a problem for South Vietnam. In the absence of doubt or uncertainty, in addition to losing any inducement to negotiate, the Communists could take full military advantage of this new development. They could increase the threat against South Vietnam and therefore against our own forces.

CONCLUSION

Congressional action along these lines, in my opinion, at this time, is not necessary for the achievement of United States goals, but, on the contrary, in a sense, prejudices the very thing we are doing in South Vietnam.

The Senator from Idaho (Mr. CHURCH) applauded the President this morning, on a national network. I do not believe that he quarrels with the President's objectives in South Vietnam.

Those objectives are: the return of our prisoners of war and the survival of a country for which we and the people of that country have already paid such a heavy price.

Mr. President, I am not certain what would happen if the bill goes to the President with this and certain other amendments. I do not suggest anything to the President. But, if I were occupying that position, I would look at it very closely to determine whether it should be signed or vetoed.

While we say we agree with the President, and while we say that authority for the war is no longer there with repeal of the Gulf of Tonkin resolution, what we are doing—is to give advance notice to the enemy and, at the same time, restrict the options open to the President.

I would say, not in defense of President Nixon, nor in a partisan way, that President Nixon found this war on his doorstep on January 20, 1969. He has not escalated the war in any way since that time. He is winding it down. He is winding down a war that he inherited. He is winding that war down successfully. The casualty list has been lowered. The cost of the war has been lowered. There is still some hope for negotiations in Paris.

Now, when we see the end of the war, when we see the end of the tunnel, when we see the efforts of the President about to bear fruit, it is not a propitious time to in effect say, "We do not have any confidence in you, Mr. President. You have withdrawn over 300,000 men. You have reduced the casualty list from 300 a week to six a week, but we still have no confidence in you, Mr. President. So, by Act of Congress, we will restrict your options in South Vietnam and, in effect, in Indochina, Laos, and Cambodia as well. We will notify the enemy in advance that we have restricted your options which will take care of any incentives to negotiate any further at Paris."

And then we will say to the public and the press, Mr. President, that we are supporting the President. Maybe that will be done, but this Senator does not understand how it can alone act and still indicate support for the President.

What the Senate needs and what the country needs is some unity behind the President, some commendation of him for what he has done in Southeast Asia, and not an effort to hamstring him.

I do not believe that the President deserves an amendment of this kind.

Thus, Mr. President, I strongly support the amendment offered by the distinguished minority leader, the Senator from Pennsylvania (Mr. SCOTT), which reads:

On page 58, line 1, strike out all through page 59, line 2, and renumber succeeding sections accordingly.

Mr. President, adoption of the Scott amendment would be a vote of confidence in the President.

If we believe that the President has succeeded in South Vietnam, if we believe that the President has done well in South Vietnam and that he has wound down the war, then I suggest that we support the pending amendment offered by the distinguished Senator from Pennsylvania (Mr. SCOTT).

I wish to call attention to a speech made by Nguyen Duy Trinh as recently as October 25—early this week. It was reported, in English, by the Hanoi VNA International Service. I fail to see in it any mention of American prisoners, but I do find in the copy which I have—and I ask unanimous consent that it may be printed in the RECORD.

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

(See exhibit 1).

Mr. DOLE. He said:

There are two fundamental points in this solution—the U.S. Government must put an end to its aggression, withdraw promptly, completely and unconditionally from South Vietnam all the armed forces, advisers, military personnel, weapons and other war means of the U.S. and the other foreign countries in the American camp, stop all activities of the U.S. Air Force and Navy, stop U.S. military aid to the puppet administration Saigon, and remove all military bases from South Vietnam; the U.S. Government must respect the authentic right of the South Vietnamese people to self-determination, stop backing the cliche of war maniacs led by Nguyen Van Thieu the dictator, so that the way may be paved for the forming in Saigon of a new administration which advocates peace, independence, neutrality and democracy.

I refer to that in order to point up that a number of things have been done by this Government tc get some response by the enemy. We stopped bombing in 1968 shortly before the election and we had no response from Hanoi. There have been other things done by this Government to bring about negotiations but they always have had one more condition.

It is naive to suggest that once we withdraw they are going to release our prisoners and not make some other demand before they are released.

It seems to me that in the interest of getting out of Southeast Asia this amendment should be rejected.

EXHIBIT 1

NGUYEN DUY TRINH SPEECH—HANOI VNA INTERNATIONAL SERVICE IN ENGLISH 1526/GMT 25 OCT. 71 B

[Text] HANOI VNA October 25.—The following speech was made at the banquet given here last night in honour of the Korean party and government delegation by Nguyen Duy Trinh, member of the Political Bureau of the Central Committee of the Vietnam Workers Party and vice-premier of the Democratic Republic of Vietnam:

Dear Comrade Pak Song-chol, member of the Political Committee of the Central Committee of the Workers Party of Korea and second vice-premier of the Cabinet of the Democratic People's Republic of Korea, dear comrades the members of the delegation of the Workers Party of Korea and the Government of the Democratic People's Republic of Korea, Comrade Premier Pham Van Dong, comrades and friends in the diplomatic corps, comrades and friends:

On behalf of the Vietnamese people, the Vietnam Workers Party and the Government of the Democratic Republic of Vietnam, I warmly hail the delegation of the Workers Party of Korea and the government of the Democratic Republic of Korea coming to our country for a friendship visit, led by Comrade Pak Song-chol, member of the Political Committee of the Central Committee of the Workers Party of Korea and second-premier of the Cabinet of the Democratic People's Republic of Korea.

We greet you as envoys of the heroic Korean people, our dear comrades now successfully building socialism, our comrades-in-arms fighting U.S. imperialism in the same trench with us. We sincerely thank you for having brought to the Vietnamese people the warm friendship and militant solidarity of the Korean people. This is a valuable encouragement to our people in their struggle against U.S. aggression and for national salvation and socialist construction.

We wish to express the warmest feelings and the unbreakable militant solidarity reserved by the Vietnamese people for the Workers Party of Korea, the Government of the Democratic People's Republic of Korea, and the entire fraternal Korean people.

Comrades and friends: Under the leadership of the Workers Party of Korea headed by esteemed Comrade Kim Il-song, the brave, hardworking and inventive people of Korea have written glorious pages of history in the process of their revolutionary struggle. Through an unflinching fight, they broke the savage war of aggression conducted by U.S. imperialism and 15 of its allies and satellites, thus firmly defending the outpost of the socialist system in northeastern Asia and contributing to the safeguarding of peace in Asia and the world. The Korean people have also stepped up the building of socialism and have made brilliant achievements. Within a relatively short period of history the Korean people, with the "chollima" mettle, have completed the socialist industrialization of North Korea, turning it into a socialist country of modern industry, developed agriculture and strong all-people national defence and, thereby, providing a shining example of self-reliance in the building of a sovereign economy and a prosperous country. Meanwhile, never slackening vigilance, the Korean people have foiled various acts of armed provocation by the U.S. imperialists and their henchmen. As a result, the Democratic People's Republic of Korea has now become the powerful base for the revolution in the whole of Korea and has constantly enhanced her prestige in the internatioinal area. The Korean people can rightly take pride in their great achievements.

The Vietnamese people warmly acclaim your achievements which we regard as our own. We sincerely wish its fraternal Korean people yet more brilliant successes in carrying out the great tasks of the 6-year plan worked out by the Fifth Congress of the Workers Party of Korea.

The U.S. imperialists, for many years now, have turned South Korea into a military base and new-type colony, thus perpetuating the partition of Korea. They are abetting the Pak

Chong-hui clique of traitors, using them as an instrument for the imposition of neo-colonialism on South Korea and also for the U.S. policy of aggression, as is shown by the sending of tens of thousands of South Korean youths to South Vietnam to serve as cannon fodder. At the same time they are trying by every possible means to revive Japanese militarism for co-operation with the South Korean puppet administration in preparing for a new war against the Democratic People's Republic of Korea, to the great danger of peace in Asia.

The South Korean people, however, are staunchly intensifying a patriotic struggle against the ruthless colonialist rule of the U.S. imperialists and their lackeys and for democratic liberties, the liberation of South Korea, and the peaceful unification of their fatherland. That struggle is developing vigorously with the participation of broad sections of the population, to the increasing isolation of the Pak Chong-hui junta.

The Vietnamese people resolutely support the struggle waged by the Korean people against the schemes and acts of aggerssion of the U.S. imperialists, the Japanese militarists and the Pak Chong-hui puppets. We give our complete support to the eight-point programme for national salvation adopted by the Democratic People's Republic of Korea, which resolutely demands the withdrawal of U.S. aggressor troops from South Korea so that the Korean people may settle themselves their own affairs without foreign interference. The Vietnamese people firmly believe that the just cause of the Korean people, with the vigorous support of the socialist countries and the progressive people all over the world, will triumph completely.

Comrades and friends: The U.S. imperialists are conducting an extremely atrocious war of aggression in Vietnam, perpetrating untold savage crimes against the people in the whole of our country.

For the independence and freedom of our fatherland, in the interest of the liberation struggle of nations, and for the cause of peace in the world, the Vietnamese people, under the banner of "determination to fight and to win" put up by our beloved President Ho Chi Minh, have simultaneously risen up to wage a war of resistance, the greatest in the history of Vietnam, to oppose the U.S. aggression and save our counrty. We have won very great, all-round victories.

Since Nixon's coming to power the U.S. imperialists have shown to be even more obdurate and crafty. They are trying to put into effect the "Nixon doctrine" and the "Vietnamization" programme which, in fact, aim at prolonging their war of aggression, maintaining their neo-colonialist rule in South Vietnam, and intensifying and expanding their war of aggression in Laos and Cambodia.

Yet, the peoples of Vietnam, Laos and Cambodia, strengthening their unity and devotedly supporting and aiding one another in the spirit of the Indochinese Peoples' Summit Conference, are fighting with great determination to defeat the common enemy, and have recorded great, all-round victories of strategic importance, thus creating a new situation very favourable for their struggle.

Obviously the U.S. imperialists are being defeated. Neither the "Nixon doctrine", the "Vietnamization" policy, nor any other wicked design they may think up can save them from complete fiasco in Vietnam and the rest of Indochina.

The Vietnamese people are deeply attached to peace, but that must be peace in genuine independence and freedom. The very reasonable, logical seven points of the Provisional Revolutionary Government of the Republic of South Vietnam have shown the right way for the settlement of the Vietnam issue, and also the way for the U.S. to get out of the war of aggression in Vietnam without losing its honour. There are two fundamental points in this solution—the U.S. Government must put an end to its aggression, withdraw promptly, completely and unconditionally from South Vietnam all the armed forces, advisors, military personnel, weapons and other war means of the U.S. and the other foreign countries in the American camp, stop all activities of the U.S. Air Force and Navy, stop U.S. military aid to the puppet administration in Saigon, and remove all U.S. military bases from South Vietnam; the U.S. government must respect the authentic right of the South Vietnamese people to self-determination, stop backing the clique of warmaniacs led by Nguyen Van Thieu the dictator, so that the way may be paved for the forming in Saigon of a new administration which advocates peace, independence, neutrality and democracy and is willing to begin serious negotiations with the Provisional Revolutionary Government of the Republic of South Vietnam with a view to setting up a broadly representative government of national union in South Vietnam.

As long as the U.S. imperialists continue their aggression of Vietnam the Vietnamese people, acting upon the sacred testament of President Ho Chi Minh, will resolutely persist in and step up their struggle against U.S. aggression and for national salvation on all the military, political and diplomatic planes, to win complete victory, to liberate the south, defend and build up the socialist north, and advance to the peaceful reunification of the fatherland. The Vietnamese people will also continue siding with the peoples of Laos and Cambodia to fight resolutely for victory over the U.S. aggressors and their flunkeys, in our determination to do our level best to preserve and promote the fraternal friendship among the peoples of the three countries here in the current struggle against our common enemy as well as in the long-term co-operation for the construction of each country in its own way. It is a certainty that the peoples of Vietnam and the other Indochinese countries will triumph, that U.S. imperialism will be defeated.

The whole progressive mankind is now on the side of the Vietnamese people, giving all-out support for the latter in their struggle against U.S. aggression. I avail myself of this opportunity to express the Vietnamese people's profound gratitude for the great, effective support of the Soviet Union, China and the other fraternal socialist countries, and for the vigorous sympathy and support of all our friends in the world.

Comrades and friends: Vietnam and Korea, though geographically separated by thousands of miles, have for long been attached to each other, both having been once ruled over by colonialism and both currently fighting the same enemy—U.S. imperialism—and pursuing the same ideal—socialism and communism. The Vietnamese people and the Korean people are comrades-in-arms, close brothers always encouraging and supporting each other in the struggle against the U.S. imperialist aggressor and in the building of socialism. The Vietnam-Korean friendship, built on the basis of Marxism-Leninism and proletarian internationalism, is developing more and more fruitfully.

The Democratic People's Republic of Korea has given the Vietnamese people a warm support and assistance, both moral and material, for the latter's struggle against U.S. aggression and for national salvation and socialist construction. This valuable support and assistance of the party, government and people of Korea constitutes a great encouragement to all our compatriots and combatants in their advance to complete victory over the U.S. aggressors.

On behalf of the Vietnamese people, the Vietnam Workers Party and the Government of the Democratic Republic of Vietnam, I wish to express our sincere and profound thankfulness to Premier Kim Il-song, the Workers Party of Korea, the Government of the Democratic People's Republic of Korea and the fraternal Korean people. The Vietnam Workers Party and the Government of the Democratic Republic of Vietnam are determined to contribute their utmost to making the Vietnam-Korea friendship ever green.

I now invite you to drink:

To the ever-lasting militant solidarity and fraternal friendship between the Vietnam Workers Party and the Workers Party of Korea, between the Vietnamese people and the Korean people!

To the solidarity of the socialist countries and within the international communist and workers movement on the basis of Marxism-Leninism and proletarian internationalism!

To the many more and yet greater successes of the Korean people in socialist construction and in the struggle for the peaceful unification of their fatherland!

To the great successes of the Vietnamese people in their struggle against U.S. aggression and for national salvation and socialist construction!

To the great successes of the Lao and Cambodian peoples in their struggle against U.S. aggression and for national salvation!

To the health of esteemed Premier Kim Il-song!

To the health of the other party and state leaders of the Democratic People's Republic of Korea!

To the health of Vice-Premier Pak Song-chol and the members of the Korean party and government delegation!

To the health of esteemed President Ton Duc Thang!

To the health of Premier Pham Van Dong and the other party and state leaders of the Democratic Republic of Vietnam!

To the health of the comrades and friends from the diplomatic corps!

To the health of all the comrades and friends here!

Mr. COOPER. Mr. President, the distinguished Senator from Kansas (Mr. DOLE) has made a speech which was in good temper. He was kind to those who support the Cooper-Church amendment. But he is wholly wrong in declaring the vote to be a question of confidence or no confidence in the President.

I am certainly not one who doubts the fact that the President has done exactly what he said he would do, so far as withdrawal of our troops is concerned, the time of withdrawal, and their number. However, we are debating something entirely different. It is not a question of whether there is confidence or no confidence as to whether he is going to do what he has said he is going to do. It is a question of whether we support the policy of a residual force and the continuance of the war to protect South Vietnam.

We are taking away no option that the President has except the option to continue a residual force in Indochina. My efforts have nothing whatever to do with a vote of confidence or no confidence in the President of the United States. As I said in my opening remarks, he has revised the policy of the past, he has kept his word.

The PRESIDING OFFICER. Who yields time?

Mr. CHURCH. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CHURCH. Mr. President, I join with the Senator from Kentucky in the remarks he just made. It is a serious mistake to regard this amendment as a vote of no confidence in the President.

This amendment is designed to implement the objective that the President himself has declared to be his own, that being the achievement of a complete withdrawal of American Armed Forces from Indochina.

It is equally a mistake, in my judgment, to allege that the amendment somehow hamstrings the President or handcuffs the President.

There is nothing in the amendment that imposes a time frame within which the withdrawal must be completed. There is no restriction here that would impair the President's flexibility of action. He has said that it is his objective to achieve a complete disengagement of American forces.

This amendment joins the Congress in that declaration and makes it national policy. What could be better designed to bring the President and the Congress together, to bring both parties together, to furnish the country with a unified front than the retention of this amendment in the bill?

That is our purpose.

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

Mr. CHURCH. I yield.

Mr. DOLE. Mr. President, if the Senator has confidence in the President, and I assume he has, why do we not change the amendment to say that we join the President in his declared objective and goals in Vietnam, period.

Where is it that the Senator disagrees with what the President is doing? The Senator from Kentucky says that he has taken away his option to continue the war. The President is winding down the war, ending it, if you please.

If there is all this agreement and bipartisanship, why can we not substitute some other language and share the program with the President and share some of the burdens rather than attempt to escape the involvement of the Congress which dates back a long time, particularly since August 7, 1964, when the Senate passed the Gulf of Tonkin joint resolution by a vote of 88 to 2, which was a declaration of war.

Mr. CHURCH. Mr. President, the Senator from Kansas could not possibly be more mistaken than to say that the retention of this amendment shifts the full burden onto the shoulders of the President. Indeed, the very opposite is the case. If Congress agrees to this amendment, then it assumes part of the responsibility and risk involved in the policy of complete disengagement. Under the present circumstances, with no declaration by Congress, the President must assume these risks.

So, I say to the Senator that he could not possibly miss the point more completely than to suggest that by the retention of the Cooper-Church amendment we somehow or other shift the burden to the President. Indeed, the very opposite is true.

Mr. DOLE. Mr. President, if the Senator would further yield, why is the amendment necessary? What does it contribute?

Mr. CHURCH. The amendment is necessary, because there is a need in the country to clarify our national purpose in Southeast Asia. The President has said on occasion that he hopes to achieve a full withdrawal of American forces. I have already alluded to that. However, at other times, he has promised that withdrawal on certain conditions, one of which, as the Senator knows, is the condition that the Saigon government be left with a reasonable chance to stand on its own.

There are great pressures in this city, pressures being brought to bear upon the President to leave an American residual force in Vietnam indefinitely. This is no secret. There is talk about a force of 50,000 men, to continue giving air support, logistical support, artillery support, and naval support to the South Vietnamese forces.

If that becomes the policy, we could remain involved in this war indefinitely. Therefore, the purpose of this amendment is to define and make certain the objective of complete disengagement, not partial disengagement, not a residual force of 50,000 men left behind to carry on the war in some new form, but total disengagement of all American forces, in order that the South Vietnamese, whom we have fully equipped, armed, and trained, shall at last assume the responsibility for the further defense of their country.

That is the purpose of the amendment, and I think it is very badly needed.

Mr. DOLE. Mr. President, will the Senator further yield?

Mr. CHURCH. I yield.

Mr. DOLE. What the Senator says, in effect, indicates to me that the amendment is premature. I have not heard the President say that there will be a residual force. I have heard him say the opposite—that there will be no Korean type residual force. He will make an announcement between now and November 15. He may announce, or he will announce, what the next phase of his program will be, or he may not announce it all; I do not know. But it seems to me that if we, by act of Congress, take away that flexibility, we in effect limit any possibility for negotiations. In fact, we would destroy any possibility for negotiations in Paris. I assume that some negotiation is still going on. If we withdraw from Vietnam, the American prisoners may become hostages. I noticed in the Senator's prepared text that he refers to prisoners as hostages. If we withdraw completely from Vietnam, how will we have any bargaining power to release our soldiers being held prisoner?

Mr. CHURCH. If anything should be clear now, it is that the American prisoners are presently being held hostage to existing conditions. I see no basis upon which to believe—and there is no historical precedent to suggest—that the North Vietnamese will relinquish the prisoners—give them up—until we are willing to give up the war. That is why I think the adoption of the amendment would work in the best interests of the prisoners. I say that, knowing that both the Senator from Kansas and I are equally sincere in our desire to see the prisoners freed.

Mr. President, the U.S. Government has never offered to withdraw all its forces, in return for the release of the prisoners. And no one can say positively just how or under just what conditions the American prisoners will be released.

But our experience in this and other wars suggests that, until we are willing to withdraw entirely, the American prisoners will remain hostages of North Vietnam.

Mr. President, I think it is pertinent here to include in the RECORD an excellent article by Gen. Matthew B. Ridgway who was, as Senators know, our commanding general in the concluding years of the Korean war. Appearing in Foreign Affairs for July 1971, a careful reading of the article furnishes strong support for retention of the Cooper-Church amendment in this bill.

Here is an excerpt from General Ridgway's article:

Out of the ever-changing verbal explanations of purpose, boasts of successes attained, and justification for our actions which for more than a decade now have emanated from authoritative governmental sources, we are currently assured that we are "winding down the war," that our involvement is nearing its end, that there is a plan to accomplish this, and that that plan will be carried out. We are even assured that no further explanation of the word "end" is needed.

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

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

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

The general goes on to set out the case against the war and our prolonged involvement in it, making an argument which I think is fully consistent with the objectives we seek to accomplish with this amendment.

Mr. President, I ask unanimous consent to have printed in the RECORD the entire text of General Ridgway's article.

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

FOREIGN AFFAIRS—INDOCHINA: DISENGAGING

(By General Matthew B. Ridgway)

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

Out of the ever-changing verbal explanations of purpose, boasts of success attained,

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

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

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

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

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

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

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

II

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

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

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

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

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

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

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

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

III

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

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

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

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

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

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

RANDOM THOUGHTS ON VIETNAM, MARCH 26, 1968

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

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

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

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

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

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

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

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

M. B. RIDGWAY.

IV

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

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

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

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

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

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

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

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

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

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

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

V

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

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

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

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

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

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

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

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

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

Mr. CHURCH. Mr. President, I also want to refer to a Washington Post article of September 16 which I call to the attention of the Senate. The article, datelined Saigon, reads in part as follows:

President Nguyen Van Thieu said tonight that he still wants a residual force of 50,000 or more American troops left in South Vietnam through 1973, when he expects the Communists to launch their last major attack of the war.

Thieu, meeting with 12 foreign journalists at dinner at Saigon's Independence Palace, said once again that he intends to persevere with his uncontested re-election campaign despite criticism at home and abroad.

He repeated his willingness to negotiate a settlement of the war, but in outlining his terms for such a settlement he made it clear that he is maintaining his hardline position and expects concessions to be made by Hanoi and the Vietcong before the negotiations can progress.

In a question-and-answer session stretched over nearly four hours, the president said he thought that his country would need American "advisors, technicians, and people who handle the helicopters" for a long time to come.

GROUND TROOPS

He implied he would like to have U.S. ground troops remain here as well, though he said they won't participate any more in combat missions after next summer.

The ground forces are needed to hold rear areas, he said, while South Vietnamese units take over all frontline fighting.

Mr. President, I ask unanimous consent that the whole article be printed in the RECORD.

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

THIEU: U.S. TROOPS NEEDED

(By Peter A. Jay)

SAIGON, September 16.—President Nguyen Van Thieu said tonight that he still wants a residual force of 50.000 or more American troops left in South Vietnam through 1973, when he expects the Communists to launch their last major attacks of the war.

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The ground forces are needed to hold rear areas, he said, while South Vietnamese units take over all frontline fighting.

Thieu's position on the need for an American residual force remains basically unchanged since July of last year, when he told another group of journalists much the same thing.

The Communists, he said tonight, will "certainly" try an important offensive in the northern provinces of South Vietnam, either next year or in 1973.

If it had not been for the South Vietnamese invasion of Communist infiltration routes in Laos last spring, he said, "it could be happening right now." He added that he thought heavy floods now inundating North Vietnam "may help to disturb their plans."

TROOP WITHDRAWAL

The president appeared unperturbed by the possibility that Congress might direct the withdrawal of U.S. forces before he is ready to see them go. But he stressed the need for continued American air support "for many more years."

Thieu said he is still "keeping the door open" for North Vietnam and the Vietcong to participate in an election to determine the future of his country—but added they would have to renounce communism thereafter.

He said his longstanding position of "Four No's"—no non-elected coalition government with the Communists, no ceding of territory, no Communist activity permitted in South Vietnam and no pro-communist neutralism—is entirely non-negotiable.

"I am anti-Communist," he said, "but I am open to a peace settlement in which we pay a good price for a good peace." He said he would like to be remembered as the president who brought peace to Vietnam.

He added, however, that "to be president in a peaceful country, in peacetime, is not interesting . . .

The most interesting is how to win a war, to bring peace."

He said he is optimistic about his chances for a solid majority in the uncontested Oct. 3 election, and repeated that he would resign if half the voters who go to the polls mutilate their ballots, or cast empty ballot envelopes, to register their opposition.

He spoke in conciliatory terms about both Gen. Duong Van (Big) Minh and Vice President Nguyen Cao Ky, who by withdrawing as presidential candidates left him alone in the race.

Documents released by Minh, allegedly involving a plan by Thieu to rig the election were "not authentic" the president said. American officials have said they are convinced that the documents are genuine.

The president said he was not concerned that President Nixon's planned trip to China might result in a settlement of the war unfavorable to South Vietnam, and that he was hopeful that the trip might "do something toward peace."

He said he thought that South Vietnam's legal opposition "has plenty of freedom, but hasn't grown up." In his second term, he said, he thought that he would try to build a party of his own.

The president said that after another term he will leave public life and spend his leisure time fishing—"My father and grandfather were fishermen and sailors"—or perhaps returning to the army or writing a book.

Turning to the journalists with whom he had spent an amiable evening, he remarked that "I think that if I became a newsman I would be more vicious than you are"—and smiled.

Mr. CHURCH. Mr. President, from the statements of President Thieu, and similar soundings from the White House, from the Pentagon, and from the State Department, it is evident that there are insistent pressures at work to persuade the President to retain in South Vietnam an American residual force. I ask, how can such a force serve the interests of this country? Even now, the President is preparing for a trip to Peking, the purpose of which is to improve our relations with China. His objectives are to normalize relations, insofar as possible, to reduce tensions in Asia, to recognize and accommodate ourselves to the central importance of China on the Asian scene. Nothing could militate more against the success of the President's mission than an indication here, by a vote of the Senate today, that we are unprepared to say that we support as our national objective the complete withdrawal of American forces from Southeast Asia.

The retention of a residual force in Indochina, at the very doorstep of China, could only complicate such chances as there are for a rapprochement with China. Moreover, leaving our forces there will bind them to a time-bomb. No one can forecast the eventual outcome of this 20-year civil war between the Vietnamese, about which there is such bitter feeling on both sides. We neither want nor need a Korean-type resolution of this Indochina war.

Mr. DOLE. Mr. President, will the Senator yield at that point?

Mr. CHURCH. I emphasize this because now is the time for the Congress to say that our objective should be full disengagement and thus encourage the President to move in that direction.

Our purpose is not to handcuff the President; it is not to impose a timetable on him; it is not to deprive him of necessary flexibility for action. It is simply to say, Mr. President, the Congress approves the total withdrawal of American forces as our national objective, and provides money for that purpose, but not for other purposes unrelated to that objective.

I yield to the Senator from Kansas.

Mr. DOLE. The Senator has mentioned the President's journey to Peking. He could also add Moscow. It might be, and I am just speculating, that the President will have some discussions in Peking and perhaps some in Moscow. Now it is proposed to take possible options from him. This is another reason for rejecting the amendment.

The Senator has spoken about the President's journey to Peking and to Moscow. He is winding down the war. Still there is no confidence in what the President is doing. It had not occurred to me, but since the Senator mentioned it, that is another very sound reason to vote for the Scott amendment.

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

Mr. CHURCH. I yield.

Mr. JAVITS. In the first place, I favor the amendment. I feel that the Foreign Relations Committee, which backed Senators COOPER and CHURCH, did exactly the right thing.

I would like to make an observation and ask for the Senator's comment as if it were a question. It strikes me that the only difference between us and the administration——

The PRESIDING OFFICER. Will the Senator suspend? All time of the Senator from Idaho has expired.

Mr. DOLE. Mr. President, I yield 2 minutes to the Senator from Idaho.

Mr. JAVITS. The only difference, it strikes me, between us and the administration is the question of whether or not there is any hope in further negotiations. If there is no hope in further negotiations, then this amendment is precisely the prescription the President would be espousing. This is a very nice difference,

and I think we have a right to sustain that difference here—those who feel that now, balancing the hope of negotiations against the damage to the national social fabric which continues to be rigged by the war in Vietnam, we decide that the balance is outweighed and the chances for negotiations are now so lessened in what they might produce that those chances are so far outweighed by the continuing rupture of the social fabric of this country that we must say, "Withdraw, and do nothing else but withdraw." It is simply a question of whether we should continue, because we have some hope for negotiations or that we are hurting so badly that we must vote to get out; and I am for getting out.

Mr. CHURCH. The Senator reaches to the very core of this question and, in doing so, he recognizes that the Senate has a responsibility to participate in the determination of what our national policy should be.

The argument that we should leave it to the President, that we should not share in the formulation of our policy in Indochina, lest it be taken as a vote of no confidence in the President, is simply another way of saying we ought to abdicate—turn it all over to the President of the United States. If that is the disposition of the Senate, it will be borne out by the vote which will take place in a few minutes. I hope that it proves not to be the judgment of the Senate. For too long we have abdicated, and that is one of the reasons why we are in such difficulty in Indochina today.

Mr. JAVITS. I thank my colleague.

The PRESIDING OFFICER. Who yields time?

Mr. CHURCH. Mr. President, I wonder if I might have some time on the bill. I yield 5 minutes——

Mr. MANSFIELD. Mr. President, I think we ought to keep in mind that we have an agreement to vote at 3 o'clock.

Mr. DOLE. Mr. President, the remainder of the time is on our side. I yield 2 minutes to the Senator from Illinois (Mr. PERCY).

Mr. PERCY. Mr. President, I would first like to commend the distinguished Senator from Idaho and the distinguished Senator from Kentucky for their gracious comments about the President's intentions and programs to get us out of Vietnam, as carried on national television from Foreign Relations Committee hearings yesterday. I am absolutely confident that the President does intend to get us out of Vietnam and I have frequently lauded the administration for reversing the trend of the previous two administrations.

I would like to ask the Senator three questions to be certain that the President's hands are not tied by the language of this section of the foreign aid bill. First, how would the language in the amendment affect the bombing by our military forces to protect our own personnel in South Vietnam? Second, would the bombing to check infiltration along the Ho Chi Minh Trail be allowed to continue? Third, how restrictive is the "imminent danger" phrase in the last sentence of the section? Does that restrict the President's ability to fully protect our troops?

Mr. CHURCH. In answer to these questions, first, the amendment would not interfere in any way with the bombing of the Ho Chi Minh Trail, or with the interdiction of any supply line the enemy is using to transport equipment, ammunition, and supplies to its forces in South Vietnam. Nor would it interfere with any bombing necessary to give effective air cover to our troops in South Vietnam. Second, I would say to the Senator that, insofar as "imminent danger" goes, that phrase is meant to conform with the best understanding we have, on the basis of the precedents, of the President's inherent constitutional right to protect our troops.

The amendment allows for any action necessary to protect our troops against a danger that is imminent and real, but would not extend to military operations that are remote or farfetched insofar as the protection of the troops is concerned.

I would not think the language would permit large-scale operations like those which took place last year in Cambodia and early this year in Laos, but certainly would permit giving full cover to our troops there.

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

Mr. DOLE. Mr. President, I yield 5 minutes to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I should like to read into the RECORD what I wrote to my constituents shortly after I voted for the Mansfield amendment last week:

In recent weeks Senate action has centered on two measures—extension of the Draft and the Military Procurement Bill. All kinds of issues are wrapped up in these two bills. What shall we demand from our Nation's youth? Must we ask the loyal to bear the burden for the rebellious? How much should we spend on guns, and how much on butter? Moreover, each of these bills gave Congress another chance to help write the final chapter of the Vietnam War.

On the Draft Bill the Senate insisted and the House refused to fix a date certain for withdrawing our forces from Indochina. At that point I opposed including a cut-off date. It would only express the sense of the Congress and have no force of law, for the Constitution reposes these decisions in the President. The world including our enemies, however, would consider it an ultimatum to our own President and practically nullify any bargaining power he had at the negotiating table. I have resented the fact that the Cooper-Church, the McGovern-Hatfield, and other such drastic measures were invoked against a President who is steadily withdrawing our forces, when they were not once suggested through five years of escalation under the Johnson Administration. I stated I could not support such action at that time, but it could become necessary should our involvement continue.

Incidentally, I doubt if the good folks who are so disappointed that the first Mansfield Amendment failed are aware of how much was gained in the resulting compromise between the House and Senate on the Draft Bill. Though the President is fast bringing home our ground forces, his apparent intention was to continue our activities in the air and leave a residue of some 50,000 troops to help hold South Vietnamese strongholds. This has worried me, for I have felt that our withdrawal should be complete. If we leave helicopters to be shot down, other Americans will be doomed to Communist dungeons. What did the Senate and House unite in writing into the final Draft Bill? "It is hereby declared to be the sense of Congress that the United States terminate at the earliest practicable date ALL military operations of the United States in Indochina (not just Vietnam) and provide for the withdrawal of all United States military forces at a date certain subject to the release of all American prisoners of war." That statement, approved by both Houses and signed by the President, marks a giant step.

Later came the Military Procurement Bill. Again Senator Mansfield offered an amendment in which Congress proposes a cut-off date to be extended only if more time is necessary to get all our prisoners. This time I voted for it and for a very definite reason. I have found it increasingly hard to share the President's faith that, given time, we could leave the South Vietnamese in the hands of a genuine democracy under which they would be free to determine their own destiny. Last July I reported to you: "Time will tell us if the President's Vietnamization plan will work. I have some misgivings about tying our kite too tight to the Thieu-Ky government." These misgivings have been fully justified. On almost the same day that we voted on the second Mansfield Amendment, a fake, one-man election was held in South Vietnam, the same farce used by dictators everywhere. The antics of Mr. Thieu convinced me that we shouldn't waste one more day or one more drop of American blood in a vain effort to set up a free government in Vietnam. There is nothing left to bargain for but our prisoners, and as soon as we get them, we should get out of Southeast Asia lock, stock, and barrel. I suspect the President must feel the same way, but whether he does or not, I could no longer in good conscience oppose a Mansfield Amendment contingent on the recovery of all our prisoners.

The anguish that all Americans must endure in the years to come is the memory of 45,000 of our youth who gave their lives without our attaining our objective. The outcome might have been different if we had fought as Americans always have in the past—to win. In the early days we were united, and even those who are now demonstrating and cursing the war supported it. I recall one present Senate dove quoting Thomas Paine's reference to our own American Revolution: "If there was ever a just war since the world began, it is this . . . We fight not to enslave, but to set a country free, and to make room upon the earth for honest men to live in."

For this ideal our young men died, and because that is so, somewhere in God's Scales their sacrifice will ever be weighed, and they will not have died in vain.

Nothing remains but to get our prisoners and bring every American home.

I cannot escape the conclusion that there is a wide distinction between the Mansfield amendment and the Cooper-Church amendment. The Mansfield amendment expressed the sense of Congress that the war be terminated and all our forces withdrawn at a date certain, provided that prior to that date, we had secured the release of our prisoners of war. For reasons that I have already stated, I had reached the point of supporting that declaration.

The Cooper-Church amendment which is incorporated in the bill now being considered invokes the powers of Congress over the purse and places permanent, iron-clad restrictions on the use of all appropriated funds in our operations in South Vietnam. This is a desperate measure that so far as I can find has never been resorted to in the entire history of this Republic.

Mr. President, I cannot think of a more delicate and dangerous military operation than the final chapter which appar-

ently is envisioned by the supporters of this amendment when the time comes that we are removing the last of our troops from South Vietnam and, at the same time, depending upon the enemy to release the last batch of American prisoners. It is incredible to me that so many Senators have forgotten that we are dealing with an enemy that is completely ruthless and completely untrustworthy.

In my judgment, the only thing we have left to bargain for is our prisoners of war, and to bring them with us is the one duty and responsibility that we cannot escape. If and when we reach the point of final removal we do not have absolute proof that we do have our last prisoners of war, it could be and should be the duty of the President as Commander in Chief to use sufficient air power and adequate force to make certain that we bring every last American prisoner with us.

Under the terms of the Cooper-Church amendment this could not be done. We could not launch an air attack to compel the enemy to comply. Indeed, we might find ourselves in a position where our own forces had been gradually reduced to the point that they would be in extreme danger and the President could not use a dollar to reinforce them, to rearm them, to feed them, or to protect them.

It has been reiterated on the floor of the Senate this afternoon that the Cooper-Church amendment does not cut off funds but merely aids the President in his own declared policy. Such statements are ridiculous. If it does not limit and cut off funds, it does nothing, but the mere reading of its terms shows clearly that that is precisely what it does.

Mr. President, this Senate has repeatedly, formally, and overwhelmingly declared that we must withdraw completely from Southeast Asia leaving no American garrisons and no American Air Force provided we are able to first secure the release of all our prisoners. With this I agree completely, but the Cooper-Church amendment will only serve to make it more difficult to carry out this policy, and I cannot support it

Mr. SCOTT. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 15 minutes remaining.

Mr. SCOTT. I yield the remaining time to the distinguished Senator from Arizona (Mr. GOLDWATER).

THE COOPER-CHURCH AMENDMENT IS UNCONSTITUTIONAL

Mr. GOLDWATER. Mr. President, I cannot remain silent in the face of a calculated and flagrant attempt by the Senate Committee on Foreign Relations to illegally deprive the President of the United States of his constitutionally granted powers to employ the Armed Forces in defense of American interests. Of course, I am referring to the latest so-called Cooper-Church amendment which is set forth in the pending bill as a new section 406 relating to the withdrawal of U.S. forces from Vietnam. This section professes to find that the repeal of the Gulf of Tonkin resolution "has left the Government of the United States without congressional authority for continued participation in the war in Indochina." Then it goes on to direct that funds authorized under the Foreign Aid Act or any other act for use by military forces in Indochina shall be used only for the purpose of withdrawing those forces and providing them with protection against imminent danger during the withdrawal process.

Mr. President, in truth, if this provision were simply in the form of an expression of congressional hope, I would not be so gravely concerned. It would be unwise, yes, but not dangerous, as it is now.

What really bothers me about the section is found in the fundamental and openly expressed purpose of the Foreign Relations Committee to treat this language as a weapon in the struggle by the committee to put Congress in the pilot's seat on matters of foreign and military policy. The Foreign Relations Committee spells out in its report that section 406: "states the principle that the President does not have authority to use our Armed Forces in a war without the approval of Congress."

But, Mr. President, the committee fails to give us even one glimmer of the supposed authority which backs up this strange construction of constitutional law. The fact is, Mr. President, there is no judicial decision and nothing at all in the U.S. history which supports the position taken by the Foreign Relations Committee in section 406. This section represents nothing more than an emotional longing for power in the Congress of a kind that the Constitution has not given to it. For what the Foreign Relations Committee is telling us in section 406 is that Congress possesses the dominant powers over the use of military forces and that the President is simply a puppet who must carry out the smallest directive of congressional military policy.

But where in the Constitution does one find that the President can be so easily deprived of his authority to defend American interests? Certainly, it is not to be found in the mere conferral upon Congress of the right "to declare war." There has never been any judicial holding in a time of war which shackled the President's ability to use the forces at his disposal to carry on that hostility. In other words, the Supreme Court and, in fact, no lower Federal court has ever decided that the only way the United States can go to war is by a congressional declaration of war. Indeed, this country has actually been engaged in hostile military operations on at least 192 occasions without the support of any declaration of war. This fact was revealed recently during the course of an ongoing study which I have directed to be made on the historical exercise of the war powers in this Nation. And I might add, Mr. President, that there is both historical and judicial verification of the broad power of the President to use military forces exactly as he has done now for nearly two centuries.

One well-known constitutional lawyer claims that the language of the Supreme Court in the Prize cases[1] "constitutes juristic justification of the many instances in our history—ranging from Jefferson's dispatch of a naval squadron to the Barbary Coast to the 1962 blockade of Cuba—in which the President has ordered belligerent measures abroad without a state of war having been declared by Congress.[2] Those are the words of Professor of Law Bernard Schwartz.

In addition, one of this Nation's leading international law authorities, Prof. Quincy Wright, wrote in 1969:

> I conclude that the Constitution and practice under it have given the President, as Commander-in-Chief and conductor of foreign policy, legal authority to send the armed forces abroad; to recognize foreign states, governments, belligerency, and aggression against the United States or a foreign state; to conduct foreign policy in a way to invite foreign hostilities; and even to make commitments which may require the future use of force. By the exercise of these powers he may nullify the theoretically, exclusive power of Congress to declare war.[3]

Mr. President, I should emphasize that these statements are not principally modern-day expressions developed over the last 20 years or so. Prof. W. W. Willoughby, author of a famous three-volume work on constitutional law, reached the same finding in 1929. He declared that the power of the President to send forces outside the country in time of war or peace "when this is deemed necessary or expedient as a means of preserving or advancing the foreign interests or relations of the United States" is a "discretionary right constitutionally vested in him and, therefore, not subject to congressional control."[4]

Prof. Edwin Corwin, who, I might remind Senators, was selected by Congress to edit the congressionally sponsored work "Constitution Annotated," has also recognized the President's independent authority to commit military forces abroad at his own initiative. In 1944, Professor Corwin wrote that this power "had developed into an undefined power—almost unchallenged from the first and occasionally sanctified judicially—to employ without congressional authorization the Armed Forces in the protection of American rights and interests abroad whenever necessary."[5] Thus, Mr. President, there exists a great wealth of informed opinion which establishes beyond any doubt the existence of an independent authority on the part of the President to use our Armed Forces without the need for a specific grant of approval by Congress.

The right of the President to commit American troops abroad in defense of the people and freedoms of this Nation rests upon at least four distinct constitutional grants of authority These powers are

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[1] 67 U.S. 635 (1863).

[2] B. Schwartz, *The Reins of Power* at 98 (1963).

[3] Q. Wright. "The Power of the Executive to Use Military Forces Abroad," 10 Va. J. Int'l L. 54 (1969).

[4] W. Willoughby, *The Constitutional Law of the United States*, vol. III, 1567 (2d ed. 1929).

[5] Corwin, "Who Has the Power to Make War?," N.Y. Times Magazine, July 31, 1949, at 14.

centered in his possession of all the "executive power" of a great and sovereign nation.[6] As Solicitor General Erwin Griswold recently remarked, the Constitution grant of executive power "is not a merely passive grant," but is an affirmative grant of authority.[7]

Also, the President has been given a mandate to initiate and conduct foreign policy. As Justice Harlan, Chief Justice Burger, and Justice Blackmun announced in a 1971 decision,[8] from the time shortly after the founding of this Nation, to date, there has been no substantial challenge to the declaration by Chief Justice John Marshall that "the President is the sole organ of the nation in its external relations, and its sole representative with foreign nations." The President's constitutional primacy in the field of foreign affairs was also confirmed by the Supreme Court in the landmark case of United States against Curtis-Wright Corp.[9]

A third important power of the President over war powers is derived from his duty and right to execute the laws. Prof. Quincy Wright tells us that the President's "duty to execute the laws is not limited to the enforcement of acts of Congress and treaties of the United States, but includes also 'the rights, duties, and obligations growing out of the Constitution itself, our international relations, and all the protection implied by the nature of the Government under the Constitution.' " [10]

I might add, Mr. President, that Professor Wright's summary is merely a restatement of the law as recognized by the Supreme Court in its decision of In re Neagle.[11]

A fourth source of the President's independent powers in the field of deploying Armed Forces rests upon his designation as Commander in Chief.[12] This power has been defined by Professor Wright to encompass "the conduct of all military operations in time of peace and of war, thus embracing control of the disposition of troops, the direction of vessels of war, and the planning and execution of campaigns" and to be "exclusive and independent of congressional power." [13] Again, I should add the Supreme Court has suggested this power is largely an unfettered one. For example, in 1866, the Supreme Court pointedly stated "Congress cannot direct the conduct of campaigns." [14]

In summary, Mr. President, I believe the record is clear and convincing that the President of the United States possesses a broad range of independent authority to employ the military forces of this Nation however and wherever he deems fit in order to defend the security of this country and its 208 million citizens. To the extent that the Cooper-Church amendment seeks to override this constitutional grant of authority to the President, I believe it is without any question illegal and improper. What is more, it will confuse the American people as to whom it is that speaks with one voice for this Nation in foreign affairs. At the same time it is likely to embolden our enemies to calculate that the United States is an uncertain ally, incapable of fulfilling its commitments for any length of time.

For these reasons, Mr. President, I urge that section 406 be stricken from the Foreign Assistance Act.

I might suggest to those people who continually try to work, through the powers of Congress, a destruction of the constitutional powers of the President that the proper route, if they deem it wise—and I do not think it would be wise—would be to submit this to the people of the United States to determine whether or not Congress shall have the power of war and peace and foreign policy, or whether it shall remain, as intended by the Constitution, in the hands of the President of the United States.

I might conclude by saying that I have interrogated every known authority in this general field, and I have yet to find one who would suggest that we try by constitutional amendment to change the powers of the President.

Mr. President, I hope that this amendment by the Senator from Pennsylvania is agreed to.

Mr. SCOTT. I thank the distinguished Senator from Arizona.

Mr. President, before I yield the remainder of the time to the Senator from Kentucky, I should like to make the point again that, unlike the Mansfield amendment, the Cooper-Church amendment cuts off the funds in all of Southeast Asia. It is not just an expression of views. It is a fund cutoff, which some Senators may not have understood.

I now yield the remainder of the time, if the Senator wants it, to the Senator from Kentucky.

Mr. COOPER. I am not certain that I will take all the time. I just want 1 minute.

Mr. SCOTT. All right.

Mr. COOPER. Mr. President, I respect always the views of the Senator from Arizona (Mr. GOLDWATER). He is forthright, courageous, and he argues his point with force. But I think he is absolutely wrong on the question of constitutional power. We could not take any constitutional power from the President. We cannot do it. His constitutional power cannot be taken from him by any statutory amendment.

This amendment is constitutional. Article I of the Constitution gives Congress the power to either grant or cut off funds for military forces. This is clearly constitutional.

I have read the cases to which the Senator has referred, because we have been debating this matter of war powers for 2 or 3 years. They are not in point. The Prize case dealt with the power of President Lincoln to meet an insurrection. Ex parte Milligan actually restricted the power of the President. It limited his power to suspend the writ of habeas corpus. It restricted his powers during the Civil War.

The point is that our amendment is constitutional, because it is based upon the authority of Congress to grant or not grant funds for war. Congress has the power to declare war and to make war. I think that is settled. The President has the power to defend his troops. We cannot take that power away from him. Our amendment affirms that power to him.

It is simply an effort upon the part of those of us who believe this way that, as the President is winding down the war, we want to be sure that it does not call for residual troops. We want to end the war as a whole.

Mr. SCOTT. Mr. President, I yield the remaining time to the distinguished senior Senator from Colorado (Mr. ALLOTT).

Mr. ALLOTT. Mr. President, I realize that in these closing moments nothing I can say probably will change the votes upon this matter in the Senate. Yet, I feel that I do have to express myself and the reasons for voting for the amendment of the Senator from Pennsylvania, the minority leader.

As we get down to the final stages of what has been a very sad and sordid affair, I see many things in the past few years of which I think I can be logically critical in extreme degree. But as we close down and get down to the present point, down to 180,000 troops by Christmas from more than 550,000 when the President took office, I think we have made great progress—progress which is as meaningful and as rapid as possible.

I am not willing by voting against the pending amendment to vote to retain the Cooper-Church amendment. I am not willing to take away from the President of the United States the one last vestige of flexibility he has to try to negotiate any deal to return our POW's. That is not my concern.

If that is done, then all we can do and all that the President can do is to start sucking troops out of South Vietnam as fast as he can. We leave him with no flexibility. If the language in the bill should be agreed to and become law, then I think Americans should ask themselves—all those who would support that proposal—what will happen to our POW's? And who will take the responsibility in these later days if we are not successful in getting them returned.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The hour of 3 o'clock having arrived, the Senate, by prior agreement, will proceed to vote on the amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Oklahoma, (Mr. HARRIS), the Senator from Hawaii (Mr. INOUYE), the Senator from Washington (Mr. JACKSON), the Senator from South Dakota (Mr. MCGOVERN), and the Senator from Mississippi (Mr. STENNIS), are necessarily absent.

On this vote, the Senator from Washington (Mr. JACKSON) is paired with the Senator from Oklahoma (Mr. HARRIS).

If present and voting, the Senator from Washington would vote "yea" and

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[6] U.S. Const., Art. II, sec. 1.

[7] See remarks by Solicitor General Erwin N. Griswold, 117 Cong. Rec. (daily ed.) S12967–S12969 (Aug. 3, 1971).

[8] *New York Times Co.* v. *U.S.*, 403 U.S. 713, at 756 (1971).

[9] 299 U.S. 304 (1936).

[10] Q. Wright, "Validity of the Proposed Reservations to the Peace Treaty," 20 Col. L. Rev. 134–136 (1920).

[11] 135 U.S. 1, 64 (1889).

[12] U.S. Const., Art. II, sec. 2, cls. 1.

[13] Q. Wright, *supra* note 10, at 134.

[14] *Ex parte Milligan*, 71 U.S. 2 at 139 (1866).

the Senator from Oklahoma would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Idaho (Mr. JORDAN), and the Senator from Iowa (Mr. MILLER) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Idaho (Mr. JORDAN) and the Senator from Iowa (Mr. MILLER) would each vote "yea."

The result was announced—yeas 47, nays 44, as follows:

[No. 271 Leg.]

YEAS—47

Allen	Curtis	Long
Allott	Dole	McClellan
Beall	Dominick	McGee
Bellmon	Eastland	Packwood
Bennett	Ellender	Pearson
Bentsen	Ervin	Roth
Bible	Fannin	Saxbe
Boggs	Fong	Scott
Brock	Fulbright	Smith
Buckley	Gambrell	Sparkman
Byrd, Va.	Goldwater	Stevens
Byrd, W. Va.	Griffin	Taft
Cannon	Gurney	Thurmond
Chiles	Hansen	Tower
Cook	Hollings	Young
Cotton	Hruska	

NAYS—44

Aiken	Humphrey	Pell
Anderson	Javits	Percy
Bayh	Jordan, N.C.	Proxmire
Brooke	Kennedy	Randolph
Burdick	Magnuson	Ribicoff
Case	Mansfield	Schweiker
Church	Mathias	Spong
Cooper	McIntyre	Stafford
Cranston	Metcalf	Stevenson
Eagleton	Mondale	Symington
Gravel	Montoya	Talmadge
Hart	Moss	Tunney
Hartke	Muskie	Weicker
Hatfield	Nelson	Williams
Hughes	Pastore	

NOT VOTING—9

Baker	Jackson	Miller
Harris	Jordan, Idaho	Mundt
Inouye	McGovern	Stennis

So Mr. SCOTT's amendment (No. 482) was agreed to.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SCOTT. I move to lay that motion on the table.

Mr. FULBRIGHT. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SCOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. SCOTT. Mr. President, as I understand the parliamentary situation at this point, it is that the yeas and nays have been ordered on the motion to table the motion to reconsider.

The PRESIDING OFFICER. The Senator is correct.

Mr. SCOTT. Therefore, those Senators who voted yea on the Scott amendment would vote yea again.

Mr. CHURCH. And those opposing it would vote nay.

The PRESIDING OFFICER. A yea vote would favor the motion to table the motion to reconsider the vote by which the amendment was agreed to.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, will the Chair keep the well clear?

The PRESIDING OFFICER. The Chair respectfully requests the Senators in the well to retire therefrom. The Chair will again request that Senators in the well retire from the well. The clerk will not continue until there is order.

The clerk will continue with the call of the roll.

Mr. HOLLINGS (when his name was called). Mr. President, on this vote I have a live pair with the Senator from South Dakota (Mr. MCGOVERN). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Oklahoma (Mr. HARRIS), the Senator from Hawaii (Mr. INOUYE), the Senator from Washington (Mr. JACKSON), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Mississippi (Mr. STENNIS), and the Senator from Arkansas (Mr. MCCLELLAN), are necessarily absent.

On this vote, the Senator from Washington (Mr. JACKSON) is paired with the Senator from Oklahoma (Mr. HARRIS).

If present and voting, the Senator from Washington would vote "yea" and the Senator from Oklahoma would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Idaho (Mr. JORDAN), the Senator from Iowa (Mr. MILLER), 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 Idaho (Mr. JORDAN), the Senator from Iowa (Mr. MILLER), and the Senator from Texas (Mr. TOWER) would each vote "yea."

The roll call was concluded.

The result was announced—yeas 44, nays 45, as follows:

[No. 272 Leg.]

YEAS—44

Allen	Cook	Hruska
Allott	Cotton	Long
Baker	Curtis	McGee
Beall	Dole	Packwood
Bellmon	Dominick	Pearson
Bennett	Eastland	Roth
Bentsen	Ellender	Saxbe
Bible	Ervin	Scott
Boggs	Fannin	Smith
Brock	Fong	Sparkman
Buckley	Gambrell	Stevens
Byrd, Va.	Goldwater	Taft
Byrd, W. Va.	Griffin	Thurmond
Cannon	Gurney	Young
Chiles	Hansen	

NAYS—45

Aiken	Hughes	Pastore
Anderson	Humphrey	Pell
Bayh	Javits	Percy
Brooke	Jordan, N.C.	Proxmire
Burdick	Kennedy	Randolph
Case	Magnuson	Ribicoff
Church	Mansfield	Schweiker
Cooper	Mathias	Spong
Cranston	McIntyre	Stafford
Eagleton	Metcalf	Stevenson
Fulbright	Mondale	Symington
Gravel	Montoya	Talmadge
Hart	Moss	Tunney
Hartke	Muskie	Weicker
Hatfield	Nelson	Williams

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Hollings, for.

NOT VOTING—10

Harris	McClellan	Stennis
Inouye	McGovern	Tower
Jackson	Miller	
Jordan, Idaho	Mundt	

So the motion to lay on the table the motion to reconsider the vote by which Mr. SCOTT's amendment was agreed to was rejected.

The PRESIDING OFFICER. The question recurs on the motion to reconsider the vote by which the amendment was agreed to.

Mr. SCOTT. On that I demand the yeas and nays, Mr. President.

The yeas and nays were ordered.

The PRESIDING OFFICER. On this motion, there are 15 minutes to each side. Who yields time?

Mr. CHURCH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Before proceeding, the Chair respectfully requests that the Senate be in order.

Mr. CHURCH. Mr. President, I make a point of order.

The PRESIDING OFFICER. The Senator from Idaho will state it.

Mr. CHURCH. Inasmuch as the time limitation on the original Scott amendment had entirely expired, I make the point of order that the motion to reconsider should therefore not be debatable.

The PRESIDING OFFICER. The unanimous-consent agreement provided that there would be 30 minutes available for debate on any motion or appeal except a motion to lay on the table.

The time, of course, can be yielded back.

Mr. SCOTT. Mr. President, I have no intention of yielding back the time.

I call to the attention of my colleagues that I hope they will very carefully consider their further action, as they have indeed carefully considered each step, because I want to make it clear right now that we are not just voting on the Cooper-Church amendment; we are voting on whether we will have a foreign aid bill or not, because if this amendment is rejected and the Cooper-Church provision remains in the bill, the President will, I am certain, veto this bill.

Many Senators have a great many provisions in the bill in which they are interested. Other Senators are giving some thought to the possibility of tabling motions because they do not like the bill, or they do not like parts of it. So the bill is in some danger, any way we look at it. It is pursuing a perilous course along the legislative pathway.

But we can be sure the bill is not going anywhere if the Cooper-Church amendment is in it. It will be vetoed, and I feel quite certain that I have a right to make that statement.

There are in this bill, as I say, many features in which many Senators are interested. There are provisions for schools and colleges abroad. There are millions of dollars involved in those provisions, and there are many educational institutions involved. That funding will go down the drain unless we cover it adequately and fully in a continuing res-

olution. The $200 million aid for Pakistan relief goes into limbo, unless Senators can find some way to cure that hiatus. The various provisions for all the foreign countries involved are imperiled. We are about to decide whether or not to kill the foreign aid bill.

I grant there are many Senators who want to do it. I am not quarreling with them at all. I am just saying that we are heading in that direction, because those Members of the Senate who would prefer to keep the foreign aid bill alive—and I would prefer to keep it alive, if I can get a viable bill—are confronted by the fact that with the Cooper-Church amendment preserving its status, we do not get a bill, and by rejecting my amendment we are increasing the likelihood of a tabling motion on this bill.

The PRESIDING OFFICER. Will the Senator suspend?

The Senator from Pennsylvania is making a most important statement, and deserves the careful attention of the Senate. The Chair respectfully requests that the Senate be in order.

The Senator may proceed.

Mr. SCOTT. I did not, Mr. President, want to interfere with the privacy of anyone's conversations. With the Senator from North Carolina, I favor the right of privacy, and I suggest that any Senators who are privacy-minded move to those places where privacy is respected, if I may be forgiven for varying to the British pronunciation of the term in order to make the point.

I hope very much we will not do that. This matter can be decided by one vote, or it can be decided by some Senators electing not to vote. That would be regrettable, because I would hope we would all stay here and be recorded. It could be determined by the number of pairs taken; it could be determined in any of a number of ways. But the important way to determine it, I think, is to decide it in such a way that the work of the Foreign Relations Committee and the work of the Senators on the floor is not rendered wholly nugatory by virtue of the fact that, by one vote, we have enacted a provision which would invite a veto.

That is where we are. This is a provision to cut off all the funds, not a part of the funds but all of the funds for Southeast Asia. It renders a situation which does not take consideration of the prisoners of war. It can be said of the Mansfield amendment that indeed it looks after the prisoners of war and indeed it does not, under the same circumstances, in the same way, operate to cut off the funds. But this is a dead cutoff. It is a declaration that Congress has a lack of confidence in the President's ability to end this war in the way in which he is doing it.

So I sincerely hope that we will not decide this issue on a one- or two-vote margin of whether or not we are going to have a particular amendment. We are voting on this bill now. We are voting up or down the foreign aid bill. If it is killed, then the votes that support an amendment which is not viable have voted to kill the bill. If it survives, let us continue to perfect it with some things that need to be done. Senators have a desire to do them. Senators would rather not wait until next February to do them, I am sure. But I hope that we will not act so precipitately here that we have destroyed all the hard work that has gone into this bill, simply because we want to be sure one more time, on the record. We have been on the record twice, and I think that is often enough.

For the present, I will defer what remains of my time.

Mr. CHURCH. Mr. President, I speak briefly for the purpose of saying only that this bill does not cut off all funds; it is not a killer amendment. It simply expresses the congressional intent that our national purpose should be to withdraw completely the remaining American forces from Indochina, and it furnishes money consistent with that purpose and for the protection of the troops as they withdraw. All the money necessary to effectuate the national purpose is left in the bill.

Rather than obstructing the President, it would be a way that Congress could implement what should be the national objective; that is, the complete withdrawal of our remaining forces from this misbegotten war—land, sea, and air.

Mr. President, I yield 5 minutes to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, a good deal has been said about the amendment which is now in the process of being reconsidered. Certain demands have been made on the Senate, that if the Senate did not do this, that, or the other thing, or if it did, the bill would be vetoed, or it would be tabled, or it would be recommitted.

It was pointed out that there are many goodies in this bill, and there certainly are. The list of countries takes up three full pages—countries which will be the recipients of relief which this body will be voting on. Mention has been made about schools in various countries and what they will get and that if the Senate does not act as a nice little boy, that will be lost. Pakistani relief has been brought into the situation. But nobody seems to mention the Americans in Vietnam. Nobody seems to understand that what the Cooper-Church amendment does is to protect them fully, completely, constitutionally, as they withdraw, as the President is withdrawing, and as we anticipate without question that he will continue to withdraw, hopefully, completely, and totally, not only from Vietnam but also from all of Southeast Asia.

Yes, it is monotonous, I suppose, to mention the litany of losses: Well in excess of 350,000 American casualties; 35,000 disabled, totally disabled; between 450 and 1,601 POW's and recoverable missing in action.

Yes, it is monotonous to talk about Vietnam. We want to put our heads in the sand. We want to ignore it. But it will not, it must not, be ignored.

So far as I am concerned, I want to say again what I have said before: If there is any truth in the statement made by certain people supposedly in the administration that the President is going to pull the rug out from under those of us who advocate an accelerated pace of withdrawal and a total withdrawal, I would be delighted to be standing on that rug and to have it pulled out from under me.

Yes, it is monotonous to talk about Vietnam—deadly monotonous—but we had better talk about it and act on it because the price has been very high.

What the Cooper-Church amendment seeks to do is to cooperate, to help the President in his declared aims. There has been an election in Vietnam that is one leg of the President's tripod—a government presumably of the people's choosing. That should also prove the stability and security of that country, even though there was only one candidate, and that is another.

The third leg of the tripod of withdrawal is that the administration wants to get the prisoners of war out of Vietnam and that we will not depart until they are out. I think the Cooper-Church amendment helps that process.

What we ought to do is to become more concerned with Vietnam, instead of shunting it to one side; because what has happened in Vietnam is, in large part, responsible for the condition in which this Nation finds itself today: division, racism, drug addiction, and an economic decline, which has required us to put in controls.

When are we going to wake up to what this misbegotten, unnecessary, and uncalled for war has done to us and our sons? Fifty-five thousand dead. Over 300,000 wounded. Thirty-five thousand totally disabled. One thousand and five hundred POW's or MIA's, and a cost of $130 billion. We will be paying for this war into the next century, and the cost at which it already stands will be tripled by then.

I would hope that we would turn back to the business at hand—the sons of our people. We do not have to go to Vietnam or Cambodia or Laos or Thailand. We do not have to be stationed on Yankee Station in the South China Sea. But the Senate, the Congress, bears a part of the blame; one way to partially compensate for what has been done is to get out of Indochina as soon as possible, timing the withdrawal with the release of our POW's.

Call the bluff, if that is what it is, of the NLF, and see if they meant what they said in points one and two of the seven-point program of last July, when Madam Binh stated that our prisoners of war would be released as our troops were withdrawn. What have we got to lose? We have much to gain.

The PRESIDING OFFICER. Who yields time?

Mr. SCOTT. Mr. President, I will state what we have to lose. We have our prisoners of war to lose; because if that is Madame Binh's statement, that the prisoners of war would be released as our troops would be withdrawn, only one prisoner of war seems to have been released, and that appears to have been by accident. So there has not been a proportionate release of prisoners of war.

I agree with the litany of loss recited by the distinguished majority leader. I agree with it. But I point out, also, that nothing in the Cooper-Church amendment—nothing whatever—will save a life

in Vietnam, or bring the prisoners of war back a day earlier.

What will save lives will be Hanoi's willingness to negotiate. What will save lives will be our opportunity to retain such options as we have, until such time as it becomes more to the interest of Hanoi to negotiate or to face what remains of American forces overseas in that area.

Yet, as we withdraw, and every day that we withdraw, Hanoi is reading that Americans and the American Congress are favoring actions which give them breathing time, during which period they then have to consider releasing our prisoners of war. This is another breathing time amendment for the North. It is not so intended, but that is the way Hanoi interprets it.

Mr. President, I am against delaying the return of our prisoners of war. I am against incurring any further risks in this war. The way to do it is the way it is being done and not by congressional fiat, which merely serves the cause of further deferment and delay on the part of the North.

Mr. CHURCH. Mr. President, of all the aspects of this prolonged debate over the war in Vietnam, there is none so distasteful or deceitful as that which relates to our prisoners of war. If anything should be painfully clear by now, it is that the North Vietnamese will never be willing to give up our prisoners, as long as we remain unwilling to give up the war.

The purpose of the amendment is to make it plain that our national objective is complete disengagement. I do not know of a better way to serve the interests of our prisoners of war than to make that objective finally and unmistakably clear.

The President is not handcuffed. The military is not stifled. The bombing of the supply lines is not interfered with. The giving of protective cover to our troops, as they withdraw, is not affected.

The amendment asserts congressional responsibility, which Congress for so long has shirked, to participate with the Executive in the formulation of a national purpose, to come out of Indochina and to come out completely. This amendment would put to rest, once and for all, all the talk about a residual force of 50,000 men that will continue to give aerial, logistical, and naval support to the South Vietamese keeping us there for many years more.

I hope we shall not fail again to assume a responsibility that is logically, constitutionally, and morally ours. We should declare the national purpose, one that is not inconsistent with the avowed objectives of the President, but one that will finally put to rest the whole notion of a residual American force and continued American participation in the war. After all, the South Vietnamese are armed to the teeth, their army is over a million strong. We have given them the tools to protect themselves.

The time has come for them to assume this responsibility and for this Senate to say so.

I believe, therefore, that it will serve the best interests of this country—and our prisoners of war—for us to retain the Cooper-Church amendment in the bill, and I hope that the Senate will do so.

Mr. FULBRIGHT. Mr. President, how much time is left?

The PRESIDING OFFICER (Mr. ROTH). The Senator from Arkansas has 7 minutes remaining, and the Senator from Pennsylvania has 5.

Mr. FULBRIGHT. I thank the Chair.

Mr. President, I will say only a few words more. Much has been said on this matter. I believe that a threat by any President to the Senate that he might veto whatever action the Senate takes is enough in itself to influence the outcome of a vote. I do not know what has come over the Senate, if it is now thought to be appropriate to come and tell this body it has got to do what the President says, or else.

Another aspect of this threat is that a number of Senators who voted to strike the amendment say they will vote against the bill, that they will vote against it no matter what happens to it, that they are against the bill.

I do not understand why any one who is opposed to the bill would vote in favor of the Scott amendment.

Mr. SCOTT. Will the Senator from Arkansas yield for one comment?

Mr. FULBRIGHT. On the Senator's time, yes.

Mr. SCOTT. On my time, all right. Has not the Senator heard other Senators here, who are advocating amendments to the bill, say they would vote against the bill? That is the end of my time. The Senator is answering on his time. [Laughter.]

Mr. FULBRIGHT. I do not know what the Senator is referring to. If he is trying to insinuate that I shall vote against the bill, that remains to be seen. I have not said, as of now, that I will vote against the bill because it is possible—maybe not probable—but possible that the bill will be so improved in the course of this debate that I could support it. It is not one of my favorite bills, I may say. I think it has contributed greatly to our difficulties.

The distinguished Senator from Kentucky and the distinguished Senator from Idaho, as well as the distinguished Senator from Montana, in measures which are quite similar, are attempting to encourage the administration to end the war. None of them could possibly make the President end the war, just as we cannot make the President spend the money in an appropriations bill even though he signs it. This, in my opinion, is contrary to the Constitution and the President's oath to carry out the laws of the country.

All the Cooper-Church amendment would do, in my opinion, would be to encourage the country and the President to bring the war to a close at an early date.

But I do think this common threat to the Senate is not an appropriate way to make a rational argument in support of a position on which we are supposed to exercise reason and discretion.

I realize that the White House has ways of inviting people to breakfast and exposing them to allegedly secret information and their intentions and can influence people far beyond what anyone on the Committee on Foreign Relations can do. This was done by the previous administration. It is not new with this administration. I complained about the methods used by the previous administration for the same reason. I was a victim of those procedures. I have been very much ashamed of having been a victim of those procedures and having been misled.

But this is not a very complicated issue. The Cooper-Church amendment does not kill the bill, in my opinion. I hope that we can now proceed to a vote and once more express the opinion of this body that the war has gone on long enough and it should be brought to an end.

Someone said this amendment cuts off everything, that we could not even bomb to protect our soldiers. That is not so. This amendment does not do that. It says if they want to bomb, or whatever they do, it must be related to ending the war; it says we do not approve of any further expansion or escalation of the war; the amendment permits anything reasonably related to the withdrawal of our troops. It is as simple as that.

There is no need for me to say anything further, Mr. President, unless someone else wishes to speak on the subject. Does the distinguished Senator from Idaho wish to say anything further?

Mr. CHURCH. Mr. President, I am willing to relinquish such time as may remain to me.

Mr. SCOTT. Mr. President, the Cooper-Church amendment clearly states that funds shall be used only for the purpose of the withdrawal of forces. It does not say whether, with our prisoners of war still over there, the President may use such airpower as is necessary to present Hanoi with a difficult choice, a choice that they would make in favor of the prisoners of war or in favor of continuing bombing. This is a part of the issue. It is not the whole thing. It is part of it. I do not think the amendment does anything except to defer the return of our prisoners of war and defer the possibility of negotiations.

I have been told on various occasions that every time the Senate adopts something like this, Hanoi retreats further into its shell and is encouraged to believe that the American people are hopelessly divided.

I think it is time that we get together. I think it is time that we work together. I think if we wait until November 15, we will hear some things as to how that may change or what impact that might have on the effect of winding down the war.

In any event, we are not going to solve our problem here by legislative fiat. We are not going to solve it by this amendment.

What we will see, as I have said before, is the bill killed. I have already heard some rumblings from Senators around here that we might just as well table the bill and kill it and let Senators go home for the weekend. I do not know whether such a decision will be made or whether it has been made.

We are engaged in a self-defeating

effort in this regard. We are engaged in falling over our own feet to convince the American people that something will be done by this amendment.

What will be done by this amendment, I repeat, is to increase the likelihood of a veto. That is not a threat. Senators are entitled to know whether a bill will be signed or will not be signed. They are entitled to know the prospects in the other body.

Mr. President, I think each Senator is capable of making up his own mind on how he is going to conduct himself and how he is going to vote.

I hope that we will not continue much longer this process toward the dissolution of the bill.

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

The PRESIDING OFFICER. The Senator does not have enough time in which to suggest the absence of a quorum. He has only 1 minute remaining.

Mr. SCOTT. Mr. President, I ask that the additional time be charged to the bill, and I yield myself time on the bill for the purpose of suggesting the absence of a quorum. I now suggest the absence of a quorum.

Mr. CHURCH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CHURCH. Mr. President, is the request of the distinguished minority leader subject to objection in the light of the unanimous-consent agreement?

The PRESIDING OFFICER. It is not. The Senator is able to transfer time from the bill.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The question is on agreeing to the motion to reconsider the vote by which the amendment of the Senator from Pennsylvania (Mr. SCOTT) was agreed to.

Mr. SCOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCOTT. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Oklahoma (Mr. HARRIS), the Senator from Hawaii (Mr. INOUYE), the Senator from Washington (Mr. JACKSON), and the Senator from South Dakota (Mr. MCGOVERN), the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

On the vote, the Senator from Oklahoma (Mr. HARRIS) is paired with the Senator from Washington (Mr. JACKSON).

If presented and voting, the Senator from Oklahoma would vote "yea" and the Senator from Washington would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Idaho (Mr. JORDAN) and the Senator from Iowa (Mr. MILLER) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Idaho (Mr. JORDAN) and the Senator from Iowa (Mr. MILLER) would each vote "nay."

The result was announced—yeas 44, nays 48, as follows:

[No. 273 Leg.]

YEAS—44

Aiken	Hughes	Pastore
Anderson	Humphrey	Pell
Bayh	Javits	Percy
Brooke	Jordan, N.C.	Proxmire
Burdick	Kennedy	Ribicoff
Case	Magnuson	Schweiker
Church	Mansfield	Spong
Cooper	Mathias	Stafford
Cranston	McIntyre	Stevenson
Eagleton	Metcalf	Symington
Fulbright	Mondale	Talmadge
Gravel	Montoya	Tunney
Hart	Moss	Weicker
Hartke	Muskie	Williams
Hatfield	Nelson	

NAYS—48

Allen	Cotton	Long
Allott	Curtis	McClellan
Baker	Dole	McGee
Beall	Dominick	Packwood
Bellmon	Eastland	Pearson
Bennett	Ellender	Randolph
Bentsen	Ervin	Roth
Bible	Fannin	Saxbe
Boggs	Fong	Scott
Brock	Gambrell	Smith
Buckley	Goldwater	Sparkman
Byrd, Va.	Griffin	Stevens
Byrd, W. Va.	Gurney	Taft
Cannon	Hansen	Thurmond
Chiles	Hollings	Tower
Cook	Hruska	Young

NOT VOTING—8

Harris	Jordan, Idaho	Mundt
Inouye	McGovern	Stennis
Jackson	Miller	

So the motion to reconsider the vote by which Mr. SCOTT's amendment was agreed to was rejected.

Mr. McGEE. Mr. President, before I call up my amendment, I have agreed to yield to the majority leader.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, with the approval of all the interested parties, I ask unanimous consent that the Senate go into executive session to consider two nominations at the desk which were reported earlier today.

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

The PRESIDING OFFICER. The nominations will be stated.

U.S. DISTRICT COURT

The second assistant legislative clerk read the nomination of William C. Stuart, of Iowa, to be a U.S. district judge for the Southern District of Iowa.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The second assistant legislative clerk read the nomination of Earl E. O'Connor, of Kansas, to be a U.S. district judge for the district of Kansas.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

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

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

LEGISLATIVE SESSION

Mr. SCOTT. 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.

FOREIGN ASSISTANCE ACT OF 1971

The Senate resumed the consideration of the bill (H.R. 9910) to amend the Foreign Assistance Act of 1961, and for other purposes.

Mr. McGEE. Mr. President, I call up my amendments and ask unanimous consent that they be considered en bloc.

The PRESIDING OFFICER. The amendments will be stated.

The assistant legislative clerk read as follows:

On page 32, line 11, strike out "$565,000,000" and insert in lieu thereof "$605,000,000".

On page 37, lines 7 and 8, strike out "$614,400,000" and insert in lieu thereof "$636,400,000".

On page 44, strike out from line 10 through line 16 on page 47.

On page 47, line 22, renumber section 657 as section 655.

On page 51, line 14, renumber section 658 as section 656.

The PRESIDING OFFICER. The request has been made to consider the amendments en bloc. Without objection, it is so ordered.

Mr. McGEE. Mr. President, what I am seeking in this group of amendments—each is interrelated—is that we, in our minds and assessments, set Cambodia aside in a category by itself. I contend that Cambodia is not Laos or anything like Laos. The Cambodian question certainly is not like Vietnam. For those reasons, and because of the developments in Cambodia in the last several months, it acquires qualities and even capabilities quite unique.

Let me submit: Cambodia has no large or measurable guerrilla dissident group as one finds in Laos or in the three Laotian areas, if you will. It has no large dissident group such as has dominated portions of Vietnam.

Also, present in the tiny country of Cambodia are some 50,000 to 65,000 North Vietnamese troops, clearly there as interlopers, unsolicited, unwanted.

We find in Cambodia a government that has remained under some kind of pressure and assault, caught between the rivalries and the competitions of others in that part of the world; a government that, a year and a half ago, was said to be incapable of surviving 6 days, and then 6 weeks, and then 6 months, and yet it still is a government.

Therefore, as we are withdrawing from that part of the world, I would argue that

it is in our interest, in the Senate, to judge our proper procedures in regard to Cambodia on a level different from, and in a context in contrast to, the questions we have been measuring both in Laos and in Vietnam in other ways.

This, in essence, is the case I would make for special consideration, on the status of Cambodia. I am fully mindful of the genuineness and the depth of the misgivings of many of my colleagues, that they do not want to be caught off base and be led or stumble into, or inadvertently slip into, another Vietnam.

I understand that. But I believe the record is clear that we have this special circumstance and that everyone involved has his eyes open and that no one is going to slip into another Vietnam through Cambodia.

At the same moment, I would add that the President of the United States is living up to a commitment, as I assess his efforts in withdrawing the United States from that part of the world, with responsibility—and I underscore "with responsibility"; that a part of the President's opportunity to achieve that responsible withdrawal has come to hinge in some measure on the ongoing conditions that have arisen in Cambodia; And that, among other things, if in our attempt to hang a further restriction on the President while he is seeking a negotiated settlement as a way out of the area—as the preferred way out, if possible—it ill behooves the United States Senate at this moment to be prescribing ceilings or severe limitations over an area—the collapse of which and the dimensions of which do not fit the format that does seem to fit the areas with respect to which Members of this body have expressed apprehensions.

Thus, the amendments I propose would do 2 things: First, in terms of military assistance and supporting assistance, which this body has in its wisdom seen fit to cut across the board some 20 percent, I would exempt the 20 percent that applied to the funds that were marked for Cambodia and the 20 percent of the supporting assistance that was cut back from Cambodia. What that would mean in specific terms is that it would add in military assistance some $40 million only for Cambodia and that it would add $22 million in the equivalent 20 percent in the supporting assistance category. That is one area of my proposal.

The second area has to do with the suggestions of the able Senator from Missouri (Mr. SYMINGTON) and the equally able Senator from New Jersey (Mr. CASE) to fix ceilings, as the judgment of this body, on the monetary limitations that could be committed to Cambodia in the months ahead of the current fiscal year, as well as the manpower.

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

Mr. McGEE. I yield.

Mr. SYMINGTON. For the record, I would like it known that, after discussing the matter with the distinguished chairman of the Committee on Armed Services, he approved the same handling of this amendment as we did in Laos; that is, giving the administration all the money it says it requires, but retaining for the Congress the right to why, and for what reasons, additional money is required later on.

I say to the Senator from Wyoming that we agreed not to set a ceiling. We are willing to give to the administration, in this bill, all the money they say they need for Cambodia. But the Senator from Wyoming does not want any limitation. Again, all we ask is that, before any more money beyond what they now say they need is expended, they will come back to Congress for additional authorization and appropriation. As I understand it, that is not satisfactory to the Senator from Wyoming.

Mr. McGEE. Yes. The Senator is correct.

I would hasten to add that my amendment was addressed to the pending bill as an amendment, not to the Senator's intentions after the conversations he has had with me and the conversations we both had with Senator STENNIS, the chairman of the Armed Services Committee. This is a subsequent development. But the amendable portion, the issue that is pending, remains section 655.

Mr. SYMINGTON. Mr. President, may I say to the Senator that if his amendment is defeated, it would be my obligation—and it is my intention—to offer a perfecting amendment which would give the administration all the money it says it needs in Cambodia.

So that the issue is clear: Does the Senate want to have any authorization authority with respect to Cambodia, or does it want to pass over its authority, give, without reservation, a blank check to the administration as to just what it does and will do in Cambodia?

Mr. President, I was not at the now famous meeting at the White House this morning, so I do not know the details. The Senator from Wyoming said he was there. I notice the ticker today states in part:

Senate Republican leader Hugh Scott warned today that President Nixon would probably veto foreign aid legislation if language restricting his options in ending the Vietnam war were included.

But Scott said the White House for the time being "has no position" on other proposed changes in the pending aid bill that would slash support of the United Nations for its expulsion of Taiwan and reaffirm U.S. military commitment to Chiang Kai-shek's government.

Scott relayed the administration's positions to newsmen after an early morning briefing by Dr. Henry A. Kissinger, Nixon's national security adviser, who has just returned from a second trip to Peking.

"Dr. Kissinger indicated to a group of Senators this morning that if the Cooper-Church and Symington amendments were in the bill, he does not see how the President could find it possible to sign it," Scott said.

"I think the administration would rather have no foreign aid bill at all than a bill which removes from it the opportunity to continue (peace) negotiations in Paris without the loss of options still in our hands. These amendments would remove vital options."

Scott said Kissinger did not link either amendment, "even indirectly," to his trips to Peking to arrange for Nixon's visit there now scheduled for after the first of the year.

I would ask my friend from Wyoming, if we authorize and later appropriate, all the money that the administration says it needs in Cambodia, why is that not satisfactory to the Senator unless he wants us to be sheep, driven any way the administration wants us driven?

If that is to be the course, why am I here as a Senator? What are the reasons for my being paid my salary if I say, "No, Mr. President, we will not accept the money you say you need. We want to give you a blank check."

That is what I cannot understand.

Mr. McGEE. Mr. President, the Senator from Missouri asks me a question to which I should like to respond, but I must respond by saying, first of all, that I do not want to knock sheep. A basic commodity in my State of Wyoming is sheep and we are very proud of the bands of sheep we have. But I do call into question the equation of Senators who disagree honorably on this question with acting like sheep. I think that every Senator here intends to act like a U.S. Senator, that is, with a deep sense of responsibility; and I would hope that my good friend from Missouri would accord the Senator from Wyoming that same expression of respect in that regard, as I do him.

There is no intention to roll over and play dead, no intention to become a rubberstamp of the President, or to give him a blank check. The picture is quite different.

Mr. SYMINGTON. The Senator from Wyoming and I had lunch together. I understood there were going to be no amendments of any kind on Cambodia today, went to the airport earlier this morning to leave town but could not get out because of the fog. Upon return, I was told by the staff of the committee that the Senator from Wyoming wanted to put in an amendment on Cambodia.

I want to be frank with the distinguished Senator from Wyoming, as I know he is with me. I thought that met with the Senator's agreement.

Mr. McGEE. I would say to my colleague from Missouri that the Senator from Wyoming specifically requested the Senate not to give the President any blank check; that the Senator from Wyoming specifically says he wants the Senate and his colleagues, in particular and in personal ways, to be most responsible as their principles and their consciences dictate. But, long since most of us have found in this body that sometimes we disagree on how the more responsible route should be sketched out, or which ways are the wisest ways to arrive at an agreed upon goal or objective. This is certainly one of those cases in point.

I served notice—as a matter of fact, the day before yesterday, because I was gone yesterday—that I was planning to offer the Cambodian amendment. I likewise served notice that hopefully it would be today, for a number of mixed reasons. There is no connection between the rather sumptuous breakfast at the White House with this Senator and the timing of the measure this afternoon.

This is the time—I was advised by our staff—that would be the most available

time, given the uncertainties still lingering in regard to this measure.

But I should like to respond specifically to the thrust of my friend's question, in light of the position of the Senator from Mississippi (Mr. STENNIS); namely, to put a ceiling on that which the administration concludes to be the total sum of what the administration asks.

Therefore, why cannot the Senator from Wyoming accept that?

The Senator from Wyoming cannot accept that because, as he tried to illustrate, Cambodia is not Laos and Cambodia is not Vietnam. I refuse to accept the suggestion that, because we do it in one case, or in the second case, that this becomes the basis for doing it in Cambodia. For therein lies the real point of the McGee amendment, and that is that Cambodia is a special case with different qualities in its own right. It is a small country that is not sorely divided by dissident minorities, as is the case in Vietnam and as is the case in Laos. It is an independent country so far. It is partially occupied, without request, without the wish of the Cambodians, by troops from North Vietnam—from 50,000 to 65,000, depending upon what estimate one wishes to accept.

It has its own, ongoing government, a government that surprised everyone by continuing to survive.

Thus, my position is that we do have a special case here. If it were not so late in the war and if we had not gone so far in meaningful steps to disengage honorably from that part of the world—in short, if the President had failed to live up to his commitments publicly to this country to disengage us, I could well reconsider my position, but he is in the midst of doing so and has been doing so now for a great many months.

My case is that I do not think it is the timing that should accompany the kind of motion, credential, or amendment suggested by my friend from Missouri.

It is the timing that I think is unwise at this particular moment. Cambodia permits of a separate judgment in this regard.

If we were preparing a new case for American procedures on foreign policy, if we were having a new move and deciding where the United States of America goes from here on the question of executive power and the responsibility of the Senate, that would be one thing. However, we are now in the process of closing out a war that has been under way in one form or another for 10 or 12 years, and we are getting there. We are getting out. I am only saying that is hardly the moment for the Senate to be second guessing on the matter, particularly as it pertains to Cambodia at this time.

So I reiterate, with all of the respect I have for my friends, the Senator from Missouri and the Senator from Mississippi, the chairman of the Armed Services Committee, that I move with great respect for both. I just happen to disagree with them on this because I think that the prospect of the President's moving without giving away all of the possible moves that we have and without giving away the ball game, as it were, while attesting who may come out on top, is still being measured in Paris. It is still being judged. When the final count comes in, I say that it would be the ultimate shortsightedness, to say the least, and perhaps foolhardy and disastrous, to say the most, to be meddling with this withdrawal effort in a way as promiscuous as is suggested.

If there was something in the record that indicated that we had made serious blunders in Cambodia and had done violence to the commitment of the people of the United States in that regard, if there is something to show that we had any kind of commitment with the Cambodian Government, it would raise a new question. However, the commitment has been made clear. There is no commitment to Cambodia. We are assured and reassured of this. There is no violence to the integrity of that commitment anywhere on the record.

Thus, I argue that indeed we have a case that requires our independent judgment, our judgment independent from the criteria of the yardstick we have sought to apply to Vietnam, or that we have sought to Vietnam and that we have sought to apply to Laos. For understandable reasons, but for reasons that also brought disagreement, I would like to disassociate Cambodia and the yardstick as applied to policies that are wisest there with the experiences we have already been through in Laos and Vietnam.

So, with that in mind, I would be prepared to yield the floor at this time. I would hope that the time consumed in our colloquy could be either reciprocated at a later time, if the need arises, or that we could have the time appropriately divided and charged to the two sides, whoever may be in control of the time. I ask unanimous consent that that be done.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. HANSEN. Mr. President, just before my distinguished senior colleague yields the floor, I would like to take advantage of this opportunity to say that I think he has spelled out very clearly and very plainly the proper distinction that should be drawn between Cambodia and the other Southeast Asian nations. It would be a fatal error, in my judgment, to assume that our thoughts and attitudes as they may be formulated toward other countries there ought to apply with equal efficacy to the nation of Cambodia.

I would hope that Members of the Senate will heed his persuasive admonitions, because I think they deserve the kind of serious consideration that his sponsorship implies.

It seems to me that for good and sufficient reasons many people believe we should either cut bait or get out of Southeast Asia and turn over the whole country to those who may succeed there. There are compelling reasons now not to take that course, as my senior colleague has pointed out. We are getting out of Vietnam and most people do not disagree with that course of action.

I agree with my senior colleague that we should not advertise ahead of time when we propose to leave there. However, we certainly do not believe in any manner at all that we ought to assume that the attitudes that may have been formed with respect to other Southeast Asian nations apply with equal validity to Cambodia.

I commend my senior colleague for the position he has taken. I shall support him.

Mr. McGEE. Mr. President, I thank my colleague from Wyoming for his overgenerous statements.

THE CAMBODIA CEILING

Mr. President, the Senate is being asked to set a limit below what the President has requested in support of the brave stand that the people of Cambodia are taking against a foreign invader.

We are asked to set this limit, against the President's advice, on the eve of his departure to Peking and Moscow on diplomatic missions of momentous importance. Instead of giving him a vote of confidence to strengthen his hand, we are asked to pare down the support for his new policy even before he has had a chance to show whether it will work.

I cannot in good conscience join in a vote of no confidence in these circumstances.

Let us look at the reason why some members of the Senate Foreign Relations Committee want to set this limit at this time. The reason is right in the report where it says:

> It was felt by many members . . . that a reduction in the funds available for United States operations in Cambodia would serve to restrain what they perceive to be a tendency to duplicate in Cambodia an entire range of United States supported programs of the type which have resulted in ever deeper and seemingly endless involvement in other countries of Southeast Asia.

There has been no lack of advertisement of this feeling either in the Senate or in the press. Nor has there been any lack of assurance from the administration that the old policies have been discarded. We all know that next month there will be an announcement of still further accelerations in the withdrawal of our troops from Vietnam. Moscow and Peking know this, too. Has the time not arrived now to stop just advertising our anguish and start instead supporting the President in his efforts to change policy?

Hasn't the time come to stop being haunted by the past and start looking at the future instead?

Just suppose for a moment that resistance in Cambodia should weaken on the eve of the President's trips. Do we want to appear as an accomplice to such an eventuality?

Do we want to weaken our support for a nation that is engaging some five divisions of North Vietnamese troops that otherwise might be redeployed to fight in Vietnam?

Do we want to risk slowing down the Vietnamization program and the withdrawal of our troops in this way?

Cambodia is not Vietnam or Laos. There is no secret war there. There are no American troops, only a small, agrarian nation invaded by its neighbor with an expeditionary force of some 65,000 men. It is a neutral nation whose eastern marshes had for years been occupied by

the northern invader, preoccupied with the war in Vietnam.

In February and March of 1970 the invader moved out of his sanctuary to attack his unwilling host, marching on the Cambodian capital and other key cities. He faced only a poorly equipped Cambodian Army of some 35,000 to 45,000 men. But those men were determined to fight. They have made their fight effective so far in part because of the allied incursions into the Cambodian sanctuaries in May and June of 1970, incursions which served the dual purpose of permitting accelerated withdrawal of our troops from Vietnam.

The administration is asking $34 million to continue our support for these gallant people. The money is needed for guns and ammunition, and one-third of it, for vehicles, spare parts, petroleum products, building materials, fertilizers and the like to sustain a military buildup that has torn thousands from their normal economic pursuits and loosed the kind of inflation that is always the real secret weapon of troublemakers in times of national emergency.

Other nations are participating in this support operation. This very week Cambodia and the International Monetary Fund announced an economic reform program in which many countries will participate with the aim of preventing inflation from sapping the strength of the Cambodia people and becoming the banker of corruption.

There is no evidence before us to suggest that the money being asked is too much for the objectives being sought. The reduction being asked by some members of the Senate Foreign Relations Committee in no way denies the gallant and heroic stand of the Cambodian people. We are asked to reduce this request only out of a combination of distrust for the President and fear of reviving the old policies of the past.

That is why I say we should now stop just advertising our anguish and start looking ahead. Let us not send the President off to Moscow and Peking with a vote of no confidence. Let us not lend credence to those who already may think he is traveling with his hat in his hand.

More than a year ago Cambodia appealed to the world for help against the invaders. It was reminiscent of another appeal 35 years ago, by the leader of another small nation, Ethiopia, that was wantonly invaded by Mussolini's armies. Then the world's great powers hung their heads in shame. The United States did not do that this time. The nearly unanimous vote in the Senate only last December sounded a much different note.

The legislation said then, and it says now, that the Senate's action should not be considered "as a commitment by the United States to Cambodia for its defense." Cambodia is not asking us to commit ourselves to its defense; only Cambodians have made that commitment.

But are we to say now that we are just too powerless to help? Are we to advertise this view to all the world on the eve of the President's trips?

The world is fully aware that the United States must establish priorities in the use of its wealth and power in the 1970's more stringent than those that prevailed in the 1960's This is no longer an issue either at home or abroad. But a nation that doesn't accord priority to foreign policy is a nation that dooms itself in advance in dealing with others.

Cambodia is the first, acid test of the Nixon doctrine. That test must not fail in the Senate of the United States before it has had a chance to work where it is supposed to work.

The PRESIDING OFFICER. Who yields time?

Mr. SYMINGTON. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 5 minutes.

Mr. SYMINGTON. Mr. President, in the fiscal year 1969 the administration asked for no money at all for Cambodia. In the fiscal year 1970, for $8.9 million. In the fiscal year 1971, $282 million. In the fiscal year 1972, $330 million.

We have studied the situation in Cambodia, and cannot agree there is no domestic insurgency in that country. The facts are American officials reported to us a growth in the Khmer Rouge from 3,000 in May of 1970 to 10,000 as of December 1970.

Mr. President, what the bill would do is simply set a ceiling on expenditures in Cambodia that could not be evaded by any executive branch department or agency, including the Central Intelligence Agency.

It would close any loophole regarding the transferability of Defense Department funds and the method of setting a value on excess supplies.

It would limit the future South Vietnamese ground operations in Cambodia.

It would prevent the Central Intelligence Agency from starting upon the kind of irregular training program it now has in Laos or, in fact, from beginning any large scale program in Cambodia without coming to Congress for authorization.

Based on testimony in open session it is now clear the Pentagon is not conducting the war in Laos. It therefore must be conducted by the Central Intelligence Agency.

Finally, we would establish a benchmark of the cost to the United States of all of our activities in Cambodia, a total which we have never established. No American citizen, no Member of the Senate, no member of any committee in the Congress, knows what we are spending out there. Surely we should have some guide for future years.

There was a time in the Senate when if people were told that this or that was wanted by an aide in the White House, that in itself would react against a bill.

Again, if the McGee amendment is defeated, I will ask for a perfecting amendment which will give every penny the administration now says it needs in Cambodia. In other words, we will follow the same course with respect to Cambodia that only a few days ago the Senate approved with respect to Laos.

Again also, the reason I object to the pending amendment is that it eliminates the Congress from having any authority as to what will or will not be spent in the development of our position in Cambodia. That is the issue, Mr. President. Do we or do we not, as Senators, deserve to have any say with respect to future money authorization?

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. FULBRIGHT. Mr. President, I yield myself 5 minutes.

Does the Senator from New Jersey wish to speak at this time?

Mr. CASE. No; any time will be appropriate.

Mr. FULBRIGHT. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 5 minutes.

Mr. FULBRIGHT. Mr. President, I think it would be a great mistake to increase the military aid by $40 million and supporting assistance by $22.4 million. This would result in an overall increase in the authorization for military activities of $62.4 million.

As to the Cambodian amendment, I very reluctantly supported the Senator from Missouri's amendment in committee because it was to some extent a limitation.

I regret he feels it is necessary to offer an additional amendment but nevertheless that was only a contingency in the event the present amendment is rejected.

In my opinion, the present amendment should be rejected. When I recall what the administration was then saying about Cambodia only last year, it only indicates how clearly we are moving toward an involvement which is ever deeper and from which it will be evermore difficult to extricate oursleves.

On May 5 of last year, Secretary of Defense Laird said at Fort Gordon, Ga.:

> We are not going to get involved with the Cambodian army or with military operations in Cambodia. This (Cambodian invasion) is not an operation to widen the war. It is an operation to help hasten the end of the war.

On May 8, in a news conference, President Nixon said:

> I would expect that the South Vietnamese would come out at approximately the same time that we do because when we come out our logistical support and air support will also come out with them.

Concerning, a May 13, 1970, news conference by the Secretary of State the following was reported:

> Asked at his news conference whether "what you are ruling out, only, is that we will not get involved directly, militarily, in supporting the Lon Nol government," Rogers replied, "That's correct. I don't believe our government has a commitment to Cambodia. Our commitment is to our own forces."

Then, on June 3 in his report to the Nation on Cambodia the President stated:

> The only remaining American activity in Cambodia after July 1 will be air missions to interdict the movement of enemy troops and material where I find that is necessary to protect the lives and security of our men in South Vietnam.

So time after time last year we were assured that it was not the intention of our Government to become militarily in-

volved in Cambodia. Recently we have reports of what happened in Cambodia—the abolition of their National Assembly, of any vestiges of what is called the democratic system. Suddenly we are confronted with the demand for a very large increase of money for Cambodia together with an abolition of democratic government.

It is very ironic that time after time we are told the purpose of our continuing the war in Vietnam and Cambodia is to assure them self-determination, and in the face of that, we see the establishment of military dictatorships.

In a very general way this whole operation strikes me as being quite inconsistent with what I believe to be—the way I interpreted it, at least—the policy of the President in initiating his trip to Moscow, both of which have been interpreted to mean he is seeking a detente, an accommodation, and, if you like, Mr. President, a normalization of our relations with the Communist world.

I recall the words of the Attorney General that we should watch what the administration does and not what it says. These actions, both here and in Laos, strike me as being quite inconsistent with the determination to seek a detente and a normalization of our relations with China and the Soviet Union. On the contrary, the actions, rather than the accompanying words, seem designed to transfer the war from South Vietnam into Cambodia and Laos.

My own view is that Cambodia is perhaps more sensitive and more dangerous in its potential effect upon the President's success in Peking than Laos. We all know that Prince Sihanouk, who was thrown out by the Army under the leadership of Lon Nol, the present Prime Minister, or dictator, I suppose is the more proper way to describe it, is now living in Peking. There are many evidences that the Government in Peking considers itself to have a special interest in the Government in Cambodia, one for which they regard with a special feeling of responsibility. I think the longer we prolong the war, and certainly we do so by expanding it in Cambodia, the more difficult it will become for the President to achieve any significant agreement with the Chinese looking toward the normalization of our relations with them.

I am quite puzzled by the inconsistency of this program and it is the one thing that raises a doubt in my mind about what the administration's purpose is in going to Peking.

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

Mr. FULBRIGHT. Mr. President, I yield myself 2 additional minutes.

Mr. President, I have stated on a number of occasions that I approve of the President's initiative in both of the cases I mentioned. I approve his going to Peking to seek to rectify what I think has become more evident was a mistaken policy originating back in the late 1940s in regard to China and to the Far East.

I had hoped that we were in the process of resuming a more sensible policy, the reestablishment of normal relations. The recent vote of the UN, regardless of how much we may regret the effect upon Taiwan, nevertheless was a step in the right direction with regard to China. It was a step which this administration favored and which I believe the country favored. But now to proceed to vastly increase our involvement in Cambodia seems to me to be designed to undo the good that has come out of the efforts at reconciliation with China.

In this connection I find an article in the New York Times of October 13 very disturbing.

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

Mr. FULBRIGHT. I yield myself 3 more minutes.

The article reads:

The Joint Chiefs of Staff are said to have designed a costly program of "pacification" and other unconventional warfare for Cambodia to protect South Vietnam's western flank as Americans continue their withdrawal from Indochina.

They have also proposed a series of budget devices to augment the funds that Congress will be asked to provide for expanding the Cambodian Army over the next five years.

The Chiefs submitted their program last month to Secretary of Defense Melvin R. Laird, according to Congressional sources. Mr. Laird, who has been bargaining with the Chiefs since June about the cost of the effort, is described as still reluctant about the latest version, which would double spending to about $500-million a year by 1977.

The article goes on, but I shall not read it all. This is an indication of what is in store for us if we continue to authorize and appropriate funds for expansion of the war in Cambodia.

I want to read another paragraph. Before doing so, I ask unanimous consent that the entire article be printed in the RECORD.

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

JOINT CHIEFS SAID TO DEVISE COSTLY CAMBODIA WAR PLAN

WASHINGTON, Oct. 12.—The Joint Chiefs of Staff are said to have designed a costly program of "pacification" and other unconventional warfare for Cambodia to protect South Vietnam's western flank as Americans continue their withdrawal from Indochina.

They have also proposed a series of budget devices to augment the funds that Congress will be asked to provide for expanding the Cambodian Army over the next five years.

The Chiefs submitted their program last month to Secretary of Defense Melvin R. Laird, according to Congressional sources. Mr. Laird, who has been bargaining with the Chiefs since June about the cost of the effort, is described as still reluctant about the latest version, which would double spending to about $500-million a year by 1977.

The final decision, however, will rest with a senior policy review group run by Henry A. Kissinger, the President's adviser on national security affairs.

How to protect Cambodia from the North Vietnamese forces and deny them the use of Cambodian territory for attacks against South Vietnam's population centers has become a major problem for Pentagon planners. As the American forces in Vietnam are reduced to 50,000 men, at the most, and come to rely on air power for operations in the rest of Indochina, the planners are looking to indigenous forces to carry the burden in ground combat.

With a first-year grant of $185-million in military aid and $70-million in economic aid, the Cambodian Army has already been expanded from 30,000 men in April, 1970—when American forces invaded the North Vietnamese "sanctuaries" in Cambodia—to a current strength of about 180,000. The Cambodians are said to have fought well, but most of them are no match yet for the 60,000 North Vietnamese in their country, mostly east of the Mekong River.

SAIGON'S TROOPS UNPOPULAR

South Vietnamese troops have periodically moved into Cambodia to help out, but they are no more popular among Cambodians than the Communists forces from the north and will in any case be needed for the defense of their own territory.

When the Joint Chiefs of Staff first considered the problem last June, they proposed a 1971–72 military aid program of $350-million, Congressional informants report. Secretary Laird said that he could not afford that much and that Congress would not support such an increase.

The chiefs said that with $200-million in military aid they could not increase the size of the Cambodian Army, but for $275-million they could expand it to 225,000 men. Mr. Laird's budget pruners said that such an increase in strength could probably be achieved with $252-million.

But as finally submitted to Congress, the Cambodian aid program called for $200-million in military aid, $110 million in economic assistance and $15-million worth of agricultural commodities, for a total of $325-million. This was a net increase of $61-million over last year's allocations.

ALTERNATE PLANS OFFERED

Nonetheless, in explaining their elaborate military plans to Mr. Laird, in a memorandum dated Aug. 30, the Joint Chiefs indicated that they could get around the limit on military spending and proceed with the build-up.

According to informants, the Chiefs offered four different ways of generating an additional $52-million so as to add 40,000 troops to the Cambodian Army and also raise the "paramilitary" force of armed civilians to 143,000.

The first way would be simply to transfer $52-million from the economic aid program to military spending, which can be done later in the fiscal year simply by the Administration's notifying Congress. The second way would be to use the economic aid fund for the purchase of all "common use" items such as trucks and jeeps, which have military as well as civilian value, thus freeing other military funds.

A third way would be to increase procurement for the United States Army by $52-million and give the materiel to the Cambodians, for "repayment" later. The fourth way would be to make some exceptions in Defense Department supply regulations, declaring additional equipment to be "excess" and delivering it to the Cambodians.

The Pentagon planners said they were looking ahead to further increases in the Cambodian Army, so that it would number 256,000 men by mid-1973 and more than 300,000 men by 1977. The paramilitary units, they believe, must be augmented to nearly 200,000 by mid-1973 and more than 500,000 in 1977. This would mean arming about 10 per cent of Cambodia's population of 7 million, or nearly half the adult male population.

The Joint Chiefs would provide for a mechanized brigade, an artillery brigade and coastal patrol units, as well as ground troops and extensive logistic support. They would look to the Agency for International Development to help finance the paramilitary defense forces, including the police. The Central Intelligence Agency would be asked to

mount additional programs and to provide airlift support.

The program of activity drawn up by the Joint Chiefs is divided into four headings, labeled "Pacification," "Unconventional Warfare," "Psychological Operations" and "Civil Affairs." The country would be divided into eight pacification areas and this program would be supervised by a new United States Deputy Ambassador—as in South Vietnam—in a new embassy structure.

The Pentagon would also establish a three-nation military committee with the Cambodians and South Vietnamese, in which the Defense Department would be represented through Gen. Frederick C. Weyand, the deputy commander of American forces in Vietnam.

Mr. FULBRIGHT. I want to call attention to this paragraph:

The Pentagon planners said they were looking ahead to further increases in the Cambodian Army, so that it would number 256,000 men by mid-1973 and more than 300,000 men by 1977. The paramilitary units, they believe, must be augmented to nearly 200,000 by mid-1973 and more than 500,000 in 1977. This would mean arming about 10 percent of Cambodia's population of 7 million, or nearly half the adult male population.

Mr. President, I cannot think of a more certain path to further and serious disaster for this country than to follow the program of the Joint Chiefs described in this article.

This particular authorization, it seems to me, is simply the first step along that road. When we contrast that with the assurances given us last year by the same administration about its purposes in Cambodia, it certainly leaves room for very serious doubt.

Secretary of State Rogers, in discussing this matter with the Committee on Foreign Relations last April, said as follows:

Undoubtedly even though the request is for military assistance now, it would lead to a request for military advisers and if the going got tough after we had military advisers undoubtedly we would be confronted with a request for military aid in the form of troops, and it might well be that we would have a repetition of what happened in South Vietnam which, of course, would be, I think, a very serious and unfortunate situation.

That was the Secretary of State's statement in April of last year.

I simply cannot understand, it is beyond my comprehension, why the Senate would wish to encourage the expansion of the war into Cambodia, and the assumption of full responsibility for arming one-half of the adult population of Cambodia. What possible good can come of such a policy?

This policy is, in my opinion, almost certain, if we carry it through, to create a very serious problem for the President, if he is serious about seeking normal relations with the People's Republic of China.

While I personally did not approve even of the $250 million ceiling, I went along with it because it was an attempt to cut back on the proposal by the administration.

I realize, in view of the recent votes in this body, that there seems to have grown in the Senate the feeling that we are not to take any responsibility in decisions of this kind. We did not take any responsibility in the decisions over control of affairs in Vietnam. I shall not recall that sad history, but it cost us a great deal. We should have taken that responsibility. I regret very much that we did not. But the cost has been enormous.

I think we are simply starting down the road, as Mr. Rogers himself stated, toward what could be a very serious and unfortunate situation.

Whenever I or other Members of this body have raised doubts about the determination of the administration to act to fully disengage from Indochina, we are accused of questioning the administration's credibility, and so on. Some of my colleagues become very irritated; but I am unable to reconcile the program of expanding the war in Cambodia and in Laos with any real determination to end the war in Indochina altogether. It is more consistent, on the other hand, with a plan to strengthen our military forces in Cambodia, Laos, and Thailand for the indefinite future—in other words, a plan for not disengaging in Indochina or in Southeast Asia.

This is a very broad and important policy decision. If we do not wish to continue to seek military domination in that area, to maintain a military presence there, then we should not proceed to give the amount of money to create the kind of armed forces that this authorization would provide.

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

Mr. FULBRIGHT. I yield myself 2 more minutes.

I went along with the limitation in the bill by the Senator from Missouri, large as it is, $250 million, although, as I said, it is larger than I like, because I thought it was at least a restriction. But now the Senator from Wyoming proposes to remove the limitation altogether, or actually to increase the amount to be spent in Cambodia. I would certainly prefer the original proposal of the Senator from Missouri if I had to make a choice between it and the amendment of the Senator from Wyoming, which has no limit at all, and which amounts to a reaffirmation of the principle that the Senate of the United States has no business trying to exercise an influence upon policy decisions involving an indefinite military occupation of Southeast Asian countries.

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

Mr. FULBRIGHT. I yield.

Mr. SYMINGTON. I put figures in the RECORD before, but will repeat them: In fiscal 1969, nothing was asked for Cambodia.

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

Mr. FULBRIGHT. I yield myself 5 minutes.

Mr. SYMINGTON. In fiscal 1970, $8.9 million was asked for; In fiscal 1971, $282 million; in fiscal 1972, $380 million.

Our committee sent investigators to Cambodia. They went at it thoroughly. I do not want to take more time as to disagreements, but based on what they told us about some of the statements made by the Senator from Wyoming on the floor this afternoon are not right. Again, however, I would confine this discussion from my point of view to one basic issue.

Does the Senate want to have any position when it comes to authorization and/or appropriation of funds for the Federal Government? If the amendment of the Senator from Wyoming is passed, it would be to me, and I believe to any objective person, a blank check.

Mr. FULBRIGHT. That is right.

Mr. SYMINGTON. Under such policy, how could anyone challenge a statement that the Senate was becoming the House of Lords, even less, a figurehead in our Government despite the constitutional division of powers?

Mr. FULBRIGHT. The Senator is right. It is a complete abdication of any responsibility by the Senate, and I, of course, am utterly opposed to it, as I have said.

I applaud the Senator from Missouri for making the effort, and I certainly do not criticize him for offering the perfecting amendment, as a practical matter, to try to retain the principle, at least, of participation by the Senate.

I still cannot reconcile myself to this vast increase in Cambodia, because I think it runs counter to what we have been led to believe is the policy of this country with regard to withdrawal from Southeast Asia.

So I do not criticize in any way the Senator from Missouri. He is seeking to establish a principle with which I am in agreement. But beyond that, I think it is a disaster for us to go down the road of this enormous involvement in Cambodia.

Last year the administration spent over $110 million before they ever asked Congress for anything, by borrowing it from other sources. There was no authorization at all. Of course, the facts are that the present administration, like its predecessor, does not believe Congress has anything to add to the democratic process of government. The only thing they think we are good for is to appropriate whatever they would like. But when it comes to questioning what is the policy of the country and what the money is spent for, we are out of order, in the eyes of the executive branch.

This attitude is nothing new; it has been growing ever since we became involved in these wars.

I cannot, in good conscience, approve of a program for enlarging the war in Vietnam or Cambodia, although I understand the principle the Senator is trying to establish.

Mr. McGEE. Will the Senator from Arkansas yield?

Mr. FULBRIGHT. On the Senator's time.

Mr. McGEE. On my time, yes.

Mr. FULBRIGHT. I yield.

Mr. McGEE. I want to address myself to a couple of points the Senator has raised. The first is the New York Times and other newspaper reports of the asserted grandiose plans of the military for rather ambitious programs in Cambodia. It is my understanding, having been through that with my chairman in the committee, that there is a great difference between the contingencies and any number of preparations that are projected and those that may even be seriously considered at all.

We have the assurance, again from Secretary Rogers, who made the original

statement that the chairman has just alluded to, and all the way down the line, that under no circumstances are they even looking at figures such as those that were reported in the press; that as a matter of fact it is a far more modest picture that results from the hard facts of life that now confront Cambodia, an independent country, still independent, still mostly united, but being assaulted by the presence within its borders of some 50,000 to 60,000 foreign troops. And that, as there has been a withdrawal from South Vietnam, it is almost inescapable and unavoidable that during such a transitional period, there would have to be some adjustment in other ways, such as military assistance or supporting assistance. I do not think you can have it both ways simultaneously.

Thus, I would hope that we could keep the real relationship of the military program in Cambodia down to size and in proper perspective. There is no American military expansion in Cambodia. We have no troops in Cambodia. And I might say that in terms of the Senate relinquishing its responsibilities or forfeiting its obligations, becoming a rubberstamp, or giving a blank check, the Senate of the United States has abdicated nothing. We still ride herd on the authorization. We still ride herd on every penny that is to be spent. For that reason, I refuse to accept the suggestion that somehow we are running away from something here.

Mr. FULBRIGHT. With all deference——

Mr. McGEE. There is nothing in my amendment that would change the authorization. There is nothing in my amendment that would change the ceilings under which we operate. There is nothing in my amendment that would even change the legislation of the Senate that there shall be no commitments undertaken by anybody with respect to Cambodia.

Mr. FULBRIGHT. What the Senator wants is no ceiling at all. He just wants to take no position. Why does the Senator object to there being a ceiling?

Mr. McGEE. The answer to that is very simple. There is an overall ceiling on military assistance, and no one can increase it. My objection is that with those ceilings, without our authorizing and appropriating process, I do not think we lend our diplomatic process any credibility or our bargaining power any muscle, by advertising new impositions of restrictions by this body. I do not think it belongs there at this time, this late in the withdrawal from a long and protracted war in that part of the world. I do not think it involves in any way giving up our role in this body. We are still scrutinizing appropriations; we are still imposing ceilings on appropriations, and none of this changes that in any way.

Mr. FULBRIGHT. In effect, what the Senator is doing is saying that the whole amount of this authorization for military assistance could be spent in Cambodia if the President wishes. He does not wish to take any responsibility for Cambodia himself.

There is no ceiling, or even any information. You just give them what they ask, but they apparently do not want a ceiling, even at the amount they asked, because the Senator from Missouri has stated he would give them what they asked, although I would not do so. But the Senator from Wyoming does not want any ceiling at all.

Mr. McGEE. No, the Senator from Wyoming has not touched the ceiling. He has not mentioned any single ceiling this body has imposed.

Mr. FULBRIGHT. What is the effect of the Senator's amendment if it is not to delete the ceiling imposed by the amendment of the Senator from Missouri? I cannot follow the Senator's reasoning at all.

Mr. McGEE. My reasoning is that we have two courses out of the war right now, that are available to us: the negotiations going on in Paris, and unilateral withdrawal at x time down the road.

I think that most would still hold that if it were possible to negotiate a withdrawal—it is more dignified—you get more quid pro quo. It may not be possible, but the option is still there, and I think we encroach upon the possibility when we inject this arbitrary figure.

But this overall ceiling on military expenditures, I have not objected to. That is the simple explanation.

Mr. FULBRIGHT. But there is $565 million authorized for military assistance. The Senator would permit spending all of that in Cambodia, if the President wishes to.

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

Mr. FULBRIGHT. I do not have the floor. The Senator from Wyoming has the floor.

Mr. McGEE. I responded on my time. I assumed the Senator from Arkansas was responding on his. It does not matter that much; I yield to the Senator from Missouri.

Mr. SYMINGTON. I thank the able Senator.

In support of the position of the Senator from Arkansas, there was a point in time in the Laotian situation when the total amount of money the people of the United States knew was being spent in Laos was $52 million; and this when actually over $1.5 billion was being spent for activities in and over that country. We finally straightened that out. They still got their money, but at least Congress had knowledge of it.

The Senator speaks of our approaching the end of the Cambodian operation. Actually, the Cambodian operation is only beginning. It started in 1970, and this is 1971.

Where did they get the money which they spent in Cambodia, the $110 million? They simply took it from other programs, without our knowledge.

All we are trying for here is accountability for the money spent when they spend it.

I say in all good conscience—does the Senator from Wyoming know whether there is any accuracy in the various reports about major additional plans for Cambodia, far larger than anything we have talked about or heard about? Are there any new plans he was briefed on this morning at the White House which the rest of us do not know about? There have been many such reports in the press.

The whole Cambodia operation has been run without adequate authorization or approval, let alone actual appropriations. If this amendment goes through, in effect, anything can be done in Cambodia in the future as has been done in the past—without knowledge of the Congress.

Mr. McGEE. I cannot agree with the Senator.

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

Mr. McGEE. I should like to respond on my time. Is that permissible?

Mr. FULBRIGHT. I want to yield to the Senator from New Jersey, who has been seeking recognition.

Mr. McGEE. If I may respond to the Senator from Missouri, I will conclude, so that the Senator from New Jersey may proceed, if that is agreeable.

Mr. FULBRIGHT. Yes.

Mr. McGEE. Otherwise, it will lose its relativity to the comments of the Senator from Missouri.

It is my recollection, in all of the Cambodian questions, that as this question emerged from a limbo in which it had rested uneasily for many years, because of a kind of detente that all sides seemed to respect for a very long time, there were North Vietnamese troops in Cambodia at the same time they were not wanted there by the Cambodian Government, even by Prince Sihanouk. In fact, at the time he was replaced as the head of his government, he was in Moscow petitioning for assistance to try to get the North Vietnamese out of his country.

That uneasy situation exploded in the process of withdrawal from Vietnam because of the exploitation of sanctuaries along the frontier. For that reason, Cambodia became a special geographical factor in the policy consideration.

As a member of the Appropriations Committee, I might say that it is my recollection that, as the need in Cambodia developed, the request was submitted to us. We approved it, and ultimately it was measured in supplemental appropriation terms.

I reemphasize that the ceilings are here. It would be inconceivable to imagine that the President would absorb or lap up all military assistance funds that are likewise committed to ongoing programs in other parts of the world. I think it is unrealistic to assume that he is going to seize that sort of thing and move them all into Cambodia.

We have a specific set of guidelines. We do not have to go to breakfast to get those. They are as public as the New York Times and the Pentagon papers. We have, likewise, a description of the personnel there. An American military presence is conspicuous by its absence, and we are assured that it is not about to move in there. Congress has decreed that it not move in there. Congress has further decreed that there should be no commitment to Cambodia—period.

It is within these ground rules I have suggested, therefore, we ought to keep our cool on this situation and at least try to give the President the benefit of

the doubt, since this is a completely different set of circumstances requiring that we not hamstring, through the public approach the Senator from Missouri suggests, in the pending foreign aid bill.

I might conclude that point with the reminder that the military program in Cambodia, an independent country so far, now includes, I am advised, 180,000 troops, most of whom are armed with relatively simple military equipment. But it is necessary, if they are going to defend themselves and are not going to be defended by someone else, that they have some means of defense. At the time Sihanouk left the country, they were a loosely slung collection of bands of quasi- and para-military organizations. In terms of paramilitary groups that were talked about in some of the news releases, I would say that we ought not confuse those with anybody's military standards. A group armed with shotguns is hardly an effective military force. It is a local policing operation in the immediate village.

So it is important, I would argue, to allow Cambodia, as an independency that is generally united, that still has a government which is on-going, at least the dignity of being able to cover its flanks and, incidentally, to cover our withdrawal flanks in the process. I do not see that that does violence to the Senate, to the integrity of any Member, or to the wisdom of a policy that says that we should withdraw from Southeast Asia with responsibility.

Mr. FULBRIGHT. Mr. President, I yield to the Senator from New Jersey whatever time he desires.

Mr. CASE. Mr. President, how much time do we have on our side?

The PRESIDING OFFICER. The Senator from Arkansas has 23 minutes remaining.

Mr. CASE. I should like 5 minutes, or perhaps 10 all together.

Mr. FULBRIGHT. All right.

Mr. CASE. Mr. President, I am a cosponsor of the amendment that the Senator from Wyoming would seek to strike from the bill.

My particular contribution to that restriction on our operations or activity in Cambodia was the part dealing with the ceiling of 200 American personnel and 50 third country personnel of other countries. Senator SYMINGTON and I pooled our amendments, and the joint amendment was adopted by the Committee on Foreign Relations by a vote of 10 to 3, as I recall.

I disagree with nothing that has been said in support of retaining the committee language in the bill. I would go a little further in some respects. It seems clear to me that we in Congress not only have the right but also the duty to examine the Cambodian question and to make our independent decision.

I believe that in the circumstances we have a duty, before granting the request of the administration to find out what are the long range administration plans for Cambodia. We should have this information in any event before we make current appropriations or current authorizations. We ought to know what, in the judgment of the administration, the proposed funding level would lead to in the future. We cannot make an intelligent decision ourselves unless we know that.

The future administration's plans take on particular importance because we have evidence that has not been challenged in any way as to what the Joint Chiefs of Staff consider necessary for a military solution in this small part of Indochina. I am, of course, referring to the New York Times article which the Senator from Missouri and the Senator from Arkansas mentioned.

The Joint Chiefs say they are going to need 220,000 Cambodians in the regular Military Establishment this year and a very large number in paramilitary forces establishment. Moreover, they project a need for more than 800,000 Cambodians under arms by 1977. Under this plan, the cost to the United States will more than double over the next 5 years.

I do not challenge the military judgment of the Joint Chiefs of Staff as to what is necessary, but if the Joint Chiefs are correct on what is going to be necessary to achieve a military solution, then the policy of achieving that military solution is the wrong policy.

The chairman has mentioned reports—and they have not been challenged—that the 170,000 currently in the Cambodian military establishment will increase until by 1977 half that little country's able bodied men will bear arms. And this militarization of Cambodia will be done at the expense of the American taxpayer. The Cambodian economy has already been virtually destroyed by the war, so we will be paying the cost of supporting 7 million Cambodians.

Well, we should do so, if we put them into this position by means of our military aid. There would be a moral obligation on our part not to leave them. But the question facing us is whether or not we want to undertake that moral obligation; whether or not we want to undertake the moral responsibility for deciding if Cambodia shall be on a war basis for the next generation, or indefinitely:

That is what is involved here. It is not just a question of a little more money or a little greater strength. It is a question of making decisions now that will make inevitable American involvement or withdrawal. If we choose involvement, then the involvement will take on an indefinite character because there is no other way, if the course projected by the Joint Chiefs of Staff is followed.

It is up to us to say no.

Mr. FULBRIGHT. I think that is exactly the real point. It is not just the money or the difference between $250, $290, or $300 million. That is not really the question. The time to make the decision is when we first undertake the obligation to go forward with the plan and pledge to go down the line. If we give them this now, it will be an approval. If we retain the ceiling the committee put in, at least we express a view as to policy, even though we give them the money. That is one virtue of the Senator's amendment and that is the reason I support it.

If we take the other view, then we have declined to take any position on the broad policy the Senator is talking about. That is the way it seems to me.

Mr. CASE. Just let me make one more point on the argument of the Senator from Wyoming that we should allow the President flexibility so that it may be used at the bargaining table in Paris.

North Vietnam is not going to be persuaded to make any concessions unless it sees some advantage to itself by doing so. That has always been true in regard to the Vietnamese situation. There was never any real chance of the North Vietnamese making a deal in which they would be the losers. It has been perfectly clear from the beginning to everyone who thought about it, that America would not indefinitely support the war itself in Vietnam. It is, I suggest, equally true that the United States of America will not indefinitely support a war in Cambodia. There will be a time coming, Mr. President, when this will so go against the grain of the people of this country, the killing, and the destruction of a country, that America will not support it. The American people will not support indefinitely the kind of program that the Joint Chiefs of Staff say is necessary if a military solution is sought.

Thus, Mr. President, the time is now to decide that such a solution will not be sought.

There is no real flexibility in a military solution when everyone, including the North Vietnamese, must know that the alternative proposed by the Joint Chiefs of Staff is not something that the American people will support in the long run. It is not a sound long-term policy. In my judgment, therefore, we should not permit the kind of flexibility that will permit us, step by step, to get into that situation.

Accordingly, the time has come, I believe, Mr. President, when the Senate and the Congress as a whole must exercise their constitutional authority.

I therefore believe that to strike the Symington-Case amendment from the bill would be very unfortunate.

RESTRICTIONS ON AID TO CAMBODIA

Mr. DOLE. Mr. President, the McGee amendment is designed to restore the full amount of assistance—$330 million—which the administration believes is essential for Cambodia.

CAMBODIA AID IS GOOD POLICY

It is good policy to assist any free nation which is willing to conduct its own defense with our arms and equipment. It is particularly important to assist Cambodia now Cambodian self-defense efforts have a direct bearing upon the Vietnamization program and on the rate at which we can withdraw our troops from Indochina. Progress in these areas will be a direct result of our assistance to Cambodia.

CAMBODIAN FORCES HELP THE UNITED STATES IN SOUTH VIETNAM

Cambodian forces, assisted by South Vietnamese forces in east Cambodia, tie down the equivalent of five enemy divisions and have disrupted the enemy's supply lines. A drastic reduction in our support to Cambodia would release these enemy divisions for offensive operations comprising all that has been accom-

plished to date. By December, we will have withdrawn over 420,000 American troops from Asia—we cannot tie the hands of the executive branch by imposing arbitrary ceilings at this time. This program is designed to get our boys out of Vietnam not to involve us in Cambodia.

I believe the Foreign Relations Committee, in setting a $250 million limit on our assistance to Cambodia, acted on false premises which could result in prolonging American involvement in Southeast Asia.

THE FOREIGN RELATIONS COMMITTEE REPORT MISLEADS

The Foreign Relations Committee's report states that the executive branch has considered reducing the economic assistance program to Cambodia by $50 million. This is not correct. The administration's position on the Cambodian program has been that Cambodia needs assistance totaling $330 million, of which ($200 million will be for military assistance and $130 million will be for economic assistance). The administration has also made it clear that some adjustments might have to be made between these two assistance programs if circumstances in Cambodia should change.

The committee report also states that the $250 million limitation was designed to: "duplicate in Cambodia an entire range of U.S. supported programs of the type which have resulted in (sic) ever deeper and seemingly endless involvement in other countries of Southeast Asia."

In short, the committee is suggesting that policies designed to get us out of Vietnam are also going to get us deeply involved in Cambodia. I believe that an objective review of the facts would not sustain this conclusion.

CAMBODIAN NATIONALISM WORKS WITH US

Even before Prince Sihanouk was overthrown, Cambodia was caught up in the Indochinese conflict. On June 11, 1969, Prince Sihanouk publicly announced that his country was at war with North Vietnam and the Vietcong. Its territory was then being used by the North Vietnamese and the Vietcong as base and supply areas. Indeed, Prince Sihanouk was attempting to secure Russian and Chinese support to prevent increased North Vietnamese use of Cambodian territory when he was overthrown for internal political reasons.

When this occurred, the North Vietnamese abandoned all pretense of respect for Cambodian neutrality and began an overt invasion.

Faced with this onslaught, the Cambodian people rallied together. They joined the armed forces, which have grown from 35,000 to 40,000 in 1970, to 200,000 today. The Cambodian army is now regaining control of populated areas previously overrun by the North Vietnamese.

Cambodia is dissimilar to South Vietnam. There is no civil war in Cambodia. The Cambodian people have been attacked by the North Vietnamese directly. The North Vietnamese have been unable to draw more than a small number of Cambodians—approximately 5,000—to their side in military roles. Cambodian nationalism is aroused against a common enemy. Even untrained Cambodian troops—students for the most part—have taken the offensive against North Vietnamese veterans. There is no ambiguity in Cambodia. The people know that the survival of their country is at stake.

THERE ARE NO AMERICAN TROOPS IN CAMBODIA

The other thing which distinguishes Cambodia from Vietnam is that there are no American troops there. The Cambodians are fighting their own war with U.S. assistance and we are merely assisting a free nation to repel a foreign invasion with its own forces.

Our program in Cambodia has been limited to supplying them with ammunition and equipment.

THIS PROGRAM'S GROWTH IS MODEST

Let me turn to the criticism that this program is growing at an uncontrolled rate. Last year we provided $255 million; of which $185 million were for military grants and $70 million was for economic supporting assistance. This year the President has asked for an increase of $15 million in military assistance and $40 million in economic aid. In addition, he seeks a $20 million Public Law 480 program. The largest increase—in economic assistance—is to help meet the problems of a war shattered Cambodian economy. As far as proposed future increases are concerned, the Secretary of State has indicated that:

> The Department of State has reviewed these press reports and is pleased to report that they do not represent planning going on in this Department. Neither do they accurately portray planning material conveyed to this Department by responsible officials of the Department of Defense. The reports are in sum misleading and inaccurate.

THE PRESIDENT'S DIPLOMACY WOULD BE HELPED BY U.S. ASSISTANCE TO CAMBODIA

One last thought, the President will soon be visiting both China and the Soviet Union. His chances for reaching a responsible Indochinese settlement would be greatly enhanced by the success of Vietnamization, and by the successful application of the Nixon doctrine to the Cambodians, who, with our assistance, are fighting and winning their own battles. Our assistance to Cambodia is being looked upon by our friends and foes alike as indicative of our intent to pursue the Nixon Doctrine. It will be a signal to China and the U.S.S.R. that America will continue to assist those nations who are willing to accept primary responsibility for their own security. To pull the rug out from under the President now by imposing this restrictive funding would convey precisely the wrong impression—an impression of American indifference and vacillation on literally the eve of the President's momentous journeys for peace. I am convinced that American indifference would be as much a factor on the world scene as would be overzealous participation in the Cambodian war. The question we must all ask ourselves today is what becomes of this country and of the world we live in if we react to the tragedy of Vietnam by retreating from international responsibility.

Mr. FULBRIGHT. Mr. President, I wonder whether the distinguished Senator from Wyoming is ready to consider yielding back the remainder of his time so that we can vote on this matter. It is now 5 minutes after 6.

Mr. McGEE. It is agreeable to me.

Mr. President, how much time is left?

The PRESIDING OFFICER (Mr. GRAVEL). The Senator from Arkansas has 15 minutes remaining, and the Senator from Wyoming has 33.

Mr. McGEE. Mr. President, it is agreeable to me and I yield back the remainder of my time in order that we may get to a vote.

Mr. FULBRIGHT. Mr. President, I yield back the remainder of my time.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. GRAVEL). All time on the amendment has now expired.

The question is on agreeing to the amendment of the Senator from Wyoming (Mr. McGEE).

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. On this vote I have a pair with the Senator from Pennsylvania (Mr. SCOTT), the minority leader. If he were present and voting, he would vote "yea." I have already voted in the negative. I withdraw my vote and state that if I were at liberty to vote, I would vote "nay."

Mr. BYRD of West Virginia. I announce that the Senator from Oklahoma (Mr. HARRIS), the Senator from Hawaii (Mr. INOUYE), the Senator from Washington (Mr. JACKSON), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Maine (Mr. MUSKIE), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

I further announce that, if present and voting, the Senator from Oklahoma (Mr. HARRIS), the Senator from South Dakota (Mr. MCGOVERN), and the Senator from Washington (Mr. JACKSON) would each vote "nay."

I further announce that, if present and voting, the Senator from Alabama (Mr. SPARKMAN) would vote "yea."

On this vote, the Senator from Washington (Mr. JACKSON) is paired with the Senator from Alabama (Mr. SPARKMAN). If present and voting, the Senator from Washington would vote "nay" and the Senator from Alabama would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Idaho (Mr. JORDAN) and the Senator from Iowa (Mr. MILLER) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

Also the Senator from Pennsylvania (Mr. SCOTT) and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

The pair of the Senator from Pennsylvania (Mr. SCOTT) has been previously announced.

The result was announced—yeas 35, nays 52, as follows:

[No. 274 Leg.]

YEAS—35

Aiken	Dole	McGee
Allott	Dominick	Packwood
Baker	Eastland	Percy
Beall	Ervin	Roth
Bellmon	Fannin	Smith
Bennett	Fong	Stafford
Bentsen	Goldwater	Stevens
Bible	Griffin	Taft
Boggs	Gurney	Thurmond
Brock	Hansen	Tower
Buckley	Hruska	Young
Curtis	Long	

NAYS—52

Allen	Gambrell	Moss
Anderson	Gravel	Nelson
Bayh	Hart	Pastore
Brooke	Hartke	Pearson
Burdick	Hatfield	Pell
Byrd, Va.	Hollings	Proxmire
Byrd, W. Va.	Hughes	Randolph
Cannon	Humphrey	Ribicoff
Case	Javits	Saxbe
Chiles	Jordan, N.C.	Schweiker
Church	Kennedy	Spong
Cook	Magnuson	Stevenson
Cooper	Mathias	Symington
Cotton	McClellan	Talmadge
Cranston	McIntyre	Tunney
Eagleton	Metcalf	Williams
Ellender	Mondale	
Fulbright	Montoya	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Mansfield, against.

NOT VOTING—12

Harris	McGovern	Scott
Inouye	Miller	Sparkman
Jackson	Mundt	Stennis
Jordan, Idaho	Muskie	Weicker

So Mr. McGEE's amendment was rejected.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. SYMINGTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SYMINGTON. Mr. President, I send to the desk a perfecting amendment to H.R. 9910 and ask that it be read.

Mr. MANSFIELD. Mr. President, will the Senator withhold that request? The Senator from Montana is slightly embarrassed because he had reached an agreement with the distinguished Senator from Nevada (Mr. CANNON) to call up his expropriation amendment, a strengthening of the Hickenlooper amendment, so-called and then, because of a situation not anticipated, I asked him to postpone that until another amendment introduced by the Senator from New York (Mr. BUCKLEY) was offered and disposed of. Then, on the basis of an agreement, or, rather, an accord, with the distinguished Senator from Alaska (Mr. STEVENS), he indicated, depending on the outcome of the Buckley amendment, that he may or may not offer an amendment today, which will be the business tomorrow.

So, in view of the situation in which the Senator from Montana finds himself, will the Senator from Missouri, who, I understand, pledged his word, withhold that matter until tomorrow?

Mr. SYMINGTON. Could I ask whether it will be the pending business tomorrow?

Mr. MANSFIELD. Would the Senator from Alaska agree to that?

It will be laid down tonight and made the pending business, to be followed by the amendment of the Senator from Alaska, if feasible.

Mr. SYMINGTON. Mr. President, may I have the amendment read at this time?

The PRESIDING OFFICER. The amendment of the Senator from Missouri will be read.

The assistant legislative clerk read the amendment, as follows:

On page 44, line 14, strike out "$250,000,000" and insert in lieu thereof "$341,000,000".

On page 44, line 20, strike out "$250,000,000" and insert in lieu thereof "$330,000,000."

The PRESIDING OFFICER. The Chair now recognizes the Senator from New York (Mr. BUCKLEY).

AMENDMENT NO. 537

Mr. BUCKLEY. Mr. President, on behalf of myself and Senators ALLEN, ALLOTT, BROCK, DOMINICK, GOLDWATER, HANSEN, and THURMOND, I call up my amendment No. 537.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

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

Mr. BUCKLEY. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent—and I think this has been cleared all around—that there be a period of not to exceed 40 minutes on the amendment, the time to be equally divided between the sponsor of the amendment and the manager of the bill.

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

Mr. MANSFIELD. Mr. President, may I say that, following the disposal of the Buckley amendment, it is the intention of the joint leadership to take up the Cannon amendment, on which there may well be a rollcall vote. So the Senate is on notice.

Mr. BUCKLEY. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. BUCKLEY. Mr. President, I ask unanimous consent to add the name of the Senator from Florida (Mr. GURNEY) as one of the cosponsors of the amendment.

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

Mr. BUCKLEY. Mr. President, I believe we can dispense with the further reading of the amendment.

Amendments Nos. 537 are as follows:

On page 29, between lines 21 and 22, insert the following:

"SEC. 108. (a) Section 301 of the Foreign Assistance Act of 1961, relating to general authority, is amended—

"(1) by striking out in subsection (b) 'Contributions' and inserting in lieu thereof the following: 'Except as otherwise provided in accordance with subsection (e) of this section, contributions; and

"(2) by adding at the end thereof the following new subsection:

"'(e) Notwithstanding any other provision of law, no appropriation shall be made for the payment of voluntary contributions by the United States to the United Nations Development Fund or to the world food program of the Food and Agriculture Organization of the United Nations, and no commodities shall be provided by the United States to the United Nations or any organization, program, fund, or activity of the United Nations, unless such voluntary contribution or provision of commodities has been previously authorized by legislation hereafter enacted by the Congress. Any such authorization shall not be given for a period exceeding one fiscal year.'"

On page 29, line 22, strike out "SEC. 108" and insert in lieu thereof "(b)".

On page 30, line 2, strike out "$139,000,000" and insert in lieu thereof $37,500,000".

Mr. BUCKLEY. Mr. President, the effect of the amendment is to eliminate, subject to further study and authorization, voluntary donations by the United States aggregating $101,500,000 in cash, and about $50 million in commodities, to two out of the dozen or so United Nations special agencies to which we have been regular contributors. These two agencies, the United Nations Development Fund and the United Nations/FAO world food program, parallel existing American foreign aid programs through which we annually make available between $2 and $3 billion for development and technical assistance, and distribute $1.1 billion worth of commodities. Therefore, the funds and commodities which the United States has been channeling through the United Nations for these purposes could just as readily be distributed through our own agencies with far greater assurance that they will be effectively utilized.

Before proceeding further, I would like to make it clear what this amendment does not do, and what it is not intended to be.

First of all, it does not in any way affect the mandatory contributions to the United Nations which we are required to make by virtue of our membership in the Organization. The mandatory assessments are obligatory as a consequence of our membership in the United Nations; and so long as we remain a member in the World Organization, I, for one, do not want to see the United States join France and the Soviet Union in their policy of selective compliance with such assessments.

Second, the amendment will not cause or contribute to the insolvency of the United Nations. These voluntary contributions have nothing to do with the maintenance of the basic functions of the United Nations Organization, its facilities, or administrative overheads. The only effect of the amendment will be to require that two collateral U.N. agencies trim back the scope of their activities.

Third, the amendment is not intended as a punitive measure in reaction to the defeat earlier this week of America's two-China proposal. It reflects, instead, a reassessment of the effectiveness and nature of the United Nations Organization which has been in process for some time, and which was brought to a head last Monday night by what a great majority of Americans regard, rightly or wrongly, as an act of grave injustice which has been especially revealing as to the nature of the organization which the U.N. has become.

Those who feel that the expulsion of the Republic of China was an unprincipled act taken in response to political pressures applied by Peking and her suitors, or motivated by the hope of gaining economic advantages in mainland

China, can hardly be expected to place a high degree of confidence in the manner in which various United Nations agencies will distribute the very large sums which we have been contributing to them. The amendment, in other words, reflects nothing more nor less than a loss of confidence in the United Nations which necessitates a more careful examination by the Congress of the extent to which the United States should channel her aid to underdeveloped countries through the U.N.

I have stated repeatedly in the last few weeks that while I support our continued membership in the world body, we should understand that that organization has developed into something quite different from the effective instrument for peace for which we had so feverently hoped at the time of its foundation. The United Nations has demonstrated time and again its inability to cope with major international crises for the reason that any proposal for U.N. action which even remotely inconvenienced the special purposes of the Soviet Union has been killed by her veto; and now that Peking has been invited to occupy a permanent seat on the Security Council, we can anticipate still further obstructions to any meaningful action by the United Nations in those areas which are most critical to world peace.

But the United Nations has proven useful and at times very effective in a dozen other ways. It provides a forum where nations, large and small, can let off steam, can express themselves; and as such, it has provided an important safety valve and face saver. The United Nations has been able to handle effectively such lesser peacekeeping missions as are relegated to it by the major powers, witness Cyprus. But most importantly, it is an instrument which facilitates international cooperation in an increasing number of technical areas which serve the mutual convenience and needs of member nations and which lie outside the scope of world politics.

The distribution of tens of millions of dollars worth of development funds and commodities, however, is something which is particularly subject to political pressures; and this being the case, I believe we have a strong prima facie case for preferring that the United States retain full control over the funds and commodities which it wishes to distribute to developing and needy countries.

The amendment now under consideration will leave intact our contributions to such well-established, well-known activities as the World Health Organization, the World Meteorological Organization, and the U.N. Children's Fund. It does provide, however, that before future voluntary contributions are made to the U.N. Development Fund and to the UN/FAO world food program, the Congress will have the opportunity to investigate their activities in detail and, in the light of the reassessment of the United Nations which is now being made by the American people, to make certain that such contributions will in fact be serving our national interests.

I hasten to add, Mr. President, that there is nothing in the slightest bit immoral or illegal in our taking such an attitude with respect to these contributions. The sponsors of this amendment are not suggesting that the United States demand the right to approve or disapprove the specific activities of those various U.N. agencies to which we are required to make contributions as a result of mandatory assessments. Rather, we are suggesting that the United States has the moral and legal right, and that the Congress has the responsibility, to exercise a high degree of care before making purely voluntary contributions aggregating $150,000,000 in value, to agencies over which we have little or no control.

Mr. President, I believe the Senator from South Carolina would like to have 5 minutes. I yield to him.

Mr. THURMOND. Mr. President, I thank the distinguished Senator from New York. I rise in support of the amendment of the Senator from New York.

I fully support the moves which are being proposed today to reduce our funding of the United Nations organization and its allied groups. Secretary of State Rogers was quoted in the paper the other day saying that we had paid more than our fair share and I think the action of the United Nations on Monday indicates the kind of gratitude that we are to expect.

The expulsion of free China from the United Nations and the seating of Communist China in her place is a defeat of the first magnitude for U.S. foreign policy. We must face the fact that in an organization to which the United States has been the single largest contributor from the beginning, we could not gain support for the clearly legal and moral position of keeping free China as a member. On the expulsion vote only Australia, Japan, Brazil, and South Africa followed our leadership, along with a group of less influential countries. Aside from those mentioned, not one of our traditional great allies nor even one member of NATO was with us.

The meaning of this defeat goes beyond the China issues itself. For it now means that the coalition of anti-American interests can inflict a similar defeat on any policy issue which affects the vital interests of the United States. It means that we will be faced with the choice in the future of supporting positions which are against our interests, or else being accused of obstructing world peace.

The reason is that we are now faced squarely with the fact that Communist Russia and Communist China can control the votes on such major issues. The United Nations has always been a source of Communist influence in subversion in the United States because such evil influences were carried on through agencies and diplomatic cover. Now, however, the Soviets, with their bloc of Socialist nations, and the Communist Chinese with their influence over some African and Asian countries, can agitate any issue in the propaganda forum on New York's East River.

We are faced, therefore, with the need for a fundamental reassessment of our Nation's role in the U.N., and a reduction of our excessive financial support.

Let us not act with any feeling of retaliation for the past. Let us rather act with a sense of prudence and foresight for the future. Since it is now clear that the majority of the United Nations can and will act against the cause of freedom, it is time to withdraw our support of the many multilateral activities conducted under the U.N. aegis. We can no longer afford to be paying the big dollars in support of activities which are contrary to our basic interests.

Ideally, the best course would be to reduce the level of our dollar support to the ratio of U.S. population to that of the population of all the members of the United Nations. This would cut U.S. support from approximately 38 to 6 percent. It would save the United States nearly $250 million a year. This approach has been proposed in the House and I think that it is a good effort.

However, the realities of the present situation are that we are now debating the very legislation which will authorize the voluntary contributions to the United Nations and other international organizations. As we know, there are two kinds of payments which we make to the U.N. and its allied agencies. The first kind includes the so-called assessed contributions which are required for membership; and the second category consists of the voluntary contributions which we make to various U.N. projects of a general nature. As a minimum, therefore, we ought to first examine the so-called voluntary contributions which we have been making with monotonous regularity over the years.

We come then to the category of voluntary contributions which, in the proposed list of $139 million, is considerably more than the $117 million which we paid last year in assessed contributions. Many of these voluntary contributions consist of humanitarian projects and certain worthwhile relief programs. In my judgment, our long-range goal should be to seek to take care of humanitarian needs through our own agencies so we will have control over the distribution of funds. However, I am in full support of the move we are now discussing to strike contributions to the United Nations Development Fund and the Food and Agricultural Organization. For the past 2 years we have given $86 million to the United Nations Development Fund and this year the request is for $100 million. As I have already pointed out, we do not have the ability to control, or even to influence significantly, the method in which these funds are distributed; and I think it is pointless to assist the development of nations which actively oppose our interests.

In the assessed contributions category, only slightly more than $50 million went to the administrative support of the United Nations itself. Others sent to such international organizations as the International Labor Organization, UNESCO, World Health Organization, and soforth. Some of these are plainly Communist dominated, such as the International Labor Organization. We have already set the precedent of withholding support to ILO for 2 years and there is no reason why we could not eliminate support to other dangerous or worthless U.N. activities. Thus, even the so-called assessed contributions can easily be reduced or eliminated entirely. Such a

reassessment of our support for the U.N. would work for the cause of peace because it would prevent the U.N. from engaging in operations which are contrary to the interests of freedom. I wholly support any kind of move which would reduce the assessed contributions.

Unless we demonstrate our will to cut these contributions—especially the so-called voluntary category—they become, in effect, an international tax levied upon us. Our national sovereignty will be eroded, and our freedom of action will be constrained. It is time for the United States of America to act with prudence and foresight to stem the collapse of our international leadership.

I thank the distinguished Senator for yielding.

Mr. BUCKLEY. I thank the distinguished Senator from South Carolina for his contribution.

I yield 5 minutes to the Senator from Colorado.

Mr. DOMINICK. I thank my friend from New York.

Mr. President, I just wish to say for the record that I am extremely happy to be a cosponsor of this amendment. It is not hard to see, from the amount of money we have been spending on the United Nations, that most of the countries up there are relying on the United States for primary financial support.

I remember very well when my colleague from Colorado was a Delegate to the United Nations as Senate representative some years ago, his coming back and making a report on the detailed financial troubles of the United Nations, and pointing out quite clearly that continued reliance on the United States was not the way that the U.N. programs were really going to be productive, but that we had to get a much broader and much wider financial representation in each of the programs if they were to be successful.

It strikes me that what the Senator is doing here goes along with that theory, because we are paying over and beyond our mandatory ratio in the support of the U.N. Development Fund. As long as we are doing that, we are exceeding, in a voluntary way, what we are required to do under our dues. We are, in fact, in the U.N. Development Fund alone, putting almost an equal amount of money into that one program as we are required to provide under the mandatory assessment.

It just does not seem to me to make any sense to have us disburse our money in this way, when what we ought to be doing is concentrating on those items which will be effective from our own foreign relations point of view.

So I am very happy to support the Senator from New York.

Mr. FULBRIGHT. Mr. President, does the Senator from New York yield?

Mr. BUCKLEY. I yield to the distinguished Senator from Arkansas.

Mr. FULBRIGHT. Could I just say a word on my own time? I was inquiring whether the Senator wished to yield the floor. I intended to speak on my own time.

Mr. BUCKLEY. Mr. President, I reserve the remainder of my time.

Mr. FULBRIGHT. That is all I want to do.

The PRESIDING OFFICER. The Chair recognizes the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I yield myself 2 minutes.

All I wish to say is that I personally favor the annual authorization of these programs. The committee provided a 2-year authorization rather than 1 year. I personally favored the 1-year. So that part of the Senator's amendment does not cause me any concern.

The real sticker of the amendment is striking the $139 million and inserting $37.5 million. I simply call attention to what this would affect. It affects not only the development program, but the Children's Fund, the Fund for Drug Abuse Control, the international atomic energy program, the Food and Agricultural Organization, the World Health Organization, and the International Secretariat for Voluntary Service. All those items are involved in this proposed cut.

I do not know how the Senator arrived at $37.5 million for all practical purposes the committee approved the amount requested by the administration.

At this time, I yield 3 minutes to the Senator from Maryland.

Mr. MATHIAS. Mr. President, I thank the distinguished chairman for giving me some time to speak very briefly.

The figure, of course, that the committee has reported reflects the request of the President. It reflects the administration's program, and I think as such deserves the consideration of the Senate.

Beyond that, I would like to point out the theory which underlies this kind of appropriations, and I should like to speak, not in my own words—and perhaps I can be helpful to the Senator from Colorado, who raised this question—but in the words of the report of the commission appointed by President Nixon which was headed by the former very distinguished Member of the Senate and former Ambassador to the United Nations, Henry Cabot Lodge. I shall quote from the recommendations in the report of the Lodge Commission.

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. MATHIAS. May I have 3 additional minutes?

Mr. FULBRIGHT. Yes.

Mr. MATHIAS. The Commission recommends that—

> An increasing proportion of U.S. technical assistance, official loans, and credits to the developing nations of the world be channeled through the multilateral agencies of the UN system.

Further, the Commission says:

> Every dollar of input by the United States to the UN Development Program helps to generate more than six dollars of actual development work by other nations.

Further:

> The Commission particularly urges that greater contribution be made to the UNDP. . . . Among officials and in all public testimony before the Commission, we found almost universal support for the UNDP as the most tangible success of the UN system. The very significant results thus far produced could be multiplied many times over in the years ahead. This will only happen if adequate resources are made available to the UNDP. . . . The Commission recommends that U.S. contributions to UNDP be significantly increased year by year to reach a minimum of $200 million by 1975, subject to a continuing improvement in the administrative efficiency of UNDP and the UN specialized agencies.

Mr. President, as I have said, these are not my words. These are the words of the Commission appointed by President Nixon, chaired by Henry Cabot Lodge. I think they are based on the evidence before that commission and they should be of great influence in persuading the Senate to turn down this amendment.

Mr. JAVITS. Mr. President, may I have 5 minutes?

Mr. FULBRIGHT. I yield 5 minutes to the Senator.

Mr. JAVITS. Mr. President, we are coming now to the heart of the argument: The United Nations rebuffed us on China. They were wrong. What they did was wrong. The question is, How do we react? The lawyers have a way of expressing it. The lawyers always say that it does not matter what the facts are.

My colleague from New York can talk all he wishes about the fact that we are not being punitive and we are not acting out of petulance or out of resentment, but what member of the United Nations is not going to write it down exactly as that, especially as this very move has been advertised for a considerable number of days as being exactly that? Indeed, it is my judgment that we lost votes in the United Nations which we badly needed because of the resentment of the fact that we threatened to cut off the money.

The best answer to this argument is that 8 percent of the people of the world have one-half the gross national product of the world, and that, with all our troubles, we still enjoy twice the average individual income of the people of any other country on earth.

Mr. President, we can take on the world if we wish, or we can try to live with the world. There is a great deal more here than appears from the face of this amendment. We can take on the world.

What is the $102 million being taken from? It is being taken from the underdeveloped countries, from the United Nations development program, and from the World Health Organization—their dearest programs. Interestingly enough, it is ironic that the UNDP is right now spending money to determine upon the validity of a project for navigation flood control and power between Greece and Turkey; and I should imagine that those who feel as this amendment reflects are not anxious to be hard on Greece. Nevertheless, they will be, if there is a material cut here.

Laying that aside, my point is this: The United States can give any notice it wants as to how tough it is going to get on policy or on collecting past installments, and so forth. But within a day or two after the China vote, to vote petulantly to cut these critical programs for the underdeveloped countries of the

world is doing ourselves the greatest harm possible. It is said that this comes at night, with 20 minutes of debate and with Senators not present to hear what is going on. But the question every Senator has to ask himself, whether he is here or not, is this: Do we want to take on the world because of the China situation, or do we want to stay in the world and work out our problems with the world?

I believe that Taiwan will become a member of the United Nations and that we will work out an accord with Communist China, and I believe that we are on the threshold of an era of 30 years of peace. But this is the turning. If we take this road, we are damning ourselves, in my judgment, to a Gibraltar, USA; to constant armament; to $120 billion, not $65 billion, in armament every year. It is absolutely the worst course for our country, especially as every man knows in his heart that if you get sore, you are generally wrong. We are sore, so we are going to cut the U.N. I hope very much the Senate does not make this terrible mistake.

Mr. ALLEN. Mr. President, I rise in support of the amendment by the distinguished Senator from New York (Mr. BUCKLEY). I think it is time that the U.S. Senate convey to members of the United Nations a sense of our firm determination to cease playing "Uncle Sucker" to that bankrupt forum which has assumed a remarkable likeness to the Biblical Tower of Babel.

It is unfortunate in my view that we have already appropriated $107 million dollars to that organization this year, including $52.4 million which represents the mandatory assessment for operating expenses of the organization.

The areas of financial assistance which remain possible for us to cut are included in the pending Amendment to the Foreign Assistance Act of 1961. Of all the appropriations contemplated in this bill, none are more ripe for slashing than funds earmarked for development programs and particularly funds for nations which have indicated their hostility to the United States. By my standards, hostility is reflected in votes which reflect the point of view that the extraordinarily serious matter of expelling a charter member nation of the organization is not a major question such as would require an affirmative vote of two-thirds of the members present and voting. This vote of expulsion marks a first in the history of the organization and the idea that the question of expelling a member could be accomplished by a simple majority vote is repugnant to the point of disgust.

Mr. President, let us consider the implications of this majority vote. The one-China arguments presented in support of ousting Nationalist China are arguments which may be invoked in the future—not alone on such questions as admitting new nations such as Korea, Vietnam, and most importantly, Germany. In addition, such arguments can be used to expel any of the existing member nations which may formerly have been a part of another nation merely by majority vote. Already, there are predictions that the United Nations will vote to expel Israel and admit the representative of the people of Palestine. Add to this the ghoulish prospect that all truly important questions before the Assembly may be made unimportant and decided by simple majority vote of the General Assembly and one can clearly see the specter of future Communist domination of that propaganda forum.

Nothing, Mr. President, more clearly dramatizes one of the many structural weaknesses in the United Nations which make it mandatory that the wisdom of our continued participation in the Organization be reevaluated.

I simply will not accept the proposition that there is not a possibility for a more effective organization to achieve any worthy purpose or undertaking now sponsored by the United Nations and principally financed by the taxpayers of the United States. If we must promote development of any foreign nation, why should it not be done in the name of the United States and not in the name of the United Nations?

Mr. President, according to press sources, the news of our defeat in the United Nations brought forth dancing, whooping, jigs on the General Assembly floor, crows from Peking, and cheers from the Kremlin. Well, it is time to let the nations of the world know—friend and foe alike—that the celebration is premature. We are not tied in perpetuity to that organization and our continued participation must be justified by valid reasons. The validity of past reasons change with time and circumstance and the time and circumstances of today require that we let it be known we will not be taken for granted. It is a foolish mistake to assume that this Nation will remain yoked as stupid oxen to the United Nations Organization in the face of continuing acts of irresponsibility by that organization.

Mr. President, the United Nations is, in my judgment, both morally and financially bankrupt. The sooner we recognize this fact, the sooner we can face up to the task of conceiving realistic plans for something to take its place.

The organization has resorted to the therapy of expulsion of members—a sort of bleeding to cure its ills. Let it continue to do so, but without our help. Let us realistically and optimistically look forward to something better. As a beginning, let us cut our assistance to the Uinted Nations to the bone—while we proceed apace with building strong, firm, alliances such as are capable of making constructive contributions to world development and enhance the worldwide vision and desire for peace on earth and good will toward man.

Mr. President, I share the views of many people and have often expressed the opinion that much of the development aid proposed under the current bill cannot be rationalized by invoking the memory of successes of the Marshall plan. There is a vast difference between helping restore economies of war-ravaged industrialized nations whose people are experienced and adept in the use of technologies of an industrialized society. This type of economic aid is not the same as that we are currently pouring out through so-called development programs for the benefit of newly hatched ministates. Too, we have proclaimed our indifference to their forms of government and to the nature of their economic systems. Consequently, many of the programs we fund do not combat the spread of Communist influence but, as often as not seem to encourage communism, or at least its first cousin, Marxist Socialism, in recipient nations.

Mr. President, I urge the Senate to send a message to all the world—we are fed up with our role of "Uncle Sucker" in the crude farce taking place in the United Nations.

I intend to vote to cut every cent that we can from any appropriation that helps finance that farce. I urge a vote in favor of the amendment.

Mr. HUMPHREY. I rise to oppose the amendment. It should be noted that in 1969 the U.S. contribution to the U.N. was less than in 1965 in voluntary contribution and yet the total of all other country voluntary contributions increased of over $124 million.

Also the United States has conformed to its assessed regular contribution which has declined over the years, in percentage terms.

Finally, when everyone talks about the Lodge Commission report with the target of 25 percent assessed U.S. contribution of total regular U.N. contribution, they fail to note that the report went on to say:

> In recommending that the U.S. seek a reduction of the percentage of its assessment for the regular budget, the Commission wishes to emphasize that it is in no way proposing any diminution of the overall commitment of U.S. resources to the UN system. Each reduction in the U.S. share of the regular budget must be clearly marked by at least a corresponding increase in U.S. contributions to one or more of the voluntary budgets or funds in the UN system.

The United Nations has many weaknesses, but it needs and merits our sustained and active participation. We have not been overly generous, in fact our contributions are limited in comparison to our gross national product. I shall vote against the amendment.

Mr. KENNEDY. Mr. President, I strongly object to the present attempt to penalize the United Nations for having voted against the position of the United States on the matter of seating the People's Republic of China.

Not only do I object to the idea of seeking to penalize nations for exercising their right of membership within the United Nations; but I also believe that the content of this amendment is contrary to the interests of international peace and development.

For what is proposed here is that we totally delete all funds for the United Nations Development Fund and for the world food program.

It is inconceivable how this proposal can be put forward when we look at the benefits provided by this program. Do the authors of this amendment oppose food going to the victims of the cyclone in East Pakistan? The World Food Programme provided more than $4 million worth of emergency food aid to the victims of that tragedy.

Or do the authors object to food being supplied to the victims of the earthquake in Peru last year? Again, the World Food Programme provided assistance.

I think those kinds of efforts are entirely justifiable and I believe the United States should bear its full share of that international effort.

And the World Food Programme has also provided food supplements to workers in a thousand remote villages in the underdeveloped world, workers who have volunteered to repair a bridge, build a road, or construct a new irrigation system. In this way, the provision of food, besides simply offering some relief to the millions of poor men and women who suffer from malnutrition, also works as part of the development process.

And so I find it hard to understand the rationale behind the amendment which is now before us. I find it hard not to view this amendment as simply a wild swing at the U.N. in an effort to retaliate for a democratic decision by the member nations which found this country in the minority. And, therefore, I would strongly urge the defeat of this amendment.

One other point deserves to be made. According to preliminary data I have obtained this evening, the United States is by no means the largest contributor to the budget of the United Nations on a per capita basis. As the accompanying table makes clear, there are at least six other nations—Canada, the Netherlands, Sweden, Denmark, Norway, and even the tiny Maldive Islands, about whom so much jest was heard in connection with the vote in the General Assembly last Monday—whose per capita contributions to the U.N. budget in 1970 surpassed the contribution of the United States.

I ask unanimous consent that the table I have prepared may be printed at this point in the RECORD, and I urge the Senate to defeat the amendment.

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

PRELIMINARY ESTIMATES—1970 CONTRIBUTIONS TO UNITED NATIONS BUDGET

United Nations members and other states	Current population (millions)	Regular budgets contribution	Voluntary program contribution	Total contribution	Per capita contribution (U.S. dollars)
China (mainland)	772.9	0	0	0	$0.00
India	569.5	6,066,112	4,985,743	11,051,855	.02
U.S.S.R.	245.0	37,505,175	4,494,095	41,999,270	.17
United States	207.1	117,126,792	159,205,874	276,332,666	1.13
Pakistan	141.6	1,348,797	1,383,914	2,732,711	.02
Indonesia	124.9	1,380,005	220,138	1,600,143	.01
Japan	104.7	12,397,121	6,291,100	18,688,221	.18
Brazil	95.7	1,660,179	1,204,443	2,864,622	.03
Nigeria	56.5	514,308	66,605	580,913	.01
United Kingdom	56.3	22,984,138	25,560,752	48,544,890	.86
Italy	54.1	10,209,773	9,866,025	20,075,798	.37
Mexico	52.5	3,136,978	618,870	3,755,848	.07
France	51.5	19,616,173	7,855,657	27,471,830	.53
Philippines	39.4	589,931	421,151	1,011,082	.03
Thailand	37.4	486,723	339,393	826,116	.02
Turkey	36.5	909,136	1,152,296	2,061,432	.06
Egypt	34.9	723,543	1,112,763	1,836,306	.05
Spain	33.6	3,523,458	1,501,864	5,025,322	.15
Poland	33.3	5,233,117	798,907	6,032,024	.18
Iran	29.2	1,193,791	1,003,049	2,196,840	.08
Burma	28.4	212,967	174,845	387,812	.01
Ethiopia	25.6	165,363	131,970	297,333	.01
Argentina	24.7	4,677,849	1,184,217	5,862,066	.24
Colombia	22.1	655,586	399,019	1,054,605	$0.05
Canada	21.8	10,285,929	24,047,882	34,333,811	1.58
Yugoslavia	20.8	1,274,365	1,425,295	2,699,660	.13
South Africa	20.6	1,266,691	59,386	1,326,077	.06
Romania	20.6	1,138,053	252,036	1,390,089	.07
Congo (Democratic Republic)	17.8	210,430	58,018	268,448	.02
Afghanistan	17.4	128,293	164,769	293,062	.02
Sudan	16.3	109,106	173,713	282,819	.02
Morocco	16.3	498,986	338,381	837,367	.05
Czechoslovakia	14.8	3,047,144	890,057	3,937,201	.27
Algeria	14.5	339,418	46,943	386,361	.03
Taiwan	14.3	10,267,011	253,558	10,520,569	.74
Peru	14.0	246,605	241,800	488,405	.03
Tanzania (United Republic of)	13.6	160,137	101,346	261,483	.02
Netherlands	13.1	3,980,258	11,689,754	15,670,012	1.20
Ceylon	12.9	231,543	203,046	434,589	.03
Australia	12.8	5,355,462	3,515,399	8,870,861	.96
Nepal	11.5	192,916	14,472	207,388	.02
Kenya	11.2	107,194	87,307	194,501	.02
Malaysia	11.1	418,087	162,349	580,436	.05
Venezuela	11.1	1,213,090	902,000	2,115,090	.19
Hungary	10.3	1,491,747	151,795	1,643,542	$0.16
Chile	10.0	518,302	330,446	848,748	.08
Iraq	10.0	157,156	234,198	391,354	.04
Belgium	9.7	3,227,874	3,409,395	6,637,269	.68
Portugal	9.6	329,700	7,600	337,300	.04
Ghana	9.3	308,158	293,025	6,011,083	.06
Greece	9.0	998,237	1,720,413	2,718,650	.30
Uganda	8.8	92,031	70,406	162,437	.02
Bulgaria	8.6	599,760	102,752	702,512	.08
Cuba	8.6	685,178	186,107	871,285	.10
Saudi Arabia	8.0	190,218	639,778	829,996	.10
Sweden	8.1	4,356,493	31,246,431	35,602,924	4.40
Mozambique	7.9	0	0		
Austria	7.5	1,910,963	2,090,229	4,001,192	.53
Cambodia	7.3	0	0		
Malagasy Republic	7.1	172,542	26,418	198,960	.03
Syria	6.4	132,509	96,795	229,304	.04
Ecuador	6.3	200,435	87,150	287,585	.05
Cameroon (West)	5.9	163,171	57,835	221,006	.04
Yemen (Arab Republic)	5.9	77,412	3,190	80,602	.01
Angola	5.8	0	0		
Upper Volta	5.5	156,858	15,792	172,650	.03
Haiti	5.4	78,820	0		
Guatemala	5.3	189,822	15,500	205,322	.04
Tunisia	5.3	186,862	213,576	400,438	.08
South Rhodesia	5.2	0	0		
Mali	5.2	56,969	0		
Denmark	5.0	2,153,611	20,142,573	22,296,184	4.46
Bolivia	4.8	149,274	8,100	157,374	.03
Finland	4.7	1,706,453	2,564,410	4,270,863	.91
Malawi	4.6	142,526	9,964	152,490	.03
Zambia	4.4	170,029	87,101	257,130	.06
Ivory Coast	4.4	166,848	125,687	292,535	.07
Dominican Republic	4.4	72,881	5,866	78,747	.02
Hong Kong	4.3	0	0		
Niger	4.0	96,407	33,774	130,181	.03
Senegal	4.0	204,235	33,653	237,888	.06
Guinea	4.0	114,853	24,490	139,343	.03
Norway	3.9	1,631,783	9,304,757	10,936,540	2.80
Chad	3.8	84,439	1,799	846,238	.22
Burundi	3.7	202,432	65,500	267,932	.07
Rwanda	3.7	145,894	11,552	157,446	.04
El Salvador	3.6	92,648	11,700	104,348	.03
Israel	3.0	580,167	1,000,160	1,580,327	.53
Ireland	3.0	635,962	494,935	1,130,897	.38
Uruguay	2.9	199,721	43,775	243,496	.08
Somalia	2.9	151,269	4,004	155,273	.05
Lebanon	2.9	131,835	75,478	207,313	.07
Somalia	2.9	151,269	4,004	155,273	.05
New Zealand	2.9	1,317,929	820,156	2,138,085	$0.74
Dahomey	2.8	174,126	1,799	175,925	.06
Honduras	2.8	145,229	11,000	156,229	.06
Sierra Leone	2.7	219,789	78,172	297,961	.11
Paraguay	2.5	73,539	0	73,539	.03
Jordan	2.4	105,391	232,354	411,284	.17
Singapore	2.2	183,466	92,166	275,632	.13
Albania	2.2	157,682	4,000	161,682	.07
Laos	2.1	113,525	28,917	142,442	.07
Nicaragua	2.1	102,283	0	102,283	.05
Jamaica	2.0	169,380	95,128	366,891	.18
Togo	1.9	159,071	12,411	171,482	.09
Costa Rica	1.9	170,749	60,000	230,749	.12
Libya	1.9	157,576	45,200	202,776	.11
Central African Republic	1.6	95,448	12,233	107,681	.07
Panama	1.6	178,163	500	178,663	.11
Mongolia	1.3	131,506	2,300	133,806	.10
South Yemen	1.3	77,412	3,190	80,602	.06
Liberia	1.2	123,459	63,150	186,609	.16
Mauritania	1.2	189,983	65,835	255,818	.21
Trinidad and Tobago	1.1	158,622	127,595	286,217	.26
Lesotho	1.1	118,421	10,000	128,421	.12
Ryukyu Island	1.0	0	0	0	
Congo (Republic of)	1.0	107,573	19,485	127,058	.13
Bhutan	.9				
Mauritius	.9	189,362	17,121	206,483	.23
Kuwait	.8	238,601	616,040	854,641	1.07
Guyana	.8	134,492	117,500	251,992	.81
Muscat and Oman	.7	0	0		
Nambibia (S.W.A.F.)	.6	0	0		
Cyprus	.6	161,436	26,854	188,290	.31
Botswana	.6	79,171	12,620	91,791	.15
Fiji	.5	0	0		
Reunion	.5	0	0		
Gabon	.5	183,049	75,332	258,381	.52
Guadeloupe	.4	0	0		
Swaziland	.4	57,923	5,593	63,516	.16
Luxembourg	.4	196,504	33,350	229,854	.57
Surinam	.4	0	0		
Martinique	.4	0	0		
Gambia	.4	96,431	5,160	101,591	.25
Barbados	.3	164,962	16,298	181,260	.60
Equatorial Guinea	.3	5,001	0	5,001	.02
Malta	.3	156,295	9,640	170,936	.57
Iceland	.2	164,021	62,789	226,810	1.13
Bahrain	.2	0	0		
Qatar	.1	0	0		
Maldive Island	.1	131,301	1,924	133,225	1.33

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Arkansas has 12 minutes, and the Senator from New York has 6 minutes.

Who yields time?

Mr. CHURCH. May I have 30 seconds?

Mr. FULBRIGHT. I yield the Senator 1 minute.

Mr. CHURCH. Mr. President, I had intended to speak against this amendment, but I have listened to the remarks of the distinguished senior Senator from New York, and he has expressed the case against the amendment so well, so eloquently, and so persuasively that I content myself with the statement that I should like to associate myself with his remarks. I, too, hope that the Senate will reject the amendment.

Mr. FULBRIGHT. Mr. President, does the Senator wish to speak?

Mr. BUCKLEY. Yes, unless the Senator from Arkansas wishes to make some additional remarks.

I yield myself 3 minutes.

Mr. President, first in reply to a comment by the distinguished chairman of the committee, I believe we can clarify the point he raised about the inability to allocate the $37.5 million, although I think the meaning is clear, by adding at the end of line 11 the word "specifically" and inserting after the word "authorized" on line 12 "for such purpose or purposes."

In other words, the effect would be that no voluntary contributions would be made to these two agencies "unless such voluntary contribution or provision of commodities has been previously specifically authorized for such purpose or purposes." There being no such specific authorization in this bill as amended, it would be clear that the remaining $37.5 million would be allocated over these other needs.

The PRESIDING OFFICER. Is there objection to the modification? If there is no objection, the Senator will send his modification——

Mr. FULBRIGHT. Mr. President, is the Senator proposing to amend his amendment?

Mr. BUCKLEY. That is the effect of my remarks.

Mr. FULBRIGHT. Mr. President, does the Senator have a right to do that?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. FULBRIGHT. I think this creates quite a different matter, indeed, because I had said previously with regard to subsection (e) that I had no——

The PRESIDING OFFICER. The Senator cannot modify his amendment except by unanimous consent. He can offer an amendment when all time has expired.

Mr. BUCKLEY. Mr. President, I ask unanimous consent to amend my amendment as I have suggested.

Mr. FULBRIGHT. Reserving the right to object, Mr. President, I have stated that simply asking for annual authorizations is an objective with which I agree. I voted in committee for a 1-year authorization. The committee, by a divided vote overruled me and made it 2 years. But the real thrust of the Senator's amendment is to cut the overall amount of $139 million, which is allocated to the programs I have mentioned, to $37.5 million. Now he is seeking to amend the amendment. I believe he wants to amend it so that the full cut would come out of the two programs specifically mentioned—the development program and the world food program. Is that right?

Mr. BUCKLEY. Yes.

Mr. FULBRIGHT. I am very reluctant to vote on an amendment which has been changed in such a fashion, especially at this late hour, with so few Members present.

Mr. BUCKLEY. I did not feel that my earlier language was ambiguous as to this point.

I will withdraw the modification.

Mr. FULBRIGHT. I think we ought to vote on the amendment as offered.

The PRESIDING OFFICER (Mr. BURDICK). The time of the Senator from New York has expired.

Mr. BUCKLEY. I yield myself 2 additional minutes to address myself to two remaining points.

I appreciate the import of the statement by the Senator from Maryland in quoting the conclusions of the Lodge Commission. Those conclusions may be very valid, but the fact is that the witnesses were not heard by the appropriate committee of the Senate.

It seems to me that all we are asking for here is the opportunity for the necessary evidence to be put into the RECORD, to give the Senate an opportunity to make its own independent judgment, rather than to rely upon the judgment of the Lodge Commission, so that we can determine whether or not we can most usefully funnel our contributions to the developing world through this particular agency of the United Nations, or through our other coexisting programs. I would also like to address myself to the remarks of my distinguished colleague from New York (Mr. JAVITS). I feel no anger and I do not feel that my cosponsors feel any anger. We do feel that there has been a qualitative change in the United Nations which has been proceeding over a period of years and which crystallized and was demonstrated so clearly earlier this week. It would be punitive, in my judgment, if we were to cut off aid to countries one by one, aid to those nations which did not vote for our resolution. But to support what is proposed here, and what we are proposing here, is simply a means of assuring ourselves that we can most effectively help the poorer nations of the world in a way in which we know that the moneys, contributed through the generosity of the American people, can reach their goal.

Mr. FULBRIGHT. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. BURDICK). Eleven minutes remain to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I yield 5 minutes to the Senator from Alaska (Mr. GRAVEL).

The PRESIDING OFFICER. The Senator from Alaska is recognized for 5 minutes.

Mr. GRAVEL. Mr. President, the junior Senator from New York (Mr. BUCKLEY) is eloquent, but I think that any person would find it difficult to believe that this is not punitive. There is only one intelligent interpretation that can be made; namely, that it is punitive—and very much so; what I would call the most chauvinistic and the most jingoistic in the classic sense of the word.

I associate myself with the remarks of the senior Senator from New York (Mr. JAVITS) and would only add as an adjunct to that, we seem to be developing a philosophy here that we are paying our portion of the money to the United Nations, because we are buying a piece of the United Nations that will bend to our will.

As I understand it, our inordinately high contribution to the United Nations is based on our ability to pay. We are the wealthiest nation in the world. It is right that we should make a contribution above and beyond what other nations are making.

Now we are faced with the logic that it is not punitive, because if we want to be punitive we would do it on a nation-by-nation basis.

How tragic that we could even think in this way. If we want to punish someone, we punish the culprit, not the institution. What we would be doing here would be to punish the institution, the institution which came about at this point of history with such pain and such difficulty.

Mr. President, I do not say this in a partisan sense, because it has been thrown at us in such a partisan sense, in that we are doves and, therefore, chauvinists or isolationists. But if I have ever seen a case of isolationism, it is certainly this one where we not only want to punish the institution but we want to punish the United Nations which really is the only organization to offer any possible vestige of hope for peace in the world—the United Nations, which was a product of the leadership of this country as a result of World War II.

That we want to punish the United Nations now, I find difficult to comprehend.

Mr. President, we find the same sponsors of this legislation appropriating, without blinking an eye, $250 million, $500 million, or $1 billion in foreign lands. Now, petulantly, to quote the Senator from New York, we seek to strike out, in a part of this world body, items that go directly to the improvement of human beings.

Even our aid program has been much more successful through the United Nations rather than through our own Government where we treat these nations as mendicants. It is a great tragedy that we would reverse a 25-year policy towards the attainment of world government, but we would do it because the money we put in will not buy us votes we feel we should have.

It would be like the people of Alaska not liking what was done about Amchitka and refusing to pay their taxes.

Democracy is a two-way street. It has its good days and it has its bad days. We had our bad days earlier this week. I think it reflects badly on the political maturity of this body to want to take

this kind of action against that democratic body, the United Nations, because we did not particularly get our way last Monday.

I hope that this body will have the wisdom to recognize what I consider to be a return to isolationism of the crassest sort.

Mr. BUCKLEY. Mr. President, I have two unanimous-consent requests to make. Upon reflection, I would like to reinstate my amendment to the amendment and to make it read at the end, on page 2, beginning on line 11: "contribution or provision of commodities has been previously specifically authorized for such purpose or purposes of legislation hereafter enacted by the Congress."

The PRESIDING OFFICER (Mr. BURDICK). Does the Senator ask unanimous consent to modify his amendment in that way?

Mr. BUCKLEY. Yes, Mr. President, I ask unanimous consent for that.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. BUCKLEY. Mr. President, the second unanimous consent I make is, inasmuch as my amendment really takes the form, technically, of three amendments, I ask unanimous consent to have them considered and agreed to en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and the amendments will be considered en bloc.

Will the Senator please send his modification to the desk, which the clerk will state.

The assistant legislative clerk read as follows:

On page 29, between lines 21 and 22, insert the following:

"SEC. 108. (a) Section 301 of the Foreign Assistance Act of 1961, relating to general authority, is amended—

"(1) by striking out in subsection (b) 'Contributions' and inserting in lieu thereof the following: 'Except as otherwise provided in accordance with subsection (e) of this section, contributions'; and

"(2) by adding at the end thereof the following new subsection:

"'(e) Notwithstanding any other provision of law, no appropriation shall be made for the payment of voluntary contributions by the United States to the United Nations Development Fund or to the world food program of the Food and Agriculture Organization of the United Nations, and no commodities shall be provided by the United States to the United Nations or any organization, program, fund, or activity of the United Nations, unless such voluntary contribution or provision of commodities has been previously specifically authorized for such purpose or purposes by legislation hereafter enacted by the Congress. Any such authorization shall not be given for a period exceeding one fiscal year.'"

On page 29, line 22, strike out "SEC. 108" and insert in lieu thereof "(b)".

On page 30, line 2, strike out "$139,000,000" and insert in lieu thereof "$37,500,000".

Mr. FULBRIGHT. Mr. President, I yield myself 1 minute to say that the Senator from New York (Mr. JAVITS), I think, has expressed my feelings about the matter. Whatever the sponsors may think about the pending amendment, it will be interpreted by everyone except the sponsors as a reaction—and I think a petulant reaction—to the vote in the United Nations last Monday. I think that would be unfortunate.

The committee did try to review all of the programs in this bill, and it did review many of them in an effort to look at them in the light of the changing conditions in this country.

Thus, I cannot be against reviewing any of these programs but I think to do what the Senator proposes would be very drastic and would be a very grave mistake on the part of the Senate.

Mr. PASTORE. Mr. President, will the Senator from Arkansas yield me 2 minutes?

Mr. FULBRIGHT. I yield 2 minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 2 minutes.

Mr. PASTORE. Mr. President, I am one of those who have felt for a long, long time that we are paying more than we should for the operation of the United Nations. I think it is high time that the situation should be reviewed. Naturally, the formula was adopted at a time when all the blue chips were in our favor.

The one objection I find to the amendment proposed by the junior Senator from New York (Mr. BUCKLEY) is the fact that he is wielding his ax at those parts of the program that have a humanitarian aspect. I am not talking about whether it is punitive or not, but I think this is the wrong place to do it.

I had the privilege of serving as a U.S. Representative to the 10th General Assembly of the United Nations. I made the remark time and time again that if one went into the washroom and pulled down a paper towel, one, two, three—the third time we would be paying for that towel. We carry one-third of the load. I think times have changed and the pocketbook of this country is no longer full the way it used to be.

If Russia wants to claim it has parity with us and if she wants to claim she is as wealthy as we are, then I say, let her pay as much as we do to the United Nations.

The fact remains that neither Russia nor France even paid their peacekeeping dues.

I think this matter should be adjusted and I would hope that the administration would do something about it but let us not do it on the floor of the Senate.

One fault I find with the amendment proposed by the junior Senator from New York (Mr. BUCKLEY) is not so much that we should readjust the amount we pay to the United Nations, but I think he is doing it in the wrong place. I am afraid we will do ourselves irreparable harm.

Let us not knock out aid to children, research for medicine, and things of that kind. Once we begin to pick at it, I am afraid that we will do ourselves more harm than good. If we want to do something about the United Nations, let us do something about the 33 percent that we pay. I think that we pay altogether too much.

Mr. FULBRIGHT. Mr. President, how much time is left?

The PRESIDING OFFICER. Three minutes.

Mr. FULBRIGHT. I yield 2 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 2 minutes.

Mr. PERCY. Mr. President, I concur with what has been said in the eloquent statement made by the senior Senator from New York (Mr. JAVITS). If there is any doubt about what we are reacting to now, it is what happened in New York on Monday night. Let us go from the fact sheet that was distributed concerning the Buckley amendment which states what we should do in light of the current overall assessment of the role of the United Nations. I do not know any overall assessment of the role of the United Nations that we have underway as a matter of study right now. It is in response to what just happened. Second, I would be very much opposed to the amendment because we have been working in the direction of multilateral aid.

The whole purpose of the administration has been to move us away from bilateral or unilateral to multilateral aid where we share it with the rest of the world, with such institutions as the World Bank. The intention as stated in the fact sheet is that we should look through our voluntary contributions to the United Nations to see whether they could be more effectively accomplished by unilateral U.S. effort.

I think this is certainly moving contrary to the direction that the Nixon administration has been wisely carrying on. I think that it would be a dreadful mistake to act in this debate in this way and that it would be interpreted in the worst way by the nations of the world.

Mr. FULBRIGHT. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the junior Senator from New York. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. GRIFFIN (when his name was called). On this vote I have a live pair with the Senator from Texas (Mr. TOWER). If he were present and voting he would vote "yea." If I were permitted to vote I would vote "nay." I withhold my vote.

Mr. MONTOYA (after having voted in the affirmative). I have a pair with the junior Senator from Maine (Mr. MUSKIE). If he were present and voting he would vote "nay." I have already voted "yea." I withdraw my vote.

Mr. BROCK (after having voted in the affirmative). On this vote I have a live pair with the Senator from Connecticut (Mr. WEICKER). If he were present and voting he would vote "nay." I have already voted "yea." I withdraw my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Oklahoma (Mr. HARRIS), the Senator from Hawaii (Mr. INOUYE), the Senator from Washington (Mr. JACKSON), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Maine,

(Mr. MUSKIE), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

I further announce that, if present and voting, the Senator from Washington (Mr. JACKSON), the Senator from Maine (Mr. MUSKIE), and the Senator from Oklahoma (Mr. HARRIS) would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Idaho (Mr. JORDAN), the Senator from Iowa (Mr. MILLER), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

Also the Senator from Pennsylvania (Mr. SCOTT) and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

If present and voting, the Senator from Pennsylvania (Mr. SCOTT) would vote "nay."

The respective pair of the Senator from Texas (Mr. TOWER) and that of the Senator from Connecticut (Mr. WEICKER) have been previously announced.

The result was announced—yeas 28, nays 55, as follows:

[No. 275 Leg.]

YEAS—28

Allen	Eastland	Jordan, N.C.
Allott	Ellender	Long
Baker	Ervin	McClellan
Bennett	Fannin	Smith
Buckley	Fong	Stevens
Byrd, Va.	Goldwater	Talmadge
Cotton	Gurney	Thurmond
Curtis	Hansen	Young
Dole	Hollings	
Dominick	Hruska	

NAYS—55

Aiken	Gambrell	Pastore
Bayh	Gravel	Pearson
Beall	Hart	Pell
Bellmon	Hartke	Percy
Bentsen	Hatfield	Proxmire
Bible	Hughes	Randolph
Boggs	Humphrey	Ribicoff
Brooke	Javits	Roth
Burdick	Kennedy	Saxbe
Byrd, W. Va.	Magnuson	Schweiker
Cannon	Mansfield	Spong
Case	Mathias	Stafford
Chiles	McGee	Stevenson
Church	McIntyre	Symington
Cook	Metcalf	Taft
Cooper	Mondale	Tunney
Cranston	Moss	Williams
Eagleton	Nelson	
Fulbright	Packwood	

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—3

Brock, for.
Griffin, against.
Montoya, for.

NOT VOTING—14

Anderson	McGovern	Sparkman
Harris	Miller	Stennis
Inouye	Mundt	Tower
Jackson	Muskie	Weicker
Jordan, Idaho	Scott	

So Mr. BUCKLEY's amendment was rejected.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. GRAVEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 540

Mr. CANNON. Mr. President, I call up my amendment No. 540, and ask unanimous consent that the names of the Senator from Nevada (Mr. BIBLE) and the Senator from Colorado (Mr. DOMINICK) may be added as cosponsors of the amendment.

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

The clerk will read the amendment.

The legislative clerk proceeded to read the amendment.

Mr. CANNON. Mr. President, I ask unanimous consent to dispense with further reading of the amendment.

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

Amendment No. 540 is as follows:

On page 39, strike out lines 4 through 6 and insert in lieu thereof the following:

SEC. 301. Section 620 of the Foreign Assistance Act of 1961, relating to prohibitions against furnishing assistance, is further amended—

(1) by striking out of the first full paragraph of subsection (e)(1) all that matter following immediately below clause (C) and inserting in lieu thereof the following: "and such suspension shall continue until the President is satisfied that such country, government agency, or government subdivision has (i) discharged its obligations under international law toward such citizen or entity, including speedy compensation for such property in convertible foreign exchange, equivalent to the full value thereof, as required by international law, or (ii) has provided relief from such taxes, exactions, or conditions, as the case may be. No other provision of this Act shall be construed to authorize the President to waive the provisions of this subsection."; and

(2) by adding after subsection (v),

Mr. MANSFIELD. Mr. President, if the Senator will yield, I think all the bases have been touched, and I ask unanimous consent that there be a time limitation on the pending amendment of not to exceed 40 minutes, the time to be equally divided between the sponsor of the amendment and the manager of the bill.

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

Mr. MANSFIELD. Mr. President, this will be the last vote tonight.

Mr. CANNON. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. CANNON. Mr. President, I yield myself 5 minutes.

Mr. President, I am offering today an amendment to the foreign aid bill (H.R. 9910) for the purpose of closing the "foreign aid door" on any country which expropriates U.S. property without providing immediate and effective compensation.

The necessity for this amendment may come as a surprise to some of my colleagues who recall the adoption of the Hickenlooper amendment back in the early 1960's. I suspect that many Senators who are familiar with that measure believe it does the very thing that my amendment seeks to do. But the fact of the matter is, that the Hickenlooper amendment does not cut off foreign aid when a country expropriates U.S. property and does not provide effective compensation to the owners. Although I am sure the author and supporters of this amendment thought they were barring continued assistance to such countries, it must be recognized that the Hickenlooper amendment has one fatal flaw—it leaves the question of cutting off aid to the discretion of the President.

This discretionary authority has served to gut the Hickenlooper amendment and render it useless. My amendment would close this loophole and make the original amendment an effective provision of law.

Let us take a look at the record in recent years: In 1968 the military government of Peru expropriated the International Petroleum Co., a subsidiary of Standard Oil. Compensation has not been paid and, yet, this year that same military government in Peru is scheduled to receive $34.3 million in one type of foreign aid or another.

Or let us take the case of Bolivia, which in 1969 seized properties belonging to the Gulf Oil Corp. As yet, full compensation has not been provided. But, for this fiscal year, the administration plans to give Bolivia $23 million in foreign aid.

Or let us take a look at the case of Chile, which has recently expropriated a number of U.S. holdings, including ITT, Kennecott, and Anaconda. Compensation has not been forthcoming and in the case of our major copper holdings there, the State Department reports:

> The Controller General of Chile announced . . . on October 11 that no compensation would be paid for the U.S. copper mining investments expropriated on July 16.

Nevertheless, our foreign aid effort continues—Chile is scheduled to receive this year from the United States a total of $14 million.

Mr. President, these examples leave no doubt in my mind that the celebrated Hickenlooper amendment is a fiction—and it will remain a fiction until the Congress removes the President's discretionary power on the aid cutoff issue.

My amendment does this: It removes this legal fiction and says to all aid recipients:

> If you expropriate U.S. property and don't provide effective compensation immediately, then no more aid, period.

Mr. President, it is doubtful that there is any foolproof way of preventing the expropriation of U.S. property. But it is within our power to make absolutely sure that those who do expropriate our overseas holdings are no longer eligible for foreign aid.

My amendment provides this assurance to the aid recipient, to the U.S. investor, and most importantly, to the American taxpayer.

Mr. President, I withhold the balance of my time.

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. I yield 2 minutes to the Senator from Vermont (Mr. AIKEN).

Mr. AIKEN. Mr. President, I do not think this amendment is wise at this time. If our companies invest in foreign countries and see fit to take out insurance against expropriation and pay the fee, then they are protected in that matter. However, if our companies invest in other countries and do not take out insurance and later on, after expropriation has taken place, ask our Government to write insurance retroactively for them, then they do not deserve the benefits of the insurance program. Of course, they

have to pay a fee for the insurance. And they should, just as you and I do when we take out insurance.

I do not think this amendment is going to help at all. I realize it is aimed mainly at about two or three South American countries.

Insurance protection is available to our overseas investors. The laws are on the books. If some of those who are now in trouble had availed themselves of this protection and had paid the insurance fee when they should have, they would not be in the trouble they are now.

I shall not vote for the amendment.

Mr. FULBRIGHT. Mr President, I yield 5 minutes to the Senator from Florida (Mr. CHILES).

Mr. CHILES. Mr. President, this is an amendment that, on its face, sounds like one everyone should vote for. Why should we give any foreign aid to a country that expropriates any property of some of our citizens?

I think that what the Congress did when it passed the Hickenlooper amendment made a lot of sense. It expressed the intent of the Congress that, if property was expropriated, we would cut off the foreign aid, but we did leave some discretion to the President to determine whether the aid should be cut off or not.

I think we need to look at this proposal very carefully. Let us look at Latin America. There are countries down there changing their form of government everywhere. What type of government they go to concerns us. One may propose that when a country expropriates the property of one American business, we are going to cut off all the aid to that country, but what if the President determines, in his discretion, that such a move may make the country go Communistic as opposed to some other form of government? What if the President decides that is the case?

I would like to leave to the President, and to the appropriate agencies of Government, to make that determination, because I think here we are talking about the national interest of our country, and if we are talking about the national interest of our country, we have to differentiate between that and a business that belongs to this country. We have to be a little practical or pragmatic about it and determine whether we should leave some discretion to the President to make that determination.

I can say that, looking at Latin America, many of those countries are in the balance. Many of them are changing models. We have the Chilean model that we do not particularly like. On the other hand, Chile had a revolution and a change of government in that country.

I can tell you that in Latin America today, many, many countries are in the balance. A lot of them are changing their model, and we find the Chilean model, that we do not particularly like; we find, though, on the other hand, that Brazil had a change of government, and we find Peru had a change in their government, and many other countries are about to have changes in their governments, and what those forms are going to be, we perhaps can influence.

I think we might be very shortsighted to pass this amendment and to take away all discretion of the President, because we might change the form of government to one completely opposed to what we want to see happen, because we take away the President's discretion, his ability to negotiate. Where we have expressed ourselves in Congress as to what should be done if compensation is not made, we ought to leave that loophole. We ought to leave that determination to be made by the Chief Executive of this country, to determine in his view, after study, whether that would hurt the national interests of this country. Because I do not think we are going to find the President of the United States saying, "I am not going to cut off foreign aid to a country unless I think it is against the national interests of this country."

So I think we ought to vote down this amendment, and leave the discretion where it now lies, in the President.

The PRESIDING OFFICER. Who yields time?

Mr. CANNON. Mr. President, I yield myself 2 minutes.

In answer to the distinguished Senator from Florida, I think it is high time we realize that we cannot buy votes by foreign aid or any other means. We have just gone through that exercise at the United Nations, and we find that 46 of our so-called friends, countries which are U.S. aid recipients, voted against us and in favor of the Albanian resolution. Twelve of our friends abstained; and I might say those were some of our friends that got more foreign aid than any other countries.

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

Mr. CANNON. I yield.

Mr. LONG. Mr. President, what happened at the United Nations is a good example of the problem. The law now makes it mandatory on the President to cut off aid with respect to that confiscation down in Peru. It is mandatory; if the President does not do it, what is our remedy? As it stands today, about all we can do is impeach the President.

So it should be taken away from the President to make that decision, because what does he do? Here comes up a vote on Taiwan, so he commits everything the Nation has to give. In every dispute we have with some foreign country, such as Peru, we say, "Here is a $100 million oil company you have confiscated, what are you going to do about it?" And they say, "If you want our vote on this Taiwan thing, you have got to take it on the chin and let us steal your property."

I think the President of the United States should not have that way to try to obtain a vote on the Taiwan issue, for example, by giving away a $100 million investment.

What would I suggest? I would not give them 5 cents while they were stealing our property.

That is the way the Senate acted on the sugar bill we passed just recently, without opposition. We had a provision there that as far as the Senate was concerned, we were not going to buy any sugar from them at an inflated price if they were stealing our property. We said, "While you are stealing our property, we are not going to trade with you."

How many people here would suggest that you continue to trade with a man although he has stolen your property and refused to give it back? It is utterly ridiculous.

As long as this Nation insisted on that position, there was no problem. It was only when somebody became weak-kneed, and one of these confiscations took place—I believe the Peruvian one was the one that triggered it—and our representatives were scared to death. We said, "The law requires that we cut off giving assistance." But we let some little dictator proceed to kick Uncle Sam around, and did not even have the courage to cut off the money we were giving them.

I ask, why are you so timorous? Why not just try telling those people you are not going to permit them to steal from you? Why not try it, gentlemen?

Mr. CANNON. I might say that this amendment provides that this suspension shall continue until the President is satisfied that that government, government agency, or subdivision has discharged its obligations under international law.

That is all we are asking, that they discharge their obligations under international law; and until such time as they do it, the aid is going to be suspended, and this amendment says it shall be suspended, and not left to the discretion of the President.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. CANNON. I yield.

Mr. ERVIN. I have had the understanding that to the nations which voted in favor of the Albanian resolution in the United Nations this foreign aid bill provided benefits totaling $2.1 billion. Can the Senator from Nevada verify that?

Mr. CANNON. That is not quite correct. The ones that voted against us on the Albanian resolution, their aid totals $1,494.7 million, but there were some abstentions, and if you add the 12 abstentions, it not only totals what the Senator has suggested, but even more, $2.308 billion. So it is even more than the Senator suggested, if you total those who voted against us and those who abstained.

Mr. ERVIN. Will the Senator from Nevada permit the Senator from North Carolina to assure him that the Senator from North Carolina feels that you ought not to give discretion to those who have no actual discretion?

The PRESIDING OFFICER. Who yields time?

SEVERAL SENATORS. Vote! Vote! Vote!

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. FULBRIGHT. Is the Senator from Nevada prepared to yield back his time?

Mr. CANNON. Mr. President, the Senator from Colorado wanted to be heard. I am trying to run him down.

Mr. FULBRIGHT. He can put a statement in the RECORD and save some time.

Mr. BAYH. Mr. President, will the Senator from Arkansas yield for a question, or has he yielded back his time?

Mr. FULBRIGHT. I am trying to nego-

tiate a deal. Is the Senator from Nevada ready to yield back his time?

Mr. CANNON. I wonder if the Senator would give me a minute or two.

Mr. FULBRIGHT. I yield 2 minutes to the Senator from Indiana.

Mr. BAYH. Mr. President, I would like to have the advice and counsel of the Senator from Arkansas on the point that was raised in colloquy by our distinguished colleagues the Senator from Nevada and the Senator from Louisiana relative to the Peruvian IPC Oil Co., expropriation. Is the Senator from Indiana correct in interpreting the amendment of the Senator from Nevada to mean that if there is a corporate interest in a company that has been refusing to pay taxes and refusing to do a number of things that most other corporate interests in a country are required to do, and the country takes punitive measures to bring that corporation into line, that would require the entire foreign policy of this country as far as foreign aid is concerned to be subject to a reconciliation of that difference?

Mr. FULBRIGHT. Under existing law, the President has not yet applied what is called the Hickenlooper amendment. Negotiations have not been completed one way or the other; no final decision so far as I know has been reached in the IPC case, in contrast to Chile, where apparently some final decisions have been made. The Chilean Government has alleged underpayment or nonpayment of taxes, or too much profit, I forget the reason, but it seems very definite that they do not intend to negotiate any farther for the payment of anything with respect to our copper companies.

I think the Senator from Louisiana overstated the situation in Peru, although no final settlement has been reached. The President, under the law, I think does have the discretion. Of course, this play on words of the Senator from North Carolina has me confused. The President has the right, under the law, not to apply the aid cutoff if he determines the country is taking appropriate steps and negotiating in good faith.

They did reach a settlement in Brazil, which is one case that has been cited. The one in Ceylon was suspended. This is one case where the President actually suspended aid because of the expropriation a few years ago of some oil properties.

I do not feel very strongly on this issue. I told the Senator if he wished, we would take it to conference. This is a very troublesome proposition.

I voted against OPIC, which is designed to encourage investments abroad, because I felt it encourages situations of this kind, that is, expropriations. We encourage private investment, and then the investors run to us when trouble occurs, and before you know it, the difficulty becomes a foreign policy problem. I think it is a bad system.

This whole bill is beginning to degenerate. Its original purpose is no longer evident. The whole thing has gotten out of hand, and that is why I am not as enthusiastic about it as I was some years ago. I think it is distorted. But in this case the Senator raises a slight change, and the President still has to find some funding. He still has to make a determination, and I suppose the President, could refuse to make that finding for an indefinite time if he wished to do so. It is not a very serious change from existing law, although it has some significance. It makes it a little harder for the President to dally as long as he has in Peru.

Mr. President, I am ready to yield back the remainder of my time if the Senator from Nevada is willing to do so.

Mr. CANNON. The Senator from Colorado is here, and I yield 10 minutes to him.

Mr. DOMINICK. I thank the Senator from Nevada. I rise, obviously, to support his amendment, having introduced a very similar one, No. 535, which lies on the desk at the moment.

I also introduced a modification of that today, for printing, hoping that it would come up tomorrow. However, if the Senator's amendment is agreed to, I think that probably will be sufficient for my purposes, because it is substantially tightening up the Hickenlooper amendment.

In the process of developing the facts on this, I ran into a chart which I think is extraordinarily interesting. Actually, we prepared this chart.

Since 1962, American properties have been expropriated or confiscated by Brazil, by Ceylon, by the United Arab Republic, by Argentina, by Algeria, by Iraq, by Haiti, by Syria, by Indonesia, by Peru, by Zambia, by Bolivia, by Southern Yemen, by Libya, and by Chile—a pretty sizable amount in a little period of 9 years.

I have also prepared a chart showing during that period of time how much in total foreign aid has been given to each of these countries. For example, Brazil, when it expropriated International Telephone & Telegraph to the tune of $10 million in 1960—that has been settled; but prior to that time, from 1946 to 1960, we gave Brazil more than $3.9 billion in foreign aid. In every one of these countries where the claims of our own citizens have not yet been settled, we have been giving the countries, for their own development and for their own betterment, millions and millions and millions of dollars.

It seems to me that if we are going to be able to retain the opportunity of still trying to help and promote the development of many of these countries, we also ought to have enough muscle to be able to say to them, "Look, if you are going to do this and if you are going to take over after we have been developing all this, then we are not going to give you any more foreign aid, unless you pay for what you are taking over." It seems to me a very simple thing.

We have been told by Chile, Peru, Bolivia, Venezuela, and India that they are likely to start nationalizing or confiscating American properties. This has come up in recent months. In each of the countries in this bill—and in future bills—we have $10.8 million for Chile, for example; $20 million for Peru, for 1971; $14.1 million for Bolivia; $13.3 million for Venezuela, and $403.6 million for India.

In 1972, the estimate is $14.1 million for Chile, $34.36 million for Peru, $23.8 million for Bolivia, $17.7 million for Venezuela, and $419.7 million for India.

Yet, these are the very countries that are now threatening to expropriate or nationalize the property of our citizens and to do so in many cases without adequate compensation.

All that the Cannon amendment does, as I understand it, is to say to the State Department, "You have another weapon; you now do not have to just go through the question of whether or not appropriate steps have been taken," which was a problem with the Hickenlooper amendment as it was put in to begin with.

But if, in fact, they do this and do not pay compensation, then their whole aid program is cut off.

I do not see any reason, frankly, why the American taxpayers should be required to put money in for foreign aid, to put in money, in terms of tax money, for insurance programs on companies that are going down and investing in these countries, and then have the very countries that we are trying to do something about expropriate without paying for the value of the property with which they are dealing.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the chart to which I referred, entitled "Expropriations of American-Owned Properties Since 1962."

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

EXPROPRIATIONS OF AMERICAN-OWNED PROPERTIES SINCE 1962

Country and date	Properties and value (if known)	Status of claims [1]	Total foreign aid (1946–70)
Brazil: 1962	ITT ($10,000,000)	Settled	$3,974,000,000
Ceylon: 1962	Esso and Caltex gas stations ($4,000,000).	do	167,100,000
United Arab Republic: 1961–64.	40 companies in various industries ($6,500,000).	Unsettled	912,200,000
Argentina: 1963	Petroleum contracts of 10 companies nullified.	Settled	911,600,000
Algeria:			
1963	19 companies in various industries ($2,000,000).	Unsettled	180,400,000
1967	Mobile, Esso, Sinclair Oil	do	
1970	Phillips Petroleum Co	do	
Iraq: 1964	Procter & Gamble	Settled	$101,900,000
Haiti: 1964	Valentine Petroleum & Chemical Corp.	Unsettled	122,600,000
Syria: 1965	Mobil and Standard of New Jersey.	Settled	60,600,000
Indonesia: 1965	U.S. Rubber, Goodyear Tire & Rubber	Expropriated under Sukarno; restored under Suharto.	1,338,000,000
Peru:			
1968	IPC (subsidiary of Standard of New Jersey) ($200,000,000).	Unsettled (Velasco deducted claims from excess profits earned).	772,500,000

EXPROPRIATIONS OF AMERICAN-OWNED PROPERTIES SINCE 1962—Contin ued

Country and date	Properties and value (if known)	Status of claims [1]	Total foreign aid (1946-70)
Peru—Continued			
1969	Cerro de Pasco Mining, W. R. Grace.	Unsettled	
Zambia: 1969	Roan Selection Trust, Ltd., Mobil, Caltex, Standard Oil (Calif.), Standard Oil of New Jersey.	do	$40, 900, 000
Bolivia:			
1969	Gulf Oil	do	549, 100, 000
1970	do	Settled	
Southern Yemen: 1969.	Shell, Mobil, Esso, Caltex	Unsettled	
Libya: 1970	Esso	do	$230, 000, 000
Chile: 1971	Kennecott, Anaconda, Cerro ($550,000,000) ITT ($150,000,000) [2] Bank of America.	Unsettled (Allende announced claims will be deducted from "excess profits" earned).	1, 703, 000, 000

[1] "Settled" does not mean adequate compensation was paid for the expropriated properties. $170,000,000. Thus, American taxpayers may be asked to pick up the difference—$105,000,000.

[2] About $275,000,000 of ITT and copper investments covered by OPIC. OPIC has reserves of

Mr. DOMINICK. Mr. President, the one thing that Senator CANNON's amendment does not do which my amendment does—which, I might say, has raised eyebrows all through the State Department, and I probably will not offer it as an amendment if Senator CANNON's amendment is agreed to—is that in addition to cutting off foreign aid, I have said that they can use as an added threat or as an added retribution, if they wish, the right to take the Nation out of the most-favored-nation role.

After all, some nations, which do not get foreign aid, have been threatening us with expropriation, and perhaps the only thing we can do in that case, and to have some method to try to force a settlement for due compensation, is to say, "Until you do, you no longer are in our most-favored-nation trading clause." That is not in the Senator's amendment. It is in the amendment that I submitted. It has raised eyebrows at the State Department, where they are concerned about its effect on GATT negotiations and a variety of other things.

As I have said, it is my hope that with the adoption of the Cannon amendment, we will not have to face that issue this year. We may have to do so at a later time.

Let me cite an example. Threats are going on right now all through north Africa as to what is going to happen with the investments we have been making over there, and they are netting an enormous amount of money. In most cases, we are not giving any foreign aid to those countries. This creates a problem as to what kind—to put it bluntly—of pressure we have to try to get them to make a reasonable settlement of compensation in that type of country.

It is my hope, therefore, that this will be sufficient; but if it is not, I might as well serve notice now that next year, anyway, I will try the other route, if we find ourselves faced with those conditions.

I express my gratitude to the distinguished Senator from Nevada for giving me this time, and I heartily support his amendment.

Mr. CANNON. If this move is not adequate, I assure the Senator that I will support his amendment on the favored-nation clause next year, if it is deemed necessary.

Mr. KENNEDY. Mr. President, I rise to speak in opposition to the amendment now before us which seeks to find some additional way to penalize nations which expropriate American firms.

First, it is unnecessary since the Hickenlooper amendment is on the books and enables the President to decide to suspend aid if a nation has blatantly violated international law and practice in its expropriation decisions. Even that amendment goes further than I would like in its linking of U.S. foreign policy to the interests of a single business firm.

Second, this amendment makes suspension of aid almost automatic and removes all discretion from the President in perhaps the most delicate area of international relations. Here is an area where negotiations traditionally are the format for settling controversies; yet this amendment would make negotiations almost impossible.

Third, this amendment makes U.S. foreign policy almost totally determined by the interests of an individual U.S. firm. Regardless of the conduct of the company, regardless of the specific circumstances, this amendment would require the automatic suspension of aid. U.S. foreign policy cannot be based solely on the economic interests of private firms. Yet that would be the effect of this amendment.

Obviously, I view expropriation without some form of compensation to be a violation of international law as we know it. However, the process of determining that compensation is clearly a complex and difficult one and varying decisions have been returned by international tribunals over the years. In fact, this Government has indicated by its negotiated acceptance of partial payment for firms expropriated by Eastern European nations that each situation must be examined individually and that different formulas for compensation may be applicable in different cases.

All of these questions are neglected by this amendment and, in fact, it would not even permit a nation to carry out the normal process of determining the amount of compensation which is due since it would require suspension of aid immediately after the expropriation and would not lift that suspension until the President determined that a satisfactory agreement had been reached. This would be placing the cart before the horse, suspending aid before there had been a determination that the country was or was not going to provide adequate compensation.

Finally, I believe we all recognize that this amendment is prompted by concern surrounding the expropriation of copper firms in Chile. But that process has not been completed. The Chilean expropriation carried out a constitutional amendment adopted virtually unanimously by the legislature of that country.

It was not the result of a decision by one man. It came as part of a long process of debate within the councils of government in that country. And it provides for appeal from the initial decision made by the executive branch of that government, appeal both to a special tribunal as well as to the Supreme Court of that land.

I believe it would be rash to adopt measures of retaliation before the process of litigation has been completed in that country and I definitely believe the question of suspension of aid or any other act of retaliation must be considered in the context of our overall national interest and not solely on the interests of three American copper companies.

For all of these reasons, I believe this amendment should be defeated.

Mr. CANNON. Mr. President, if the distinguished Senator from Arkansas is ready to yield back his time, I am ready to yield back the remainder of my time.

Mr. FULBRIGHT. I yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, will the two Senators yield me 1 minute between them and yield back the remainder of their time immediately after?

Mr. CANNON. Yes.

Mr. FULBRIGHT. Yes.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I have talked with the acting minority leader and other interested Senators, and I ask unanimous consent that beginning tomorrow there be a 1-hour limitation on all amendments, under the same conditions as existed under the 2-hour limitation.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. GRIFFIN. Mr. President, I reserve the right to object.

Mr. MANSFIELD. The request was that there be a 1-hour limitation instead of the present 2-hour limitation.

Mr. PASTORE. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. I would hope the majority leader would emphasize the fact that we do have 8 hours on the bill itself.

Mr. MANSFIELD. Oh yes.

Mr. PASTORE. To be allocated.

Mr. MANSFIELD. Yes, and if this is agreed to, then I have another unani-

mous consent request to make if the Senator will be patient.

The PRESIDING OFFICER (Mr. CRANSTON). Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Now, Mr. President, I ask unanimous consent that the final vote on the bill before us occur not later than 7 o'clock tomorrow evening.

Mr. DOMINICK. Mr. President, reserving the right to object, and I do not know that I will be objecting, but how do we know, even if we have 1 hour to each amendment, and I have 3 to call up, possibly only 2 of which I will offer, but there are 3 others I have been asked to get ready and try to call up concerning other amendments from people from all over, that we are going to get finished by 7 o'clock, when we have 5 or 10 hours or whatever it is on the bill to follow?

Mr. MANSFIELD. We will be coming in at 9 a.m. tomorrow and I anticipate we will begin on the first amendment around 9:30. I understand that that amendment will not take too much time. The Stevens amendment is understandable and I would not anticipate much time would be spent on that.

This is a request, if we could have some idea as to what would happen tomorrow, because if we do not finish at 7 o'clock we would stay in later in an endeavor to finish; and if we do not finish tomorrow, then we will have to come in on Saturday which I do not want to do, speaking personally.

Mr. DOMINICK. I do not want to worry our very great majority leader on this, but does the Senator suppose that if we did not finish at 7 o'clock, we might do so by 5, and if so, what then?

Mr. MANSFIELD. Would the Senator be willing to call up his amendments after disposal of the Church-Allott amendment, which would be the third one tomorrow morning?

Mr. DOMINICK. I will be happy to call them up any time at the convenience of the Senate.

Mr. MANSFIELD. Mr. President, if something comes up so that we cannot get through at 7 o'clock, I am sure the Senate would agree to a limited extension of time.

Mr. McCLELLAN. Mr. President, reserving the right to object, and I shall not, if I can be assured of 15 minutes time on the bill sometime tomorrow, I will appreciate it, as I want to express my views for the RECORD.

Mr. MANSFIELD. The Senator has that assurance.

Mr. McCLELLAN. I thank the Senator from Montana.

Mr. PASTORE. Mr. President, is it agreed that we will finish this bill by 7 tomorrow night?

Mr. MANSFIELD. Well, maybe we will have to go a little beyond 7 o'clock.

Mr. PASTORE. But if we get through sooner, then it could be 5 o'clock?

Mr. MANSFIELD. Yes.

Mr. BYRD of Virginia. Mr. President, reserving the right to object, may I ask the distinguished majority leader the same question propounded by the distinguished Senator from Arkansas? The Senator from Virginia would like 20 minutes on the bill sometime during the day.

Mr. MANSFIELD. The Senator has that assurance.

Mr. BYRD of Virginia. I thank the distinguished majority leader.

Mr. ERVIN. Mr. President, I have not spoken on this subject in the Senate for about 10 years. I think I spoke only once before on it. I would like to have about 5 minutes tomorrow.

Mr. MANSFIELD. The Senator has got it.

Mr. ERVIN. I thank the distinguished majority leader.

The PRESIDING OFFICER. Is there any objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

All time on the amendment has now been yielded back.

The question is on agreeing to the amendment of the Senator from Nevada (Mr. CANNON).

On this question the yeas and nays have been ordered and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Oklahoma (Mr. HARRIS), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Hawaii (Mr. INOUYE), the Senator from Washington (Mr. JACKSON), the Senator from South Dakota (Mr. McGOVERN), the Senator from Maine (Mr. MUSKIE), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

I further announce that, if present and voting, the Senator from Washington (Mr. JACKSON) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from New York (Mr. JAVITS), the Senator from Idaho (Mr. JORDAN), the Senator from Iowa (Mr. MILLER) and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

Also, the Senator from Maryland (Mr. BEALL), the Senator from Pennsylvania (Mr. SCOTT), and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

The Senator from New Jersey (Mr. CASE) and the Senator from New Hampshire (Mr. COTTON) are detained on official business.

On this vote, the Senator from Texas (Mr. TOWER) is paired with the Senator from Pennsylvania (Mr. SCOTT). If present and voting, the Senator from Texas would vote "yea" and the Senator from Pennsylvania would vote "nay."

The result was announced—yeas 47, nays 33, as follows:

[No. 276 Leg.]

YEAS—47

Allen	Cook	Hansen
Allott	Curtis	Hollings
Baker	Dole	Hruska
Bellmon	Dominick	Jordan, N.C.
Bennett	Eagleton	Long
Bentsen	Eastland	Magnuson
Bible	Ellender	McClellan
Boggs	Ervin	McIntyre
Brock	Fannin	Montoya
Burdick	Fong	Packwood
Byrd, Va.	Gambrell	Pearson
Byrd, W. Va.	Goldwater	Randolph
Cannon	Gurney	Roth
Schweiker	Symington	Tunney
Spong	Talmadge	Young
Stevens	Thurmond	

NAYS—33

Aiken	Hart	Nelson
Bayh	Hartke	Pastore
Brooke	Hatfield	Pell
Buckley	Hughes	Percy
Chiles	Kennedy	Proxmire
Church	Mansfield	Saxbe
Cooper	Mathias	Smith
Cranston	McGee	Stafford
Fulbright	Metcalf	Stevenson
Gravel	Mondale	Taft
Griffin	Moss	Williams

NOT VOTING—20

Anderson	Jackson	Ribicoff
Beall	Javits	Scott
Case	Jordan, Idaho	Sparkman
Cotton	McGovern	Stennis
Harris	Miller	Tower
Humphrey	Mundt	Weicker
Inouye	Muskie	

So Mr. CANNON's amendment was agreed to.

Mr. CANNON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE CHINA VOTE AND U.S. SUPPORT FOR THE UNITED NATIONS

Mr. DOLE. Mr. President, I rise to express my concern over the expulsion of the Republic of China from the United Nations. This action is offensive on a moral basis, and it raises serious questions about the ability of the U.N. to function as a positive force in world affairs. But this action is regarded by the Senator from Kansas as particularly inauspicious at a time when the United Nations appears to be—by the admission of its own Secretary General—on the brink of insolvency. For this reason, among others, I do not share the desire expressed by certain of my colleagues that U.S. funding to the United Nations should be dramatically slashed at this time. Such an action would perhaps be interpreted as petulance. However, I do believe that the Congress should exercise its responsibility to the American people. We should undertake a thorough and hardheaded review of the many categories of U.S. support for the United Nations. This should be done, not out of vindictiveness, but rather in the light of the tendency of the United Nations to spend money—much of it ours—out of proportion to its resources and then fall back on the good will of the American people to bail it out. The present fiscal insolvency of the United Nations would now appear to be compounded by an element of moral decay and poor political judgment, for by the expulsion of the Republic of China, the U.N. expunged from its rolls one of that organization's most reliable supporters and regular contributers.

DECLINE OF CREDIBILITY

The Senator from Kansas is deeply concerned by developments which suggest to him the incipient decline of the political credibility of the United Nations. The propagandistic wording of the resolution which removed the Republic of China was suggestive of the cynicism and political decay demonstrated by that ill-fated forerunner of the U.N.—the

League of Nations—at the time when fascist Italy was callously overrunning Ethiopia. Then, as is the case this week, the assembled delegates countenanced the effective disregard of a nation at a time when it seemed "politically expedient" to do so. The moral outrage committed against the people of the Republic of China is of the same order as the League's toleration of Mussolini's conquest of Ethiopia.

NEED FOR RESPONSIBILITY

I do not question the desirability of including the People's Republic of China as a member of the United Nations or its seating on the Security Council. However, I firmly believe in the right of the Republic of China to remain as a member of the U.N. General Assembly.

This Senator also believes in the ongoing need for the United Nations, but such an organization must demonstrate adherence to a reasonable standard of political integrity.

The Senator from Kansas believes that those nations which voted for the expulsion of the Republic of China did so largely in the interests of political expediency and economic opportunism. If such conduct is to become a habit at the United Nations, and there is evidence to suggest that this is the case, then the Senator from Kansas believes the United States should undertake a careful but critical evaluation of our support of that organization.

REVIEW OF FINANCIAL SUPPORT

I would like to bring to the attention of this Chamber the fact that U.S. voluntary contributions to United Nations and its special programs and agencies have been roughly twice as great as our assessments. I would like to cite some specific examples of this pattern. Our cumulative total assessments by the U.N. from 1946 through 1970 have come to $584,953,000, or 32 percent of the regular U.N. budget. When our assessments for other U.N. special agencies are totaled for this period, they amount to $551,491,000, and average from 25 to 30 percent of the respective U.N. agency budgets.

However, our voluntary contributions to United Nations special programs and agencies have totaled $2,353,419,000. This support has accounted for up to 83.01 percent of their operating budgets. Notable among these voluntary figures are the 58.58 percent U.S. contributions to the U.N. Relief and Works Agency, 50 percent for U.N. Population Activities Fund, 40 percent for the U.N. Children's Fund, and 38.42 percent of the U.N. food and agriculture program.

The cumulative total support of the United States for the United Nations from 1946 to 1970 amounts to $3,761,968,000. For the year 1971, the United States has been assessed $56,312,170, or 31.52 percent of the U.N.'s operating requirements.

These amounts are substantial and represent the relatively large U.S. commitment to the activities of the United Nations. These activities have not, however, bound the United Nations to the political desires or commitments of the United States. The suggestion by some among us who feel that the outcome of the China vote represents the United Nations coming of age frankly puzzles me. For, on the whole, this country has served the United Nations in a manner which has not been suggestive of self-interest. At this time, an insolvent United Nations will need our support more than ever before if it is to escape paralysis.

It is my opinion that in the future, we should sustain the United Nations as our membership requires and our own political and national interest merit. However, I cannot in good conscience recommend that we continue present levels of support without a careful assessment of our own interests.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WILLIAMS, from the Committee on Labor and Public Welfare, with an amendment:

S. 2515. A bill to further promote equal employment opportunities for American workers, together with individual and supplemental views (Rept. No. 92-415).

By Mr. WILLIAMS, from the Committee on Labor and Public Welfare, without recommendation:

H.R. 1746. An act to further promote equal employment opportunities for American workers (Rept. No. 92-416).

FOREIGN ASSISTANCE ACT OF 1971—AMENDMENTS

AMENDMENT NO. 558

(Ordered to be printed.)

Mr. BYRD of West Virginia (for Mr. SYMINGTON) proposed an amendment to the bill (H.R. 9910) to amend the Foreign Assistance Act of 1961, and for other purposes.

ORDER FOR ADJOURNMENT TO 9 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 9 o'clock tomorrow morning.

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

ORDER FOR ADJOURNMENT FROM TOMORROW TO 9 A.M. MONDAY, NOVEMBER 1, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow it stand in adjournment until 9 o'clock on Monday morning next.

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

ORDER FOR RECOGNITION OF SENATOR ALLEN AND FOR PERIOD OF TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY, NOVEMBER 1, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that immediately following the recognition of the two leaders on Monday next, the distinguished Senator from Alabama (Mr. ALLEN) be recognized for not to exceed 15 minutes; following which there be a period for the transaction of routine morning business not to extend beyond 10 o'clock a.m., with statements therein limited to 3 minutes.

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

ADJOURNMENT FROM MONDAY, NOVEMBER 1, 1971, TO 10 A.M., TUESDAY, NOVEMBER 2, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business on Monday next it stand in adjournment until 10 o'clock a.m. on Tuesday next.

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

ORDER FOR RECOGNITION OF SENATORS GURNEY, BYRD OF WEST VIRGINIA, McCLELLAN, RIBICOFF, AND PERCY ON TUESDAY, NOVEMBER 2, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the recognition of the two leaders on Tuesday next, the following Senators be recognized for not to exceed 15 minutes each and in the order stated: Senators GURNEY, BYRD of West Virginia, McCLELLAN, RIBICOFF, and PERCY.

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

ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON TUESDAY, NOVEMBER 2, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the recognition of Senators under the orders peviously entered for Tuesday next, there be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements limited therein to 3 minutes.

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

ORDER FOR WATER QUALITY BILL TO BE LAID BEFORE THE SENATE ON TUESDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Tuesday next, upon the conclusion of the period for the transaction of routine morning business, the Senate proceed to consider the water quality bill.

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

WATER QUALITY BILL—UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I make the following unanimous-

consent request, having been authorized to do so by the distinguished majority leader, after consultations with the distinguished minority leader and the able assistant Republican leader, and with the distinguished senior Senator from West Virginia (Mr. RANDOLPH), the distinguished Senator from Maine (Mr. MUSKIE), the distinguished Senators from Wisconsin (Mr. PROXMIRE and Mr. NELSON), the distinguished Senator from Tennessee (Mr. BAKER), the distinguished Senator from Kentucky (Mr. COOPER), and the distinguished Senator from Delaware (Mr. BOGGS).

Mr. President, I ask unanimous consent that time on the water quality bill be limited to 4 hours; that time on an amendment by the able senior Senator from Wisconsin (Mr. PROXMIRE) be limited to 2 hours; that time on an amendment by the able junior Senator from Wisconsin (Mr. NELSON) be limited to 2 hours; that time on any other amendment in the first degree be limited to 1 hour, that time on any amendment in the second degree or any motion or appeal, with the exception of a motion to lay on the table, be limited to 30 minutes; provided that time on the bill be equally divided between the manager of the bill and the distinguished minority leader or his designee, that the time on any amendment, motion, or appeal be equally divided between the mover of such amendment, motion, or appeal and the manager of the bill; provided further that no amendment not germane be in order; and

Ordered further, that Senators in control of time on the bill may yield time therefrom to any Senator on any amendment, motion, or appeal, with the exception of a motion to lay on the table.

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

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. I assume this will be the final quorum call of the day.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

RESCISSION OF ORDERS RECOGNIZING SENATOR DOLE AND SENATOR TALMADGE TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the orders recognizing Senators DOLE and TALMADGE on tomorrow be vacated.

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

ORDER TO LAY UNFINISHED BUSINESS BEFORE THE SENATE AT CONCLUSION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, upon the conclusion of routine morning business tomorrow, the Chair lay before the Senate the unfinished business, which is the foreign aid authorization bill.

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

FOREIGN ASSISTANCE ACT OF 1971

The Senate continued with the consideration of the bill (H.R. 9910) to amend the Foreign Assistance Act of 1961, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, at this time I ask that the amendment by the distinguished Senator from Missouri (Mr. SYMINGTON) be stated so that it may be made the pending business.

The PRESIDING OFFICER. The clerk will state the amendment. The assistant legislative clerk read as follows:

On page 44, line 14, strike out "$250,000,000" and insert in lieu thereof "$341,000,000".

On page 44, line 20, strike out "$250,000,000" and insert in lieu thereof "$330,000,000."

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 9 a.m. After the two leaders have been recognized, there will be a period for the transaction of routine morning business, for not to exceed 30 minutes and with the usual 3-minute limitation on speeches.

At the conclusion of morning business, the Senate will resume its consideration of the unfinished business, the foreign aid authorization bill. Pending will be the amendment offered by the distinguished senior Senator from Missouri (Mr. SYMINGTON).

The Senate will complete action on the foreign aid authorization bill tomorrow, there being a time limitation of 1 hour on any amendment in the first degree, and there also being an agreement to vote on final passage on the bill at no later than 7 o'clock p.m. tomorrow.

There will be a number of rollcall votes tomorrow.

ADJOURNMENT UNTIL 9 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9 a.m. tomorrow.

The motion was agreed to; and (at 8 o'clock and 31 minutes p.m.) the Senate adjourned until tomorrow, Friday, October 29, 1971, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate October 28, 1971:

U.S. COAST GUARD

The following-named officers of the Coast Guard for promotion to the grade of captain:

Herbert H. Mulvany	George E. Cote
Oscar J. Jahnsen, Jr.	Swain L. Wilson
William D. Derr	Phillip B. Moberg
Gilbert L. Kraine	Lawrence A. White
Charles J. Glass	Wilfred R. Bleakley, Jr.
Horace G. Holmgren	
Claude R. Thompson	John S. Phillips
John C. Guthrie	James P. Randle
Ferney M. McKibben	Richard L. Jacobs
Sidney B. Vaughn, Jr.	Louis L. Zumstein
Eugene A. Delaney	Alfred P. Manning, Jr.
James L. Fleishell	
Royal E. Grover, Jr.	George J. Roy, Jr.
William G. Dick	Robert W. Witter
Charles F. Juechter	Ted L. Gannaway
John C. Fuechsel	Robert A. Moss
Warren W. Waggett	Richard M. Thomas
Leo V. Donohoe	Daniel L. Muir
Adrian L. Lonsdale	Robert C. Powell
Berry L. Meaux	George E. Maloney
Harold W. Parker, Jr.	Richard J. Knapp
John P. Mihlbauer	Frederick P. Schubert
Clarence C. Hobdy, Jr.	Byron W. Jordan
James L. Brewer	David M. Kaetzel
John W. Leadbetter, Jr.	Richard O. Haughey
	Myron E. Welsh
Victor Koll	Robert F. Ewels
Raymond C. Hertica	Melvin H. Eaton
Paul A. Yost, Jr.	John D. Costello
Henry H. Bell	Donald C. Thompson
Philip C. Lutzi	Graeme Mann
Richard F. Malm	Richard A. Bauman

The following-named Reserve officers to be permanent commissioned officers of the Coast Guard in the grades indicated:

Lieutenant commander

George H. Moritz

Lieutenant

Vernon O. Eschenburg	John R. Lashley, Jr.
	David C. Jeffrey
William P. Wolfe	

IN THE ARMY

The following-named persons for reappointment in the active list of the Regular Army of the United States, from temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be major general

Stromberg, Woodrow W., [redacted].

The following-named persons for appointment in the Regular Army, by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3283 through 3294:

To be first lieutenant

Romash, Michael M., [redacted].

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be major

Higdon, James W., [redacted].
Wong, Donald R., [redacted].

To be captain

Alexander, William C., Jr., [redacted].
Banks, James H., [redacted].
Berk, Walter L., [redacted].
Bigley, Angela R., [redacted].
Bove, Ralph J., [redacted].
Browning, Clifton J., [redacted].
Canfield, Constance D., [redacted].
Danner, John A., [redacted].
Deason, Robert L., [redacted].

Fry, Paul H., xxx-xx-xxxx
Gabbert, Kenneth K., xxx-xx-xxxx
Head, Herbert W., III, xxx-xx-xxxx
Jacobs, Willie S., xxx-xx-xxxx
Kellum, George G., III, xxx-xx-xxxx
Lopez, Paul V., xxx-xx-xxxx
Myer, Frederick G., Jr., xxx-xx-xxxx
Pierce, Lawrence D., xxx-xx-xxxx
Pilgrim, George E., xxx-xx-xxxx
Semrau, Buddy L., xxx-xx-xxxx
Strickland, James H., xxx-xx-xxxx
Wendt, Kenneth A., xxx-xx-xxxx
Young, Richard J., xxx-xx-xxxx
Zepke, John R., xxx-xx-xxxx

To be first lieutenant

Alvarez, Angel H., Jr., xxx-xx-xxxx
Arnold, Buddy L., xxx-xx-xxxx
Arnold, Tony G., xxx-xx-xxxx
Bajema, Sheldon L., xxx-xx-xxxx
Bale, Hugh O., xxx-xx-xxxx
Blake, Peter J., III, xxx-xx-xxxx
Blue, Leon D., xxx-xx-xxxx
Buck, Doyle A., xxx-xx-xxxx
Burdine, Roy G., xxx-xx-xxxx
Campbell, James T., xxx-xx-xxxx
Campbell, Larry O., xxx-xx-xxxx
Chafens, Roger L., xxx-xx-xxxx
Cropper, Siegfried S., xxx-xx-xxxx
Davis, Merrill W., xxx-xx-xxxx
Domyslawski, Raymond F., xxx-xx-xxxx
Drake, Van T., xxx-xx-xxxx
Everitt, Donald B., Jr., xxx-xx-xxxx
Fowler, Charles N., xxx-xx-xxxx
Fuller, Jeffrey D., xxx-xx-xxxx
Gee, Philip C., xxx-xx-xxxx
Gidley, Norman A., III, xxx-xx-xxxx
Gilbreth Alan S., xxx-xx-xxxx
Glaze, Gerald W., xxx-xx-xxxx
Goehler, Rodney W., xxx-xx-xxxx
Gramiccioni, John P., xxx-xx-xxxx
Grassi, Augustine M., xxx-xx-xxxx
Grundy, William J., xxx-xx-xxxx
Hassett, Robert B., III, xxx-xx-xxxx
Herrington, Stuart A., xxx-xx-xxxx
Houston, Curtis A., xxx-xx-xxxx
Johnson, Kenneth L., xxx-xx-xxxx
Josephson, George B., xxx-xx-xxxx
Kalley, Bruce L., xxx-xx-xxxx
Laney, Millard G., xxx-xx-xxxx
Liu, George K., xxx-xx-xxxx
McDonald, James A., xxx-xx-xxxx
Mecredy, Robert F., xxx-xx-xxxx
Morgan, Thomas J., xxx-xx-xxxx
Pedersen, Milton D., xxx-xx-xxxx
Pinnock, Martin W., xxx-xx-xxxx
Prestidge, James C., Jr., xxx-xx-xxxx
Reaves, George F., xxx-xx-xxxx
Rickerson, John C., Jr., xxx-xx-xxxx
Salyer, Howard C., Jr., xxx-xx-xxxx
Shumaker, Gary E., xxx-xx-xxxx
Smith, James L., xxx-xx-xxxx
Stefanowicz, Raymond S., xxx-xx-xxxx
St. Laurent, Norman, xxx-xx-xxxx
Wallace, Emitt, xxx-xx-xxxx
Warburton, Albert E., III, xxx-xx-xxxx
Whitaker, Joseph T., xxx-xx-xxxx
Ziemiecki, Anthony M., xxx-xx-xxxx

To be second lieutenant

Baker, Linda B., xxx-xx-xxxx
Benjamin, William E., xxx-xx-xxxx
Berman, Michael D., xxx-xx-xxxx
Brennan, Richard S., III, xxx-xx-xxxx
Bussert, John R., xxx-xx-xxxx
Cavin, Dennis D., xxx-xx-xxxx
De Arvil, Royal M., xxx-xx-xxxx
Farmer, Robert, xxx-xx-xxxx
Fitch, Ronald B., II, xxx-xx-xxxx
Gordon, Clarence E., xxx-xx-xxxx
Hirsch, Paul R., xxx-xx-xxxx
Jobe, Gordon B., xxx-xx-xxxx
Kanan, John F., xxx-xx-xxxx
Kupsick, Sharron D., xxx-xx-xxxx
Langenfeld, Thomas E., xxx-xx-xxxx
Loftis, Donald D., xxx-xx-xxxx
Martin, Michael C., xxx-xx-xxxx
McClendon, Richard E., xxx-xx-xxxx
Parker, Jimmie K., xxx-xx-xxxx
Slimp, Stewart H., xxx-xx-xxxx
Spara, Theodore J., xxx-xx-xxxx
Thomas, Charles W., xxx-xx-xxxx

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

Brooks, Sidney A., xxx-xx-xxxx
Curtis, Paul A., xxx-xx-xxxx
Easton, James P., xxx-xx-xxxx
Ebeling, John A., Jr., xxx-xx-xxxx
Flora, Herbert V., Jr., xxx-xx-xxxx
Guilkey, James H., xxx-xx-xxxx
Hay, Paul B., Jr., xxx-xx-xxxx
Hedges, Tony J., xxx-xx-xxxx
Hillman, James L., xxx-xx-xxxx
Landheim, Craig E., xxx-xx-xxxx
Lorenc, Casimir G., xxx-xx-xxxx
McGill, Michael P., xxx-xx-xxxx
McPherson, Lawrence G., xxx-xx-xxxx
Parker, Robert M., xxx-xx-xxxx
Parr, Joe A., xxx-xx-xxxx
Romito, Thomas M., xxx-xx-xxxx
Scoggins, Jeffrey A., xxx-xx-xxxx
Thorn, James T., xxx-xx-xxxx
Thornton, Gordon L., xxx-xx-xxxx
Townsend, Robert K., xxx-xx-xxxx
Veal, Wayne R., xxx-xx-xxxx
Walters, David E., xxx-xx-xxxx
Wernette, Edward L., xxx-xx-xxxx
Wolitarsky, Bruce W., xxx-xx-xxxx

IN THE NAVY

The following-named lieutenant commanders of the line and staff corps of the Navy for temporary promotion to the grade of commander, pursuant to title 10, United States Code, section 5787, while serving in, or ordered to, billets for which the grade of commander is authorized and for unrestricted appointment to the grade of commander when eligible pursuant to law and regulation subject to qualification therefor as provided by law:

LINE

Barnes, Fletcher J., III	McCullough, David U.
Bullard, Lewis D.	Murray, Gordon L., Jr.
Fleming, James J.	Nelson, Henry E.
Holland, John D., Jr.	Reilly, Robert K.
Kirkconnell, William B.	Sansom, Robert G., Jr.
	Staudenmayer, Frederick G.

SUPPLY CORPS

Kreig, William C.

IN THE NAVY

The following-named officers of the Reserve of the U.S. Navy for temporary promotion to the grade of commander in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Capernaros, Peter S.	Eldredge, Hugh G., Jr.
England, Loy D.	Gagliano, Giovanni
Griffin, Francis V.	Hart, Frank M.
Hierseman, Wayne R.	Hodges, Alan S.
Holton, James V.	Hunter, Thomas V., Jr.
Husband, Philip M.	Jackson, Harry B.
Kerby, Douglas G.	Post, Arthur H., Jr.
Reetz, Harvey F.	Sample, William B., Jr.
Stephenson, Donald L.	Stevenson, John C., Jr
Vogt, John H.	

MEDICAL CORPS

Garrett, Henry F. M.

CIVIL ENGINEER CORPS

Knox, John R.

JUDGE ADVOCATE GENERAL'S CORPS

Knape, Raymond E.

NURSE CORPS

Harrison, Alvina M.	Mong, Dorothea G.
Roskoph, Dorothy A.	Vaz, Dolores D.
Young, Victoria E.	

Lt. Cmdr. Grace R. Whittaker, U.S. Naval Reserve, for permanent promotion to the grade of commander in the line, subject to qualification therefor as provided by law.

The following-named officers of the Reserve of the U.S. Navy for permanent promotion to the grade of captain in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Beverly, Ralph A.	Tanner, Billy L.
Rohrer, Paul W.	Vanlandingham, James R.
Thorn, Fred	
Greene, Furman B.	

JUDGE ADVOCATE GENERAL'S CORPS

McDowell, Mary L.

The following-named officers of the Reserve of the U.S. Navy for permanent promotion to the grade of commander in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Atkin, Lawrence C.	Liebe, Larry J.
Brown, William I.	Luning, Henry J.
Brown, Oscar D., Jr.	Martin, William D.
Bryant, Theodore W.	Maunder, Donald E.
Buesener, Charles A.	McElligott, Robert M.
Bush, James S.	Moloney, John D.
Caletri, Joseph J.	Moody, Roy B., Jr.
Collier, John H.	Morrisett, Leslie D., Jr.
Creps, Roland R.	Morse, Minot C., Jr.
Diamon, Mark I.	Nystrom, Donald A.
Dowhal, John K.	Renninger, Harris R.
Driscoll, Conrad J., Jr.	Ruhle, Arthur J., Jr.
Ferris, Edward G.	Sheftel, Richard A.
Fichter, George L.	Smith, Brian W.
Flynn, Kenneth C.	Smith, Ralph W., Jr.
Frische, Francis X.	Stewart, Edward W.
Gerety, David W.	Sudduth, Jack W.
Gilkinson, Alan A.	Sutherland, Bird E.
Gray, Richard L.	Thomson, Frederick D., Jr.
Inman, Richard J.	Trout, Herbert E.
Johnson, Donald E.	Wenning, Robert A.
Johnson, Whitney H.	
Lamee, Clyde D., Jr.	

CHAPLAIN CORPS

Senieur, Jude R.

The following-named Regular officers of the line and staff corps of the U.S. Navy, for temporary promotion to the grade of commander, pursuant to title 10, United States Code, section 5787, subject to qualification therefor as provided by law:

LINE

Branch, Nathan E.	Lauf, Joseph W.
Delanoy, Billie L.	Leech, Joseph W.
Eastman, David R.	Lindstrom, Axel L.
Flow, James W.	Tomcavage, Norman J.
Hayter, Roscoe, Jr.	

SUPPLY CORPS

Pacofsky, Bartholemew

CIVIL ENGINEER CORPS

Perez, Johnny

Franz Hatfield (Naval Reserve Officers' Training Corps candidate) to be a permanent ensign in the Supply Corps of the Navy, subject to qualification therefor as provided by law.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 28, 1971:

U.S. TAX COURT

William A. Goffe, of Oklahoma, to be a judge of the U.S. Tax Court for a term expiring 15 years after he takes office.

U.S. DISTRICT COURTS

William C. Stuart, of Iowa, to be a U.S. district judge for the southern district of Iowa.

Earl E. O'Connor, of Kansas, to be a U.S. district judge for the district of Kansas.