SENATE—*Wednesday, November 3, 1971*

The Senate met at 9:30 a.m. and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

PRAYER

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

We thank Thee, O Lord, for the morning of a new day when bodies are rested, minds are fresh, and hearts are responsive to Thy Spirit. We thank Thee for the quiet moment when all else is shut out and we are in tune with nature, with life, and with Thee. Fit us for all that this day brings—long hours of study, conference, and hard decision-making. Help us to keep the mind clear, the soul clean, the will determined for righteousness. Make us to be valiant for truth and agents of hope for Thy coming kingdom. In the end give us the satisfaction of hearts at peace with Thee and our fellow man.

In the Master's name. Amen.

DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., November 3, 1971.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

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

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, November 2, 1971, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

TRANSPORTATION OF CARGO BY BARGES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 414, H.R. 155.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The legislative clerk read the bill by title, as follows:

H.R. 155, an act to facilitate the transportation of cargo by barges specifically designed for carriage aboard a vessel.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments, on page 2, line 5, after the word "States", strike out "this section shall not apply" and insert "the Secretary of the Treasury may suspend the application of this section"; in line 8, after the word "States", strike out "including districts, territories, and possessions thereof embraced within the coastwise laws," and insert "(excluding transportation between the continental United States and noncontiguous states, districts, territories, and possessions embraced within the coastwise laws)"; and, after line 20, insert a new section, as follows:

SEC. 2. For a period of five years following the enactment of this Act, the Secretary of the Treasury shall at the beginning of each regular session make a report to the Congress regarding activities under this Act, including but not limited to the extent to which foreign governments are extending reciprocal privileges to the vessels of the United States.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar beginning with "New Reports."

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

The ACTING PRESIDENT pro tempore. The clerk will please read the first nomination on the Executive Calendar under "New Reports."

SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

The second assistant legislative clerk read the nomination of William D. Eberle, of Connecticut, to be Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

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

AMBASSADORS

The second assistant legislative clerk proceeded to read sundry nominations for ambassadors.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that those nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc and, without objection, they are confirmed en bloc.

DIPLOMATIC AND FOREIGN SERVICE

The second assistant legislative clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

Mr. MANSFIELD. Mr. President, I make the same request with respect to those nominations.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc, and, without objection, they are confirmed en bloc.

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

The ACTING PRESIDENT pro tempore. Without objection, the President will be so notified.

LEGISLATIVE SESSION

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

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

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Does the distinguished majority leader desire further recognition?

Mr. MANSFIELD. No.

The ACTING PRESIDENT pro tempore. Does the Senator from Michigan desire recognition?

Mr. GRIFFIN. No.

The ACTING PRESIDENT pro tempore. At this time, in accordance with the previous order, the distinguished Senator from Georgia (Mr. GAMBRELL) is recognized for not to exceed 15 minutes.

The Senator from Georgia.

Mr. GAMBRELL. Mr. President, I am awaiting the delivery of some material from my office. In view of that, I would like to suggest the absence of a quorum until that material is brought to me, to be charged against my 15 minutes of time.

Mr. MANSFIELD. Mr. President, does the Senator wish to request that the time not be charged against his time?

Mr. GAMBRELL. Mr. President, I ask unanimous consent that the time not be charged against my time.

The ACTING PRESIDENT pro tempore. Without objection, the time for the quorum call will not be charged against the Senator's time.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Under the previous order, the Senator from Georgia is recognized for not to exceed 15 minutes.

EQUAL EMPLOYMENT OPPORTUNITIES ENFORCEMENT ACT OF 1971

AMENDMENT NO. 551

Mr. GAMBRELL. Mr. President, on last Thursday, October 28, I submitted an amendment to the Equal Employment Opportunities Act of 1971 (S. 2515). My amendment would restrict the power of Federal courts to order forced school busing, would prohibit the Justice Department and the Department of Health, Education, and Welfare from using legal and administrative measures to support forced busing, and would require the Department of Health, Education, and Welfare to accept court-ordered school integration plans as being complete for the purpose of receiving desegregation financing, without imposing additional conditions.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD my statement of October 28, made in connection with the introduction of my amendment, as part of my remarks today.

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

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 school children. The legislation is in the form of an amendment to the Equal Employment Opportunities 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 constitutional 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."

Mr. GAMBRELL. It is not the purpose of my amendment to try to permanently resolve the school busing controversy. Undoubtedly, that will require further consideration of the matter by the courts, and further legislative action.

The immediate purpose of the amendment is to suspend further Federal busing enforcement, and to permit normal educational processes to continue while the matter is under consideration by the Congress and by the Court.

Today, in order that the total impact of forced schoolbusing might be fully understood, I want to point out a number of circumstances surrounding this entire question which should be influential upon any fair-minded person considering whether to press forward with forced school busing as a means of desegregating public schools.

First, I ask unanimous consent to have printed at this point in the RECORD the latest two of a series of polls conducted by the Gallup organization with reference to schoolbusing. The most recent, which was published on Monday of this week in the Washington Post shows that 75 percent of the total population of this country opposes forced school busing while only 18 percent favor it.

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

[From the Washington Post, Nov. 1, 1971]

SEVENTY-SIX PERCENT OF PUBLIC OPPOSES BUSING

(By George Gallup)

PRINCETON, N.J.—In the latest nationwide survey, three in every four persons, voice opposition to the busing of Negro and white children from one school district to another.

Although an increasing number of school districts, particularly in the South, have followed court orders to bus students to achieve a better racial balance, opposition has remained firm. Both the latest survey and the previous one in late August show only 18 per cent in favor of busing.

However, views on busing have softened somewhat since a still earlier survey in the spring of 1970, when 11 per cent of all adults interviewed expressed support of busing.

The latest survey is based on in person interviews with 1,506 adults, 18 and older, in approximately 300 scientifically selected localities across the nation. Interviewing for the latest survey was conducted Oct. 8–11.

All persons who said they had heard or read about the issue were asked this question:

In general, do you favor or oppose the busing of Negro and white school children from one school district to another?

As the following table shows, overwhelming opposition to busing is found in all four major regions of the nation, particularly the South.

Whites, both in the South and outside the South, oppose busing, while a fairly close division of opinion is found among Negroes.

The national results and results by key groups.

[In percent]

	Favor	Oppose	No opinion
National	18	76	6
Whites	15	79	6
Negroes	45	47	8
East	22	71	7
Midwest	16	77	7
South	14	82	4
Far West	21	72	7

In a test election in which President Nixon is pitted against Sen. Edmund Muskie of Maine and Gov. George Wallace of Alabama, supporters of all three express overwhelming opposition to busing, as seen in the following table:

[In percent]

	Favor	Oppose	No opinion
Wallace supporters	8	89	3
Nixon supporters	10	85	5
Muskie supporters	25	65	8

Among the reasons given by those who oppose busing (1) Children should go to school where they live—busing is not fair to them nor to their parents; (2) it's an unneeded expense—the money could be better spent improving the quality of education for both races; (3) the time spent on long bus trips is enervating and a waste of time.

The chief reasons given by those in favor of busing are that busing will upgrade the quality of education for Negroes and in the long run will improve race relations in the nation.

POLL FINDS DROP IN MAJORITY'S OPPOSITION TO BUSING

The overwhelming majority of Americans continue to oppose busing of pupils to integrate the schools, but opposition has declined since 1970, particularly among certain key groups in the population, according to the Gallup Poll.

In the latest survey, 18 per cent of those questioned said they favored the busing of black and white children from one school district to another as a means of achieving racial balance in the nation's classrooms. Three in four persons, or 76 per cent, expressed opposition.

In the previous survey, taken in March, 1970, 14 per cent said they favored busing, while 81 per cent expressed opposition.

The decline in opposition since 1970 has come about among both blacks and whites and in the South as well as the North.

One of the sharpest increases in support was found among college-trained persons, with the proportion favoring busing having almost doubled since 1970—from 13 per cent to 23 per cent.

A total of 1525 persons, 18 and older, were interviewed Aug. 20–23.

The busing controversy, which has recently erupted in many parts of the nation in connection with the opening of school has strong political implications for next year's Presidential race—particularly in view of another possible third-party attempt by Alabama's Gov. George C. Wallace, an outspoken critic of busing.

Evidence of the keen interest in the issue is the fact that 94 per cent of persons interviewed said they had heard or read about busing of Negro and white children from one school district to another, a percentage that far exceeded that recorded for many other domestic issues.

All those who said they had heard or read about the issue were then asked this question:

"In general, do you favor or oppose the busing of Negro and white school children from one school district to another?"

Following is a percentage comparison between 1970 and today in the proportion who favor busing:

	Latest	March 1970
Nationwide	18	14
Whites	15	11
Blacks	45	37
Northern whites	17	13
Southern whites	10	5
College trained	23	13
High school	16	14
Grade school	17	16
Under 30 years	26	17
30–49 years	16	16
50 and older	14	10
Republicans	11	10
Democrats	23	18
Independents	16	13

When interviewed, a 60-year-old chef from Bayonne, N.J., remarked, "Busing is not the Government's business—let the kids go to school where they live."

"A 45-year-old Iowa factory worker said, I just don't see the reason for the extra expense—all the money being spent on busing could be better used to improve schools in neighborhoods."

However, the wife of a storeowner in New York City said, "Busing may cause immediate problems, but in the long run it will give blacks a better education and improve race relations."

Mr. GAMBRELL. These polls also show that forced school busing is not favored in any section of the country, North, South, East, or West. It is not favored by a majority of any group of citizens, by age, economic class, educational level, or political party. It is not even favored by black citizens as a group, they being the class who are supposedly to gain by this program.

Therefore, since forced school busing does not have the support of the public, its implementation can only bring about public dissatisfaction and divisiveness, at a time when the country needs unity.

Second, in February of this year, the Department of HEW published statistics setting forth the extent of integration in the public schools of this country. I ask unanimous consent that the statistics be included in the RECORD at the end of my remarks.

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

(See exhibit 1.)

Mr. GAMBRELL. In substance, the statistics show that the South has not only made proportionately greater progress in school desegregation than any other section of the country, but that, in fact, southern schools are more completely desegregated than are the schools of other parts of the country.

Nationwide, the percentage of all Negro students in majority white schools was 33 percent. In the South, this factor was 39 percent, while in border States and in the Northern and Western States, the percentages were only 32 percent and 28 percent, respectively.

A comparison of desegregation between Georgia and Illinois reveals that 64 percent of blacks in Georgia and 85 percent of blacks in Illinois attend schools in which they are a majority. More significantly, only 30 percent of Georgia blacks, but 71 percent of Illinois blacks attend schools in which there is a 95- to 100-percent black majority. And even more significantly, while the percentage of blacks attending 100-percent black schools in Georgia declined from 76 percent to 16 percent between 1968 and 1970, the decline in Illinois was only from 38 percent to 36 percent. A similar comparison can be seen between North Carolina and New York, except that the percentage of blacks attending all-black schools in New York State increased between 1968 and 1970.

This record prevails throughout the entire set of statistics covering individual cities as well as States and regions. No statistics are available for the 1970–71 school year, nor for the 1971–72 school year. However, it may be fairly assumed that desegregation has proceeded rapidly in the South while only insignificantly, if at all in other sections of the country.

Thus, forced school busing cannot be justified on the grounds that it is needed to overcome a history of race segregation in Southern schools. Desegregation in the Southern States has already surpassed conditions existing in other sections of the country.

Furthermore, it is obvious that Southern school systems are the subject of discriminatory desegregation enforcement practices, and here again are being sown the seeds of discontent and divisiveness. One can hardly expect Southerners to accept the disruptions of their education systems which are now taking place, when other areas of the country are going scot-free in this regard. Those who aspire to national leadership can hardly expect political support from Southerners who have been imposed upon in this way.

Third, not only is the enforcement of desegregation discriminatory between sections of the country, but it is also discriminatory among students of systems within which forced busing plans are being implemented. It is a mystery to me how choices are being made between children who are to be transported from their home community into other communities for schooling, and those who are permitted to attend their own neighborhood schools. This discrimination falls with equal harshness upon both black and white. And even if those who are bused are considered to have gained something from the experience, how do we determine who is to benefit from this gain, and who is to be deprived of it.

Fourth, the busing controversy has impaired the efforts of the courts and the Department of HEW to assist school systems in the process of orderly desegregation. The School Aid and Quality Integration Act of 1971, which was rapidly adopted by the Senate early this year, has been bogged down in the House for months, largely in the controversy over the financing of forced school busing. On Monday of this week, a vote was taken in the House which indicates that the bill may not be adopted at all this year. The apparent reason for this development is the adverse political implications of the busing feature of the bill.

When this bill was before the Senate, the junior Senator from Florida (Mr. CHILES) and I sponsored an amendment which would require the Department of HEW to accept court-ordered integration plans as qualifying for funding under the act. This amendment was unanimously agreed to by the Senate on a voice vote, and the bill itself was passed by a vote of 74 to 8, with my support.

My support of the school aid bill was based upon the view that my own State, being almost 100 percent under court-ordered integration plans, would be a large beneficiary of funds to be granted under this act.

Many Georgia school systems have benefited during the past through grants made under the ESAP program. With the Chiles amendment, it appeared that the 1971 act would ease many of the pains and labors of desegregation for Georgia's local school systems.

However, since that vote was taken, the Supreme Court and other Federal courts have issued a confusing and controversial series of rulings concerning school busing, and the Department of HEW has taken upon itself to implement its own desegregation programs with busing requirements. Even after learning the sense of the Senate on the Chiles amendment, the Department has persisted in adding conditions to Fedral funding beyond those provided for in court-ordered desegregation plans. The Department has also supported the stripping of the Chiles amendment from the House version of the Senate bill. As a result, many school systems and most citizens, as well as many Members of Congress, seem to prefer to reject any Federal desegregation funding, rather than appear to be "supporting busing" or giving the Department of HEW a whip-hand on desegregation matters.

It may be fairly stated that, based on this history, the Department of HEW has almost regulated itself out of the desegregation business. For myself, unless the school aid bill contains provisions similar to those contained in my amendment here today, I plan to oppose it with all the strength at my command if it is returned to the Senate for further consideration.

In the final analysis, the administration of desegregation by HEW, and the confusion surrounding the constitutionality of forced school busing, has destroyed the effectiveness of HEW in the desegregation process.

The extent to which these programs have been mishandled by the Department of HEW is most clearly illustrated by the case of the Atlanta school system. Recent developments will seem incredible to anyone who is familiar with the history of the desegregation of the Atlanta schools.

Atlanta has, for many years, had the reputation of a "city too busy to hate." The school system has had a remarkably successful history of desegregation and

compliance with the law of the land. As a citizen of that city, I have personally lived through the entire experience, which began back in the early sixties. One of my children was in the Atlanta public school system from 1962 through June of 1971. I was a member of the executive committee of the Atlanta Bar Association in 1961, when it urged compliance with court orders requiring school desegregation. This was the first such announcement made by any lawyers organization in the South.

During this period of time, as a result of successive municipal elections, a number of blacks have been elected to the Atlanta Board of Aldermen, and to the Atlanta Board of Education. The vice mayor of Atlanta at the present time is a black man. The president of Atlanta's Board of Education is Dr. Benjamin Mays, a former president of Morehouse College, and, as many Members of this body will recall, one who delivered the eulogy at the funeral in Atlanta for Dr. Martin Luther King, Jr.

Late last year, the Atlanta School Board, under Dr. Mays' guidance, adopted a revised pupil placement plan which did not call for any substantial busing of children. The board felt that massive busing was too expensive, was not educationally desirable, and would simply lead to "resegregation," the phenomenon by which communities under forced integration, because of shifts in racial residential patterns, tend to become segregated again.

This plan was contested in court, and on July 28 of this year, the U.S. District Court for the Northern District of Georgia upheld the Atlanta board's desegregation plan. I inserted this decision in the RECORD for August 6, 1971, and again on September 13 of this year. In refusing to require the busing of students, the court upheld the reasons upon which the board of education relied. The court also pointed out that the school board's plan permitted voluntary transfers by students from schools in which they were among the majority, to schools where they would be in the minority, and provided for reimbursement of student transportation costs in this regard. Quite a number of black students have taken advantage of this part of the program to transfer to schools in white sections of town. But students are not being compelled to attend school outside of their home communities, and the school board is not being compelled to furnish buses for the purpose of student transportation beyond their own communities.

All of this would seem to be a very happy adjustment of a very difficult problem. But the Department of HEW was not to be denied the opportunity to stir up trouble, where many had been at great pains to reconcile conflicting interests.

At latest report, the Department is undertaking to assist a minute minority of citizens who claim to be dissatisfied with the plan adopted by the school board and approved by the Federal court. Representatives of the Department of HEW are now aiding an appeal from the district court's order and are assisting the dissenting elements in the preparation of a plan which would call for the forced busing of students in the Atlanta system.

Not only does this seem to be contrary to President Nixon's announced policy that he would seek no more school busing than is legally required, but it would seem to be contrary to sensible governmental policy, and an unwarranted harassment of a school administration which has gone an extra mile in attempting to achieve desegregation through peaceful processes.

And as if this were not sufficient, shortly following the announcement of the HEW Department's role in seeking to force busing upon the Atlanta school system, the Department rejected the Atlanta school system application for desegregation assistance funds under the ESAP program to the extent of over $3 million. This denial of funds was based upon a condition not contained in the court-approved plan of desegregation, and nowhere required as a matter of law for the desegregation of school systems. In other words, the Department of HEW, in the face of the Senate's unanimous adoption of the Chiles amendment, continues to superimpose conditions above and beyond those contained in a court-approved plan of desegregation, by denying the Atlanta system's request for desegregation assistance.

There are many other such instances among Georgia school systems and in other Southern states. HEW has even denied desegregation assistance funds to the Mecklenburg, N.C. system which, because of its forced busing plan is said to be the most desegregated school system in the world.

With activities of this kind, it is no wonder that many sections of the country are in an uproar about forced school busing, and the handling of desegregation by the Department of HEW. And, it is no wonder that few Southerners believe that President Nixon intends to do anything to minimize the problems created by forced school busing.

The principal achievement of the Nixon administration in reference to the problems which I have outlined, has been to impede the progress of the emergency 1971 desegregation funds through the Congress. As I have stated previously, this is like opposing solitary confinement by denying bread and water to those being confined. It has even gotten to the point that many of those in confinement are refusing bread and water because it might seem that they were making the confinement more comfortable by doing so. Such is the extent of the irrational behavior brought on by the forced busing controversy.

In summary, Mr. President, the people of this country are against forced school busing by a large majority. The South is way ahead of the other sections of the country in desegregation. Southern communities are being discriminated against by the Federal Government in desegregation enforcement policy, because school systems in other sections of the country have not been compelled to desegregate by busing or otherwise. The Federal Government's desegregation program is being impeded by the confusion surrounding the constitutionality of forced busing, and by the maladministration of the desegregation assistance program by the Department of HEW. And finally, the credibility of President Nixon as an opponent of "desegregation overkill" is very seriously in question.

In view of these circumstances, it is highly important that prompt and realistic consideration be given to the adoption of the antibusing amendment which I have offered. Its sole purpose is to eliminate the chaos that is building up in the educational system in this country. If any Senator has a better means of achieving that purpose, I will be happy to listen to it. I will be particularly happy to receive any suggestions for improving the amendment which I have offered.

Finally, let me say that while there may be some delay in reaching consideration of my amendment as a result of the possible deferral of the EEOC bill itself, the problem of school busing will not go away. As I mentioned in my September 11th remarks on this subject, the problem promises only to get worse, not better, by being deferred.

I predict that, unless some active measures are taken to alleviate this problem, this question will be raised again and again on the Senate floor. The implementation of busing plans and the role of the Department of HEW in these activities are certain to be made the subject of extended debate in connection with the HEW appropriations next year. The problem is no longer limited to a handful of Southern States whose influence can be disregarded. The problem is spreading, and creating alarm and disunity, throughout the land. When forced busing reached Detroit and San Francisco, it became front page news all over the country. Few doubt that it will be soon introduced into many other areas.

The time has now come for the Senate to grant relief on this issue.

Mr. President, I ask unanimous consent that two articles published in the Atlanta Constitution and Atlanta Journal with reference to the participation of the Department of HEW in regard to the Atlanta system's ESAP application be printed at this point the RECORD.

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

HEW BLOCKS FUNDS FROM FULTON SCHOOL

The federal government has withheld some $3 million in emergency desegregation funds from the Atlanta school system and Atlanta's School Supt. John W. Letson said Friday night it was "Utterly fantastic."

The money was withheld by the Department of Health, Education and Welfare because, according to a spokesman, Atlanta's classroom teacher ratio of blacks to whites did not meet their standards.

Letson said it was a "numbers game" and

was "utterly fantastic" because Atlanta was meeting all court decided requirements.

"They are talking about moving 250 teachers," Letson said. "I can't understand why, when we have been operating in good faith and doing our best with the desegregation problem, they can come up with such unrealistic requirements."

William Vandentoorn, of the Office of Education, told aides of Fifth District Rep. Fletcher Thompson Friday that HEW was withholding funds because Atlanta's teacher ratio was "not anywhere in the ballpark."

He said HEW could not legally free the money and that it was too late to make the money available "even if Atlanta changes."

Letson said the Atlanta system had received more than $1 million last year in emergency desegregation funds and used the money to establish a camp for black and white student leaders, teachers and community leaders in north Georgia during the summer to "get home meaningful dialogue and acceptance by the community of desegregation problems."

Letson said the camp had been a success, but that it could not be continued if HEW refused further funds.

Rep. Thompson said earlier this month he would advise the Atlanta system to go to court to obtain the $3 million as the most expedient route to obtaining the funds.

ATLANTA SCHOOLS DENIED $3.3 MILLION FROM UNITED STATES

(By David Nordan)

WASHINGTON.—The Atlanta School System has been denied a requested $3.3 million in federal desegregation aid funds because the system refuses to transfer enough teachers to achieve a satisfactory faculty racial ratio.

The Department of Health, Education and Welfare (HEW) turned down the Atlanta request for emergency desegregation money along with about 50 other systems which HEW said also have failed to integrate their faculties fully.

Over-all, more than half the 905 systems nationwide which received money last year under an emergency plan set forth by President Nixon, including the Charlotte-Mecklenburg district in North Carolina, have been denied funds for this year.

HEW was still categorizing the turned-down districts by state Thursday and was not able to offer specifics, but a large number of Georgia districts other than Atlanta also were turned down.

Most of the denials were either for civil rights violations by the districts or because their programs were considered ineffective or unimportant by HEW.

In Atlanta, School Supt. Dr. John Letson said Thursday the city school system will not transfer the 200 to 250 teachers which he says would be necessary to qualify for the school desegregation money.

"It would create more problems than it would solve," he said.

The question is now a moot one, for there are no more HEW funds available.

The stumbling block, Letson said, is the difference between the federal court and HEW requirements on faculty black-white ratios.

One of the criteria for receiving the emergency aid money, according to Letson, is that every school in the system must reflect the racial ratio of the entire system.

The federal courts last year ordered Atlanta to balance its teacher ratio but included principals and administrators in the order. HEW counts teachers only, Letson said.

Letson said the only school program which will suffer from the funds cut is Skylake Camp, an integrated camp operated by the school system to promote racial harmony. That program probably will be curtailed.

The loss of funds will not affect the current year's operation, Letson said. Atlanta's application for $3,340,044 covered the period from Oct. 1, 1971, through Oct. 1, 1973. It involved $1,854,816 for the first year and $1,485,226 for the second year of the period.

As far as Atlanta is concerned, HEW Civil Rights Director Stantly Pottinger said Thursday, the system was turned down because its plan was "so far off" court-established rules requiring a faculty racial ratio equivalent to the racial ratio in a community.

Pottinger said the rule is firmly established and backed up by President Nixon who declared when announcing his emergency aid plan in March 1970 that the faculty ratio rule was to be firmly adhered to. Nixon cited the court rulings as the reason.

The deadline for approval of applications for the HEW funds was to have been Oct. 15 but it was extended to Nov. 15. But, an HEW spokesman said Thursday, this was "immaterial."

"All the money is gone," he explained, "and for all practical purposes it is a dead issue."

The President had set up $500 million in special funds to help school districts carry out large-scale integration programs for the first time. Atlanta got $1.15 million last year.

The money, siphoned from other domestic programs, was to have been supplemented by another $1.5 billion in emergency school-aid funds to be appropriated by Congress.

However, the $1.5 billion is still languishing in Congress and shows no promise of being passed this year. The President restricted use of the proposed money this fall when he said none of it could be spent for busing purposes.

Mr. GAMBRELL. Mr. President, I ask unanimous consent to have printed at this point in the RECORD two articles, one published in the New York Times and the other in the Washington Star with reference to the denial of ESAP funds to the Mecklenburg County, N.C., school system.

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

[From the New York Times, Oct. 28, 1971]

FURNITURE SALE COSTS SCHOOL DISTRICT U.S. AID

(By Jack Rosenthal)

WASHINGTON, October 27.—The Charlotte-Mecklenburg, N.C., school district, object of the leading desegregation case of the year, has lost an estimated $900,000 in Federal desegregation assistance funds because of the sale of $1,500 in surplus desks and chairs.

The denial of the Federal funds was ordered by the Office of Education, with the reluctant approval of Elliot L. Richardson, Secretary of Health, Education, and Welfare.

"I know the Secretary regretted this decision more than any other in the program," a spokesman said today. "He thought it was an ironic result and had us try to find a way to avoid it."

The Charlotte-Mecklenburg district has desegregated all of its 104 schools in accordance with a racial balance formula upheld last spring by the Supreme Court. About 31 per cent of the 82,500 children in the district are black.

This fall, the district applied for $1.3-million in Federal funds from the emergency school assistance program, designed to ease the problems of desegregating schools.

But, in its application, the district acknowledged that it had sold $1,400 of used furniture to four private schools that assertedly practice racial segregation.

Such dealings are expressly prohibited by the law creating the Federal assistance program. Consequently, officials in the Office of Education said today, they were obliged to deny the Charlotte application.

The officials added that, otherwise, Charlotte would probably have been granted up to $900,000. The district received $700,000 last year.

The used furniture sales "certainly were an oversight" and were no indication of support for segregation, William S. Self, Superintendent of the Charlotte-Mecklenburg district, said in a telephone interview.

He added that the district had relied for guidance on mid-summer accounts of the Federal regulations, but that these accounts turned out to be inaccurate.

Mr. Self held little hope that the Department of Health, Education and Welfare would reconsider, quoting one official as saying that there was only a 100-to-1 chance.

Without the Federal funds, Mr. Self said, the district will have to dismiss 150 aides used in easing desegregation as of Nov. 30. That is when last year's Federal grant expires.

The H.E.W. cutoff of new funds was defended last night by knowledgeable Congressional informants. One, asking not to be identified, said, "Considering the criticism H.E.W. got for laxity in enforcement last year, they had to follow through with this cutoff." He added:

"It is important in principle. Enforcement of the prohibition against transferring property has had a tremendous deterrent effect throughout the South."

SALE TO SEGREGATED SCHOOLS BARS U.S. FUND FOR CHARLOTTE

(By John Mathews)

The U.S. Office of Education has cut off Charlotte-Mecklenburg, N.C., schools from federal funds to aid desegregation because the school system last year sold about $1,400 in school equipment to private, segregated schools.

Charlotte is generally considered the nation's most thoroughly desegregated school system under a federal court ruling upheld by the U.S. Supreme Court in its Swann case decision last April.

Last year, Charlotte schools received $900,000 under the desegregation program, called the Emergency School Assistance Program. For this school year, the combined city and county system was seeking $1.3 million to help with the added financial burden of desegregation.

SENATOR ACTS IN VAIN

The decision to cut off Charlotte for the relatively small sale was made by U.S. Commissioner of Education Sidney P. Marland, Jr., who administers the desegregation program. It was learned that Health, Education and Welfare Secretary Elliot L. Richardson was consulted on the decision after a number of political figures, including Sen. B. Everett Jordan, D-N.C., tried to intercede.

The action against Charlotte schools highlights a relatively unknown control of the federal government on discriminatory practices in Southern and Northern schools. Some observers call it the most stringent civil rights enforcement program now being implemented by HEW.

Commissioner Marland appears to be on solid ground in denying the funds to Charlotte since the 1970 appropriations bill for the Emergency School Assistance Program specifically bars grants to school systems that give, sell or lease public property to private schools that practice discrimination.

HEW officials said the five schools in Charlotte are all clearly segregated academies that have no black children and have not made a public declaration that they will ac-

cept children regardless of race, color or creed.

The officials, however, added that Charlotte probably sold the property unintentionally, following long established local procedures for disposing of surplus school equipment. The transactions included 559 items, mostly desks. Officials think the $1,400 value assigned to the property is probably understated.

The Emergency School Assistance Program, proposed by President Nixon and funded by Congress last year, is the prototype for a larger $1.5 billion, two-year program, which has been delayed in the House. Congress has appropriated about $150 million to fund the interim program last school year and this year.

In August, Nixon announced that he would seek an amendment barring any funds from the permanent program for busing. Last year, less than 10 percent of the funds under the interim program were used for busing, but this school year Office of Education officials have refused to approve any funds for busing.

Congressmen, particularly Northern liberals with suburban constitutencies, have been trying to avoid a recorded vote on the antibusing amendment. The result has been a long delay in the House. The Senate passed its version of the permanent desegregation program several months ago without a ban on busing.

In administering the desegregation program, the federal Office of Education is also operating under guidelines it issued last year and again this year. The guidelines go beyond the specific appropriations bill provision barring funds to school systems that sold property to private schools. They prohibit other discriminatory practices that have been barred by federal court decisions.

Last year, the education office cut off funds for 15 school districts and this year has denied new funds to 83 districts, usually because they failed to desegregate their faculties.

Prince Georges County schools underwent hearings last week after the federal office charged they did not desegregate their faculties last year. The government says the county should return some $160,000 unexpended from its more than $500,000 grant under the desegregation program.

The county was denied funds for this school year under the program, since HEW also charges the county has refused to voluntarily desegregate its schools, as well as its facilities.

The faculty desegregation provision is based on the so-called "Singleton rule," established by the 5th U.S. Circuit Court of Appeals. The rule says the ratio of black and white teachers. In its April 20 decision, the Supreme Court upheld the rule. Nixon in a March 1970, statement on school desegregation had also said the administration accepted the rule as legally binding on its policy decisions.

Mr. GAMBRELL. Finally, Mr. President, I ask unanimous consent to have printed in the RECORD an article by David E. Wagoner, entitled "The North, Not the South, Is Where School Desegregation Isn't Happening."

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

THE NORTH, NOT THE SOUTH, IS WHERE SCHOOL DESEGREGATION ISN'T HAPPENING

(By David E. Wagoner)

School boards in the North are on the threshold of having to face vastly increasing pressure from the federal government—the executive *and* the courts—to desegregate their schools.

This is not because the federal government will be attacking *de facto* segregation (the kind that results from housing patterns and plagues the North). Rather, it is because the courts seem very likely to begin ruling that a school board which merely allows racial imbalance to continue in its schools over a number of years is guilty of harboring *de jure* segregation—the kind that results from deliberate governmental efforts to separate the races, the kind that has been under attack in the South, the kind that is plainly not exempt from judicial intervention. Thus, school boards in the North will no longer be allowed to plead inability to attack de facto segregation. The segregation they must deal with will be de jure.

The simple fact behind this is that the public schools of America are more racially segregated today than they were 17 years ago when the Supreme Court handed down its historic *Brown* decision. Only the South is making real improvement, and it is the progress of the South—albeit painful and slow—that accounts for the apparent brightening of the national picture.

Outside the South, that picture is grim. The statistics in Table I give no indication of what is happening in the big city schools in the North and West. Eighteen city school systems no longer have a white majority. These include some of our largest cities—New York, Chicago, Philadelphia, Baltimore, Washington, Cleveland, Detroit and Los Angeles. Blacks are in the *majority* in 13 city school systems, Spanish-speaking in two, and a combination of minority enrollment in three more. In the West, Oakland has gone, in less than five years, from 7.7 percent black to more than 50 percent black, and San Francisco from 11.6 percent black to 30 percent black.

At the same time, there is virtually no evidence of any significant integration in suburban schools. An index of the national situation is the fact that the great majority of black children in the United States attend a predominantly black school, while the great majority of white children go to a school that is largely white.

If 17 years of experience is a reasonable measure, it is apparent that court proceedings have had at best only a modest impact on the desegregation of public schools. In this context it is not at all surprising that the Supreme Court in its recent desegregation opinions strongly reaffirmed the *Brown* decision and directed that a wide latitude of plans be employed to break down segregation.

TABLE I.—*How desegration is going*

Blacks in Majority White Schools

(Border States—1968)

	Percent
South	18.4
Including District of Columbia	28.4
North	27.6
National average	23.4

(Border States—1970)

South	38.0
Including District of Columbia	29.6
North	27.7
National average	32.8

Number of Blacks in All-Black Schools

(Border States—1968)

South	68.0
Including District of Columbia	25.2
North	12.3
National average	39.7

(Border States—1970)

South	18.4
Including District of Columbia	22.0
North	11.9
National average	16.0

It is clear now that bussing is no longer this issue in southern districts with a history of state-sanctioned de jure segregation. In the *Mecklenberg*[1] case, the Supreme Court approved a lower court order that involved massive crosstown bussing, a redrawing of school boundaries, and a racial balance in the elementary schools that reflects the 71 percent to 29 percent white-to-black makeup of the schools' total enrollment. The high court ruled that "desegregation plans cannot be limited to the walk-in school."

Noting that about 39 percent of U.S. school children have routinely been riding buses, the Supreme Court indicated that only when a bussing plan requires such long rides as "to risk either the health of the children or significantly impinge on the educational process" might the court find it objectionable—presidential statements apparently notwithstanding.

The high court pointed out that it was not deciding the constitutionality of de facto segregation found in the North where racial imbalance is caused by neighborhood housing patterns. Yet it did appear to go out of its way to encourage action, even though not required by the federal constitution. For example, from the *Swann* case: "School authorities are traditionally charged with broad power to formulate and implement educational policy and might well conclude, for example, that in order to prepare students to live in a pluralistic society each school should have a prescribed ratio of Negro to white students reflecting the proportion for the district as a whole. To do this as an educational policy is within the broad discretionary powers of school authorities. . . ."

Just a few days after the recent Supreme Court decisions, a district court in California ordered the San Francisco school board to take affirmative action, the court finding historical evidence of de jure segregation from acts and omissions of the board. The acts related to construction and remodeling of schools, the drawing of attendance zones and the assignment of inexperienced teachers. The omissions, the court said, included failure to adopt a policy of consulting with the district's director of human relations, failure to take steps to bring racial balances within guidelines set by the state board, and failure to respond to recommendations made at the school board's request by Stanford University and a citizens advisory committee. If this case is a clue, it indicates that, for the next few years, *the critical issue in northern desegregation cases will be the definition and redefinition of "de jure" segregation, and that the "de facto" question will be of lesser importance.* The San Francisco decision virtually says that merely allowing racial imbalance to continue to exist over a number of years amounts to de jure segregation.

Some cases have decided whether, in the absence of a court order, a school board has the authority on its own initiative to take affirmative action to reduce racial imbalance. Generally, those cases have allowed the board wide latitude, a position solidified by the Supreme Court in its recent decisions. Just few months go, the court invalidated a North Carolina antibusing law which had prohibited the busing of children to create racial balance. The court's reason: The state law prevented implementation of local desegregation plans required by the Fourteenth Amendment.

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[1] See "Quite Plain," page 8, JOURNAL, June 1971.

In a logical extension of this case, the Supreme Court subsequently upheld a New York decision (Lee *v.* Nyquist) that had struck down a New York statute which said in effect that only elected school boards could take affirmative steps to cure de facto segregation. The lower court ruled that the state legislature could not "prohibit" or put "burdens" on the implementation of local educational policies designed to deal with racial imbalance. The Supreme Court agreed.

In sum, these cases indicate that a school board has the necessary discretionary authority to take affirmative action to eliminate de facto segregation—to bus—and that efforts by the state to interfere with such action (with antibusing laws, for example) would seem clearly to be unconstitutional.

A Denver case offers another dimension. The Denver school board adopted an integration plan, an election resulted in a change in the balance of power, and the reconstituted board rescinded the plan. The court ordered the new board to carry out the plan of the old. The teaching of this case (now on appeal) is that once board action has been taken to desegregate, there is probably no backing up—when the buses start to roll, there's no stopping.

In Seattle, where I have served on the school board for nearly seven years, we are attempting to replace a volunteer transfer program (which, while it involves 2,500 students, is no longer effective; segregation is *increasing* in Seattle, not decreasing) with a plan that complies with the school board's commitment to integration, and with a joint statement issued last year by the Washington State Board of Education and the Washington State Board Against Discrimination. The statement declares that racial segregation must be eliminated from the public schools of the state of Washington and defines a segregated school as one in which 40 percent or more of the students represent one minority race.

The Seattle board's plan combines reassignments, bussing and combined enrollments. It is under heavy attack from local groups *and* the state legislature. Board members have been sued, the superintendent's job has been threatened. The board's goal; by September 1972, complete K–12 integration of three high school areas; by September 1973, total integration of the entire school district. The Seattle public schools have 81,000 pupils, 12 high schools and a total of 115 school buildings. The school population is 13 percent black and 20 percent nonwhite. Right now, the city has 25 schools—mostly elementary—with a total minority enrollment of more than 25 percent. The urgency of our situation has been dramatized for me during the past year as I have become more familiar with big city schools around the country, having served as chairman of the NSBA Council of Big City Boards of Education.

It is a shocking fact that most big city schools are going downhill, and at a rapid pace. The common pattern is that the white middle class is leaving city schools for the suburbs, that there is a rapid growth in the disadvantaged enrollment of city schools—usually black, sometimes Puerto Rican and Chicano—and that these school systems are not making measurable progress in improving the achievement levels of the disadvantaged children who represent such a major portion of their enrollment. In fact, achievement levels appear to be declining.

Over the past five years or so, city schools have spent literally billions of federal, state and local dollars for programs of compensatory education in an attempt to deal with the educational problems of the disadvantaged child. Very little evidence of improvement has been offered. This can be attributed partly to inadeqrate educational research and partly to the fact that even the vast sums expended did not begin to approach the funding levels that are required for results. Moreover, the dramatic changes in the makeup of the student population have been a factor.

At the same time, the past few years have seen publication of several well-documented national studies, such as the Coleman Report, which have concluded that achievement levels of disadvantaged children can be significantly improved in an integrated setting without causing a falloff in the achievement levels of the other children.

Integration of this nation's schools is an educational imperative. *In most big cities the struggle is by no means lost.*

Table III shows dramatically the accelerating rate of growth, of black residential populations in the 40 largest cities during the last 10 years. A comparison of 1960 with 1970 census figures indicates that black population increased absolutely in all 40 cities and relatively in 39 (Indianapolis annexed white suburbs). Overall, there was a marked decrease in white population. All of the largest cities except Indianapolis showed a percentage decline. In absolute changes, 23 of the 40 cities had a total white population decrease. This trend to increasing percentages of blacks in the major cities is long-term and continuing.

TABLE II.—HOW MINORITIES LINE UP IN THE PUBLIC SCHOOLS OF OUR 51 LARGEST CITIES

[In percent]

City school district	Black and Spanish-speaking minorities	Black	Spanish speaking
Washington, D.C.	95	95	----
San Antonio	93	15	78
Newark	84	72	12
New Orleans	70	68	2
Atlanta	69	69	----
Baltimore	67	67	----
St. Louis	66	66	----
Oakland	65	57	8
Chicago	65	55	10
Detroit	64	63	1
Philadelphia	63	60	3
New York	61	34	26
Cleveland	60	58	2
El Paso	59	3	56
Birmingham	55	55	----
Kansas City, Mo.	50	50	(1)
Houston	49	33	16
Louisville	48	48	----
Memphis	48	48	----
Norfolk	46	45	1
Miami	46	25	21
Los Angeles	46	24	22
Cincinnati	45	45	----
Dallas	42	34	8
San Francisco	42	28	14
Buffalo	41	39	2
Pittsburgh	40	40	----
Rochester, N.Y.	37	33	4
Denver	37	15	22
Forth Worth	36	27	9
Indianapolis	36	36	----
Boston	34	30	4
Toledo	29	26	3
Jacksonville	29	29	----
San Jose	29	2	27
Milwaukee	28	25	3
Columbus, Ohio	27	27	----
Nashville	25	25	----
Oklahoma City	23	22	1
San Diego	23	12	11
Phoenix (9 to 12 only)	23	8	15
Tampa	18	18	----
Omaha	18	18	----
Wichita	17	15	2
Long Beach	15	9	6
Tulsa	14	13	1
Seattle	14	13	1
Portland	10	9	1
Minneapolis	10	9	1
St. Paul	9	6	3
Honolulu	(1)	(1)	(1)

[1] Not available.

TABLE III.—PERCENTAGE OF BLACK RESIDENTS IN THE 40 LARGEST U.S. CITIES

[In percent]

City	Black, 1970	Increase, black 1960–70	Rank, black 1970
(9) [1] Washington, D.C.	71	17	1
(33) Newark	54	20	2
(26) Atlanta	51	13	3
(7) Baltimore	46	12	4
(19) New Orleans	45	8	5
(5) Detroit	44	15	6
(18) St. Louis	41	12	7
(17) Memphis	39	2	8
10) Cleveland	38	10	9
(35) Oakland	35	12	10
(4) Philadelphia	34	7	11
(2) Chicago	33	10	12
(28) Cincinnati	28	6	13
(6) Houston	26	3	14
(8) Dallas	25	6	15
(36) Louisville	24	6	16
(39) Miami	23	1	17
(25) Kansas City, Mo	22	5	18
(1) New York	21	7	19
(27) Buffalo	20	7	20
(23) Pittsburgh	20	4	21
(30) Fort Worth	20	4	22
(21) Columbus, Ohio	19	2	23
(11) Indianapolis	18	−3	24
(3) Los Angeles	18	4	25
(16) Boston	16	7	26
(12) Milwaukee	15	6	27
(34) Oklahoma City	14	2	28
(31) Toledo	14	1	29
(13) San Francisco	13	3	30
(40) Tulsa	11	2	31
(38) Omaha	10	2	32
(24) Denver	9	3	33
(15) San Antonio	8	1	34
(14) San Diego	8	2	35
(22) Seattle	7	2	36
(32) Portland	6	1	37
(37) Long Beach	5	3	38
(20) Phoenix	5	0.1	39
(29) Minneapolis	4	2	40

[1] City's population rank in United States right now.

City population figures don't tell the whole story. City and school boundaries don't always coincide. Generally the minority ratios in the schools tend to be substantially higher than those in the city as a whole, principally because the minority population tends to be younger and less frequently attends private schools.

The situation in city schools is shown in Table II which sets forth current figures developed by the National School Boards Association's Council of Big City Boards of Education.

The extent to which the problem continues to have workable dimensions in the immediate future is indicated by the fact that 21 of the 40 largest cities have a black residential population which is 20 percent or under. Moreover, 29 of 50 big city school systems have a black enrollment which is 35 percent or less (excluding New York, which is a special situation), and 24 of the 50 cities have a combined black and Spanish-speaking enrollment of 40 percent or under. There is still time.

For school board members, the leadership quotient must be high. Experience strongly suggests that if progress is to be made in this area, the board with decision-making responsibility must be prepared to make decisions. These decisions don't come easily, as our own board's experience indicates. Ultimately, it comes down to a personal judgment as to the educational needs of today's children. It is to them that we owe our allegiance, for the decisions we make today will shape their future and their world. Inescapably, that world will be multiracial.

It's time we stopped running from school integration like frightened deer from a conflagration. There are backfires to be built and tended.

State leaders have major responsibilities. They must avoid the temptation to pass leg-

islation that attempts to interfere with a local board's efforts to work out the problem. Special state funding is also an essential. Integration is much more than bussing. It must be accompanied by major improvements in the quality of urban education.

In the final analysis, it is apparent from the sheer weight of numbers that in many areas desegregation will require cooperation between city schools and suburban districts. In the first instance, this is a problem for state legislatures. At the very least there must be state legislation to allow cooperation across school district boundary lines, with funding incentives to encourage joint efforts.

Viewed nationally, in a number of states the creation of metropolitan school districts could be essential to effective desegregation. The organization of metropolitan forms of school management has been successfully accomplished in Toronto and Nashville, and in some states, such as Maryland and Florida, countywide school districts are the pattern.

The leadership quotient must be shared at the federal level. The NSBA Council of Big City Boards has urged upon the Administration the need to take a strong, clear and consistent position. It is a fact that a presidential statement in defense of the neighborhood school has reverberations at a PTA meeting in Seattle within hours after it is made. A pebble in the Potomac can cause a tidal wave in the Pacific.

The Administration bill to provide $1.5 billion to fund desegregation over the next two years is an encouraging sign. Big city school districts in both North and South will be unable to do the job without massive federal help. Busing is too controversial and costly to be funded locally.

There are indications that this issue is fast becoming a highly partisan political matter on which there could be a choosing of sides in next year's presidential contest. That would be an ominous development. This complex and agonizing urban problem must be dealt with at all levels on a bipartisan basis if solutions are to be found. To bus or not to bus—that is not the issue. At issue is the tenor and tone of life in an urban environment.

Mr. GAMBRELL. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial published in last evening's Washington Star, entitled "Desegregation Bill Showdown," pointing out the urgency of the passage of the School Aid and Quality Education Act of 1971 in order to furnish desegregation assistance, which was defeated in a House vote on Monday.

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

DESEGREGATION BILL SHOWDOWN

It is difficult to imagine a more tortuous legislative course than the one-and-a-half-year history of the President's bill to assist school districts that are undergoing desegregation. Now the House, by a commanding margin, has refused to outflank its Rules Committee by permitting the bill, under a suspension of the rules, to come to the floor for a vote.

That's not the end of the affair. One last chance exists to pass the bill in time for federal funds to begin flowing this school year to communities that need it. Administration backers plan to offer the bill as an amendment to higher-education legislation that is scheduled for debate tomorrow or Thursday. This isn't the happiest alternative, if for no other reason than that the higher education bill contains its own share of controversy along with a number of other late-added amendments. But it appears to be the only alternative at this time. And it represents a risk worth taking.

The White House has argued consistently, and rightly, that where school districts are desegregating, either on their own or under court orders, there is a clear need for extra money to pay for, and smooth the effects of, this kind of transition. The bill would authorize $500 million this year and $1 billion next year to be handed to states in proportion to their numbers of school children from minority groups.

As time has gone on, the legislation has been caught up in the high fervor of the school busing issue. Perhaps that was inevitable. But it's wrong. The bill does not authorize the federal government to require desegregation or speed its pace. Neither does it mention busing, although many school districts could be expected to use some of the money to pay for added transportation costs. Nevertheless, many House members, including northern liberals, are ducking for cover for fear their support of the legislation will be construed as a pro-busing vote. Meanwhile, President Nixon has further complicated and politicized the issue by proposing to amend the bill to bar the use of any of the federal funds for busing. The version of the bill that passed the Senate in April contains no such mischievous provision.

There is good reason to believe that yesterday's vote does not accurately reflect the House's view of the bill's merits. Some members traditionally have opposed the tactic of suspending usual House rules. Others objected to yesterday's procedure in that it required a straight up-or-down, no-amendment vote.

A truer test of what the House really wants will come on the vote accompanying the debate on the higher-education bill. Given the emotionalism of the desegregation issue, many congressmen will find these decisions difficult to make. But they must be faced. Fairness and intellectual honesty would dictate a thumbs-down vote on the amendment banning use of federal funds for busing and thumbs-up for the overall federal-assistance legislation.

EXHIBIT 1

U.S. DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
OFFICE OF THE SECRETARY,
Washington, D.C., June 28, 1971.

Final results of HEW's second national survey of racial and ethnic enrollment in the public schools, comparing the 1968–69 and 1970–71 school years state by state, were announced today by Secretary Elliot L. Richardson. The report also includes comparative data for the 100 largest school districts.

Compilation of the statistics confirms a January 14, 1971 projection by HEW that the 11-State South more than doubled the percentage of Negro students in majority white schools, up from 18 percent in the Fall of 1968 to 39 percent in Fall 1970. The earlier estimate was for 38.1 percent. (HEW Press Release A20).

Tennessee and Virginia increased the number of Negro students in majority white schools one and a half times and Texas almost as much; percentages doubled in Arkansas, Florida, and North Carolina; tripled in Georgia and South Carolina; quadrupled in Louisiana and Alabama; and increased five-fold in Mississippi. (Table 1–A).

Nationwide, the total of Negro students in majority white schools rose from 23 to 33 percent. In the six Border states and District of Columbia, the regional percentage rose slightly to almost 32 percent in 1970. The 32 Northern and Western states remained unchanged at 28 percent. Hawaii was not included in the survey. (Table 2–A).

In terms of numbers, 756,000 more Negro students were in majority white schools in the Fall of 1970 than in the 1968 survey. A total of 690,000 of these students were in the 11-state South, and 66,000 were in 38 other states.

The number of Negro students in 100 percent minority schools decreased from 40 percent (2.5 million) in 1968 to 14 percent (941,000) in 1970 on a national basis. In the 11-state South, the decrease in Negro students who are totally isolated with minorities was even more marked, down from 68 percent (2 million) in 1968 to 14 percent (443,000) in 1970. Almost 79 percent of the Negro students in the 11-state South were in schools with 80 to 100 percent minority enrollment in 1968 but two years of change reduced this total to 39 percent. (Table 2–A).

Analysis of the 100 largest school systems shows that 51 percent or 3.4 million of the 6.7 million Negro students in the national survey are enrolled in these districts. (*Table 3–A*). Of the 100 largest districts, 17 have majority black enrollments. The percentage of Negroes in the 100 largest school districts who attend majority white schools increased from 13 percent in 1968 to 16 percent.

All minority students—Indian, Negro, Oriental, and Spanish-surnamed—numbered 9.3 million in 1970 or 21 percent of the total enrollment. Negro students comprise 71.4 percent of all minority students; Spanish-surnamed students, 24.2 percent; Oriental, 2.2 percent; Indian, 2.1 percent. (*Tables 1–A through 1–E*).

In the Fall of 1970, only 12.5 percent of all students in the public schools, white and minority, were isolated in all-white or all-minority schools, compared to 19 percent in 1968. (*Tables 2–C and 2–D.*)

Of the 45 million students in the 1970 survey, 2.3 million are Spanish-surnamed. This includes students of Mexican, Puerto Rican, or other Spanish-speaking origin. While 33 percent of the Spanish-surnamed students are in schools with 80 to 100 percent minority enrollment, fewer than two percent are in all-minority schools. The survey shows 44 percent of Spanish-surnamed students in majority white (Anglo) schools, down from 45 percent in 1968. (*Table 1–B*).

About one half of the 197,000 American Indians in public school districts are in Arizona, California, Oklahoma, New Mexico, and North Carolina. (*Table 1–C*). Not included in the survey are approximately 50,000 Indian students in schools operated by the U.S. Bureau of Indian Affairs.

Seventy-one percent of the Oriental students attend majority white schools. More than half of the 209,000 Oriental students are in California, 22,000 are in New York, and 10,000 in Washington State. (*Table 1–D*).

Since only two national surveys have been conducted, this is the first time comparative data by state and by largest districts has been available on a nationwide basis. The basic data is supplied by local school districts on forms prepared by HEW. The Department sent report forms to all school districts enrolling 3,000 or more students, as well as to a sampling of smaller districts.

After receiving the reporting forms in each of the two national surveys, the Department delivered them to an independent contractor to process the data reported. The processing of the data obtained in the first national survey was completed, the results delivered to HEW and the results released on January 4, 1970. The processing of the data in the most recent survey has just been completed. A partial survey, for compliance purposes only, was conducted in the 1969–70 school year but that data is not comparable to the two national surveys.

TABLE 1-A—NEGROES BY STATE

NUMBER[1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION FALL, 1968, AND FALL, 1970 ELEMENTARY AND SECONDARY SCHOOL SURVEY

State	Total pupils	Negro		Negroes attending minority schools—													
				0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Continental United States:																	
1968	43,353,568	6,282,173	14.5	1,467,291	23.4	4,814,881	76.6	4,274,461	68.0	4,041,593	64.3	3,832,843	61.0	3,331,404	53.0	2,493,398	39.7
1970	44,877,547	6,707,411	14.9	2,223,506	33.1	4,483,905	66.9	3,311,372	49.4	2,907,084	43.3	2,563,327	38.2	1,876,767	28.0	941,111	14.0
Alabama:																	
1968	770,523	269,248	34.9	22,308	8.3	246,940	91.7	246,356	91.5	245,861	91.3	244,693	90.9	243,269	90.4	230,448	85.6
1970	786,975	269,995	34.3	98,609	36.5	171,386	63.5	130,020	48.2	119,042	44.1	104,940	38.9	80,651	29.9	53,954	20.0
Alaska:																	
1968	71,797	2,119	3.0	2,119	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	78,138	2,146	2.7	2,140	99.7	6	.3	0	0	0	0	0	0	0	0	0	0
Arizona:																	
1968	366,459	15,783	4.3	5,272	33.4	10,511	66.6	6,397	40.5	5,093	32.3	4,349	27.6	3,344	21.2	790	5.0
1970	433,595	16,892	3.9	5,439	32.2	11,454	67.8	7,156	42.4	4,921	29.1	3,753	22.2	3,033	18.0	424	2.5
Arkansas[2]:																	
1968	415,613	106,533	25.6	24,091	22.6	82,442	77.4	79,787	74.9	79,204	74.3	78,901	74.1	77,703	72.9	75,797	71.1
1970	430,100	106,099	24.7	45,583	43.0	60,516	57.0	23,127	21.8	19,618	18.5	16,450	15.5	10,762	10.1	9,132	8.6
California:																	
1968	4,477,381	387,978	8.7	87,255	22.5	300,723	77.5	240,444	62.0	215,253	55.5	185,562	47.8	115,890	29.9	27,986	7.2
1970	4,550,501	416,757	9.2	107,429	25.8	309,328	74.2	240,704	57.8	214,641	51.5	194,486	46.7	117,598	28.2	20,886	5.0
Colorado:																	
1968	519,092	17,797	3.4	5,432	30.5	12,365	69.5	9,691	54.5	8,193	46.0	8,017	45.0	2,862	16.1	0	0
1970	536,237	19,014	3.5	9,517	50.1	9,497	49.9	6,971	36.7	5,829	30.7	5,332	28.0	947	5.0	0	0
Connecticut:																	
1968	632,361	52,550	8.3	22,768	43.3	29,782	56.7	17,919	34.1	13,707	26.1	9,601	18.3	2,254	4.3	328	0.6
1970	654,024	58,617	9.0	25,477	43.5	33,140	56.5	21,272	36.3	15,328	26.1	12,469	21.3	5,838	10.0	0	0
Delaware:																	
1968	123,863	24,016	19.4	13,025	54.2	10,991	45.8	6,610	27.5	5,177	21.6	5,177	21.6	953	4.0	0	0
1970	132,560	27,319	20.6	14,981	54.8	12,338	45.2	8,179	29.9	5,825	21.3	5,110	18.7	1,222	4.5	0	0
District of Columbia:																	
1968	148,725	139,006	93.5	1,253	.9	137,753	99.1	134,166	96.5	130,958	94.2	123,939	89.2	95,608	68.8	38,701	27.8
1970	145,330	137,502	94.6	1,674	1.2	135,828	98.8	133,421	97.0	130,688	95.0	127,792	92.9	95,261	69.3	46,117	33.5
Florida:																	
1968	1,340,665	311,491	23.2	72,333	23.2	239,158	76.8	229,946	73.8	227,563	73.1	224,729	72.1	215,824	69.3	184,074	59.1
1970	1,437,554	332,238	23.1	160,883	48.4	171,355	51.6	109,530	33.0	87,404	26.3	72,716	21.9	51,025	15.4	32,716	9.8
Georgia[2]:																	
1968	1,001,245	314,918	31.5	44,201	14.0	270,717	86.0	266,058	84.5	263,613	83.7	262,689	83.4	259,891	82.5	240,532	76.4
1970	1,098,990	365,223	33.2	131,049	35.9	234,174	64.1	143,839	39.4	125,968	34.5	112,469	30.8	92,949	25.4	61,468	16.8
Idaho:																	
1968	174,472	415	.2	415	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	174,556	432	.2	432	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Illinois:																	
1968	2,252,321	406,351	18.0	55,367	13.6	350,984	86.4	312,515	76.9	298,542	73.5	294,066	72.4	252,225	62.1	156,869	38.6
1970	2,310,784	421,430	18.2	60,412	14.3	361,018	85.7	327,127	77.6	316,258	75.0	300,261	71.2	253,517	60.2	152,744	36.2
Indiana:																	
1968	1,210,539	106,178	8.8	31,833	30.0	74,345	70.0	58,899	55.5	51,155	48.2	46,208	43.5	37,664	35.5	13,597	12.8
1970	1,229,518	109,978	8.9	33,360	30.3	76,618	69.7	60,342	54.9	52,917	48.1	45,432	41.3	32,311	29.4	15,302	13.9
Iowa:																	
1968	651,705	9,567	1.5	6,994	73.1	2,573	26.9	876	9.2	340	3.6	340	3.6	340	3.6	0	0
1970	653,241	10,346	1.6	7,283	70.4	3,063	29.6	132	1.3	108	1.0	0	0	0	0	0	0
Kansas:																	
1968	518,733	30,834	5.9	16,479	53.4	14,355	46.6	11,881	38.5	10,167	33.0	9,820	31.8	6,264	20.3	2,327	7.5
1970	500,362	32,536	6.5	19,504	59.9	13,032	40.1	11,280	34.7	9,346	28.7	7,357	22.6	5,506	16.9	3,423	10.5
Kentucky:																	
1968	695,611	63,996	9.2	34,389	53.7	29,606	46.3	21,945	34.3	17,025	26.6	17,025	26.6	9,021	14.1	3,342	5.2
1970	721,078	66,204	9.2	36,380	55.0	29,824	45.0	24,036	36.3	20,266	30.6	16,232	24.5	10,848	16.4	2,211	3.3
Louisiana[2]:																	
1968	817,000	317,268	38.8	28,177	8.9	289,091	91.1	282,698	89.1	279,614	88.1	279,614	88.1	278,620	87.8	259,897	81.9
1970	842,469	340,702	40.4	106,409	31.2	234,293	68.8	161,267	47.3	139,649	41.0	126,298	37.1	111,980	32.9	81,924	24.0
Maine:																	
1968	220,336	1,429	.6	389	27.2	1,040	72.8	800	56.0	0	0	0	0	0	0	0	0
1970	235,674	777	.3	777	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Maryland:																	
1968	859,440	201,435	23.4	62,670	31.1	138,765	68.9	117,802	58.5	109,478	54.3	105,886	52.6	92,030	45.7	62,898	31.2
1970	911,618	220,166	24.2	72,643	33.0	147,523	67.0	117,466	53.4	109,932	49.9	100,651	45.7	90,981	41.3	56,676	25.7
Massachusetts:																	
1968	1,097,221	46,675	4.3	23,916	51.2	22,759	48.8	14,790	31.7	11,503	24.6	8,558	18.3	4,936	10.6	79	0.2
1970	1,164,295	52,389	4.5	25,138	48.0	27,251	52.0	20,096	38.4	15,730	30.0	11,367	21.7	6,420	12.3	3,172	6.1
Michigan:																	
1968	2,073,369	275,878	13.3	56,840	20.6	219,038	79.4	177,393	64.3	153,770	55.7	128,116	46.4	78,319	28.4	24,720	9.0
1970	2,148,736	287,974	13.4	55,253	19.2	232,721	80.8	188,101	65.3	166,468	57.8	143,501	49.8	75,893	26.4	29,165	10.1
Minnesota:																	
1968	856,506	9,010	1.1	7,116	79.0	1,894	21.0	361	4.0	361	4.0	361	4.0	0	0	0	0
1970	886,367	10,134	1.1	6,494	64.1	3,640	35.9	341	3.4	341	3.4	341	3.4	1	0	1	0
Mississippi:[2]																	
1968	456,532	223,784	49.0	15,000	6.7	208,784	93.3	207,515	92.7	207,515	92.7	207,515	92.7	206,736	92.4	197,447	88.2
1970	535,089	272,013	50.8	71,771	26.4	200,242	73.6	131,692	48.4	96,529	35.5	81,295	29.9	51,604	19.0	29,402	10.8
Missouri:																	
1968	954,596	138,412	14.5	33,996	24.6	104,416	75.4	97,173	70.2	93,282	67.4	91,355	66.0	77,676	56.1	46,285	33.4
1970	991,539	144,599	14.6	29,007	20.1	115,592	79.9	99,355	68.7	91,641	63.4	85,430	59.1	80,183	55.5	43,682	30.2
Montana:																	
1968	127,059	102	.1	102	100.0	0	0.0	0	0	0	0	0	0	0	0	0	0
1970	148,737	422	.3	403	95.5	19	4.5	0	0	0	0	0	0	0	0	0	0
Nebraska:																	
1968	266,342	12,340	4.6	3,364	27.3	8,976	72.7	6,210	50.3	4,408	35.7	4,321	35.0	674	5.5	0	0
1970	276,433	12,905	4.7	4,263	33.0	8,642	67.0	7,582	58.8	5,663	43.9	3,069	23.8	825	6.4	0	0
Nevada:																	
1968	119,180	9,189	7.7	4,883	53.1	4,306	46.9	4,272	46.5	4,272	46.5	3,626	39.5	699	7.6	0	0
1970	127,750	10,532	8.2	6,923	65.7	3,609	34.3	2,872	27.3	2,872	27.3	2,870	27.3	2,472	23.5	515	4.9
New Hampshire:																	
1968	132,212	537	.4	537	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	155,224	605	.4	605	100.0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey:																	
1968	1,401,925	208,481	14.9	70,628	33.9	137,853	66.1	100,493	48.2	88,082	42.2	68,434	32.8	37,827	18.1	15,245	7.3
1970	1,457,887	225,226	15.4	72,087	32.0	153,139	68.0	113,374	50.3	95,396	42.4	81,869	36.3	45,892	20.4	14,763	6.6
New Mexico:																	
1968	271,040	5,658	2.1	2,712	47.9	2,946	52.1	2,138	37.8	1,539	27.2	901	15.9	574	10.1	394	7.0
1970	281,233	6,077	2.2	3,171	52.2	2,906	47.8	1,884	31.0	1,379	22.7	603	9.9	343	5.6	332	5.5
New York:																	
1968	3,364,090	473,253	14.1	152,868	32.3	320,385	67.7	236,537	50.0	203,012	42.9	169,401	35.8	100,899	21.3	35,637	7.5
1970	3,498,522	542,487	15.5	156,140	28.8	386,347	71.2	298,938	55.1	261,030	48.1	211,183	38.9	140,699	25.9	48,732	9.0

State	Total pupils	Negro		Negroes attending minority schools— 0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
North Carolina:																	
1968	1,199,481	352,151	29.4	99,679	28.3	252,472	71.7	236,711	67.2	231,732	65.8	229,393	65.1	227,057	64.5	207,742	59.0
1970	1,196,294	351,725	29.4	190,424	54.1	161,301	45.9	60,532	17.2	48,130	13.7	42,900	12.2	32,373	9.2	23,966	6.8
North Dakota:																	
1968	115,995	458	.4	458	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	119,708	653	.5	653	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Ohio:																	
1968	2,400,296	287,440	12.0	79,762	27.7	207,678	72.3	163,789	57.0	142,991	49.7	123,127	42.8	93,775	32.6	37,861	13.2
1970	2,442,550	295,498	12.1	80,358	27.2	215,140	72.8	166,996	56.5	145,990	49.4	126,479	42.8	93,121	31.5	41,260	14.0
Oklahoma:																	
1968	543,501	48,861	9.0	18,472	37.8	30,389	62.2	26,820	54.9	25,982	53.2	23,610	48.3	18,715	38.3	8,437	17.3
1970	550,963	52,569	9.5	27,674	52.6	24,896	47.4	21,775	41.4	21,669	41.2	20,133	38.3	15,445	29.4	5,559	10.6
Oregon:																	
1968	455,141	7,413	1.6	4,689	63.3	2,724	36.7	1,589	21.4	1,307	17.6	0	0	0	0	0	0
1970	458,989	8,007	1.7	5,351	66.9	2,656	33.2	1,494	18.7	1,217	15.2	0	0	0	0	0	0
Pennsylvania:																	
1968	2,296,011	268,514	11.7	73,901	27.5	194,614	72.5	156,356	58.2	135,414	50.4	118,449	44.1	87,064	32.4	11,756	4.4
1970	2,332,310	275,479	11.8	72,440	26.3	203,039	73.7	159,789	58.0	139,007	50.5	121,929	44.3	90,001	32.7	12,910	4.7
Rhode Island:																	
1968	172,264	8,047	4.7	7,196	89.4	851	10.6	131	1.6	131	1.6	0	0	0	0	0	0
1970	186,062	7,750	4.2	7,642	98.6	108	1.4	0	0	0	0	0	0	0	0	0	0
South Carolina: [2]																	
1968	603,542	238,036	39.4	33,811	14.2	204,225	85.8	201,556	84.7	201,556	84.7	200,188	84.1	199,752	83.9	188,666	79.3
1970	638,033	260,874	40.9	116,921	44.8	143,953	55.2	76,042	29.1	57,605	22.1	44,859	17.2	30,434	11.7	18,266	7.0
South Dakota:																	
1968	146,407	384	.3	360	93.7	24	6.3	24	6.3	12	3.1	12	3.1	0	0	0	0
1970	150,566	397	.3	397	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee: [2]																	
1968	887,469	184,692	20.8	39,240	21.2	145,653	78.8	139,424	75.5	135,511	73.4	132,208	71.6	123,468	66.9	108,425	58.7
1970	895,185	189,567	21.2	61,196	32.3	128,371	67.7	113,657	60.0	105,225	55.5	94,930	50.1	77,818	41.1	49,109	25.9
Texas:																	
1968	2,510,358	379,813	15.1	95,931	25.3	283,882	74.7	255,724	67.3	247,185	65.1	239,540	63.1	208,021	54.8	165,249	43.5
1970	2,633,296	402,605	15.3	140,631	34.9	261,974	65.1	211,577	52.6	188,097	46.7	168,582	41.9	117,829	29.3	56,469	14.0
Utah:																	
1968	303,152	1,486	.5	1,098	73.9	388	26.1	183	12.3	0	0	0	0	0	0	0	0
1970	304,431	1,483	.5	1,143	77.1	340	22.9	0	0	0	0	0	0	0	0	0	0
Vermont:																	
1968	73,570	90	.1	90	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	84,616	127	.1	127	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Virginia: [2]																	
1968	1,041,057	245,026	23.5	65,922	26.9	179,104	73.1	172,076	70.2	169,216	69.1	167,172	68.2	161,321	65.8	142,209	58.0
1970	1,076,365	259,151	24.1	107,393	41.4	151,758	58.6	79,767	30.8	63,942	24.7	54,155	20.9	46,881	18.1	26,667	10.3
Washington:																	
1968	791,260	19,145	2.4	12,299	64.2	6,846	35.8	2,531	13.2	843	4.4	0	0	0	0	0	0
1970	805,122	20,606	2.6	13,541	65.7	7,065	34.3	2,690	13.1	330	1.6	330	1.6	0	0	0	0
West Virginia:																	
1968	404,582	20,431	5.0	16,763	82.0	3,668	18.0	1,655	8.1	1,157	5.7	1,157	5.7	841	4.1	841	4.1
1970	402,133	19,002	4.7	16,300	85.3	2,702	14.2	164	.9	164	.9	164	.9	164	.9	164	.9
Wisconsin:																	
1968	942,441	37,289	4.0	8,406	22.5	28,883	77.5	24,220	65.0	19,869	53.3	14,783	39.6	9,288	24.9	4,819	12.9
1970	989,987	41,344	4.2	9,410	22.8	31,934	77.2	26,784	64.8	20,917	50.6	15,590	37.7	3,939	9.5	0	0
Wyoming:																	
1968	79,091	665	.8	482	72.5	183	27.5	0	0	0	0	0	0	0	0	0	0
1970	75,820	839	1.1	671	80.1	166	19.9	0	0	0	0	0	0	0	0	0	0

[1] Minute differences between sum of numbers and totals are due to computer rounding.
[2] Differences in enrollment between 1968 and 1970 are partially due to districts surveyed in 1970 but not in 1968. There were 7 such districts in Arkansas, 29 in Georgia, 10 in Louisana, 43 in Mississippi, 11 in South Carolina, 1 in Tennessee and 8 in Virginia. With few exceptions, these districts were not surveyed in 1968 because their Federal funds were terminated at the time of the 1968 survey.

TABLE 1-B.—SPANISH SURNAMED AMERICANS BY STATE

NUMBER [1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION FALL, 1968, AND FALL, 1970 ELEMENTARY AND SECONDARY SCHOOL SURVEY

State	Total pupils	Spanish-American		Spanish surnamed Americans attending minority schools— 0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percen
Continental United States:																	
1968	43,353,568	2,002,776	4.6	906,919	45.3	1,095,857	54.7	634,891	31.7	461,567	23.0	331,781	16.6	124,736	16.2	38,077	1.9
1970	44,877,547	2,275,403	5.1	1,005,340	44.2	1,270,063	55.8	753,466	33.1	521,890	22.9	371,847	16.3	131,311	5.8	40,116	1.8
Alabama:																	
1968	770,523	24	0	24	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	786,975	142	0	137	96.5	5	3.5	5	3.5	4	2.8	3	2.1	0	0	0	0
Alaska:																	
1968	71,797	479	.7	474	99.0	5	1.0	0	0	0	0	0	0	0	0	0	0
1970	78,138	785	1.0	767	97.7	18	2.3	11	1.4	3	.3	3	.3	0	0	0	0
Arizona:																	
1968	366,459	71,748	19.6	34,402	47.9	37,346	52.1	15,012	20.9	10,792	15.0	7,376	10.3	2,426	3.4	762	1.1
1970	433,595	85,334	19.7	41,278	48.4	44,055	51.6	25,996	30.5	12,361	14.5	6,874	8.1	1,380	1.6	405	.5
Arkansas: [2]																	
1968	415,613	539	.1	527	97.8	12	2.2	9	1.7	9	1.7	9	1.7	9	1.7	9	1.7
1970	430,100	468	.1	341	72.9	127	27.1	19	4.1	15	3.2	3	.6	0	0	0	0
California:																	
1968	4,477,381	646,282	14.4	393,997	61.0	252,285	39.0	118,433	18.3	75,839	11.7	55,419	8.6	10,712	1.7	1,529	.2
1970	4,550,501	705,894	15.5	428,856	60.8	277,038	39.2	121,290	17.2	80,250	11.4	58,099	8.2	7,249	1.0	866	.1
Colorado:																	
1968	519,092	71,348	13.7	45,174	63.3	26,174	36.7	9,971	14.0	4,524	6.3	2,070	2.9	342	.5	0	0
1970	536,237	78,268	14.6	47,551	60.8	30,718	39.2	10,248	13.1	3,670	4.7	1,912	2.4	225	.3	0	0
Connecticut:																	
1968	632,361	15,670	2.5	7,627	48.7	8,043	51.3	4,134	26.4	3,416	21.8	2,582	16.5	1,355	8.7	12	.1
1970	654,024	20,009	3.1	9,200	46.0	10,809	54.0	5,384	26.9	3,655	18.3	2,914	14.6	2,269	11.3	0	0
Delaware:																	
1968	123,863	245	.2	154	62.9	91	37.1	2	.8	2	.8	2	.8	0	0	0	0
1970	132,560	618	.5	352	57.0	266	43.0	203	32.8	101	16.3	2	.3	0	0	0	0
District of Columbia:																	
1968	148,725	662	.4	256	38.7	406	61.3	289	43.7	254	38.4	227	34.3	37	5.6	10	1.5
1970	145,330	713	.5	209	29.3	504	70.7	205	28.8	175	24.5	141	19.8	90	12.6	64	9.0

Footnotes at end of table.

TABLE 1–B.—SPANISH SURNAMED AMERICANS BY STATE—Continued

NUMBER [1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION FALL, 1968, AND FALL, 1970 ELEMENTARY AND SECONDARY SCHOOL SURVEY—Continued

State	Total pupils	Spanish-American		Spanish surnamed Americans attending minority schools—											
				0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Florida:																	
1968	1,340,665	52,628	3.9	26,287	49.9	26,341	50.1	9,479	18.0	4,861	9.2	3,275	6.2	400	.8	240	.5
1970	1,437,554	65,713	4.6	30,918	47.0	34,795	53.0	19,811	30.1	9,721	14.8	3,310	5.0	444	.7	221	.3
Georgia: [2]																	
1968	1,001,245	1,370	.1	786	57.4	584	42.6	578	42.2	578	42.2	578	42.2	578	42.2	578	42.2
1970	1,098,990	1,110	.1	1,035	93.2	75	6.8	12	1.1	12	1.1	10	.9	0	0	0	0
Idaho:																	
1968	174,472	3,338	1.9	3,322	99.5	16	.5	16	.5	16	.5	0	0	0	0	0	0
1970	174,556	4,067	2.3	4,061	99.9	6	.1	0	0	0	0	0	0	0	0	0	0
Illinois:																	
1968	2,252,321	68,917	3.1	36,361	52.8	32,556	47.2	16,282	23.6	6,230	9.0	3,314	4.8	640	.9	249	.4
1970	2,301,784	78,249	3.4	36,697	46.9	41,552	53.1	20,691	26.4	8,582	11.0	3,115	4.0	756	1.0	165	.2
Indiana:																	
1968	1,210,539	13,622	1.1	7,093	52.1	6,529	47.9	2,944	21.6	1,516	11.1	242	1.8	175	1.3	34	.2
1970	1,229,518	14,924	1.2	7,637	51.2	7,287	48.8	5,499	36.8	2,022	13.5	1,205	8.1	112	.8	48	.3
Iowa:																	
1968	651,705	2,283	.4	2,271	99.5	12	.5	1	0	0	0	0	0	0	0	0	0
1970	653,241	2,658	.4	2,640	98.0	54	2.0	0	0	0	0	0	0	0	0	0	0
Kansas:																	
1968	518,733	8,219	1.6	7,601	92.5	618	7.5	56	.7	45	.5	16	.2	3	0	0	0
1970	500,362	8,888	1.8	8,367	94.1	521	5.9	37	.4	32	.4	9	.1	7	.1	4	0
Kentucky:																	
1968	695,611	136	0	135	99.3	1	.7	0	0	0	0	0	0	0	0	0	0
1970	721,078	187	0	183	97.9	4	2.1	1	.5	1	.5	0	0	0	0	0	0
Louisiana: [2]																	
1968	817,000	2,111	.3	1,671	79.2	440	20.8	75	3.6	23	1.1	23	1.1	23	1.1	23	1.1
1970	842,469	3,909	.5	2,542	65.0	1,367	35.0	199	5.1	98	2.5	34	.9	32	.8	21	.5
Maine:																	
1968	220,336	478	.2	85	17.8	393	82.2	367	76.7	0	0	0	0	0	0	0	0
1970	235,674	157	.1	157	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Maryland:																	
1968	859,440	2,078	.2	2,073	99.8	5	.2	0	0	0	0	0	0	0	0	0	0
1970	911,618	3,404	.4	3,385	99.4	19	.6	2	.1	0	0	0	0	0	0	0	0
Massachusetts:																	
1968	1,097,221	8,733	.8	6,557	75.1	2,176	24.9	650	7.4	395	4.5	97	1.1	55	.6	0	0
1970	1,164,295	12,895	1.1	8,427	65.4	4,468	34.6	2,224	17.2	1,046	8.1	813	6.3	417	3.2	344	2.7
Michigan:																	
1968	2,073,369	24,819	1.2	21,169	85.3	3,650	14.7	1,667	6.7	1,303	5.3	766	3.1	333	1.3	113	.5
1970	2,148,736	28,269	1.3	24,638	87.2	3,630	12.8	1,497	5.3	1,111	3.9	644	2.3	225	.	55	.2
Minnesota:																	
1968	856,506	3,418	.4	3,397	99.4	21	.6	1	0	1	0	1	0	0	0	0	0
1970	886,367	3,987	.4	3,651	91.6	336	8.4	18	.5	18	0	18	.5	17	.4	17	.4
Mississippi: [2]																	
1968	456,532	327	.1	321	98.2	6	1.8	0	0	0	0	0	0	0	0	0	0
1970	535,089	279	.1	146	52.3	133	47.7	66	23.7	46	16.5	25	9.0	20	7.2	5	1.8
Missouri:																	
1968	954,596	1,393	.1	1,368	98.2	25	1.8	8	.6	8	.6	4	.3	4	.3	2	.1
1970	991,539	2,148	.2	2,088	97.2	60	2.8	4	.2	0	0	0	0	0	0	0	0
Montana:																	
1968	127,059	910	.7	906	99.6	4	.4	1	.1	1	.1	0	0	0	0	0	0
1970	148,737	1,786	1.2	1,687	94.5	99	5.5	4	.2	3	.1	0	0	0	0	0	0
Nebraska:																	
1968	266,342	3,722	1.4	3,439	92.4	283	7.6	8	.2	5	.1	5	.1	0	0	0	0
1970	276,433	4,067	1.5	3,751	92.2	316	7.8	67	1.6	55	1.4	49	1.2	40	1.0	40	1.0
Nevada:																	
1968	119,180	3,633	3.0	3,613	99.4	20	.6	9	.2	9	.2	8	.2	1	0	0	0
1970	127,750	4,153	3.3	4,144	99.8	9	.2	5	.1	4	.1	3	.1	1	0	0	0
New Hampshire:																	
1968	132,212	147	.1	147	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	155,224	213	.1	213	100.0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey:																	
1968	1,401,925	46,063	3.3	20,291	44.1	25,771	55.9	12,550	27.2	9,583	20.8	5,261	11.4	1,148	2.5	430	.9
1970	1,457,887	59,098	4.1	19,410	32.8	39,689	67.2	18,178	30.8	13,573	23.0	7,747	13.1	1,402	2.4	299	.5
New Mexico:																	
1968	271,040	102,994	38.0	27,494	26.7	75,500	73.3	34,136	33.1	17,221	16.7	10,336	10.0	4,461	4.3	2,704	2.6
1970	281,233	109,315	38.9	31,147	28.5	78,168	71.5	36,313	33.2	15,495	14.2	8,445	7.7	1,768	1.6	831	.8
New York:																	
1968	3,364,090	263,799	7.8	46,307	17.6	217,492	82.4	164,622	62.4	136,445	51.7	97,628	37.0	42,283	16.0	5,087	1.9
1970	3,498,522	316,590	9.0	52,577	16.6	264,014	83.4	204,147	64.5	168.976	53.4	125,822	39.7	66,490	21.0	19,848	8.3
North Carolina:																	
1968	1,199,481	482	0	465	96.5	17	3.5	3	.6	2	.4	2	.4	2	.4	2	.4
1970	1,196,294	521	0	483	92.7	38	7.3	5	1.0	0	0	0	0	0	0	0	0
North Dakota:																	
1968	115,995	230	.2	230	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	119,708	313	.3	313	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Ohio:																	
1968	2,400,296	16,031	.7	13,836	86.3	2,195	13.7	1,116	7.0	662	4.1	96	.6	31	.2	15	.1
1970	2,442,550	17,443	.7	14,643	83.9	2,800	16.1	997	5.7	770	4.4	288	1.7	223	1.3	178	1.0
Oklahoma:																	
1968	543,501	3,647	.7	3,540	97.1	107	2.9	22	.6	21	.6	16	.4	0	0	0	0
1970	550,963	5,735	1.0	5,605	97.7	130	2.3	13	.2	13	.2	9	.2	1	0	1	0
Oregon:																	
1968	455,141	4,507	1.0	4,474	99.4	28	.6	12	.3	8	.2	0	0	0	0	0	0
1970	458,989	5,696	1.2	5,677	99.7	19	.3	4	.1	3	.1	0	0	0	0	0	0
Pennsylvania:																	
1968	2,296,011	11,849	.5	6,008	50.7	5,842	49.3	4,297	36.3	3,066	25.9	1,767	14.9	241	2	12	.1
1970	2,332,310	15,392	.7	6,976	45.3	8,416	54.7	5,630	36.6	4,254	27.6	2,473	16.1	996	6.5	90	.6
Rhode Island:																	
1968	172,264	490	.3	313	63.9	177	36.1	0	0	0	0	0	0	0	0	0	0
1970	186,062	728	.4	728	100.0	0	0	0	0	0	0	0	0	0	0	0	0
South Carolina:																	
1968	603,542	208	0	206	99.0	2	1.0	0	0	0	0	0	0	0	0	0	0
1970	638,033	376	.1	350	93.1	26	6.9	6	1.6	2	.5	0	0	0	0	0	0
South Dakota:																	
1968	146,407	273	.2	261	95.6	12	4.4	12	4.4	12	4.4	12	4.4	4	1.5	4	1.5
1970	150,566	372	.2	372	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee:																	
1968	887,469	411	0	398	96.8	13	3.2	7	1.7	2	.5	2	.5	1	.2	1	.2
1979	895,185	539	.1	527	97.8	12	2.2	2	.4	2	.4	1	.2	1	.2	1	.2

State	Total pupils	Spanish-American		Spanish surnamed Americans attending minority schools— 0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Texas:																	
1968	2,510,358	505,214	20.1	139,877	27.7	365,337	72.3	237,136	46.9	184,360	36.5	140,486	27.8	59,351	11.7	26,164	5.2
1970	2,633,296	566,257	21.5	152,280	26.9	413,977	73.1	274,055	48.4	195,432	34.5	147,772	26.1	47,129	8.3	16,612	2.9
Utah:																	
1968	303,152	9,839	3.2	8,665	88.1	1,714	11.9	325	3.3	0	0	0	0	0	0	0	0
1970	304,431	10,998	3.6	10,192	92.7	806	7.3	3	0	0	0	0	0	0	0	0	0
Vermont:																	
1968	73,570	34	0	34	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	84,616	102	.1	102	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Virginia:																	
1968	1,041,057	2,222	.2	2,189	98.5	33	1.5	3	.1	3	.1	3	.1	1	0	0	0
1970	1,076,365	3,224	.3	3,095	96.0	129	4.0	12	.4	0	0	0	0	0	0	0	
Washington:																	
1968	791,260	12,692	1.6	11,150	87.9	1,542	12.1	35	.3	12	.1	0	0	0	0	0	0
1970	805,122	14,668	1.8	13,812	94.2	856	5.8	36	.2	5	0	5	0	0	0	0	0
West Virginia:																	
1968	404,582	251	.1	249	99.2	2	.8	2	.8	0	0	0	0	0	0	0	0
1970	402,133	218	.1	217	99.5	1	.5	0	0	0	0	0	0	0	0	0	0
Wisconsin:																	
1968	942,441	7,760	.8	6,171	79.5	1,589	20.5	620	8.0	342	4.4	157	2.0	119	1.5	97	1.3
1970	989,987	9,548	1.0	7,786	81.5	1,762	18.5	565	5.9	380	4.0	98	1.0	16	.2	0	0
Wyoming:																	
1968	79,091	4,504	5.7	3,524	78.2	980	21.8	0	0	0	0	0	0	0	0	0	0
1970	75,820	4,977	6.6	4,028	80.9	949	19.1	0	0	0	0	0	0	0	0	0	0

[1] Minute differences between sum of numbers and totals are due to computer rounding.

[2] Differences in enrollment between 1968 and 1970 are partially due to districts surveyed in 1970 but not in 1968. There were 7 such districts in Arkansas, 29 in Georgia, 10 in Louisiana, 43 in Mississippi, 11 in South Carolina, 1 in Tennessee, and 8 in Virginia. With few exceptions these districts were not surveyed in 1968 because their Federal funds were terminated at the time of the 1968 survey.

TABLE 1-C.—AMERICAN INDIANS BY STATE

NUMBER [1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION FALL, 1970 ELEMENTARY AND SECONDARY SCHOOL SURVEY

State	Total pupils	American Indians		American Indians attending minority schools— 0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Continental United States 1970	44,887,547	197,109	0.4	131,014	66.5	66,095	33.5	42,147	21.4	27,474	13.9	13,466	6.8	3,810	1.9	3,490	1.8
Alabama 1970	786,975	39	0	32	81.9	7	18.1	7	18.1	0	0	0	0	0	0	0	0
Alaska 1970	78,138	10,070	12.9	6,204	61.6	3,866	38.4	3,005	29.8	1,417	14.1	1,031	10.2	777	7.7	640	6.4
Arizona 1970	433,595	19,575	4.5	6,974	35.6	12,601	64.4	10,595	54.1	6,197	31.7	1,287	6.6	9	0	0	0
Arkansas 1970	430,100	497	.1	492	99.0	5	1.0	0	0	0	0	0	0	0	0	0	0
California 1970	4,550,501	16,842	.4	13,966	82.9	2,877	17.1	633	3.8	332	2.0	219	1.3	74	.4	37	0.2
Colorado 1970	536,237	1,219	.2	1,033	84.7	186	15.3	90	7.4	34	2.8	13	1.1	0	0	0	0
Connecticut 1970	654,024	410	.1	370	90.2	40	9.8	23	5.6	12	2.9	5	1.2	1	.2	0	0
Delaware 1970	123,560	76	.1	76	100.0	0	0	0	0	0	0	0	0	0	0	0	0
District of Columbia 1970	145,330	7	0	4	57.1	3	42.9	3	42.9	3	42.9	2	28.6	1	14.3	0	0
Florida 1970	1,437,554	1,394	.1	1,305	93.6	89	6.4	18	1.3	10	.7	0	0	0	0	0	0
Georgia 1970	1,098,990	406	0	401	98.8	5	1.2	1	.2	1	.2	1	.2	0	0	0	0
Idaho 1970	174,556	2,192	1.3	2,064	94.2	128	5.8	0	0	0	0	0	0	0	0	0	0
Illinois 1970	2,310,784	2,526	.1	2,148	85.0	378	15.0	151	6.0	101	4.0	45	1.8	26	1.0	5	.2
Indiana 1970	1,229,518	679	.1	641	94.4	38	5.6	31	4.6	17	2.5	6	.9	0	0	0	0
Iowa 1970	653,241	529	.1	517	97.7	12	2.3	0	0	0	0	0	0	0	0	0	0
Kansas 1970	500,362	1,468	.3	1,438	98.0	29	2.0	14	1.0	14	1.0	0	0	0	0	0	0
Kentucky 1970	721,078	48	0	44	91.7	4	8.3	4	8.3	0	0	0	0	0	0	0	0
Louisiana 1970	842,469	250	0	210	84.0	40	16.0	1	.4	1	.4	0	0	0	0	0	0
Maine 1970	235,674	564	.2	516	91.5	48	8.5	48	8.5	48	8.5	48	8.5	48	8.5	48	8.5
Maryland 1970	911,618	373	0	366	98.1	7	1.9	0	0	0	0	0	0	0	0	0	0
Massachusetts 1970	1,164,295	504	0	472	93.7	32	6.3	12	2.6	4	.8	4	.8	0	0	0	0
Michigan 1970	2,148,736	4,375	.2	4,199	96.0	177	4.0	80	1.8	33	.8	25	.6	5	.1	0	0
Minnesota 1970	886,367	7,172	.8	6,801	94.8	371	5.2	37	.5	37	.5	37	.5	37	.5	37	.5
Mississippi 1970	535,089	103	0	83	80.6	20	19.4	14	13.6	14	13.6	11	10.7	1	1.0	0	0
Missouri 1970	991,539	1,372	.1	1,347	98.2	25	1.8	17	1.2	8	.6	8	.6	8	.6	0	0
Montana 1970	148,737	8,434	5.7	4,364	51.7	4,070	48.3	2,317	27.5	1,520	18.0	372	4.4	72	.9	72	.9
Nebraska 1970	276,433	2,134	.8	986	46.2	1,148	53.8	67	3.1	58	2.7	11	.5	0	0	0	0
Nevada 1970	127,750	2,839	2.2	2,122	74.7	717	25.3	502	17.7	255	9.0	88	3.1	88	3.1	88	3.1
New Hampshire 1970	155,224	68	0	68	100.0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey 1970	1,457,887	471	0	334	71.0	136	29.0	23	4.9	10	2.1	7	1.5	0	0	0	0
New Mexico 1970	281,233	19,216	6.8	3,182	16.6	16,033	83.4	12,130	63.1	8,657	45.1	3,675	19.1	557	2.9	553	2.9
New York 1970	3,498,522	5,669	.2	4,252	75.0	1,417	25.0	1,143	20.2	527	9.3	479	8.5	399	7.0	375	6.6
North Carolina 1970	1,196,294	14,168	1.2	3,115	22.0	11,053	78.0	6,913	48.8	5,108	36.1	4,038	28.5	250	1.8	225	1.6
North Dakota 1970	119,708	1,133	.9	1,133	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Ohio 1970	2,442,550	1,118	0	1,061	94.9	57	5.1	20	1.8	18	1.6	14	1.3	4	.4	0	0
Oklahoma 1970	550,963	28,647	5.2	26,679	9.1	1,969	6.9	28	.1	26	.1	15	.1	8	0	0	0
Oregon 1970	458,989	3,721	.8	3,286	88.3	435	11.7	433	11.6	432	11.6	0	0	0	0	0	0
Pennsylvania 1970	2,332,310	511	0	508	99.4	3	.6	0	0	0	0	0	0	0	0	0	0
Rhode Island 1970	186,062	160	.1	160	100.0	0	0	0	0	0	0	0	0	0	0	0	0
South Carolina 1970	638,033	295	0	171	58.0	124	42.0	7	2.4	0	0	0	0	0	0	0	0
South Dakota 1970	150,566	7,536	5.0	5,263	69.8	2,273	30.2	1,324	17.6	677	9.0	368	4.9	0	0	0	0
Tennessee 1970	895,185	305	0	299	98.0	6	2.0	3	1.0	2	.7	0	0	0	0	0	0
Texas 1970	2,633,296	3,588	.1	2,205	61.5	1,382	38.5	1,186	33.1	1,135	31.6	1,063	29.6	988	27.5	957	26.7
Utah 1970	304,431	4,733	1.6	4,059	85.8	674	14.2	537	11.4	151	3.2	0	0	0	0	0	0
Vermont 1970	85,616	12	0	12	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Virginia 1970	1,076,365	975	.1	717	73.5	258	26.5	124	12.7	108	11.1	108	11.1	0	0	0	0
Washington 1970	805,122	10,611	1.3	8,932	84.2	1,679	15.8	72	.7	18	0.2	18	.2	0	0	0	0
West Virginia 1970	402,133	88	0	88	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Wisconsin 1970	989,987	7,069	.7	5,404	76.4	1,665	23.6	533	7.5	489	6.9	467	6.6	546	6.5	452	6.4
Wyoming 1970	75,820	916	1.2	910	99.3	6	.7	0	0	0	0	0	0	0	0	0	0

[1] Minute differences between sum of numbers and totals are due to computer rounding.

TABLE 1-D.—ORIENTALS BY STATE

NUMBER[1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION, FALL 1970, ELEMENTARY AND SECONDARY SCHOOL SURVEY

State	Total pupils	Oriental total		Orientals attending minority schools— 0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1970																	
Continental United States	44,877,647	209,092	0.5	147,672	70.6	61,420	29.4	27,401	13.1	16,134	7.7	8,458	4.0	1,376	0.7	168	0.1
Alabama	786,975	155	0	155	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Alaska	78,138	657	.8	649	98.8	8	1.2	8	1.2	0	0	0	0	0	0	0	0
Arizona	433,595	2,045	.5	1,756	85.9	289	14.1	108	5.3	18	.9	11	.5	0	0	0	0
Arkansas	430,010	328	.1	223	68.0	105	32.0	1	.3	0	0	0	0	0	0	0	0
California	4,550,501	104,821	2.3	63,435	60.5	41,387	39.5	16,950	16.2	8,616	8.2	6,152	5.9	562	.5	79	.1
Colorado	536,237	3,095	.6	2,828	91.4	267	8.6	139	4.5	35	1.1	35	1.1	6	.2	0	0
Connecticut	654,024	1,174	.2	1,076	91.7	98	8.3	44	3.7	31	2.6	8	.7	0	0	0	0
Delaware	132,560	242	.2	242	100.0	0	0	0	0	0	0	0	0	0	0	0	0
District of Columbia	145,330	612	.4	225	36.8	387	63.2	184	30.1	170	27.8	142	23.2	24	3.9	8	1.3
Florida	1,437,554	1,834	.1	1,583	86.3	251	13.7	92	5.0	34	1.9	8	.4	1	.1	0	0
Georgia	1,098,990	954	.1	922	96.6	32	3.4	4	.4	2	.2	2	.2	1	.1	1	.1
Idaho	174,556	908	.5	908	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Illinois	2,310,784	7,511	.3	6,352	84.6	1,159	15.4	621	8.3	531	7.1	463	6.2	38	.5	18	.2
Indiana	1,229,518	1,432	.1	1,344	93.9	88	6.1	65	4.5	16	1.1	10	.7	0	0	0	0
Iowa	653,241	665	.1	641	96.4	24	3.6	0	0	0	0	0	0	0	0	0	0
Kansas	500,362	1,220	.2	1,166	95.6	54	4.4	1	.1	0	0	0	0	0	0	0	0
Kentucky	721,078	346	0	339	98.0	7	2.0	4	1.2	3	.9	1	.3	0	0	0	0
Louisiana	842,469	370	0	285	77.0	85	23.0	19	5.1	16	4.3	1	.3	0	0	0	0
Maine	235,674	285	.1	285	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Maryland	911,618	2,655	.3	2,628	99.0	27	1.0	5	.2	1	0	1	0	0	0	0	0
Massachusetts	1,164,295	4,348	.4	3,362	77.3	986	22.7	685	15.8	254	5.8	145	3.3	0	0	0	0
Michigan	2,148,736	4,165	.2	3,762	90.3	403	9.7	180	4.3	135	3.2	98	2.4	42	1.0	13	.3
Minnesota	886,367	1,755	.2	1,739	99.1	16	.9	3	.2	3	.2	3	.2	3	.2	3	.2
Mississippi	535,089	278	.1	168	60.4	110	39.6	39	14.0	20	7.2	8	2.9	0	0	0	0
Missouri	991,539	1,529	.2	1,475	96.5	54	3.5	5	.3	4	.3	4	.3	4	.3	3	.2
Montana	148,737	460	.3	458	99.6	2	.4	0	0	0	0	0	0	0	0	0	0
Nebraska	276,433	528	.2	521	98.7	7	1.3	6	1.1	0	0	0	0	0	0	0	0
Nevada	127,750	700	.5	693	99.0	7	1.0	5	.7	3	.4	3	.4	2	.3	0	0
New Hampshire	155,224	284	.2	284	100.0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey	1,457,887	6,993	.5	5,588	79.9	1,404	20.1	478	6.8	275	3.9	105	1.5	18	.3	1	0
New Mexico	281,233	619	.2	489	79.0	130	21.0	24	3.9	10	1.6	2	.3	0	0	0	0
New York	3,498,522	21,770	.6	11,330	52.0	10,440	48.0	7,015	32.2	5,729	26.3	1,135	5.2	643	3.0	30	.1
North Carolina	1,196,294	635	.1	623	98.1	12	1.9	0	0	0	0	0	0	0	0	0	0
North Dakota	119,708	248	.2	248	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Ohio	2,442,550	3,380	.1	3,184	94.2	196	5.8	75	2.2	50	1.5	24	.7	13	.4	3	.1
Oklahoma	550,963	1,259	.2	1,249	99.2	10	.8	7	.6	7	.6	2	.2	1	.1	0	0
Oregon	458,989	3,314	.7	3,293	99.4	21	.6	2	.1	2	.1	0	0	0	0	0	0
Pennsylvania	2,332,310	2,408	.1	2,346	97.4	63	2.6	17	.7	16	.7	2	.1	2	.1	2	.1
Rhode Island	186,062	568	.3	567	99.8	1	.2	0	0	0	0	0	0	0	0	0	0
South Carolina	638,033	323	.1	298	92.3	25	7.7	9	2.8	1	.3	0	0	0	0	0	0
South Dakota	150,566	224	.1	224	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee	895,185	688	.1	669	97.2	19	2.8	8	1.2	8	1.2	3	.4	3	.4	3	.4
Texas	2,633,296	4,217	.2	3,468	82.2	749	17.8	268	6.4	120	2.8	72	1.7	13	.3	4	.1
Utah	304,431	1,553	.5	1,531	98.6	22	1.4	0	0	0	0	0	0	0	0	0	0
Vermont	84,616	113	.1	113	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	1,076,365	2,969	.3	2,842	95.7	127	4.3	30	1.0	7	.2	4	.1	0	0	0	0
Washington	805,122	10,439	1.3	8,144	78.0	2,295	22.0	286	2.7	15	.1	15	.1	0	0	0	0
West Virginia	402,133	275	.1	270	98.2	5	1.8	0	0	0	0	0	0	0	0	0	0
Wisconsin	989,987	1,466	.1	1,426	97.3	40	2.7	14	1.0	3	.2	0	0	0	0	0	0
Wyoming	75,820	274	.4	265	96.7	9	3.3	0	0	0	0	0	0	0	0	0	0

[1] Minute differences between sum of numbers and totals are due to computer rounding.

TABLE 1-E.—MINORITIES BY STATE

NUMBER[1] AND PERCENTAGE ATTENDING SCHOOL AT, INCREASING LEVELS OF ISOLATION—FALL, 1968, AND FALL, 1970 ELEMENTARY AND SECONDARY SCHOOL SURVEY

State	Total pupils	Minority number	Percent	Minority students attending minority schools— 0–49.9 percent		50–100 percent		80–100 percent		90–100 percent		95–100 percent		99–100 percent		100 percent	
				Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Continental United States:																	
1968	43,353,568	8,656,434	20.0	2,623,820	30.3	6,032,615	69.7	4,987,778	57.6	4,561,768	52.7	4,202,903	48.6	3,472,072	40.1	2,542,805	29.4
1970	44,877,547	9,389,015	20.9	3,507,532	37.4	5,881,483	62.6	4,134,387	44.0	3,472,583	37.0	2,957,098	31.5	2,013,264	21.7	984,885	10.5
Alabama:																	
1968	770,523	269,357	35.0	22,384	8.3	246,973	91.7	246,389	91.5	245,861	91.3	244,693	90.8	243,269	90.3	230,448	85.6
1970	786,975	270,330	34.4	98,932	36.6	171,398	63.4	130,032	48.1	119,046	44.0	104,943	38.8	80,651	29.8	53,954	20.0
Alaska:																	
1968	71,797	9,830	13.7	7,881	80.2	1,949	19.8	1,768	18.0	1,389	14.1	1,192	12.1	607	6.2	607	6.2
1970	78,138	13,658	17.5	9,759	71.5	3,899	28.5	3,024	22.1	1,419	10.4	1,034	7.6	777	5.7	640	4.7
Arizona:																	
1968	366,459	103,933	28.4	47,152	45.4	56,781	54.6	28,272	27.2	19,403	18.7	12,151	11.7	5,862	5.6	1,559	1.5
1970	433,595	123,846	28.6	55,447	44.8	68,399	55.2	43,855	35.4	23,497	19.0	11,925	9.6	4,422	3.6	829	.7
Arkansas:[2]																	
1968	415,613	107,754	25.9	25,299	23.5	82,455	76.5	79,797	74.1	79,214	73.5	78,911	73.2	77,713	72.1	75,807	70.4
1970	430,100	107,393	25.0	46,640	43.4	60,753	56.6	23,147	21.6	19,633	18.3	16,453	15.3	10,762	10.0	9,132	8.5
California:																	
1968	4,477,381	1,153,903	25.8	562,115	48.7	591,788	51.3	374,762	32.5	300,997	26.1	247,756	21.5	127,532	11.1	29,559	2.6
1970	4,550,501	1,244,315	27.3	613,685	49.3	630,629	50.7	379,578	30.5	303,839	24.4	258,956	20.8	125,483	10.1	21,868	1.8
Colorado:																	
1968	519,092	93,344	18.0	54,384	58.3	38,960	41.7	19,863	21.3	12,841	13.8	10,208	10.9	3,216	3.4	0	0
1970	536,237	101,596	18.9	60,928	60.0	40,668	40.0	17,449	17.2	9,568	9.4	7,292	7.2	1,178	1.2	0	0
Connecticut:																	
1968	632,361	69,570	11.0	31,646	45.5	37,924	54.5	22,102	31.8	17,150	24.7	12,200	17.5	3,610	5.2	340	.5
1970	654,024	80,211	12.3	36,124	45.0	44,087	55.0	26,723	33.3	19,026	23.7	15,396	19.2	8,108	10.1	0	0
Delaware:																	
1968	123,863	24,356	19.7	13,274	54.5	11,082	45.5	6,612	27.1	5,179	21.3	5,179	21.3	953	3.9	0	0
1970	132,560	28,255	21.3	15,651	55.4	12,604	44.6	8,382	29.7	5,926	21.0	5,112	18.1	1,222	4.3	0	0

State	Total pupils	Minority number	Percent	Minority students attending minority schools— 0–49.9 percent Number	Percent	50–100 percent Number	Percent	80–100 percent Number	Percent	90–100 percent Number	Percent	95–100 percent Number	Percent	99–100 percent Number	Percent	100 percent Number	Percent
District of Columbia:																	
1968	148,725	140,445	94.4	1,813	1.3	138,632	98.7	134,766	96.0	131,501	93.6	124,409	88.6	95,711	68.1	38,735	27.6
1970	145,330	138,834	95.5	2,112	1.5	136,722	98.5	133,813	96.4	131,036	94.4	128,077	92.3	95,376	68.7	46,189	33.3
Florida:																	
1968	1,340,665	367,013	27.4	101,288	27.6	265,725	72.4	239,488	65.3	232,454	63.3	228,025	62.1	216,233	58.9	184,321	50.2
1970	1,437,554	401,179	27.9	194,689	48.5	206,490	51.5	129,451	32.3	97,169	24.2	76,034	19.0	51,470	12.8	32,937	8.2
Georgia: [2]																	
1968	1,001,245	317,361	31.7	45,911	14.5	271,450	85.5	266,776	84.1	264,330	83.3	263,405	83.0	260,605	82.1	241,244	76.0
1970	1,098,990	367,693	33.5	133,407	36.3	234,286	63.7	143,856	39.1	125,983	34.3	112,482	30.6	92,950	25.3	61,469	16.7
Idaho:																	
1968	174,472	6,325	3.6	6,174	97.6	151	2.4	16	.3	16	.3	0	0	0	0	0	0
1970	174,556	7,599	4.4	7,465	98.2	134	1.8	0	0	0	0	0	0	0	0	0	0
Illinois:																	
1968	2,252,321	483,966	21.5	99,217	20.5	384,749	79.5	329,285	68.0	305,166	63.1	297,755	61.5	252,926	52.3	157,140	32.5
1970	2,310,784	509,716	22.1	105,609	20.7	404,107	79.3	348,590	68.4	325,472	63.9	303,884	59.6	254,338	49.9	152,931	30.0
Indiana:																	
1968	1,210,539	121,228	10.0	40,226	33.2	81,002	66.8	61,875	51.0	52,683	43.5	46,462	38.3	37,848	31.2	13,640	11.3
1970	1,229,518	127,013	10.3	42,982	33.8	84,031	66.2	65,937	51.9	54,972	43.3	46,653	36.7	32,423	25.5	15,350	12.1
Iowa:																	
1968	651,705	12,732	2.0	10,124	79.5	2,608	20.5	877	6.9	340	2.7	340	2.7	340	2.7	0	0
1970	653,241	14,198	2.2	11,045	77.8	3,153	22.2	132	.9	108	.8	0	0	0	0	0	0
Kansas:																	
1968	518,733	41,539	8.0	26,502	63.8	15,037	36.2	11,941	28.7	10,215	24.6	9,838	23.7	6,268	15.1	2,328	5.6
1970	500,362	44,111	8.8	30,475	69.1	13,636	30.9	11,332	25.7	9,392	21.3	7,366	16.7	5,513	12.5	3,427	7.8
Kentucky:																	
1968	695,611	64,474	9.3	34,864	54.1	29,610	45.9	21,946	34.0	17,026	26.4	17,026	26.4	9,021	14.0	3,342	5.2
1970	721,078	66,785	9.3	36,946	55.3	29,839	44.7	24,045	36.0	20,270	30.4	16,233	24.3	10,848	16.2	2,211	3.3
Louisiana: [2]																	
1968	817,000	319,971	39.2	30,408	9.5	289,563	90.5	282,775	88.4	279,639	87.4	279,639	87.4	278,645	87.1	259,921	81.2
1970	842,469	345,231	41.0	109,446	31.7	235,785	68.3	161,486	46.8	139,764	40.5	126,333	36.6	112,012	32.4	81,945	23.7
Maine:																	
1968	220,336	3,558	1.6	931	26.2	2,627	73.8	1,967	55.3	67	1.9	67	1.9	67	1.9	67	1.9
1970	235,674	1,783	.8	1,735	97.3	48	2.7	48	2.7	48	2.7	48	2.7	48	2.7	48	2.7
Maryland:																	
1968	859,440	205,369	23.9	66,596	32.4	138,773	67.6	117,802	57.4	109,478	53.3	105,886	51.6	92,030	44.8	62,898	30.6
1970	911,618	226,598	24.9	79,022	34.9	147,576	65.1	117,473	51.8	109,933	48.5	100,652	44.4	90,981	40.2	56,676	25.0
Massachusetts:																	
1968	1,097,221	59,875	5.5	33,938	56.7	25,937	43.3	15,777	26.4	12,090	20.2	8,804	14.7	4,995	8.3	79	.1
1970	1,164,295	70,136	6.0	37,399	53.3	32,737	46.7	23,018	32.8	17,034	24.3	12,329	17.6	6,837	9.7	3,516	5.0
Michigan:																	
1968	2,073,369	308,938	14.9	85,706	27.7	223,232	72.3	179,345	58.1	155,291	50.3	129,017	41.8	78,709	25.5	24,856	8.0
1970	2,148,736	324,783	15.1	87,853	27.0	236,931	73.0	189,858	58.5	167,747	51.6	144,268	44.4	76,165	23.5	29,233	9.0
Minnesota:																	
1968	856,506	19,655	2.3	17,691	90.0	1,964	10.0	362	1.8	362	1.8	362	1.8	0	0	0	0
1970	886,367	23,048	2.6	18,685	81.1	4,364	18.9	400	1.7	400	1.7	400	1.7	59	.3	59	.3
Mississippi: [2]																	
1968	456,532	224,607	49.2	15,809	7.0	208,798	93.0	207,518	92.4	207,518	92.4	207,518	92.4	206,739	92.0	197,450	87.9
1970	535,089	272,673	51.0	72,168	26.5	200,505	73.5	131,811	48.3	96,609	35.4	81,339	29.8	51,625	18.9	29,407	10.8
Missouri:																	
1968	954,596	141,110	14.8	36,632	26.0	104,477	74.0	97,195	68.9	93,303	66.1	91,370	64.8	77,686	55.1	46,293	32.8
1970	991,539	149,647	15.1	33,916	22.7	115,731	77.3	99,381	66.4	91,653	61.2	85,442	57.1	80,195	53.6	43,685	29.2
Montana:																	
1968	127,059	6,328	5.0	3,780	59.7	2,548	40.3	2,276	36.0	943	14.9	325	5.1	325	5.1	81	1.3
1970	148,737	11,102	7.5	6,912	62.3	4,190	37.7	2,321	20.9	1,523	13.7	372	3.4	72	.6	72	.6
Nebraska:																	
1968	266,342	17,307	6.5	7,953	46.0	9,354	54.0	6,254	36.1	4,426	25.6	4,339	25.1	681	3.9	0	0
1970	276,433	19,634	7.1	9,521	48.5	10,113	51.5	7,722	39.3	5,776	29.4	3,129	15.9	865	4.4	40	.2
Nevada:																	
1968	119,180	15,948	13.4	11,017	69.1	4,931	30.9	4,516	28.3	4,345	27.2	3,698	23.2	764	4.8	64	.4
1970	127,750	18,224	14.3	13,882	76.2	4,342	23.8	3,384	18.6	3,134	17.2	2,964	16.3	2,563	14.1	603	3.3
New Hampshire:																	
1968	132,212	870	.7	870	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	155,224	1,170	.8	1,170	100.0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey:																	
1968	1,401,925	258,109	18.4	94,092	36.5	164,016	63.5	113,176	43.8	97,781	37.9	73,744	28.6	38,984	15.1	15,677	6.1
1970	1,457,887	291,788	20.0	97,419	33.4	194,369	66.6	132,053	45.3	109,254	37.4	89,728	30.8	47,312	16.2	15,063	5.2
New Mexico:																	
1968	271,040	128,948	47.6	33,673	26.1	95,275	73.9	48,548	37.6	28,108	21.8	14,660	11.4	6,805	5.3	4,736	3.7
1970	281,233	135,227	48.1	37,989	28.1	97,238	71.9	50,351	37.2	25,540	18.9	12,725	9.4	2,668	2.0	1,716	1.3
New York:																	
1968	3,364,090	762,382	22.7	213,008	27.9	549,374	72.1	409,715	53.7	346,870	45.5	269,638	35.4	145,430	19.1	41,302	5.4
1970	3,498,522	886,516	25.3	224,299	25.3	662,217	74.7	511,243	57.7	436,263	49.2	338,619	38.2	208,213	23.5	68,985	7.8
North Carolina:																	
1968	1,199,481	367,096	30.6	103,494	28.2	263,602	71.8	247,307	67.4	242,325	66.0	239,986	65.4	232,539	63.3	212,020	57.8
1970	1,196,294	367,049	30.7	194,645	53.0	172,404	47.0	67,450	18.4	53,238	14.5	46,938	12.8	32,623	8.9	24,191	6.6
North Dakota:																	
1968	115,995	2,345	2.0	1,987	84.7	358	15.3	0	0	0	0	0	0	0	0	0	0
1970	119,708	2,348	2.0	2,348	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Ohio:																	
1968	2,400,296	306,975	12.8	96,868	31.6	210,107	68.4	165,009	53.8	143,719	46.8	123,252	40.2	93,826	30.6	37,887	12.3
1970	2,442,550	317,439	13.0	99,246	31.3	218,193	68.7	168,088	53.0	146,828	46.3	126,805	39.9	93,361	29.4	41,441	13.1
Oklahoma:																	
1968	543,501	77,543	14.3	46,665	60.2	30,876	39.8	26,913	34.7	26,049	33.6	23,644	30.5	18,721	24.1	8,443	10.9
1970	550,963	88,211	16.0	61,207	69.4	27,004	30.6	21,823	24.7	21,715	24.6	20,159	22.9	15,455	17.5	5,560	6.3
Oregon:																	
1968	455,141	18,595	4.1	15,334	82.5	3,261	17.5	2,089	11.2	1,802	9.7	0	0	0	0	0	0
1970	458,989	20,738	4.5	17,607	84.9	3,131	15.1	1,933	9.3	1,654	8.0	0	0	0	0	0	0
Pennsylvania:																	
1968	2,296,011	282,848	12.3	82,310	29.1	200,538	70.9	160,679	56.8	138,492	49.0	120,222	42.5	87,309	30.9	11,768	4.2
1970	2,332,310	293,790	12.6	82,269	28.0	211,521	72.0	165,436	56.3	143,277	48.8	124,404	42.3	90,999	31.0	13,002	4.4
Rhode Island:																	
1968	172,264	9,098	5.3	8,061	88.6	1,037	11.4	133	1.5	133	1.5	0	0	0	0	0	0
1970	186,062	9,205	4.9	9,096	98.8	109	1.2	0	0	0	0	0	0	0	0	0	0
South Carolina: [2]																	
1968	603,542	238,843	39.6	34,539	14.5	204,304	85.5	201,618	84.4	201,618	84.4	200,250	83.8	199,814	83.7	118,728	79.0
1970	638,033	261,868	41.0	117,740	45.0	144,128	55.0	76,064	29.0	57,608	22.0	44,859	17.1	30,434	11.6	18,266	7.0
South Dakota:																	
1968	146,407	17,320	11.8	4,366	25.2	12,955	74.8	11,269	65.1	10,133	58.5	8,728	50.4	1,704	9.8	1,704	9.8
1970	150,566	8,530	5.7	6,257	73.3	2,273	26.7	1,324	15.5	677	7.9	368	4.3	0	0	0	0
Tennessee: [2]																	
1968	887,469	185,924	20.9	40,442	21.8	145,482	78.2	139,436	75.0	135,516	72.9	132,213	71.1	123,472	66.4	108,429	58.3
1970	895,185	191,099	21.3	62,691	32.8	128,408	67.2	113,670	59.5	105,237	55.1	94,934	49.7	77,822	40.7	49,113	25.7

Footnotes at end of table.

TABLE 1-E.—MINORITIES BY STATE—Continued

NUMBER[1] AND PERCENTAGE ATTENDING SCHOOL AT, INCREASING LEVELS OF ISOLATION—FALL 1968, AND FALL 1970 ELEMENTARY AND SECONDARY SCHOOL SURVEY

State	Total pupils	Minority number	Minority percent	Minority students attending minority schools— 0–49.9 percent Number	0–49.9 percent Percent	50–100 percent Number	50–100 percent Percent	80–100 percent Number	80–100 percent Percent	90–100 percent Number	90–100 percent Percent	95–100 percent Number	95–100 percent Percent	99–100 percent Number	99–100 percent Percent	100 percent Number	100 percent Percent
Texas:																	
1968	2,510,358	892,518	35.6	240,437	26.9	652,081	73.1	495,240	55.5	433,765	48.6	382,153	42.8	269,323	30.2	193,352	21.7
1970	2,633,296	976,667	37.1	298,584	30.6	678,083	69.4	487,086	49.9	384,784	39.4	317,489	32.5	165,959	17.0	74,042	7.6
Utah:																	
1968	303,152	16,755	5.5	14,657	87.5	2,098	12.5	686	4.1	96	.6	0	0	0	0	0	0
1970	304,431	18,767	6.2	16,925	90.2	1,842	9.8	540	2.9	151	.8	0	0	0	0	0	0
Vermont:																	
1968	73,570	153	.2	153	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	84,616	353	.4	353	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Virginia:[2]																	
1968	1,041,057	250,183	24.0	70,861	28.3	179,322	71.7	172,220	68.8	169,347	67.7	167,298	66.9	161,331	64.5	142,213	56.8
1970	1,076,365	266,319	24.7	114,047	42.8	152,272	57.2	79,933	30.0	64,057	24.1	54,267	20.4	46,881	17.6	26,667	10.0
Washington:																	
1968	791,260	50,585	6.4	39,356	77.8	11,229	22.2	3,049	6.0	966	1.9	0	0	0	0	0	0
1970	805,122	56,325	7.0	44,429	78.9	11,895	21.1	3,084	5.5	368	.7	368	.7	0	0	0	0
West Virginia:																	
1968	404,582	20,992	5.2	17,320	82.5	3,672	17.5	1,659	7.9	1,157	5.5	1,157	5.5	841	4.0	841	4.0
1970	402,133	19,583	4.9	16,875	86.2	2,708	13.8	164	.8	164	.8	164	.8	164	.8	164	.8
Wisconsin:																	
1968	942,441	51,070	5.4	19,543	38.3	31,527	61.7	25,470	49.9	20,664	40.5	15,382	30.1	9,618	18.8	4,926	9.6
1970	989,987	59,427	6.0	24,026	40.4	35,401	59.6	27,896	46.9	21,789	36.7	16,155	27.2	4,411	7.4	452	.8
Wyoming:																	
1968	79,091	7,486	9.5	5,067	67.7	2,419	32.3	1,240	16.6	0	0	0	0	0	0	0	0
1970	75,820	7,005	9.2	5,875	83.9	1,130	16.1	0	0	0	0	0	0	0	0	0	0

[1] Minute differences between sum of numbers and totals are due to computer rounding.
[2] Differences in enrollment between 1968 and 1970 are partially due to districts surveyed in 1970 but not in 1968. There were 7 such districts in Arkansas, 29 in Georgia, 10 in Louisiana, 43 in Mississippi, 11 in South Carolina, 1 in Tennessee and 8 in Virginia. With few exceptions, these districts were not surveyed in 1968 because their Federal funds were terminated at the time of the 1968 survey.

TABLE 1-F.—NONMINORITIES BY STATE

NUMBER[1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION, FALL 1970 ELEMENTARY AND SECONDARY SCHOOL SURVEY

State	Total pupils	Nonminority Number	Nonminority Percent	Nonminority students attending nonminority schools— 0 to 49.9 percent Number	0 to 49.9 percent Percent	50 to 100 percent Number	50 to 100 percent Percent	80 to 100 percent Number	80 to 100 percent Percent	90 to 100 percent Number	90 to 100 percent Percent	95 to 100 percent Number	95 to 100 percent Percent	99 to 100 percent Number	99 to 100 percent Percent	100 percent Number	100 percent Percent
Continental United States 1970	44,877,547	35,488,532	79.1	1,196,154	3.4	34,292,378	96.6	29,679,942	83.6	25,750,360	72.1	21,321,681	60.1	11,634,575	32.8	4,631,396	13.1
Alabama 1970	786,975	516,645	65.6	28,228	5.5	488,417	94.5	335,409	64.9	221,890	42.9	164,026	31.7	101,855	19.7	69,381	13.4
Alaska 1970	78,138	64,480	82.5	678	1.1	63,802	98.9	53,136	82.4	37,587	58.3	11,185	17.3	4,564	7.1	2,741	4.3
Arizona 1970	433,595	309,749	71.4	20,245	6.5	289,504	93.5	219,218	70.8	159,994	51.7	85,405	27.6	4,794	1.5	238	.1
Arkansas 1970	430,100	322,707	75.0	21,862	6.8	300,845	93.2	225,109	69.8	195,408	60.6	167,991	52.1	120,022	37.2	81,639	25.3
California 1970	4,550,501	3,306,187	72.7	172,270	5.2	3,133,917	94.8	2,320,086	70.2	1,503,274	45.5	667,468	20.2	21,439	.6	4,441	.1
Colorado 1970	536,237	434,641	81.1	15,536	3.6	419,105	96.4	343,158	79.0	262,736	60.4	172,336	39.7	22,452	5.2	4,841	1.1
Connecticut 1970	654,024	573,814	87.7	11,311	2.0	562,503	98.0	523,249	91.2	471,529	82.2	417,354	72.7	152,298	26.5	27,260	4.8
Delaware 1970	132,560	104,305	78.7	2,560	2.5	101,745	97.5	75,200	72.1	60,630	58.1	51,168	49.1	23,034	22.1	1,816	1.7
District of Columbia 1970	145,330	6,496	4.5	2,770	42.6	3,726	57.4	1,310	20.2	663	10.2	0	0	0	0	0	0
Florida 1970	1,437,554	1,036,375	72.1	51,625	5.0	984,750	95.0	670,709	64.7	456,819	44.1	301,472	29.1	124,635	12.0	31,733	3.1
Georgia 1970	1,098,990	731,297	66.5	60,304	8.2	670,993	91.8	462,647	63.3	359,459	49.2	277,224	37.9	161,889	22.1	75,994	10.4
Idaho 1970	174,556	166,957	95.6	60	0	166,897	100.0	163,694	98.0	149,010	89.3	123,404	73.9	45,668	27.4	20,170	12.1
Illinois 1970	2,310,784	1,801,068	77.9	38,024	2.1	1,763,044	97.9	1,656,215	92.0	1,513,934	84.1	1,342,952	74.6	730,169	40.5	313,824	17.4
Indiana 1970	1,229,518	1,102,504	89.7	13,387	1.2	1,089,117	98.8	1,050,607	95.3	984,060	89.3	911,789	82.7	608,737	55.2	302,434	27.4
Iowa 1970	653,241	639,043	97.8	2,060	.3	636,983	99.7	629,544	98.5	615,804	96.4	591,221	92.5	456,745	71.5	273,522	42.8
Kansas 1970	500,362	456,251	91.2	1,930	.4	454,321	99.6	425,112	93.2	367,016	80.4	303,904	66.6	163,572	35.9	85,590	18.8
Kentucky 1970	721,078	654,292	90.7	4,303	.7	649,989	99.3	611,003	93.4	542,546	82.9	463,535	70.8	320,904	49.0	197,582	30.2
Louisiana 1970	842,469	497,238	59.0	49,050	9.9	448,188	90.1	272,547	54.8	169,382	34.1	117,493	23.6	68,075	13.7	29,018	5.8
Maine 1970	235,674	233,892	99.2	0	0	233,892	100.0	233,892	100.0	230,596	98.6	229,553	98.1	185,129	79.2	109,236	46.7
Maryland 1970	911,618	685,020	75.1	18,794	2.7	666,226	97.3	570,973	83.4	474,918	69 3	339,486	49.6	128,566	18.8	50,853	7.4
Massachusetts 1970	1,164,295	1,094,159	94.0	7,121	.7	1,087,038	99.3	1,059,626	96.8	1,006,049	91.9	927,877	84.8	528,588	48.3	150.227	13.7
Michigan 1970	2,148,736	1,823,953	84.9	33,127	1.8	1,790,826	98.2	1,702,856	93.4	1,596,780	87.5	1,455,418	79.8	791,572	43.4	156,014	8.6
Minnesota 1970	886,367	863,319	97.4	2,600	.3	860,719	99.7	850,234	98.5	829,777	96.1	787,911	91.3	536,829	62.2	160,036	18.5
Mississippi 1970	535,089	262,416	49.0	52,296	19.9	210,120	80.1	101,248	38.6	49,562	18.9	28,211	10.8	11,291	4.3	5,896	2.2
Missouri 1970	991,539	841,891	84.9	11,597	1.4	830,294	98.6	799,440	95.0	752,217	89.3	680,960	80.9	433,574	51.5	209,176	24.8
Montana 1970	148,737	137,635	92.5	1,592	1.2	136,043	98.8	133,587	97.1	118,147	85.8	101,763	73.9	24,478	17.8	8,812	6.4
Nebraska 1970	276,433	256,799	92.9	1,677	.7	255,122	99.3	245,774	95.7	235,648	91.8	208,844	81.3	129,144	50.3	57,170	22.3
Nevada 1970	127,750	109,526	85.7	592	.5	108,934	99.5	98,058	89.5	57,020	52.1	30,234	27.6	4,005	3.7	1,041	1.0
New Hampshire 1970	155,224	154,054	99.2	0	0	154,054	100.0	154,054	100.0	152,977	99.3	150,137	97.5	124,955	81.1	57,524	37.3
New Jersey 1970	1,457,887	1,166,099	80.0	39 750	3.4	1,126,349	96.6	1,013,282	86.9	881,890	75.6	762,232	65.4	393,662	33.8	101,061	8.7
New Mexico 1970	281,233	146,006	51.9	33,754	23.1	112,252	76.9	52,099	35.7	18,215	12.5	4,715	3.2	116	.1	116	.1
New York 1970	3,498,522	2,612,005	74.7	102,234	3.9	2,509,771	96.1	2,201,227	84.3	1,942,945	74.4	1,714,995	65.7	973,647	37.3	257,953	9.9
North Carolina 1970	1,196,294	829,245	69.3	68,953	8.3	760,292	91.7	439,015	52.9	290,624	35.0	190,849	23.0	99,743	12.0	56,911	6.9
North Dakota 1970	119,708	117,360	98.0	0	0	117,360	100.0	116,855	99.6	112,108	95.5	107,484	91.6	68,306	58.2	38,354	32.7
Ohio 1970	2,442,550	2,125,111	87.0	33,425	1.6	2,091,686	98.4	1,989,477	93.6	1,856,347	87.4	1,692,760	79.7	1,103,227	51.9	392,598	18.5
Oklahoma 1970	550,963	462,753	84.0	3,461	.7	459,292	99.3	381,821	82.5	290,588	62.8	179,965	38.9	42,641	9.2	13,487	2.9
Oregon 1970	458,989	438,251	95.5	1,030	.2	437,221	99.8	428,038	97.7	408,387	93.2	363,295	82.9	105,630	24.1	22,977	5.2
Pennsylvania 1970	2,332,310	2,038,520	87.4	31,885	1.6	2,006,635	98.4	1,930,117	94.7	1,827,665	89.7	1,665,153	81.7	1,154,191	56.6	512,470	25.1
Rhode Island 1970	186,062	176,857	95.1	79	0	176,778	100.0	167,002	94.4	150,597	85.2	137,861	78.0	99,159	56.1	27,904	15.8
South Carolina 1970	638,033	376,165	59.0	46,042	12.2	330,123	87.8	130,282	34.6	41,902	11.1	20,143	5.4	6,850	1.8	4,022	1.1
South Dakota 1970	150,566	142,036	94.3	508	.4	141,528	99.6	135,994	95.7	128,069	90.2	113,911	80.2	65,577	46.2	28,980	20.4
Tennessee 1970	895,185	704,086	78.7	10,587	1.5	693,499	98.5	620,108	88.1	517,626	73.5	419,443	59.6	250,492	35.6	153,741	21.8
Texas 1970	2,633,296	1,656,630	62.9	136,806	8.3	1,519,824	91.7	1,067,353	64.4	799,447	48.3	546,056	33.0	130,402	7.9	24,099	1.5
Utah 1970	304,431	285,664	93.8	936	.3	284,727	99.7	278,132	97.4	247,972	86.8	190,934	66.8	25,183	8.8	1,041	.4
Vermont 1970	84,616	84,263	99.6	0	0	84,263	100.0	84,263	100.0	84,263	100.0	84,263	100.0	71,879	85.3	40,559	48.1
Virginia 1970	1,076,365	810,047	75.3	48,033	5.9	762,014	94.1	604,684	74.6	483,332	59.7	348,859	43.1	122,614	15.1	55,919	6.9
Washington 1970	805,122	748,797	93.0	5,675	.8	743,122	99.2	717,122	95.8	653,064	87.2	525,458	70.2	96,759	12.9	8,479	1.1
West Virginia 1970	402,133	382,550	95.1	1,713	.4	380,837	99.6	365,589	95.6	331,364	86.6	294,877	77.1	226,406	59.2	163,833	42.8
Wisconsin 1970	989,987	930,561	94.0	5,039	.5	925,522	99.5	906,830	97.4	879,881	94.6	812,772	87.3	560,762	60.3	232,464	25.0
Wyoming 1970	75,820	68,814	90.8	644	.9	68,170	99.1	62,960	91.5	48,641	70.7	35,245	51.2	8,345	12.1	6,220	9.0

[1] Minute differences between sum of numbers and totals are due to computer rounding.

TABLE 2-A.—NEGROES BY GEOGRAPHIC AREA

NUMBER[1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION, FALL 1968 AND FALL 1970, ELEMENTARY AND SECONDARY SCHOOL SURVEY

Area	Total pupils	Negro		Negroes attending minority schools											
				0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Continental United States:																	
1968	43,353,568	6,282,173	14.5	1,467,291	23.4	4,814,881	76.6	4,274,461	68.0	4,041,593	64.3	3,832,843	61.0	3,331,404	53.0	2,493,398	39.7
1970	44,877,547	6,707,411	14.9	2,223,506	33.1	4,483,905	66.9	3,311,372	49.4	2,907,084	43.3	2,563,327	38.2	1,876,767	28.0	941,111	14.0
32 Northern and Western[2]:																	
1968	28,579,766	2,703,056	9.5	746,030	27.6	1,957,025	72.4	1,550,440	57.4	1,369,965	50.7	1,198,052	44.3	834,898	30.9	332,408	12.3
1970	29,451,976	2,889,858	9.8	793,979	27.5	2,095,879	72.5	1,665,926	57.6	1,475,689	51.1	1,288,221	44.6	878,357	30.4	343,629	11.9
6 Border and District of Columbia[3]:																	
1968	3,730,317	636,157	17.1	180,569	28.4	455,588	71.6	406,171	63.8	383,059	60.2	368,149	57.9	294,844	46.3	160,504	25.2
1970	3,855,221	667,362	17.3	198,659	29.8	468,703	70.2	404,396	60.6	380,185	57.0	355,512	53.3	294,104	44.1	154,409	23.1
11 Southern[4]:																	
1968	11,043,485	2,942,960	26.6	540,692	18.4	2,402,268	81.6	2,317,850	78.8	2,288,570	77.8	2,266,642	77.0	2,201,662	74.8	2,000,486	68.0
1970	11,570,351	3,150,192	27.2	1,230,868	39.1	1,919,323	60.9	1,241,050	39.4	1,051,210	33.4	919,594	29.2	704,306	22.4	443,073	14.1

[1] Minute differences between sum of numbers and totals are due to computer rounding.
[2] Alaska, Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, Wisconsin, Wyoming.
[3] Delaware, District of Columbia, Kentucky, Maryland, Missouri, Oklahoma, West Virginia.
[4] Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia.

TABLE 2-B.—SPANISH SURNAMED AMERICANS BY AREA OF SIGNIFICANT POPULATION

NUMBER[1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION, FALL 1968 AND FALL 1970, ELEMENTARY AND SECONDARY SCHOOL SURVEY

Area	Total pupils	Spanish American		Spanish surnamed Americans attending minority schools											
				0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Continental United States:																	
1968	43,353,568	2,002,776	4.6	906,919	45.3	1,095,857	54.7	634,891	31.7	461,567	23.0	331,781	16.6	124,736	6.2	38,077	1.9
1970	44,877,547	2,275,403	5.1	1,005,340	44.2	1,270,063	55.8	753,466	33.1	521,890	22.9	371,847	16.3	131,311	5.8	40,116	1.8
5 Arizona, California, Colorado, New Mexico, Texas:																	
1968	8,144,330	1,397,586	17.2	640,943	45.9	756,643	54.1	414,689	29.7	292,737	20.9	215,688	15.4	77,292	5.5	31,159	2.2
1970	8,434,863	1,545,068	18.3	701,112	45.4	843,956	54.6	467,903	30.3	307,208	19.9	223,102	14.4	57,751	3.7	18,714	1.2
4 Connecticut, Illinois, New Jersey, New York:																	
1968	7,650,697	394,449	5.2	110,587	28.0	283,862	72.0	197,589	50.1	155,674	39.5	108,785	27.6	45,427	11.5	5,778	1.5
1970	7,921,217	473,947	6.0	117,883	24.9	356,064	75.1	248,401	52.4	194,786	41.1	139,598	29.5	70,917	15.0	20,312	4.3
1 Florida:																	
1968	1,340,665	52,628	3.9	26,287	49.9	26,341	50.1	9,479	18.0	4,861	9.2	3,275	6.2	400	.8	240	.5
1970	1,437,554	65,713	4.6	30,918	47.0	34,795	53.0	19,811	30.1	9,721	14.8	3,310	5.0	444	.7	221	.3
39 other States and District of Columbia:																	
1968	26,217,876	158,113	.6	129,102	81.7	29,011	18.3	13,135	8.3	8,295	5.2	4,033	2.6	1,617	1.0	900	.6
1970	27,083,914	190,675	.7	155,427	81.5	35,248	18.5	17,351	9.1	10,175	5.3	5,836	3.1	2,199	1.2	869	.5

[1] Minute differences between sum of numbers and totals are due to computer rounding.

TABLE 2-C.—MINORITIES BY GEOGRAPHIC AREA

NUMBER[1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION, FALL 1968 AND FALL 1970, ELEMENTARY AND SECONDARY SCHOOL SURVEY

Area	Total pupils	Minority		Minority students attending minority schools											
				0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Continental United States:																	
1968	43,353,568	8,656,434	20.0	2,623,820	30.3	6,032,615	69.7	4,987,778	57.6	4,561,768	52.7	4,202,903	48.6	3,472,072	40.1	2,542,805	29.4
1970	44,877,547	9,389,015	20.9	3,507,532	37.4	5,881,483	62.6	4,134,387	44.0	3,472,583	37.0	2,957,098	31.5	2,013,264	21.4	984,885	10.5
32 northern and western:[2]																	
1968	28,579,766	4,441,516	15.5	1,675,779	37.7	2,765,737	62.3	2,002,321	45.1	1,686,488	38.0	1,410,141	31.7	907,426	20.4	348,320	7.8
1970	29,451,976	4,843,602	16.4	1,818,815	37.6	3,024,786	62.4	2,185,319	45.1	1,828,757	37.8	1,525,188	31.5	965,834	19.9	369,276	7.6
6 border and District of Columbia:[3]																	
1968	3,730,317	674,289	18.1	217,166	32.2	457,123	67.8	406,894	60.3	383,693	56.9	368,671	54.7	294,963	43.7	160,552	23.8
1970	3,855,221	717,913	18.6	245,729	34.2	472,184	65.8	405,081	56.4	380,697	53.0	355,839	49.6	294,241	41.0	154,485	21.5
11 southern:[4]																	
1968	11,043,485	3,540,629	32.1	730,874	20.6	2,809,755	79.4	2,578,563	72.8	2,491,587	70.4	2,424,090	68.5	2,269,683	64.1	2,033,933	57.4
1970	11,570,351	3,827,500	33.1	1,442,988	37.7	2,384,512	62.3	1,543,986	40.3	1,263,128	33.0	1,076,071	28.1	753,189	19.7	461,123	12.0

[1] Minute differences between sum of numbers and totals are due to computer rounding.
[2] Alaska, Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, Wisconsin, Wyoming.
[3] Delaware, District of Columbia, Kentucky, Maryland, Missouri, Oklahoma, West Virginia.
[4] Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia.

TABLE 2-D.—NONMINORITIES BY GEOGRAPHIC AREA

NUMBER[1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION, FALL 1968 AND FALL 1970, ELEMENTARY AND SECONDARY SCHOOL SURVEY

Area	Total pupils	Nonminority		Nonminority students attending nonminority schools													
				0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Continental United States:																	
1968	43,353,568	34,697,134	80.0	716,981	2.1	33,980,152	97.9	31,069,591	89.5	27,163,133	78.3	22,778,976	65.7	13,030,089	37.6	5,723,597	16.5
1970	44,877,547	35,488,532	79.1	1,196,154	3.4	34,292,378	96.2	29,679,942	83.6	25,570,360	72.1	21,321,681	60.1	11,634,575	32.8	4,631,396	13.1
32 northern and western[2]:																	
1968	28,579,766	24,138,250	84.5	525,693	2.2	23,612,557	97.8	21,740,913	90.1	19,431,236	80.5	16,814,584	69.7	9,881,022	40.9	4,020,213	16.7
1970	29,451,976	24,608,374	83.6	577,170	2.3	24,031,204	97.7	21,945,496	89.2	19,531,985	79.4	16,729,924	68.0	9,261,581	37.6	3,406,296	13.8
6 border and District of Columbia[3]:																	
1968	3,730,317	3,056,028	81.9	37,167	1.2	3,018,860	98.8	2,768,130	90.6	2,442,230	79.9	2,030,382	66.4	1,297,736	42.5	738,408	24.2
1970	3,855,221	3,137,308	81.4	45.198	1.4	3,092,110	98.6	2,805,336	89.4	2,452,925	78.2	2,009,991	64.1	1,175,126	37.5	636,746	20.3
11 southern[4]:																	
1968	11,043,485	7,502,856	67.9	154,121	2.1	7,348,736	97.9	6,560,549	87.4	5,289,667	70.5	3,934,010	52.4	1,851,330	24.7	964,977	12.6
1970	11,570,351	7,742,850	66.9	573,786	7.4	7,169,064	92.6	4,929,110	63.7	3,585,450	46.3	2,581,766	33.3	1,197,868	15.5	588,354	7.6

[1] Minute differences between sum of numbers and totals are due to computer rounding.
[2] Alaska, Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, Wisconsin, Wyoming.
[3] Delaware, District of Columbia, Kentucky, Maryland, Missouri, Oklahoma, West Virginia.
[4] Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia.

TABLE 3-A.—NEGROES IN 100 LARGEST (1970) SCHOOL DISTRICTS, RANKED BY SIZE

NUMBER[1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION, FALL 1968 AND FALL 1970, ELEMENTARY AND SECONDARY SCHOOL SURVEY

Districts	Total pupils	Negro		Negroes attending minority schools—													
				0–49.9 percent		50–100 percent		80–100 percent		90–100 percent		95–100 percent		99–100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
New York, N.Y.:																	
1968	1,063,787	334,841	31.5	65,824	19.7	269,017	80.3	202,517	60.5	174,846	52.2	146,945	43.9	88,233	26.4	34,033	10.2
1970	1,140,359	393,516	34.5	63,981	16.3	329,535	83.7	258,655	65.7	227,673	57.9	185,766	47.2	126,879	32.2	46,947	11.9
Los Angeles, Calif.:																	
1968	653,549	147,738	22.6	7,012	4.7	140,726	95.3	130,272	88.2	122,678	83.0	116,017	78.5	77,026	52.1	18,118	12.3
1970	642,895	154,926	24.1	9,121	5.9	145,805	94.1	134,889	87.1	129,039	83.3	122,779	79.3	85,923	55.5	13,551	8.7
Chicago, Ill.:																	
1968	582,274	308,266	52.9	9,742	3.2	298,524	96.8	278,219	90.3	266,928	86.6	263,159	85.4	234,045	75.9	146,152	47.4
1970	577,679	316,711	54.8	9,502	3.0	307,209	97.0	290,694	91.8	284,013	89.7	270,587	85.4	236,143	74.6	143,900	45.5
Detroit, Mich.:																	
1968	296,097	175,316	59.2	15,781	9.0	159,535	91.0	138,623	79.1	120,993	69.0	103,590	59.1	66,069	37.7	18,510	10.6
1970	284,396	181,538	63.8	10,618	5.8	170,920	94.2	143,946	79.3	134,222	73.9	120,209	66.2	65,349	36.0	24,809	13.7
Philadelphia, Pa.:																	
1968	282,617	166,083	58.8	15,880	9.6	150,203	90.4	127,641	76.9	111,477	67.1	99,277	59.8	72,174	43.5	7,201	4.3
1970	279,829	169,334	60.5	12,541	7.4	156,793	92.6	135,866	80.2	118,596	70.0	106,782	63.1	78,508	46.4	8,668	5.1
Houston, Tex.:																	
1968	246,098	81,966	33.3	4,318	5.3	77,648	94.7	74,482	90.9	72,101	88.0	70,816	86.4	64,907	97.2	52,854	64.5
1970	241,139	85,965	35.6	7,202	8.4	78,763	91.6	73,373	85.4	63,373	73.7	55,895	65.0	29,734	34.6	7,604	8.8
Dade County, Fla. (Miami):																	
1968	232,465	56,518	24.3	7,032	12.4	49,486	87.6	46,362	82.0	45,634	80.7	43,664	77.3	41,115	72.7	27,482	48.6
1970	240,447	60,957	25.4	13,254	21.7	47,703	78.3	32,352	53.1	25,514	41.9	20,317	33.3	12,550	20.6	7,498	12.3
Baltimore City, Md.:																	
1968	192,171	125,174	65.1	9,646	7.7	115,528	92.3	104,886	83.8	98,417	78.6	94,825	75.8	82,629	66.0	54,505	43.5
1970	192,458	129,220	67.1	12,122	9.4	117.098	90.6	104,688	81.0	102,358	79.2	95,838	74.2	87,731	67.9	55,378	42.9
Dallas, Tex.:																	
1968	159,924	49,235	30.8	1,045	2.1	48,190	97.9	45,777	93.0	43,152	87.6	40,431	82.1	26,131	53.1	15,807	32.1
1970	164,736	55,648	33.8	1,528	2.7	54,120	97.3	52,380	94.1	50,884	91.4	47,246	84.9	37,505	67.4	12,899	23.2
Prince George's County, Md. (D.C. area):																	
1968	146,976	22,313	15.2	12,525	56.1	9,788	43.9	5,705	25.6	4,618	20.7	4,618	20.7	3,688	16.5	3,112	13.9
1970	160,897	31,994	19.9	13,040	40.8	18,954	59.2	11,190	35.0	6,470	20.2	3,938	12.3	2,375	7.4	724	2.3
Cleveland, Ohio:																	
1968	156,054	87,241	55.9	4,156	4.8	83,085	95.2	79,221	90.8	75,048	86.0	69,728	79.9	59,174	67.8	21,516	24.7
1970	153,619	88,558	57.6	3,725	4.2	84,833	95.8	80,505	90.9	79,015	89.2	75,162	84.9	60,050	67.8	30,852	34.8
Memphis, Tenn.:																	
1968	125,813	67,395	53.6	1,765	2.6	65,630	97.4	64,290	95.4	62,482	92.7	62,132	92.2	56,181	83.4	49,381	73.3
1970	148,304	76,303	51.5	4,979	6.5	71,324	93.5	68,751	90.1	68,268	89.5	63,749	83.5	56,327	73.8	37,979	49.8
Washington, D.C.:																	
1968	148,725	139,006	93.5	1,253	.9	137,753	99.1	134,166	96.5	130,958	94.2	123,939	89.2	95,608	68.8	38,701	27.8
1970	145,330	137,502	94.6	1,674	1.2	135,828	98.8	133,421	97.0	130,688	95.0	127,792	92.9	95,261	69.3	46,117	33.5
Baltimore Md.:																	
1968	123,717	4,299	3.5	4,299	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	133,674	5,097	3.8	5,097	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Fairfax County, Va., (D.C. area):																	
1968	122,107	3,322	2.7	3,322	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	133,368	4,214	3.2	4,214	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Milwaukee, Wis.:																	
1968	130,445	31,130	23.9	3,849	12.4	27,281	87.6	23,620	75.9	19,666	63.2	14,783	47.5	9,288	29.8	4,819	15.5
1970	132,349	34,355	26.0	4,197	12.2	30,158	87.8	26,193	76.2	20,740	60.4	15,590	45.4	3,939	11.5	0	0
San Diego, Calif.:																	
1968	128,914	15,004	11.6	3,767	25.1	11,237	74.9	9,643	64.3	8,203	54.7	5,732	38.2	448	3.0	0	0
1970	128,783	16,008	12.4	5,146	32.1	10,862	67.9	9,017	56.3	7,428	46.4	3,522	22.0	0	0	0	0
Montgomery County, Md.:																	
1968	121,458	4,872	4.0	4,872	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	125,343	6,454	5.1	6,454	100.0	0	0	0	0	0	0	0	0	0	0	0	0

Districts	Total pupils	Negro		Negroes attending minority schools— 0–49.9 percent		50–100 percent		80–100 percent		90–100 percent		95–100 percent		99–100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Duval County, Fla. (Jacksonville):																	
1968	122,637	34,638	28.2	4,362	12.6	30,276	87.4	30,276	87.4	30,276	87.4	30,276	87.4	29,446	85.0	26,556	76.7
1970	122,493	36,054	29.4	9,237	25.6	26,817	74.4	20,747	57.5	19,794	54.9	19,794	54.9	19,794	54.9	13,345	37.0
Broward County, Fla. (Ft. Lauderdale):																	
1968	103,003	24,516	23.8	3,556	14.5	20,960	85.5	19,545	79.7	19,545	79.7	19,545	79.7	19,075	77.8	16,882	68.9
1970	117,324	27,230	23.2	14,189	52.1	13,041	47.9	11,201	41.1	10,664	39.2	9,212	33.8	6,069	22.3	4,303	15.8
St. Louis, Mo.:																	
1968	115,582	73,408	63.5	5,244	7.1	68,164	92.9	65,321	89.0	64,282	87.6	63,255	86.2	55,632	75.8	36,651	49.9
1970	111,233	72,965	65.6	1,827	2.5	71,138	97.5	64,166	87.9	60,371	82.7	58,794	80.6	57,435	78.7	36,316	49.8
Orleans Parish, La. (New Orleans):																	
1968	110,783	74,378	67.1	6,569	8.8	67,809	91.2	61,942	83.3	60,407	81.2	60,407	81.2	59,700	80.3	46,320	62.3
1970	109,856	76,388	69.5	5,925	7.8	70,463	92.2	62,567	81.9	60,034	78.6	56,996	74.6	54,293	71.1	37,053	48.5
Columbus, Ohio:																	
1968	110,699	28,729	26.0	8,263	28.8	20,466	71.2	16,341	56.9	11,691	40.7	7,222	25.1	2,873	10.0	890	3.1
1970	109,329	29,440	26.9	7,614	25.9	21,826	74.1	15,604	53.0	13,313	45.2	7,181	24.4	1,724	5.9	655	2.2
Indianapolis, Ind.:																	
1968	108,587	36,577	33.7	8,205	22.4	28,372	77.6	22,872	62.5	21,064	57.6	19,347	52.9	13,728	37.5	3,945	10.8
1970	106,239	38,044	35.8	7,785	20.5	30,259	79.5	22,925	60.3	21,156	55.6	18,331	48.2	11,971	31.5	3,318	8.7
Atlanta, Ga.:																	
1968	111,227	68,662	61.7	3,728	5.4	64,934	94.6	63,050	91.8	61,796	90.0	61,796	90.0	61,297	89.3	53,644	78.1
1970	105,598	72,523	68.7	4,777	6.6	67,746	93.4	63,111	87.0	56,531	77.9	53,863	74.3	47,418	65.4	24,332	33.6
Hillsborough County, Fla. (Tampa):																	
1968	100,985	19,225	19.0	3,513	18.3	15,712	81.7	14,886	77.4	14,097	73.3	13,604	70.8	13,604	70.8	12,371	64.3
1970	105,347	20,417	19.4	4,771	23.4	15,646	76.6	12,832	62.8	10,095	49.4	8,426	41.3	5,280	25.9	2,303	11.3
Denver, Colo.:																	
1968	96,577	13,639	14.1	2,732	20.0	10,907	80.0	8,993	65.9	7,647	56.1	7,539	55.3	2,862	21.0	0	0
1970	97,928	14,434	14.7	6,431	44.6	8,003	55.4	6,426	44.5	5,406	37.5	5,332	36.9	947	6.6	0	0
Boston, Mass.:																	
1968	94,174	25,482	27.1	5,943	23.3	19,539	76.7	13,878	54.5	10,983	43.1	8,558	33.6	4,936	19.4	79	.3
1970	96,696	28,822	29.8	5,174	18.0	23,648	82.0	18,757	65.1	15,205	52.8	11,367	39.4	6,420	22.3	3,172	11.0
Nashville-Davidson Counties, Tenn.:																	
1968	93,720	22,561	24.1	3,794	16.8	18,767	83.2	15,656	69.4	13,835	61.3	12,746	56.5	12,256	54.3	11,696	51.8
1970	95,313	23,473	24.6	5,877	25.0	17,596	75.0	15,727	67.0	14,643	62.4	11,674	49.7	9,276	39.5	4,942	21.1
Jefferson County, Ky. (Louisville area):																	
1968	85,846	3,213	3.7	2,365	73.6	848	26.4	848	26.4	848	26.4	848	26.4	848	26.4	0	0
1970	93,454	3,382	3.6	2,738	81.3	644	19.0	644	19.0	644	19.0	644	19.0	644	19.0	0	0
San Francisco, Calif:																	
1968	94,154	25,923	27.5	4,024	15.5	21,899	84.5	12,079	46.6	8,904	34.3	5,275	20.3	1,317	5.1	110	.4
1970	91,150	25,988	28.5	3,681	14.2	22,307	85.8	14,417	55.5	8,239	31.7	6,776	26.1	741	2.9	281	1.1
Fort Worth, Tex.:																	
1968	86,528	21,398	24.7	2,065	9.7	19,333	90.3	18,283	85.4	18,283	85.4	18,283	85.4	16,389	76.6	12,991	60.7
1970	88,095	23,542	26.7	2,309	9.8	21,233	90.2	18,845	80.0	17,725	75.3	17,289	73.4	15,363	65.3	11,399	48.4
De Kalb County, Ga. (Decatur):																	
1968	77,967	4,124	5.3	1,841	44.6	2,283	55.4	1,939	47.0	1,939	47.0	1,939	47.0	1,939	47.0	421	10.2
1970	85,859	5,379	6.3	3,793	70.5	1,586	29.5	793	14.7	793	14.7	48	.9	48	.9	48	.9
Orange County, Fla. (Orlando):																	
1968	76,089	13,055	17.2	2,627	20.1	10,428	79.9	10,064	77.1	10,064	77.1	10,064	77.1	10,064	77.1	10,064	77.1
1970	85,270	15,398	18.1	6,265	40.7	9,133	59.3	8,005	52.0	5,125	33.3	4,090	26.6	2,553	16.6	2,553	16.6
Pinellas County, Fla. (Clearwater):																	
1968	78,466	12,715	16.2	2,762	21.7	9,953	78.3	9,303	73.2	9,169	72.1	9,169	72.1	8,147	64.1	3,298	25.9
1970	85,117	13,766	16.2	6,264	45.5	7,502	54.5	2,881	20.9	2,749	20.0	2,749	20.0	2,270	16.5	667	4.8
Cincinnati, Ohio:																	
1968	86,807	37,275	42.9	8,171	21.9	29,104	78.1	18,957	50.9	16,347	43.9	12,652	33.9	10,903	29.3	6,291	16.9
1970	84,199	37,853	45.0	6,399	16.9	31,454	83.1	20,661	54.6	14,954	39.5	12,068	31.9	10,266	27.1	5,924	15.7
Seattle, Wash.:																	
1968	94,025	10,376	11.0	4,647	44.8	5,729	55.2	2,531	24.4	843	8.1	0	0	0	0	0	0
1970	83,924	10,736	12.8	4,358	40.6	6,378	59.4	2,690	25.1	330	3.1	330	3.1	0	0	0	0
Albuquerque, N. Mex.:																	
1968	79,669	1,897	2.4	523	27.6	1,374	72.4	971	51.2	596	31.4	174	9.2	169	8.9	0	0
1970	83,781	2,048	2.4	742	36.2	1,306	63.8	779	38.0	555	27.1	191	9.3	0	0	0	0
Charlotte-Mecklenburg County, N.C.:																	
1968	83,111	24,241	29.2	6,704	27.7	17,537	72.3	16,506	68.1	14,274	58.9	14,274	58.9	13,863	57.2	9,459	39.0
1970	82,507	25,404	30.8	23,050	90.7	2,354	9.3	1,053	4.1	445	1.8	76	.3	0	0	0	0
Newark, N.J.:																	
1968	75,960	55,057	72.5	1,174	2.1	53,883	97.9	48,686	88.4	47,131	85.6	41,746	75.8	29,738	54.0	10,807	19.3
1970	78,456	56,651	72.2	1,620	2.9	55,031	97.1	51,685	91.2	48,959	86.4	46,541	82.2	35,843	63.3	11,217	19.8
Tulsa, Okla.:																	
1968	79,990	9,728	12.2	1,518	15.6	8,210	84.4	7,493	77.0	7,493	77.0	5,900	60.6	5,900	60.6	4,447	45.7
1970	77,822	10,672	13.7	2,933	27.5	7,739	72.5	7,332	68.7	7,332	68.7	6,153	57.7	3,078	28.8	1,887	17.7
San Antonio, Tex.:																	
1968	79,353	11,637	14.7	1,234	10.6	10,403	89.4	9,963	85.6	9,923	85.3	9,519	81.8	6,522	56.0	6,137	52.7
1970	77,253	11,853	15.3	1,099	9.3	10,754	90.7	7,950	67.1	7,124	60.1	6,096	51.4	3,395	28.6	1,310	11.1
Portland, Oreg.:																	
1968	78,413	6,388	8.1	3,664	57.4	2,724	42.6	1,589	24.9	1,307	20.5	0	0	0	0	0	0
1970	76,206	7,008	9.2	4,352	62.1	2,656	37.9	1,494	21.3	1,217	17.4	0	0	0	0	0	0
Anne Arundel County Md. (Annapolis):																	
1968	65,745	8,923	13.6	7,161	80.3	1,762	19.7	222	2.5	0	0	0	0	0	0	0	0
1970	74,021	9,587	13.0	7,547	78.7	2,040	21.3	335	3.5	229	2.4	0	0	0	0	0	0
Clark County, Nev. (Las Vegas):																	
1968	67,526	8,233	12.2	3,961	48.1	4,272	51.9	4,272	51.9	4,272	51.9	3,626	44.0	699	8.5	0	0
1970	73,822	9,567	13.0	5,960	62.3	3,607	37.7	2,870	30.0	2,870	30.0	2,870	30.0	2,472	25.8	515	5.4
Pittsburgh, Pa.:																	
1968	76,268	29,898	39.2	6,373	21.3	23,525	78.7	17,936	60.0	15,699	52.5	12,779	42.7	11,588	38.8	2,925	9.8
1970	73,481	29,595	40.3	6,900	23.3	22,695	76.7	17,009	57.5	16,714	56.5	13,596	45.9	9,942	33.6	3,905	13.2
Kansas City, Mo.:																	
1968	74,202	34,692	46.8	4,865	14.0	29,827	86.0	27,083	78.1	24,231	69.8	23,331	67.3	17,460	50.3	5,050	14.6
1970	70,503	35,375	50.2	3,301	9.3	32,07	90.7	29,504	83.4	26,446	74.8	23,342	66.0	20,344	57.5	5,275	14.9

Footnotes at end of table.

TABLE 3-A.—NEGROES IN 100 LARGEST (1970) SCHOOL DISTRICTS, RANKED BY SIZE—Continued

NUMBER [1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION, FALL 1968 AND FALL 1970, ELEMENTARY AND SECONDARY SCHOOL SURVEY—Continued

Districts	Total pupils	Negro		Negroes attending minority schools—											
				0–49.9 percent		50–100 percent		80–100 percent		90–100 percent		95–100 percent		99–100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Buffalo, NY.:																	
1968	72,115	26,381	36.6	7,113	27.0	19,268	73.0	17,161	65.1	16,503	62.6	16,122	61.1	11,562	43.8	1,474	5.6
1970	70,305	27,069	38.5	7,249	26.8	19,820	73.2	16,172	59.7	15,181	56.1	14,934	55.2	13,168	48.6	1,785	6.6
Oklahoma City, Okla.:																	
1968	74,727	16,255	21.6	2,037	12.5	14,218	87.5	13,542	83.3	13,542	83.3	12,963	79.7	9,749	60.0	924	5.7
1970	70,042	16,109	23.0	3,442	21.4	12,667	78.6	12,095	75.1	12,095	75.1	12,095	75.1	10,911	67.7	3,672	22.8
Long Beach, Calif.:																	
1968	72,065	5,489	7.6	2,011	36.6	3,478	63.4	679	12.4	0	0	0	0	0	0	0	0
1970	69,927	6,349	9.1	2,219	35.0	4,130	65.0	0	0	0	0	0	0	0	0	0	0
Mobile County, Ala.:																	
1968	75,464	31,441	41.7	3,442	10.9	27,999	89.1	27,519	87.5	27,519	87.5	26,831	85.3	26,831	85.3	18,832	59.9
1970	69,791	31,034	44.5	5,658	18.2	25,376	81.8	16,888	54.4	14,618	47.1	12,808	41.3	9,635	31.0	3,141	10.1
Oakland, Calif.:																	
1968	64,102	35,386	55.2	1,958	5.5	33,428	94.5	27,292	77.1	22,452	63.4	16,604	46.9	8,062	22.8	1,661	4.7
1970	67,830	38,567	56.9	2,498	6.5	36,069	39.5	28,988	75.2	22,601	58.6	18,465	47.9	5,102	13.2	991	2.6
Jefferson County, Colo. (Lakewood):																	
1968	60,367	60	.1	60	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	67,675	71	.1	71	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Minneapolis, Minn.:																	
1968	70,006	5,255	7.5	3,722	70.8	1,533	29.2	0	0	0	0	0	0	0	0	0	0
1970	66,938	5,935	8.9	3,416	57.6	2,519	42.4	0	0	0	0	0	0	0	0	0	0
Palm Beach, County, Fla.:																	
1968	61,715	17,158	27.8	3,191	18.6	13,967	81.4	13,636	79.5	13,074	76.2	13,074	76.2	12,409	72.3	12,409	72.3
1970	66,760	18,338	27.5	4,597	25.1	13,741	74.9	7,445	40.6	5,392	29.4	2,184	11.9	462	2.5	0	0
East Baton Rouge, Parish, La.:																	
1968	63,725	23,751	37.3	1,333	5.6	22,418	94.4	22,362	94.2	21,617	91.0	21,617	91.0	21,330	89.8	19,007	80.0
1970	64,198	24,785	38.6	5,457	22.0	19,328	78.0	17,810	71.9	17,022	68.7	15,612	63.0	13,414	54.1	7,211	29.1
Wichita, Kan.:																	
1968	68,391	8,913	13.0	4,058	45.5	4,855	54.5	4,757	53.4	4,222	47.4	4,222	47.4	1,386	15.6	0	0
1970	63,811	9,362	14.7	6,025	64.4	3,337	35.6	2,950	31.5	2,950	31.5	2,260	24.1	975	10.4	371	4.0
Jefferson Parish, La. (Gretna):																	
1968	59,485	12,812	21.5	2,632	20.5	10,180	79.5	10,180	79.5	10,180	79.5	10,180	79.5	10,180	79.5	10,180	79.5
1970	63,572	13,201	20.8	6,425	48.7	6,776	51.3	4,791	36.3	4,186	31.7	2,577	19.5	2,577	19.5	2,577	19.5
Omaha, Nebr.:																	
1968	62,431	11,284	18.1	2,309	20.5	8,975	79.5	6,201	55.0	4,408	39.1	4,321	38.3	674	6.0	0	0
1970	63,516	11,786	18.6	3,145	26.7	8,641	73.3	7,582	64.3	5,663	48.0	3,069	26.0	825	7.0	0	0
Granite, Utah (Salt Lake City):																	
1968	62,236	59	.1	59	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	62,767	83	.1	83	100.0	0	0	0	0	0	0	0	0	0	0	0	0
El Paso, Tex.:																	
1968	62,105	1,804	2.9	1,114	61.8	690	38.2	510	28.3	468	25.9	379	21.0	194	10.8	78	4.3
1970	62,545	1,887	3.0	1,090	57.3	797	42.2	383	20.3	350	18.5	284	15.1	193	10.2	60	3.2
Birmingham, Ala.:																	
1968	66,434	34,156	51.4	2,472	7.2	31,684	92.8	31,649	92.7	31,290	91.6	30,810	90.2	30,810	90.2	28,906	84.6
1970	61,994	33,869	54.6	5,338	15.8	28,531	84.2	24,887	73.5	23,601	69.7	21,831	64.5	18,630	55.0	11,360	33.5
Brevard County Fla. (Titusville):																	
1968	62,563	6,327	10.1	4,416	69.8	1,911	30.2	1,911	30.2	1,911	30.2	1,911	30.2	1,911	30.2	1,911	30.2
1970	61,908	6,618	10.7	5,876	88.9	742	11.2	742	11.2	742	11.2	742	11.2	0	0	0	0
Toledo, Ohio:																	
1968	61,684	16,473	26.7	3,725	22.6	12,748	77.4	10,553	64.1	8,626	52.4	6,752	41.0	2,164	13.1	1,817	9.8
1970	61,699	16,407	26.6	3,954	24.1	12,453	75.9	9,725	59.3	7,957	48.5	6,187	37.7	4,303	26.2	579	3.5
Jefferson County, Ala. (Birmingham area):																	
1968	65,328	18,186	27.8	538	3.0	17,648	97.0	17,579	96.7	17,579	96.7	17,579	96.7	17,579	96.7	17,579	96.7
1970	59,717	16,776	28.1	3,240	19.3	13,536	80.7	13,159	78.4	13,026	77.6	12,871	76.7	12,871	76.7	8,020	47.8
Fresno, Calif.:																	
1968	58,234	5,251	9.0	831	15.8	4,420	84.2	4,023	76.6	4,023	76.6	3,808	72.5	2,575	49.0	593	11.3
1970	57,508	5,133	8.9	1,255	24.4	3,878	75.6	3,441	67.0	2,628	51.2	2,628	51.2	2,073	40.4	16	.3
Charleston County, S.C.:																	
1968	47,178	16,730	35.5	2,140	12.8	14,590	87.2	14,091	84.2	14,091	84.2	14,091	84.2	14,091	84.2	14,091	84.2
1970	57,410	27,059	47.1	8,332	30.9	18,727	69.2	16,197	59.9	14,539	53.7	12,764	47.2	9,066	33.5	3,675	13.6
Tucson, Ariz.:																	
1968	53,667	2,767	5.2	524	18.9	2,243	81.1	955	34.5	656	23.7	380	13.7	148	5.3	0	0
1970	57,346	3,088	5.4	835	27.0	2,253	73.0	1,068	34.6	573	18.5	398	12.9	0	0	0	0
Greenville County, S.C.:																	
1968	56,306	12,453	22.1	1,839	14.8	10,614	85.2	10,378	83.3	10,378	83.3	10,378	83.3	10,378	83.3	9,258	74.3
1970	57,222	12,788	22.3	12,594	98.5	194	1.5	72	.6	0	0	0	0	0	0	0	0
Dayton, Ohio:																	
1968	59,527	22,790	38.3	2,488	10.9	20,302	89.1	18,837	82.7	18,837	82.7	17,574	77.1	14,198	62.3	5,061	22.2
1970	56,609	23,013	40.7	2,990	13.0	20,023	87.0	17,900	77.8	16,897	73.4	16,897	73.4	13,847	60.2	2,183	9.5
Akron, Ohio:																	
1968	58,589	15,137	25.8	5,705	37.7	9,432	62.3	5,958	39.4	3,594	23.7	3,133	20.7	1,264	8.4	588	3.9
1970	56,426	15,413	27.3	5,624	36.5	9,789	63.5	7,594	49.3	3,661	23.8	2,936	19.0	1,121	7.3	0	0
San Juan, Calif. (Carmichael):																	
1968	53,174	134	.3	134	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	55,621	217	.4	217	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Norfolk, Va.:																	
1968	56,029	23,499	41.9	2,701	11.5	20,798	88.5	19,341	82.3	18,706	79.6	18,322	78.0	17,236	73.3	11,648	49.6
1970	55,117	24,757	44.9	8,139	32.9	16,618	67.1	13,827	55.9	11,469	46.3	9,954	40.2	9,299	37.6	6,457	26.1
Austin, Tex.:																	
1968	51,760	7,783	15.0	1,022	13.1	6,761	86.9	6,691	86.0	6,587	84.6	5,063	65.1	4,485	57.6	1,728	22.2
1970	54,974	8,284	15.1	1,323	16.0	6,961	84.0	6,507	78.5	6,507	78.5	5,541	66.9	3,548	42.8	1,216	14.7
Polk County, Fla. (Bartow):																	
1968	52,255	11,652	22.3	3,815	32.7	7,837	67.3	7,769	66.7	7,769	66.7	7,769	66.7	7,769	66.7	7,769	66.7
1970	54,380	11,899	21.9	8,622	72.5	3,277	27.5	1,444	12.1	1,353	11.4	619	5.2	0	0	0	0

Districts	Total pupils	Negro		Negroes attending minority schools— 0–49.9 percent		50–100 percent		80–100 percent		90–100 percent		95–100 percent		99–100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Caddo Parish, La. (Shreveport):																	
1968	60,483	26,429	43.7	649	2.5	25,780	97.5	25,734	97.4	25,734	97.4	25,734	97.4	25,734	97.4	24,844	94.0
1970	53,866	26,401	49.0	6,777	25.7	19,624	74.3	17,959	68.0	17,200	65.1	16,419	62.2	13,864	52.5	11,740	44.5
Louisville, Ky.:																	
1968	55,212	25,470	46.1	3,432	13.5	22,038	86.5	16,525	64.9	13,418	52.7	13,418	52.7	6,827	26.8	1,996	7.8
1970	53,197	25,674	48.3	3,013	11.7	22,661	88.3	19,884	77.4	17,556	68.4	13,522	52.7	8,527	33.2	1,094	4.3
Kanawha County, W. Va. (Charleston):																	
1968	56,118	3,548	6.3	2,905	81.9	643	18.1	0	0	0	0	0	0	0	0	0	0
1970	52,888	3,404	6.4	2,934	86.2	470	13.8	0	0	0	0	0	0	0	0	0	0
Garden Grove, Calif.:																	
1968	52,908	83	.2	83	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	52,684	110	.2	110	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Sacramento, Calif.:																	
1968	52,545	7,324	13.9	5,150	70.3	2,174	29.7	387	5.3	259	3.5	0	0	0	0	0	0
1970	52,218	8,012	15.3	5,273	65.8	2,739	34.2	302	3.8	264	3.3	264	3.3	0	0	0	0
St. Paul, Minn.:																	
1968	50,338	2,917	5.8	2,556	87.6	361	12.4	361	12.4	361	12.4	361	12.4	0	0	0	0
1970	49,732	3,163	6.4	2,043	64.6	1,120	35.4	340	10.7	340	10.7	340	10.7	0	0	0	0
Winston-Salem-Forsyth County, N.C.:																	
1968	49,831	13,798	27.7	2,111	15.3	11,687	84.7	11,687	84.7	11,643	84.4	11,643	84.4	10,952	79.4	9,778	70.9
1970	49,514	13,727	27.7	5,077	37.0	8,650	63.0	7,884	57.4	7,822	57.0	7,822	57.0	7,337	53.4	6,015	43.8
Mt. Diablo, Calif.:																	
1968	48,351	369	.8	369	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	48,395	416	.9	416	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Richmond, Va.:																	
1968	43,115	29,441	68.3	1,890	6.4	27,551	93.6	26,092	88.6	24,900	84.6	24,900	84.6	24,366	82.8	22,971	78.0
1970	47,988	30,785	64.2	3,609	11.7	27,176	88.3	17,485	56.8	13,776	44.7	8,680	28.2	8,680	28.2	2,954	9.6
Escambia County,																	
1968	46,875	12,924	27.6	2,904	22.5	10,020	77.5	9,216	71.3	9,046	70.0	9,046	70.0	9,046	70.0	9,046	70.0
1970	46,987	13,443	28.6	5,548	41.3	7,895	58.7	2,225	16.6	515	3.8	0	0	0	0	0	0
Gary, Ind.:																	
1968	48,431	29,826	61.6	916	3.1	28,910	96.9	27,057	90.7	25,347	85.0	24,110	80.8	23,265	78.0	9,652	32.4
1970	46,595	30,169	64.7	1,060	3.5	29,109	96.5	27,673	91.7	25,850	85.7	24,009	79.6	19,544	64.8	11,781	39.1
Corpus Christi, Tex.:																	
1968	46,110	2,496	5.4	43	1.7	2,453	98.3	1,960	78.5	1,937	77.6	1,912	76.6	810	32.5	640	25.6
1970	46,292	2,590	5.6	71	2.7	2,519	97.3	2,176	84.0	1,398	54.0	998	38.5	317	12.2	12	.5
Flint, Mich.:																	
1968	46,495	17,212	37.0	4,165	24.2	13,047	75.8	7,297	42.4	6,425	37.3	6,425	37.3	1,193	6.9	0	0
1970	45,659	18,475	40.5	3,512	19.0	14,963	81.0	7,051	38.2	5,621	30.4	4,816	26.1	1,367	7.4	385	2.1
Rochester, N.Y.:																	
1968	47,372	13,679	28.9	6,232	45.6	7,447	54.4	4,708	34.4	3,792	27.7	1,652	12.1	0	0	0	0
1970	45,500	15,082	33.1	6,161	40.9	8,921	59.1	6,661	44.2	3,651	24.2	3,651	24.2	652	4.3	0	0
Des Moines, Iowa:																	
1968	46,532	3,611	7.8	2,057	57.0	1,554	43.0	408	11.3	0	0	0	0	0	0	0	0
1970	45,375	3,751	8.3	2,193	58.5	1,558	41.5	24	.6	0	0	0	0	0	0	0	0
Shawnee Mission, Kans. (Kansas City area):[2]																	
1970	45,289	140	.3	140	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Virginia Beach, Va.:																	
1968	41,272	4,372	10.6	2,719	62.2	1,653	37.8	1,653	37.8	1,653	37.8	1,653	37.8	1,278	29.2	1,278	29.2
1970	45,245	4,793	10.6	4,187	87.4	606	12.6	606	12.6	606	12.6	0	0	0	0	0	0
Cobb County, Ga. (Marietta):																	
1968	40,918	1,336	3.3	1,246	93.3	09	6.7	90	6.7	90	6.7	90	6.7	90	6.7	90	6.7
1970	44,504	1,397	3.1	1,397	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Fort Wayne, Ind:																	
1968	41,595	5,760	13.8	1,552	26.9	4,208	73.1	3,291	57.1	1,856	32.2	1,328	23.1	0	0	0	0
1970	43,400	6,492	15.0	1,921	29.6	4,571	70.4	3,194	49.2	2,634	40.6	512	7.9	0	0	0	0
Rockford, Ill.:																	
1968	36,975	4,434	12.0	2,593	58.5	1,841	41.5	472	10.6	0	0	0	0	0	0	0	0
1970	43,116	5,300	12.3	2,965	55.9	2,335	44.1	412	7.8	412	7.8	0	0	0	0	0	0
Muscogee County, Ga. (Columbus):																	
1968	42,373	12,517	29.5	884	7.1	11,633	92.9	10,951	87.5	10,951	87.5	10,757	85.9	10,757	85.9	8,768	70.0
1970	42,010	13,074	31.1	1,564	12.0	11,510	88.0	11,214	85.8	10,572	80.9	10,421	79.7	9,601	73.4	8,093	61.9
Richmond, Calif.:																	
1968	43,123	10,424	24.2	4,006	38.4	6,418	61.6	4,522	43.4	3,627	34.8	2,819	27.0	1,143	11.0	534	5.1
1970	41,492	11,389	27.4	5,730	50.3	5,659	49.7	3,781	33.2	3,405	29.9	3,405	29.9	1,621	14.2	343	3.0
Chatham County, Ga. (Savannah):																	
1968	42,416	17,449	41.1	1,620	9.3	15,829	90.7	15,102	86.5	15,102	86.5	15,102	86.5	15,102	86.5	13,460	77.1
1970	40,897	17,963	43.9	3,499	19.5	14,464	80.5	12,058	67.1	11,587	64.5	8,711	48.5	4,226	23.5	2,804	15.6
Compton, Calif.:[2]																	
1970	40,364	33,486	83.0	0	0	33,486	100.0	31,056	92.7	30,299	90.5	27,864	83.2	19,575	58.5	5,303	15.8
Spring Branch, Tex. (Houston area):																	
1968	35,704	15	0	15	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	39,771	22	.1	22	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Total (98 districts):																	
1968[2]	10,328,038	3,195,127	30.9	415,162	13.0	2,779,965	87.0	2,468,005	77.2	2,298,320	71.9	2,148,363	67.2	1,745,219	54.6	1,041,396	32.8
1970	10,482,814	3,387,423	32.3	544,109	16.1	2,843,314	83.9	2,431,526	71.8	2,224,162	65.7	2,000,227	59.0	1,513,616	44.7	710,181	21.0

[1] Minute differences between sum of numbers and totals are due to computer rounding.
[2] 1968 data for Shawnee Mission, Kans. and Compton, Calif., are not comparable with 1970 data due to major consolidations that occurred between the 2 survey years. Both 1968 and 1970 data for these 2 districts are omitted from the totals in order to allow comparisons between 1968 and 1970 for the remaining 98 districts.

TABLE 3-B.—SPANISH SURNAMED AMERICANS IN SELECTED LARGE SCHOOL DISTRICTS, RANKED BY SIZE IN 1970

NUMBER [1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION, FALL 1968 AND 1970 ELEMENTARY AND SECONDARY SCHOOL SURVEY

Districts	Total pupils	Spanish-Americans		Spanish surnamed Americans attending minority schools—											
				0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
New York, N.Y.:																	
1968	1,063,787	244,302	23.0	28,783	11.8	215,519	88.2	164,020	67.1	135,928	55.6	97,373	39.9	42,110	17.2	5,072	2.1
1970	1,140,359	292,664	25.7	31,534	10.8	261,130	89.2	203,085	69.4	168,283	57.5	125,311	42.8	66,375	22.7	19,843	6.8
Los Angeles, Calif.:																	
1968	653,549	130,450	20.0	42,684	32.7	87,766	67.3	69,088	53.0	54,217	41.6	42,340	32.5	6,348	4.9	647	.5
1970	642,895	140,346	21.8	42,360	30.2	97,986	69.8	70,433	50.2	57,901	41.3	45,964	32.8	4,073	2.9	287	.2
Chicago, Ill.:																	
1968	582,274	49,886	8.6	19,148	38.4	30,738	61.6	15,792	31.7	5,745	11.5	3,022	6.1	542	1.1	183	.4
1970	577,679	56,374	9.8	17,718	31.4	38,656	68.6	19,842	35.2	8,107	14.4	2,834	5.0	631	1.1	143	.3
Houston, Tex.:																	
1968	246,098	31,780	12.9	11,301	35.6	20,479	64.4	12,840	40.4	8,404	26.4	3,803	12.0	654	2.1	178	.6
1970	241,139	34,759	14.4	10,202	29.4	24,557	70.6	17,558	50.5	7,194	20.7	5,688	16.4	961	2.8	114	.3
Dade County Fla. (Miami):																	
1968	232,465	39,487	17.0	15,364	38.9	24,123	61.1	8,566	21.7	4,545	11.5	2,993	7.6	144	.4	32	.1
1970	240,447	49,383	20.5	17,935	36.3	31,448	63.7	18,570	37.6	9,260	18.8	2,956	6.0	199	.4	8	0
Dallas, Tex.:																	
1968	159,924	12,196	7.6	5,447	44.7	6,749	55.3	4,057	33.3	2,195	18.0	1,192	9.8	203	1.7	73	.6
1970	164,736	13,945	8.5	6,495	46.6	7,450	53.4	4,284	30.7	2,899	20.8	1,726	12.4	1,068	7.7	104	.7
San Diego, Calif.:																	
1968	128,914	12,981	10.1	8,485	65.4	4,496	34.6	3,418	26.3	2,492	19.2	1,127	8.7	287	2.2	0	0
1970	128,783	13,595	10.6	8,730	64.2	4,865	35.8	3,361	24.7	2,138	15.7	1,459	10.7	0	0	0	0
Broward County, Fla. (Ft. Lauderdale):																	
1968	103,003	823	.8	762	92.6	61	7.4	61	7.4	61	7.4	61	7.4	42	5.1	42	5.1
1970	117,324	1,886	1.6	1,760	93.3	126	6.7	120	6.4	120	6.4	116	6.2	77	4.1	65	3.4
Hillsborough County, Fla. (Tampa):																	
1968	100,985	6,766	6.7	5,275	78.0	1,491	22.0	534	7.9	104	1.5	70	1.0	70	1.0	68	1.0
1970	105,347	6,756	6.4	5,329	78.9	1,427	21.1	1,046	15.5	289	4.3	208	3.1	157	2.3	148	2.2
Denver, Colo.:																	
1968	96,577	18,611	19.3	8,884	47.7	9,727	52.3	4,981	26.8	1,681	9.0	1,527	8.2	342	1.8	0	0
1970	97,928	21,898	22.4	8,703	39.7	13,195	60.3	5,373	24.5	2,212	10.1	1,538	7.0	225	1.0	0	0
San Francisco, Calif.:																	
1968	94,154	12,217	13.0	4,098	33.5	8,119	66.5	1,164	9.5	240	2.0	112	.9	44	.4	0	0
1970	91,150	12,389	13.6	3,083	24.9	9,306	75.1	2,854	23.0	206	1.7	122	1.0	18	.1	4	0
Fort Worth, Tex.:																	
1968	86,528	6,937	8.0	4,058	58.5	2,879	41.5	452	6.5	452	6.5	452	6.5	37	.5	29	.4
1970	88,095	8,105	9.2	3,846	47.5	4,259	52.5	853	10.5	445	5.5	412	5.1	29	.4	20	.2
Albuquerque, N. Mex.:																	
1968	79,669	28,151	35.3	7,913	28.1	20,238	71.9	7,846	27.9	2,381	8.5	947	3.4	96	.3	0	0
1970	83,781	30,844	36.8	9,027	29.3	21,817	70.7	8,162	26.5	5,083	16.5	1,637	5.3	0	0	0	0
Newark, N.J.:																	
1968	75,960	7,046	9.3	516	7.3	6,530	92.7	3,869	54.9	3,382	48.0	2,109	29.9	971	13.8	355	5.0
1970	78,456	10,401	13.3	1,131	10.9	9,270	89.1	5,504	52.9	4,170	40.1	2,747	26.4	1,251	12.0	294	2.8
San Antonio, Tex.:																	
1968	79,353	46,188	58.2	5,731	12.4	40,457	87.6	33,265	72.0	27,697	60.0	23,633	51.2	7,386	16.0	1,357	2.9
1970	77,253	47,487	61.5	4,617	9.7	42,870	90.3	35,180	74.1	27,394	57.7	21,402	45.1	5,102	10.7	159	.3
Buffalo, N.Y.:																	
1968	72,115	1,278	1.8	866	67.8	412	32.2	142	11.1	140	11.0	137	10.7	119	9.3	0	0
1970	70,305	1,620	2.3	937	57.5	688	42.5	202	12.5	127	7.8	120	7.4	107	6.6	5	.3
Long Beach, Calif.:																	
1968	72,065	3,840	5.3	3,100	80.7	740	19.3	37	1.0	0	0	0	0	0	0	0	0
1970	69,927	4,299	6.1	3,395	79.0	904	21.0	0	0	0	0	0	0	0	0	0	0
Oakland, Calif.:																	
1968	64,102	5,241	.82	792	15.1	4,449	84.9	2,570	49.0	1,282	24.5	586	11.2	137	2.6	26	.5
1970	67,830	5,940	8.8	1,038	17.5	4,902	82.5	2,699	45.4	1,320	22.2	900	15.2	56	.9	10	.2
Jefferson County, Colo. (Lakewood):																	
1968	60,367	1,118	1.9	1,118	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	67,675	1,346	2.0	1,346	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Palm Beach County, Fla.:																	
1968	61,715	1,553	2.5	1,252	80.6	301	19.4	189	12.2	22	1.4	22	1.4	18	1.2	18	1.2
1970	66,760	2,199	3.3	1,312	59.7	887	40.3	66	3.0	52	2.4	30	1.4	11	.5	0	0
El Paso, Tex.:																	
1968	62,105	33,639	54.2	5,800	17.2	27,839	82.8	22,439	66.7	20,075	59.7	15,929	47.4	5,820	17.3	2,139	6.4
1970	62,545	34,892	55.8	5,189	14.9	29,703	85.1	22,632	64.9	20,855	59.8	17,730	50.8	7,652	21.9	3,141	9.0
Fresno, Calif.:																	
1968	58,234	11,148	19.1	6,286	56.4	4,862	43.6	1,261	11.3	1,261	11.3	1,077	9.7	489	4.4	5	0
1970	57,508	11,274	19.6	6,606	58.6	4,668	41.4	1,045	9.3	601	5.3	601	5.3	400	3.5	5	0
Tucson, Ariz.:																	
1968	53,667	13,798	25.7	3,061	22.2	10,737	77.8	5,591	40.5	4,904	35.5	2,527	18.3	769	5.6	0	0
1970	57,346	14,902	26.0	3,938	26.4	10,964	73.6	7,486	50.2	4,568	30.7	2,928	19.6	0	0	0	0
San Juan, Calif. (Carmichael):																	
1968	53,174	1,126	2.1	1,126	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	55,621	1,433	2.6	1,433	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Austin, Tex.:																	
1968	51,760	9,956	19.2	3,020	30.3	6,936	69.7	6,432	64.6	5,822	58.5	2,180	21.9	28	.3	0	0
1970	54,974	11,194	20.4	3,390	30.3	7,804	69.7	6,638	59.3	6,638	59.3	4,215	37.7	96	.9	24	.2
Garden Grove, Calif.:																	
1968	52,908	4,862	9.2	4,862	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	52,684	5,764	10.9	5,764	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Sacramento, Calif.:																	
1968	52,545	6,184	11.8	4,441	71.8	1,743	28.2	278	4.5	34	.5	0	0	0	0	0	0
1970	52,218	6,450	12.4	4,450	69.0	2,000	31.0	133	2.1	36	.6	36	.6	0	0	0	0
Mt. Diablo, Calif. (Concord):																	
1968	48,351	1,863	3.9	1,863	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	48,395	1,746	3.6	1,746	100.0	0	0	0	0	0	0	0	0	0	0	0	0

Districts	Total pupils	Spanish-Americans		Spanish surnamed Americans attending minority schools— 0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Corpus Christi, Tex.:																	
1968	46,110	21,490	46.6	3,707	17.2	17,783	82.8	14,178	66.0	13,417	62.4	10,508	48.9	3,190	14.8	921	4.3
1970	46,292	22,729	49.1	4,539	20.0	18,190	80.0	15,396	67.7	11,343	49.9	8,674	38.2	2,513	11.1	421	1.9
Rochester, N.Y.:																	
1968	47,372	1,553	3.3	999	64.3	554	35.7	234	15.1	213	13.7	41	2.6	0	0	0	0
1970	45,500	1,853	4.1	1,239	66.9	614	33.1	378	20.4	248	13.4	248	13.4	8	.4	0	0
Richmond, Calif.:																	
1968	43,123	2,253	5.2	1,807	80.2	446	19.8	204	9.1	136	6.0	123	5.5	28	1.2	18	.8
1970	41,492	2,298	5.5	1,869	81.3	429	18.7	117	5.1	107	4.7	107	4.7	66	2.9	4	.2
Compton, Calif.:[2]																	
1970	40,364	4,605	11.4	0	0	4,605	100.0	3,668	79.7	3,458	75.1	2,727	59.2	1,191	25.9	295	6.4
Total (31 districts):[2]																	
1968	4,682,953	768,723	16.4	212,549	27.6	556,174	72.4	383,508	49.9	296,830	38.6	213,891	27.8	69,874	9.1	11,163	1.5
1970	4,792,444	870,771	18.2	220,656	25.3	650,115	74.7	453,017	52.0	341,596	39.2	249,709	28.7	91,075	10.5	24,799	2.8

[1] Minute differences between sum of numbers and totals are due to computer rounding.
[2] 1968 data for Compton, Calif., are not comparable with 1970 data due to a major consolidation with several other districts between the 2 survey years. Both 1968 and 1970 data for this district are omitted from the totals in order to allow comparisons between the 2 years for the remaining 31 districts.

TABLE 4-A.—NEGROES IN 100 LARGEST (1970) SCHOOL DISTRICTS BY GEOGRAPHIC AREA

NUMBER[1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION, FALL 1968, AND 1970 ELEMENTARY AND SECONDARY SCHOOL SURVEY

Area	Total pupils	Negro		Negroes attending Minority schools— 0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Continental United States:[2]																	
1968	10,328,038	3,195,127	30.9	415,162	13.0	2,779,965	87.0	2,468,005	77.2	2,298,320	71.9	2,148,363	67.2	1,745,219	54.6	1,041,396	32.6
1970	10,482,814	3,387,423	32.3	544,109	16.1	2,843,314	83.9	2,431,526	71.8	2,224,162	65.7	2,000,227	59.0	1,513,616	44.7	710,181	21.0
32 Northern and Western:[2,3]																	
1968	5,747,849	1,796,111	31.2	248,067	13.8	1,548,044	86.2	1,303,789	72.6	1,171,311	65.2	1,047,760	58.3	752,904	41.9	296,376	16.5
1970	5,787,264	1,909,984	33.0	250,812	13.1	1,659,172	86.9	1,399,940	73.3	1,269,931	66.5	1,129,751	59.1	801,715	42.0	316,148	16.6
6 Border and District of Columbia:[4]																	
1968	1,340,469	470,901	35.1	62,122	13.2	408,779	86.8	375,791	79.8	357,807	76.0	343,097	72.9	278,341	59.1	145,386	30.9
1970	1,360,862	487,435	35.8	66,122	13.6	421,313	86.4	383,259	78.6	364,189	74.7	342,118	70.2	286,306	58.7	150,463	30.9
11 Southern:[5]																	
1968	3,239,720	928,115	28.6	104,973	11.3	823,142	88.7	788,425	84.9	769,202	82.9	757,506	81.6	713,974	76.9	599,634	64.6
1970	3,334,688	990,004	29.7	227,175	22.9	762,829	77.1	648,327	65.5	590,042	59.6	528,358	53.4	425,595	43.0	243,570	24.6

[1] Minute differences between sum of numbers and totals are due to computer rounding.
[2] 1968 data for Shawnee Mission, Kans., and Compton, Calif., are not comparable with 1970 data due to major consolidations that occurred between the 2 survey years. Both 1968 and 1970 data for these 2 districts are omitted from the totals in order to allow comparisons between 1968 and 1970 for the remaining 98 districts.
[3] Alaska, Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, Wisconsin, Wyoming.
[4] Delaware, District of Columbia, Kentucky, Maryland, Missouri, Oklahoma, West Virginia.
[5] Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia.

TABLE 4-B.—SPANISH SURNAMED AMERICANS IN 100 LARGEST (1970) SCHOOL DISTRICTS BY AREA OF SIGNIFICANT POPULATION

NUMBER[1] AND PERCENTAGE ATTENDING SCHOOL AT INCREASING LEVELS OF ISOLATION FALL 1968 AND 1970 ELEMENTARY AND SECONDARY SCHOOL SURVEY

Area	Total pupils	Spanish Americans		Spanish Surnamed Americans attending— 0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Continental United States:[2]																	
1964	10,328,038	811,749	7.9	239,871	29.5	571,878	70.5	391,892	48.3	302,343	37.2	216,683	26.7	706,07	8.7	11,373	1.4
1970	10,482,814	924,383	8.8	254,320	27.5	670,063	72.5	464,699	50.3	349,327	37.8	254,526	27.5	92,848	10.0	25,392	2.7
Arizona, California, Colorado, New Mexico, Texas:[2]																	
1968	2,378,981	416,361	17.5	139,916	33.6	276,445	66.4	190,101	45.7	146,690	35.2	108,063	26.0	25,858	6.2	5,393	1.3
1970	2,290,038	448,175	18.9	142,306	31.8	305,869	68.2	204,204	45.6	150,940	33.7	115,139	25.7	22,259	5.0	4,293	1.0
Connecticut, Illinois, New Jersey, New York:																	
1968	1,878,483	304,871	16.2	50,552	16.6	253,819	83.4	184,062	60.5	145,408	47.8	102,682	33.7	43,742	14.4	5,610	1.8
1970	1,955,415	363,291	18.6	52,803	14.5	310,488	85.5	229,016	63.0	180,940	49.8	131,260	36.1	68,372	18.8	20,285	5.6
Florida:																	
1968	937,053	49,431	5.3	23,447	47.4	25,984	52.6	9,350	18.9	4,732	9.6	3,146	6.4	274	.6	160	.3
1970	986,033	61,205	6.2	27,264	44.5	33,941	55.5	19,808	32.4	9,721	15.9	3,310	5.4	444	.7	221	.4
39 other States District of Columbia:																	
1968	5,133,521	41,586	.8	25,956	62.4	15,630	37.6	8,379	20.1	5,513	13.3	2,792	6.7	733	1.8	210	.5
1970	5,151,328	51,712	1.0	31,947	61.8	19,765	38.2	11,671	22.6	7,726	14.9	4,817	9.3	1,773	3.4	593	1.1

[1] Minute differences between sum of numbers and totals are due to computer rounding.
[2] 1968 data for Shawnee Mission, Kan. and Compton, Cal. are not comparable with 1970 data due to major consolidations that occurred between the 2 survey years. Both 1968 and 1970 data for these 2 districts are omitted from the totals in order to allow comparisons between 1968 and 1970 for the remaining 98 districts.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER (Mr. BYRD of West Virginia). Under the previous order, there will now be a period for the transaction of routine morning business, for not to exceed 30 minutes, with statements therein limited to 3 minutes.

Is there morning business?

EXPENDITURES FOR "THINK TANKS"

Mr. MANSFIELD. Mr. President, since the end of the Second World War, large amounts—in some instances, extraordinary amounts—have been contained in the Department of Defense budget for research and development in the Department of Defense. I believe the figure is between $7 and $8 billion for last year and approximately the same amount this year.

To a considerable degree, these funds have been distributed to universities, think tanks, and other institutions and organizations of that kind. In my judgment too much money has been spent in these areas. Think tanks, such as the Rand and other organizations—I believe it is called the Hudson Institute on the East Coast and the Rand Corp. on the West Coast—have been maintained to a considerable extent by appropriation contracts with the Defense Department. Some of their studies, to put it mildly, have been far out—way far out.

I am delighted to note that in recent years there has been a slight shift—and I emphasize the word "slight"—away from the Department of Defense research and development to universities, and that additional impetus has been given to the National Science Foundation and other governmental organizations, which should have the closest contact with the universities as a whole.

I do not think the shift has gone far enough. I think it should go a good deal further, because too much money has been spent on research and development by the Defense Department and too little, in all too many instances, has resulted from the efforts made in the area of exotic weapons and the like.

I am not against the Defense Department, in its research and development branch, maintaining contacts with universities, but I do think there is a line of demarcation which should be observed between military and nonmilitary research and development.

I am delighted that the slight shift which I have mentioned toward the National Science Foundation and other civilian governmental agencies has been able to make a minor improvement, at least, in what I consider the right direction.

There are areas in which the Defense Department should have a close connection with the universities. One of those areas is ROTC—the Reserve Officers Training Corps, of which I fully approve—which is capable of producing civilian-oriented officers, who I believe are of vital necessity in the type of democracy this Republic represents.

So, Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Progressive for November 1971, entitled "The Empire of Think Tanks," by Paul Dickson, and an article published in Book World on October 31, 1971, entitled "Making the Intolerable Tolerable," also based on think tanks, by Paul Dickson.

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

THE EMPIRE OF THINK TANKS

(By Paul Dickson)

Research and Development (R&D) has been growing dramatically in the nation since the end of World War II. Today it is a vast, powerful, and well financed empire within the nation, replete with its own priorities, powers, and pecking order. Atop this empire is a diverse group of institutions called think tanks, which as agents of applied research and policy study have a fateful impact on the nation. The most famous of these think tanks is the RAND Corporation, which has been a prime mover in military research and has had an impact on martial realms ranging from new weapons to the way the U.S. Government chose to fight in Vietnam.

The growing number, strength, and diversity of these research institutions coupled with the gargantuan national commitment to R&D raise important questions for our society. The three most important variables in considering the current state of the empire are its priorities, the quality of its work, and its powers—and the perils of ceding them these powers.

Cancer, it is estimated, will kill a quarter of the 200-odd million Americans now living. One million have it now, and the latest statistics indicate that it presently claims 900 people a day. There is little question that the cure for this disease must ultimately come from the research laboratory; yet the amount spent for cancer research in fiscal year 1970 was only $173 million, which is about one-twentieth of the space research budget for the same year and about one-fiftieth of the amount spent for military research. In fact, one single unmanned 1969 NASA space experiment cost more than half the total research into cancer for the same year. Ironically, that experiment—putting a monkey into orbit in a satellite—ran to more than $100 million and was billed as medical research.

Many in the medical community pointed out that it was unnecessary because its aim of determining the effects of weightlessness of a monkey was repeating, on a less relevant species, the same research that had been and was being carried out on man in the Apollo program. The low priority thus put on cancer research was probably best driven home by Dr. James T. Grace, Jr., director of the Roswell Park Memorial Institute, a leading cancer research group, in a speech before the National Cancer Society in 1970. He noted that if the fiscal 1970 budget was divided up by the number of people in the population, it would work out to a share of $964 for every man, woman, and child. Of this amount $395 goes for defense and of that $125 is spent on the Vietnamese war. In contrast, each American's share for cancer research amounts to *nineteen cents*.

The comparative status of cancer research is just one illustration of the state of national research priorities. Despite the promises and claims to the contrary by politicians, extremely low priority is given not only to curing cancer but also to such projects as new ways to prevent narcotics abuse, to achieve peace through arms control, and to curb ever-increasing air pollution. In addition, research into such general areas as health services, housing, the problems of urban decay, saving the environment, and mass transportation are "also-rans," way down on the list. Where does it all go then? The National Science Foundation says that eighty-five per cent of the government's R&D from 1967 through 1969 went for "national security"—that is, the amalgam of defense, nuclear, and space efforts.

In the vital area of arms control and disarmament the research budget for 1971 amounts to a mere one two-thousandth of the weapons research budget. The nation's research into the means of achieving peace amounts to little more than dabbling. Funds for research by the Arms Control and Disarmament Agency have skidded from $3.6 million in 1969 to an estimated $2.1 million in 1971. John A. Mathews, who heads a novel group advocating a Federal Department of Peace, has studied recent Federal budgets for totals spent on researching peace by all parts of the Government and finds it averages a paltry $2.6 million a year. Making the situation even more ludicrous are some of the contractors being paid to perform peace research: the Department of the Navy, the McDonnell-Douglas Corporation (one of the largest defense contractors), and the Army Materiel Command.

To further illustrate a seeming indifference to areas of grave social concern: Amounts going for research into the prevention of drug abuse have hovered around a million a year for the last few years, while in comparison the average research allotment for that perennial boondoggle, civil defense, has averaged more than $5 million. R&D for civil defense is pumped into new designs for fallout shelters, evacuation plans and other schemes and paraphernalia that are almost totally ignored by the public, which, by contrast, is seriously concerned about the effects of narcotics on youth.

Despite all the political sound and fury being expended on pollution of the environment, the amount of money spent for air, water, and solid-waste pollution research is still less than one per cent of the total Federal research tab. In order for the R&D budget to inch over even the one per cent mark in the next few years there will have to be more public pressure on Congress and the Executive. After Congress appropriated $45 million for air-pollution research in the fiscal 1970 budget, the President asked for only $27 million for the fiscal 1971 budget—amounting to a cut of $18 million, accompanied by a lot of rhetoric on improving the environment. John R. Ehrenfeld, president of the Walden Research Corporation, summed up the frustration of a combatant in the war on pollution: "Who does Nixon think he's fooling? He's still spending more money on chemical warfare research than on air pollution, yet he tells us he's cutting the first and pushing the second."

With the effort of R&D focused mainly on military concerns and no strong priorities clearly established beyond that of national security, other stark comparisons and ironies are easy to find. Dr. Roger Egeberg, the Government's chief adviser on health, has stated recently that America has become at best a second-rate nation in health. The figures back him up: The United States ranks fourteenth in infant mortality rates in the world, twelfth in maternal mortality, eleventh in life expectancy for women, and nineteenth in life expectancy for men. Ahead of the United States in life expectancy are East Germany, Norway, Ireland, Japan, Bulgaria, Greece, Italy, Canada, and New Zealand. Things are as bleak in such areas as housing, urban planning, and environment, while our resources are heaped on efforts to develop antiballistic missiles, manned strategic aircraft, underwater long-range missile submarines, new destroyers, jet transports, and new spacecraft.

Dubious examples of technological "advance" and decline abound. Until a short time ago the Army was cultivating and stockpiling bubonic-plague bacilli as a weapon with the blessings of the same Congress that, with hilarity, had voted down a measure to eradicate rats. Deadly nerve gases were being shipped with regularity on a railroad sys-

tem that gets more dangerous every year—in fact, 1969 was the twelfth year in a row that train accidents went up. Western Electric, the production arm of AT&T, begins work as prime contractor on the Safeguard missile system at the same time that telephone service is rapidly deteriorating. More people have died on American highways than in all American wars combined, as Ralph Nader continually points out, usually adding, ". . . yet we spend less on highway safety research than it costs to build half a nuclear submarine." The Comptroller General has estimated that cost overruns on military weapons systems have totaled about $21 billion in the last decade, but only recently—after public disclosure of such overruns as the $2 billion extra for the C5–A jet transport—has Congress started to give the kind of careful scrutiny to military costs that it has normally reserved for research to help the poor, the blind, and the retarded.

The kind of values that these facts reflect has been a major cause of the malaise among social reformers in the late 1960s and will undoubtedly retard such nonmilitary efforts in the 1970s. At one level, concern is expressed in student outrage and upheaval over the American value system; at another, it is responsible for the common objection that begins, "If we can put men on the moon, why can't we . . ." and winds up with any one of a thousand valid purposes from curbing venereal disease to making a shoelace that can't break. Even NASA Administrator Thomas O. Paine has mentioned the irony of ". . . mankind watching two men scramble around the moon while standing knee-deep in garbage."

R&D is a particularly critical element in the battle over national priorities because it not only reflects our current priorities but largely determines what will be technologically feasible in the future. It thus has a powerful effect on the future quality of our lives and is a far better guide to the life we will lead in the decades ahead than all the rhetoric of politicians proclaiming a rosy tomorrow.

The moon landings have shown how much is possible if a great deal of thought, resources, and dedication are channeled into any stated goal. The vast majority of Project Apollo money had been pumped into space R&D during the decade prior to the first landing. There is, however, a catch in invoking the Apollo/NASA example, because such new knowledge as is developed in such a program must be applied and directed in order to get anywhere. If not conscientiously applied, well-performed research can lead to a range of ends from a simple nonuse to a more insidious ruse—a way of dodging action under the guise of studying the problem.

The latter device was recognized in a little-noticed suggestion in the report from the National Commission on the Causes and Prevention of Violence. It came from U.S. District Judge A. Leon Higgenbothem, who called for a national moratorium on commissions and new study units to probe the causes of racism, poverty, crime, and the urban crisis. The judge felt that there had been too much study and too little application of findings. Research and study as a substitute for action or application can be detected all over the Federal landscape: millions in antipoverty money going into studies of the poor that are not being heeded, or study commissions looking into the findings of previous study commissions, and the like—a mountain of research findings being treated as an end in itself.

As in any other multibillion-dollar industry that offers the promise of a fast buck, hustlers, tycoons, and those willing to sell their objectivity for a fat contract have been attracted into R&D along with the honest, hardworking researcher. While abuses exist throughout the R&D empire, they are again most noticeable at the Federal level. Bad research is hard to control and detect. Much of it is delivered on paper in the form of a report that can be—and often is—slipped away in a filing cabinet by the bureaucrat who commissioned it. Major R&D projects that do not work out are simply canceled, though in the case of the Pentagon, for example, such a showdown can add up to quite a large sum of money wasted. During the period from 1954 to 1970, some sixty-eight major weapons projects were terminated; a total of $10.7 billion was invested in them before they failed, faltered, or were canceled.

The vast size of the Federal research program and the tendency for agencies of government to be vague in describing their desires are just two of the reasons for bad research. The difficulty of just trying to wade through—let alone evaluate—the volume of paper generated by countless researchers and agencies has meant that few people in the Federal Government have taken a critical look at the quality of research. In some cases the role of the Government goes beyond that of simply not detecting bad research to actually inspiring and rewarding it. The results in too many cases have been absurdly high expenses, producing waste, corruption, duplication, irrelevance, subjectivity, and, at the very least, lack of originality.

R&D money is being squandered in many ways, and the implications for both American science and society are serious. One of the least sinister forms of abuse is duplication, but it is no less costly than others. Bad communications, interagency rivalry, poor control, and carelessness have produced many double, triple, and quadruple efforts. The problem is so serious that the Library of Congress, the Department of Defense, and the Department of Commerce are all working on computerized information retrieval systems that would help prevent the Government from commissioning research that has already been done. (No one seems to have pointed out that the setting up of three anti-duplication systems in itself brings up the question of duplication.)

A second widespread abuse is that of contracts and grants that are inappropriate to the mission of the sponsoring agency or are of generally dubious value. Although individually amusing and good filler material for newspaper columnists on slow days, irrelevant and absurd studies abound to an extent that it is far from amusing. The Department of Health, Education and Welfare has commissioned and paid for things like "The Social History of French Medicine, 1789–1815"—a questionable effort in the first place and doubly so in view of that agency's constant reminder that not enough R&D money goes into such relevant areas as stroke prevention and cancer research. Of particularly dubious value was a project called "The Demography of Happiness," which cost a quarter of a million dollars and consisted of sending a team of researchers to Puerto Rico to find that wealthy people were, generally, happier than poor ones and healthy people are almost always happier than sick ones.

While many, Senator George McGovern prominent among them, have pointed out that not nearly enough money is going into research and education in nutrition, two recent Department of Agriculture research contracts, together costing over $100,000, studied the history of the Canadian tobacco auction and the frayed shirt collar (its official description was ". . . to determine the effects of laundry variables on edge abrasion of durable press cotton garments"). The Space Agency has shelled out huge research sums for histories of itself and most of its divisions. Besides bringing up the question of whether history writing should be commissioned by its subject, such allocations are odd for an agency that keeps saying it does not have enough money for space flights.

In recent years the Department of Defense has emerged as the undisputed king of irrelevant research. The immense list includes studies of Northern grouse, Korean women skin divers, the nervous system of the Chilean squid, the aging process in rocks, the temperament of Italian men, "Communist Vulnerability to the Use of Music" (a study classified as *Confidential*), diarrhea in horses, psychological differences between tattooed and untattooed sailors, the economy of aborigines, witchcraft in the Congo, the role of facial expressions in communications, migratory animal studies, and—one that achieved notoriety in Congress when it was revealed—a $600,000 contract with the University of Mississippi to determine the role that birds might play in wars. This last study called for scholars to investigate the use of chickens, crows, and other birds to steer missiles, detect mines, conduct search-and-destroy missions, and other assorted tasks.

The Pentagon's entry into social research and other forms of nonmilitary research has prompted Admiral Hyman G. Rickover to launch more than one verbal attack. He has labeled much of the work "a waste of taxpayers' money," has said that some of it has no conceivable military value, and has gone so far as to say that it has had an adverse effect on the nation's military posture. Testifying before the Joint Economic Committee of Congress in November, 1968, he said of his fellow military men, "They are attracted to studies like mice to a granary. . . ." The irrepressible admiral added that because of the number of military studies piling up, he found himself thinking of the commission established by the Weimar Republic to find out why Germany lost World War I. "The commission found that a major cause of this defeat was the amount of paperwork required of the armed forces," said Rickover. "Toward the end they were literally buried in paper."

Even when the matter is well within the legitimate realm of military research, the Pentagon seems to find a way to generate unnecessary research, as in the case of 1969 Army contracts with two different firms to develop a bigger—just bigger, no change in design—canteen cup. These two contracts cost a total of $58,000. In too many cases large sums are paid for research on nonurgent $100 ideas.

Another common abuse was summed up by Representative Henry Reuss, Wisconsin Democrat, who, in conducting an investigation of the use of research in Federal domestic programs, said, "Federal agencies have a tendency to withhold research findings critical of present performance or policies." Examples of this relatively recent form of public-opinion manipulation and censorship are common. During the Johnson Administration $650,000 worth of outside research critical of the controversial supersonic transport (SST) was suppressed by the Federal Aviation Administration by stamping it with an "Official Use Only" label.

In the same vein is research commissioned for little more purpose than giving support to an agency attitude or policy. This common abuse prompts interesting reactions. Says a vice president of a major California research firm, "The Government is a prime market for subjective research, and we try to guard against it. We turn down most of these jobs but occasionally feel we have to take one as a favor or else face the threat of not getting legitimate research work from that agency."

A final class of common abuses in government R&D stems from Federal apathy and laxity. Robert A. Nelson, who until recently headed the Department of Transportation's research-oriented Office of High Speed Ground Transportation and who is now a fellow at the Brookings Institution, feels that apathy may be the most subverting abuse of all. He strongly believes that the Government is either too polite or too lazy to make anyone do over a worthless study. He says, "Our office has refused to pay for a study for over two years, all the time sending it back and telling the contractor to do it over until it was done right—and it still hasn't been done

right. But this kind of action is all too rare." Nelson, who headed a large research effort, calmly estimates that as much as fifty per cent of Government paper studies may be worthless.

Rampant apathy is acknowledged by a former Food and Drug Administration official who tells how easy it is not to give a damn. Several years ago a research organization turned in to the Food and Drug Administration a $100,000 study on the agency's image. "I took one look at the study and saw that it was horrible," he says. "The researchers used loaded questions in their interviews with the public. On top of that, the results were in direct conflict with a fair labeling act that the Administration was pushing. I took the report, stashed it away in a desk drawer, and hoped nobody would ask for it. Nobody ever did. As far as I know, that report is still stashed away in my old drawer."

Unfortunately, such abuses have been relatively free of criticism—even when the waste is blatant. In August, 1967, for example, President Johnson appointed an expert-studded group to study U.S. communications policy, with particular emphasis on international communications. The major reason for the study was that the United States was to meet in early 1969 with more than ninety governments to hash out the future of satellite communications. The President set a deadline of August, 1968, for the group's report so that the United States would have plenty of time to use it in getting ready for the meeting. The group, called the Telecommunications Task Force, got moving in the winter of 1967. A research team was assembled and contracts were awarded to a variety of research institutions for studies. But the final report was still not ready by the time of President Nixon's inauguration. The task force was disbanded. The international meeting was held, and the United States fared badly because it did not have a clear-cut policy. The report has still not been officially released, although copies of it have been given out. Outside of a few members of Congress, nobody seemed upset over the whole matter even though a million dollars was spent on studies toward a report that was not ready in time to serve its intended purpose.

These two issues of priorities and quality raised by the giant phenomenon of R&D are beginning to be faced by those in the research empire. For the first time since the beginning of the postwar R&D honeymoon, science and technology are being forced to face the significance of their having gone public. Unbounded growth has slowed since 1968 as the overall research budget has stayed at the $16–17 billion level, and though few doubt that it will rise again, the marktime level indicates that increases are not automatic. Questioning of priorities in American research and its domination by military concerns is producing more and more questions from Congress, the press, and the public, especially students. Specific challenges are being launched as well. Persistence by a group of Senators led by Mike Mansfield, for example, led to legislation passed in 1969 stipulating that the military can commission research that is clearly related only to military objectives. Although there is still some question as to how military objectives will be defined, Congressional action has limited the unbridled research power of the Pentagon.

As the number of think tanks continues to grow and more and more people look to them to solve problems, analyze policy, and perform long-range thinking, power necessarily increases—a power that is seldom challenged or questioned.

Since power is greatest at the Federal level, the power of the think tanks that serve Government is the strongest. So potentially powerful is the group of think tanks that serves the U.S. Government that they have collectively been nicknamed "the shadow government." Perhaps the most trenchant comment made on this "shadow" concept came from former Presidential adviser Roger Hilsman in his book, *To Move a Nation*, when he said of the military-sponsored think tanks, "Although not accountable to the electorate, they have power and are just as much part of the governmental process as the traditional legislative, judicial, and executive branches of Government."

The unique roles played by the Pentagon think tanks have made them instrumental in shaping and creating U.S. foreign and military policy, weapons systems, plans, tactics, and technology. Moreover, much of their work has been cloaked in secrecy or obfuscated in other ways with the result that little scrutiny has been directed toward their increasing power. Remarkably, their analysts play crucial roles in conducting and planning war and determining the weapons America will build, yet they remain virtually anonymous when these decisions are authorized. On the strength of their alleged knowledgeability they have been given great freedom to operate in a wide variety of political, social, international, and military areas—a power that has served to widen considerably the province of the military. The Pentagon think tanks have been staunchly defended by their military sponsors, yet those same sponsors have admitted time and again that they have very little control over them.

Just as these semigovernmental corporations are playing an important role in deciding military issues, so are think tanks attached to other agencies of government making other important determinations—President Nixon's welfare reform package, the current set of Federal housing plans, and safety requirements for nuclear power plants are all examples of policies shaped and refined in think tanks.

In an assessment of the importance of the hundreds of think tanks in the United States, the Federally sponsored ones offer only a starting point. Independent think tanks, not officially tied to the Government, also need to be scrutinized. Many of them receive the bulk of their funds from the Government, and, though not officially "sponsored" like RAND, they bring up the same questions of power, unchecked and unanswerable, evoked by the officially sponsored outfits. They advise in such diverse areas as transportation, natural resources, defense, and domestic welfare programs. Nor do they draw the line on policy and decision-making for the U.S. Government. More and more, their analysis and planning are being performed for industry, governments of cities and states, and foreign nations.

While think tanks play many roles—all worthy of investigation—an example that brings home their importance both now and in the future is the increasing interest in long-range forecasting and thinking about the future. This futurist orientation has resulted from both the initiative of the tanks themselves and of the Government. Several independent "futurist" tanks have emerged, and massive studies are under way on American life and technology in the future; and the new occupational category of "futurist" has evolved. Most Americans are unaware of the degree to which government and industry are working on the quality of life (in particular, war and technology) for the future. The Army, for example, has created a series of think tanks to examine the future of warfare.

What we must realize is that as institutions assume the formal role of casting about in the future, they dramatically increase their influence on that future. Simply put, if a think tank tells its sponsors and others willing to listen that X, Y, and Z will occur by the year 2000, then X, Y, and Z are more likely to occur as policy and technological goals adapt to those predictions.

Think tanks offer amazing potential for change, innovation, and a better future. Although a relatively new phenomenon, they have already had a great impact. Just considering the example of their role in creating important new products we find that synthetic rubber got an important start at the Mellon Institute, electrostatic copying or Xerography was developed at the Battelle Memorial Institute, magnetic tape recording grew out of work at the Illinois Institute of Technology Research Institute, and Arthur D. Little Inc. came up with the first successful process to manufacture fiberglass, to name a few such cases.

In an era of so many phenomena that are hard to comprehend, the think tanks are no exception. In the popular mind think tanks sometimes conjure up a nightmarish world of rampant technology geared to program humanity out of existence—and sometimes a gleaming world where the miraculous is put on a daily businesslike basis. Neither extreme is true, though there is an element of truth in each. Both the complexity of the phenomenon and the fact that, generally, think tanks maintain their privacy and serve without fanfare have led to misconceptions and surrounded them in mystery. The very term "think tank" carries with it the aura of enigma—and perhaps even of conspiracy.

Their terrain extends from war to peace, from Dr. Strangelove to Dr. Salk, from harsh practicality to idealism, from hawkish retired generals to Ralph Nader, and from the most amazing Yankee ingenuity and innovation to the role of errand boy to the Establishment. Given their roles as problem-solvers, innovators, and planners in a complex, troubled, and problem-saturated era, think tanks are clearly worth thinking about.

MAKING THE INTOLERABLE TOLERABLE—THINK TANKS

(By Paul Dickson)

From the Pentagon Papers we learned about a thing called Rand, a mysterious place somewhere on the California coast where top-secret documents float around. But we didn't learn much about it. Paul Dickson's useful Baedeker of the diverse and ubiquitous institutions known as "think tanks" throws the spotlight on this new multi-billion-dollar business that is transforming America and may even be serving as a kind of secret government.

What are the *Think Tanks* of Dickson's title? They are a particular kind of research and development (R&D) outfit. They can be large or small, profit or nonprofit, government-financed or independent. The crucial thing about them is the role they play. Unlike many R&D organizations, think tanks neither conduct research nor undertake development. Instead they act, in the author's words, "as a bridge between knowledge and power and between science/technology and policy-making in areas of broad interest." In short, they are agents of knowledge—which they organize, transmit, and transpose—rather than creators of knowledge.

If you want someone to build you a better mousetrap, you go to a conventional R&D laboratory where a scientist will set to work inventing what you need. But if you want to know how many mice are in your block, what is their family structure, how they organize their time, and what function they serve in relation to man and his environment, then you had better go to a think tank.

In case this should sound like esoteric work for a handful of dreamy scientists and economists, think again. R&D is big business, and it is getting bigger all the time. This year it will hit an estimated $28 billion—more than the annual budget of an average-sized European nation. More than half that sum comes out of the federal treasury—that is, out of our pockets in the form of taxes. This year's federal R&D budget is estimated at $16 billion. As recently as 1957 it was only $3 billion.

The U.S. today spends more each year on space research alone—only a small part of the R&D budget—than it cost to run the

entire government in 1927. Over the past decade more than $150 billion has been spent on R&D. Naturally there has been a proliferation of institutes, agencies, and think tanks to absorb that money and provide blueprints of real or imagined needs to get more of it.

R&D is composed of three basic activities: basic research, or exploration of the unknown; applied research, directed toward a specific need; and development, the use of research to produce tangible objects, methods, or systems. This may sound vague, but it has to be in order to cover the multitude of activities that encompass R&D: from the design of a new nuclear warhead to a project for the integration of a school district.

Without R&D there would, of course, be no lunar modules, no styrofoam eggs, no color TV, and no ABMs. Whether or not this would be a blessing is a question of a different order. In a technological society like ours, invention is essential to survival. Without a constant stream of new inventions and techniques we might quite possibly drown in the pollution and destruction caused by our previous inventions. Thus R&D, by promising to make tolerable the intolerable things it has created, has provided built-in job security for itself.

Examining the nation's leading R&D institutions and interviewing people involved in a wide variety of activities, Paul Dickson, a young journalist on a grant from the American Political Science Association, has done a skillful and highly readable job of journalistic reporting. *Think Tanks* tells us what R&D is all about, takes us behind the scenes of some major organizations, makes a few editorial judgments about the kind of work they do, and leaves us feeling better informed, if not necessarily wiser. If he had dug deeper beneath the surface and asked more of the right kind of questions, he might have come up with an even more penetrating and important study.

Among some of the organizations studied by Dickson is the Institute for Defense Analysis, a top-secret, Pentagon-financed think tank that plots scenarios for nuclear wars, works out new methods for the United States to combat insurgency in other people's countries, and thinks up ways to spend more money on atomic missiles. IDA analysts spend a great deal of time dreaming up future wars—so far they have come up with 384 possibilities—on the assumption that the U.S. will be involved in a good many of them. "The danger in this," as Dickson rightly points out, "is all too evident as the thin line between attitudes of preparing to defend ourselves and of *looking for conflict to prepare for* has long ago been crossed."

Linked to a dozen top universities, financed by the Pentagon through fat annual contracts, privy to the innermost secrets of government, freed from the strictures of the Civil Service, think tanks such as IDA "play powerful roles as advisors in the corridors of the Pentagon and the State Department, despite the fact that neither those agencies nor Congress has power to confirm, promote, or fire them. In a sense they have become a fourth branch of government."

An even more powerful influence on the Pentagon than IDA is the aforementioned Rand, with its $25 million annual budget, its one thousand employees, its prime government contracts, and its team of high-paid analysts shuttling back and forth between Washington and California. Rand has its fingers in so many pies, both secret and not-so-secret, that it is virtually impossible to list them. Among the most important has been its role in the Vietnam war, where it has engaged in operations from analyzing the effects of aerial devastation on Vietnamese morale, to anthropological studies of Montagnard tribesmen. We also have Rand to thank for the MIRV multi-headed nuclear warheads and the ABM anti-missile missile—two projects which it sold, without need for much persuasion, to grateful admirals and military contractors.

Not all think tanks concentrate so heavily on Pentagon projects. Some, such as Herman Kahn's Hudson Institute, also find time to draw up plans for damming the Amazon River (to the indignation of the Brazilian government), and advising (for a healthy fee) the Portuguese regime on how to suppress the black liberation struggle in colonial Angola. Hudson, like its founder and guiding spirit, may be glib, but no one has ever accused it of being stodgy.

Aside from these nuclear war think tanks—which enjoy a kind of permanent welfare program from the government—there are also many other think tanks which do not flourish on the Pentagon's largesse. Some are strictly profit-making organizations, such as the trail-blazing Arthur D. Little, Inc., which is engaged in industrial research, and also has projects in such fields as urban planning and community organization. Others are designed to be non-profit, such as the mammoth Stanford Research Institute, which has branch offices all over the world, and delves into a dizzying assemblage of projects, from the development of Alaska to the invention of pressureless printing. There is even an anti-Establishment think tank, the Washington-based Institute for Policy Studies—a group of scholars exploring social, economic, and political-military issues, and applying radical analysis to them.

There is no wrap-up phrase to describe think tanks or the work they do. They are as varied as the needs—real or imagined—of society. In their efforts to harness and apply knowledge they can, and already have been, a force for both good and evil. We need them because we have problems that must be solved if life on this planet is to be tolerable, or even if it is to endure.

But the military-oriented think tanks pose a special danger, for they carry on their deadly debates in secret, sealed from public scrutiny and control. "Undoubtedly," Dickson comments, "there is some work, especially in new technology, that must be kept under wraps for security reasons, but keeping almost all military thought away from the public is arrogant and dangerous." *Think Tanks* helps make us aware of these dangers, and even though it offers no answers, is a timely and significant exposure of an enterprise too long shrouded in darkness.

MONTANAN PROVES HIMSELF A GOOD SKATE

Mr. MANSFIELD. Mr. President, one of Montana's great young men is a student at Harvard University. His name is John Misha Petkevich, and he ranks among the greatest smooth gliding, high jumping skaters in the world.

I believe that Misha is studying to be a doctor, but while he is preparing himself to further his scholastic career and to make himself ready for February's winter games in Sapporo, Japan, he is also going beyond that and is showing a sense of social consciousness which I think is most important and very indicative of the kind of man Misha Petkevich is.

I invite the attention of the Senate to a story which appeared in the Thursday, October 28, 1971, issue of the Christian Science Monitor. The story indicates that Misha has been looking for a way to reach out of his own specialized world and to do something for other people. What he has done is to become interested in the Jimmy Fund, so-called, for which he raised $15,000 in Boston, to help in cancer research. What he does is to visit a hospital, discuss subjects with people, and try to answer their questions—in other words, to make himself a most useful citizen.

So, Mr. President, I ask unanimous consent that the article about this young man from Montana, who finished last in his first competition 11 years ago but who will very likely finish first next year at Sapporo, Japan, entitled "Misha Skates for His Pet Cause," written by Monty Hoyt, be printed in the RECORD.

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

MISHA SKATES FOR HIS PET CAUSE

(By Monty Hoyt)

BOSTON.—Not many people can be called a sports impresario by age 22, but America's smooth-gliding, high-jumping John Misha Petkevich ranks among the greatest.

One of the top U.S. medal hopefuls in next February's Winter Olympics in Sapporo, Japan, Misha already is the reigning king of the silver blades and acclaimed as perhaps the best free skater in the world today.

But for this affable Harvard senior it wasn't enough.

"I have always thought that skating, like any sport, was a rather egotistical pursuit," he said. "Sure, it provides wonderful entertainment for people, and you have the satisfaction of competing and putting in a good performance, and you meet people from diverse backgrounds. This is great, but—something was missing."

LOOKING FOR A WAY

For a long time, he readily admits, he had been looking for a way to reach out of his own specialized world and do something for other people.

Then, last year, shortly before winning the U.S. and North American figure skating titles for the first time, he was struck by an idea—and parlayed his world-renowned talents into raising $15,000 for the Jimmy Fund of Boston, a cancer research foundation for children.

At first the thought of visiting the hospital occasionally or striking up a personal relationship went through his mind. Then he pondered:

"Maybe there's some way I can help." That help turned out to be a skating show.

From this first somewhat incredulous idea, Misha, with the help of his fellow students at Harvard's Eliot House, masterminded and produced within a month's time a two-night benefit ice show featuring the top U.S. skating champions.

LED TO BIGGER SHOW

"An Evening with Champions" was a resounding financial success with sellout performances both nights.

"We took a lot of risks," says the budding impresario remembering his first effort. There was only one weekend before Christmas when Harvard's Watson rink wasn't scheduled with a hockey game. "We had to go ahead with printing the program and the promotion before we were sure the college would let us have the rink."

So great was the success of the program as far as the audience and the skaters were concerned that it provided the impetus for putting on a bigger show again this year and maybe next.

During the last six weeks, much of his spare time off the ice (his rigid training routine for the 1972 Olympics includes six hours of practice each day) has been spent in promoting and coordinating the second "Evening with Champions."

The expanded billing this year will include the entire U.S. world skating team—all 18 members in singles, pairs, and dance. Misha, along with champions Janet Lynn, JoJo Starbuck and Kenneth Shelley, Judy Schwomeyer and James Sladky, will headline the benefit performance for the Jimmy Fund. Three

shows are set for Oct. 29 and 30 at Harvard's Watson rink.

For a young man from Montana who finished last in his first competition 11 years ago, Misha has already made a name for himself in skating history.

His fifth place finish the last two years in world competition has been a disappointment, and he, himself, admits that he has only a dark horse chance at winning the Gold Medal at Sapporo.

Nonetheless, his astounding triple revolution jumps, his daring leaps that would vault him over the rink barrier, if he cared to, his swirling-dervish spins, and his dynamic choreography could easily bring him skating's highest honor.

"The Olympic title rests on how close I can get to Ondrej Nepala (the current world champion from Czechoslovakia) in the school figures," Misha states in assessing his chances. (The compulsory school figures count 50 percent in a skating competition.)

Working on this apparent weakness all this past year, Misha says that his school figures have never been better.

But whatever the outcome of his final year in competition, he says with all earnestness that he will look to his efforts on behalf of chair-ridden children and not to his Olympic showing as the most satisfying fulfillment of his skating career.

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

The PRESIDING OFFICER (Mr. BYRD of West Virginia). Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

REPORT ON MILITARY PROCUREMENT ACTIONS FOR EXPERIMENTAL, DEVELOPMENTAL, TEST, OR RESEARCH WORK

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on military procurement actions for experimental, developmental, test, or research work for the period January to June 1971 (with an accompanying report); to the Committee on Armed Services.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Opportunity To Reduce Federal Costs Under the Law Enforcement Education Program," Law Enforcement Assistance Administration, Department of Justice, dated November 3, 1971 (with an accompanying report); to the Committee on Government Operations.

REPORTS ON THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

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

HOUSE BILL REFERRED

The bill (H.R. 9961) to provide Federal credit unions with 2 additional years to meet the requirements for insurance, and for other purposes, was read twice by its title and referred to the Committee on Banking, Housing and Urban Affairs.

REPORTS OF COMMITTEES

Mr. COOPER. Mr. President, from the Committee on Public Works, I report S. 1015, the Environmental Financing Act of 1971, without amendment, and request that it be referred to the Committee on Banking, Housing and Urban Affairs. I also file with it a copy of the bill and the report of the committee (S. Rept. No. 92-424).

The PRESIDING OFFICER (Mr. BROCK). Without objection, the report will be received and printed, and the bill will be referred to the Committee on Banking, Housing and Urban Affairs.

Mr. COOPER. Mr. President, as ranking minority member of the Committee on Public Works, I introduced on behalf of the administration the bill, S. 1015. I introduced a similar bill, S. 3468, in the 91st Congress. These bills were the subject of specific hearings in the Subcommittee on Air and Water Pollution in the context of hearings on general legislation to amend the Federal Water Pollution Control Act of 1965. In the 91st Congress, then Secretary of the Treasury David M. Kennedy testified on behalf of the administration and earlier this year Under Secretary of Treasury Charles E. Walker testified for the administration on the bill S. 1015.

It is gratifying to note that 38 Members of the Senate joined to introduce this legislation, and the bill was reported favorably by the Public Works Committee without amendment.

The Environmental Financing Authority, or EFA, would make a significant contribution to our program for a better environment by greatly facilitating the efforts of State and local governments to construct waste treatment facilities. This EFA would do by purchasing municipal waste treatment bonds which could not otherwise be sold on reasonable terms. To finance these purchases EFA would issue its own securities in the market.

EFA is essential to assure that no municipality in this country is denied the opportunity to sell its bonds for the construction of waste treatment plants in compliance with Federal water quality standards.

In order to help communities comply with water quality standards established pursuant to the Federal Water Pollution Control Act the Congress has provided Federal grant assistance to municipalities and other public bodies for the construction of waste treatment facilities. The non-Federal share of the project cost must be borne by the local and/or State governments involved. The local government share of the project cost is, in virtually all cases, raised through the sale of debt securities in the private market.

The purpose of EFA is to assure that no municipality will be unable to participate in the Federal grant program because of an inability to market its bonds at reasonable rates.

EFA could not purchase any obligations unless the Administrator of the Environmental Protection Agency: First, has certified that the borrower is unable to obtain on reasonable terms sufficient credit to finance its actual needs; second, has approved the project as eligible for a waste treatment construction grant under the Federal Water Pollution Control Act; and third, has agreed to guarantee timely payment of principal and interest on the obligations.

To avoid unnecessarily interfering with the market, the bill provides an important safeguard: the interest rate at which EFA would lend would be set by the Secretary of the Treasury only after considering the current market yields on comparable Treasury or EFA securities outstanding in the private market as well as the market yields on municipal bonds. EFA would also be authorized to charge fees to cover its administrative costs and provide for reasonable contingency reserves.

While it is expected to be a simple and costless operation, EFA could contribute significantly to the success of the whole waste treatment facility program. With EFA standing ready to assure a market, no essential project need be canceled or delayed because the State or local government is unable to market its bond issue on reasonable terms.

I would like now to respond to two important questions which have been raised regarding the need for EFA.

The first question has to do with current conditions in the municipal bond market. It has been argued that the need for EFA assistance to municipal borrowers has diminished because of the general improvement in bond market conditions since EFA was first proposed in February 1970. I would certainly agree that communities are having much less difficulty in selling their bonds today, as compared to the crisis situation municipal borrowers faced 2 years ago. Yet even in times of relatively favorable market conditions there are some communities that lack the size or credit standing necessary to support their bond issues at reasonable rates of interest. EFA would help these communities.

Also, as we learned in 1966 and in 1969, conditions in the municipal bond market can deteriorate rapidly. The construction of waste treatment facilities requires a great deal of planning, and the approval of interested groups at the Federal, State, and local levels is a time-consuming process that may extend for several years. This process can be facilitated greatly if we can assure in advance that when the project reaches the financing stage it will not be unduly delayed or canceled because of changing bond market conditions. EFA would provide that assurance.

The second question which has been raised as to the need for EFA has to do with the current proposals to increase the Federal grant share for each waste treatment project and thus reduce the amount of the local government's share of the project cost. It has been argued that the neeed for EFA would decline if the Federal grant share were to increase. This argument mistakes the purpose of EFA.

The need for EFA should be measured in terms of the number of projects as-

sisted, rather than the dollar volume of EFA lending. For example, a $1 million waste treatment project under the present program might require a municipality to borrow $250,000 after receiving 75 percent of the required funds in the form of Federal and State grants. If an increase in the Federal grant share were to reduce the municipal borrowing to, say, $100,000, the municipality might still be unable to borrow on reasonable terms in the private market. Thus the availability of EFA financing might still be the decisive factor in going ahead with the $1 million project.

The bill must be considered, as the committee did, in the context of the general amendments which were approved by the Senate on November 2. In that bill, S. 2770, the waste treatment construction program is dramatically increased. In addition, very stringent effluent requirements will be placed on municipalities in the next 5 to 10 years.

It should be noted that the bill reported today is to be rereferred to the Banking Committee pursuant to the joint referral agreement worked out upon the bill's introduction. The Committee on Public Works expects the expertise of the Banking Committee to be applied to the financial aspects of the bill, particularly the statutory guidelines in the determination of "reasonable rate" by the Environmental Protection Agency. The report specifically requests the Committee on Banking, Housing and Urban Affairs to consider whether a more restrictive definition of the term "reasonable rates" should be included in the statute.

Mr. President, I applaud the administration for suggesting this innovative financial mechanism. It is an important bill and I hope the Committee on Banking will give the bill its close and careful attention followed by early reporting back to the Senate.

EXECUTIVE REPORTS OF COMMITTEES

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

Mr. BYRD of West Virginia. Mr. President, as in executive session, I report favorably, for Mr. FULBRIGHT, from the Committee on Foreign Relations, sundry nominations in the Diplomatic and Foreign Service which have previously appeared in the CONGRESSIONAL RECORD, and I ask unanimous consent, to save the expense of printing them on the Executive Calendar, that they may lie on the Secretary's desk for the information of Senators.

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

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

Raymond L. Garthoff, of Connecticut, and sundry other persons, for personnel action in the Diplomatic and Foreign Service.

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. PASTORE (by request):

S. 2802. A bill to amend the Communications Act of 1934, as amended, to permit the Federal Communications Commission to grant radio station licenses in the safety and special and experimental radio services directly to aliens, representatives of aliens, foreign corporations, or domestic corporations with alien officers, directors, or stockholders; and to permit aliens holding such radio station licenses to be licensed as operators. Referred to the Committee on Commerce.

By Mr. McGOVERN:

S. 2803. A bill to provide that members of the Armed Forces of the United States may vote in Federal elections held in the State in which they are stationed. Referred to the Committee on Rules and Administration.

By Mr. McGOVERN:

S. 2804. A bill to provide additional support prices for dairy farmers. Referred to the Committee on Agriculture and Forestry.

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

S. 2805. A bill to permit suits to adjudicate disputed titles to lands in which the United States claims an interest. Referred to the Committee on Interior and Insular Affairs.

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

S. 2806. A bill to authorize appropriations for additional costs of land acquisition for the National Park System. Referred to the Committee on Interior and Insular Affairs.

By Mr. THURMOND (by request):

S. 2807. A bill to amend title 38 of the United States Code to require that certain veterans receiving hospital care from the Veterans' Administration for non-service-connected disabilities be charged for such care to the extent that they have health insurance or similar contracts with respect to such care; to prohibit the future exclusion of such coverage from insurance policies or contracts; and for other purposes. Referred to the Committee on Veterans' Affairs.

By Mr. HARRIS:

S. 2808. A bill to provide for a reduction in the tax rates in the first two brackets, to reduce individual income taxes, and for other purposes. Referred to the Committee on Finance.

By Mr. TUNNEY:

S. 2809. A bill to authorize the establishment of regional centers of excellence in drug abuse research and education, and for other purposes. Referred to the Committee on Labor and Public Welfare.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PASTORE (by request):

S. 2802. A bill to amend the Communications Act of 1934, as amended, to permit the Federal Communications Commission to grant radio station licenses in the safety and special and experimental radio services directly to aliens, representatives of aliens, foreign corporations, or domestic corporations with alien officers, directors, or stockholders; and to permit aliens holding such radio station licenses to be licensed as operators. Referred to the Committee on Commerce.

Mr. PASTORE. Mr. President, I send to the desk a bill which I am introducing by request. I ask unanimous consent that the letter of transmittal from the FCC, an explanation of the bill, and the bill itself be printed in the RECORD at this point.

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

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., October 15, 1971.

The VICE PRESIDENT,
U.S. Senate, Washington, D.C.

DEAR MR. VICE PRESIDENT: Enclosed are copies of the Commission's draft bill to amend sections 310(a) and 303(1) of the Communications Act of 1934, as amended, with an explanation.

The bill as drafted would permit the Federal Communications Commission to grant radio station licenses in the safety and special and experimental radio services directly to aliens; representatives of aliens; foreign corporations; and domestic corporations with alien officers, directors, or stockholders; and would permit aliens holding such radio station licenses to be licensed as operators. Specifically, the draft bill would:

(i) retain the prohibition against any licensing of foreign governments or their representatives now contained in 310(a)(2);

(ii) retain the prohibitions now contained in 310(a)(1), (3)–(5) but make them applicable only to broadcast and common carrier radio services, rather than to all radio services;

(iii) otherwise allow the Commission to issue station licenses in the safety and special and experimental radio services;

(iv) delete the first two unnumbered paragraphs following 310(a)(5) because they will be unnecessary;

(v) delete the provision for securing checks for alien amateur station authorizations in the third unnumbered paragraph following numbered paragraph (5); and

(vi) make corresponding changes in section 303(1) so that the Commission will be permitted to license aliens to operate the stations for which they have been granted a license under 310(a).

The Commission is now generally prohibited from granting licenses to aliens in any of the radio services. The legislative history at the time of enactment of this prohibition in 1934 does not appear to have contemplated denying aliens licenses in the later developed Safety and Special Radio Services, but reflects concern with those radio services such as broadcasting and common carrier which are part of the nation's communication system. We believe that authority to grant licenses to aliens in the safety and special and experimental services is consistent with the legislative history of the Act and is in the public interest. The grant of a license would of course be subject to the Commission's finding that the public interest, convenience and necessity would be served.

The Commission's draft bill to accomplish the foregoing objective was submitted to the Office of Management and Budget for its views. We have now been advised by that Office that from the standpoint of the Administration's program there would be no objection to the presentation of the draft bill to the Congress for its consideration.

The Commission would like the Senate to consider the proposed amendment.

We will provide any additional information that may be requested by the Senate or by the Committee to which this proposal may be referred.

Sincerely,

DEAN BURCH,
Chairman.

EXPLANATION OF PROPOSED AMENDMENT TO SUBSECTIONS 310(a) AND 303(1) OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED, TO PERMIT THE LICENSING IN THE SAFETY AND SPECIAL AND EXPERIMENTAL RADIO SERVICES OF ALIENS, OR ENTERPRISES WITH ALIEN OFFICERS, DIRECTORS OR STOCKHOLDERS

Section 310(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(a), is a general prohibition on the grant of radio station licenses to aliens or entities with alien interests. Specifically, 310(a) prohibits the Commission from granting licenses to

individual aliens or representatives of aliens, foreign governments or their representatives, corporations organized under the laws of a foreign government, or domestic corporations of which any officer or director is an alien or of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or its representative, or any corporation organized under the laws of a foreign country.

Nevertheless, paragraph (5) of 310(a) provides in effect for indirect licensing of a corporation with alien interests. That paragraph provides that the Commission may grant a license to any corporation which is directly or indirectly controlled by any other corporation of which any officer or more than one-fourth of the directors are aliens or of which more than one-fourth of the capital stock is owned of record by aliens or their representatives, or by a foreign government or its representative, or by any corporation organized under the laws of a foreign government, unless the Commission finds that the public interest would be served by refusing a license.

Thus, under paragraph (5) of 310(a) those corporations barred from holding licenses in their own names may obtain the benefits of a radio station by forming a subsidiary corporation in which all officers and directors are United States citizens. This subsidiary corporation may then be granted a license to provide the communication service needed by the parent corporation.

We are proposing that section 310(a) be amended to permit the Commission to grant radio station licenses in the safety and special and experimental services to aliens or entities with alien interests. Additionally, the proposal would amend subsection 303(1) to enable an alien holding a radio station license to be licensed as the operator of the station for which he holds a license.

We believe that this proposal is consistent with the historical reasons for prohibiting alien licenses and is consistent with the overall public interest. The legislative history of section 310(a) shows clearly that the purpose of the section and its forerunner in the Radio Act of 1927 was to prevent foreign influence in the "commercial communications system" of the United States. The reasons were that the security and other interests of the United States might be adversely affected if aliens were permitted to gain control of our communication system. The entire thrust of the proponents of section 310(a) was against alien influence in "radio companies," "communication companies," and "communication organizations." Specifically named in the hearings as "communications organizations" were American Telephone and Telegraph Company, Western Union, International Telephone and Telegraph Corporation, and Radio Corporation of America. The targets of section 310(a) were the radio, wire, or cable companies engaged in the business of communications. Hearings on S. 2910 Before the Senate Committee on Interstate Commerce, 73d Cong., 2d Sess., pp. 160, 161, 166, 167, 170 (1934); Hearings on H.R. 8301 Before the House Committee on Interstate and Foreign Commerce, 73d Cong., 2d Sess., pp. 23, 26, 32–34, 41–44, 60, 64 (1934).

Despite the general prohibition on alien licenses, Congress itself has twice recognized the need of aliens for certain radio uses outside the broadcast and common carrier fields. In 1934 when it enacted the Communications Act, Congress included an exception which permitted the Commission to license "radio apparatus on board any vessel, aircraft, or other mobile station of the United States when the installation and use of such apparatus is required by Act of Congress or any treaty to which the United States is a party."

In 1958 Congress amended the Act to add another exception to the prohibition on alien licenses. Concern with air safety prompted the Congress to permit the Commission to license aircraft stations to aliens who hold United States pilot certificates or a foreign pilot certificate which is valid in the United States by reciprocal agreement.

Meanwhile, since the 1934 enactment of the general prohibition on aliens holding licenses, many additional uses of radio have developed and have been found by the Commission to be in the public interest. In many instances, a radio license is a necessary or desirable adjunct to other endeavors. These accessory or incidental uses of radio can properly be considered an integral part of the conduct of much industry and commerce in the United States. For example, railroads, taxicabs, manufacturers, oil producers and distributors, utility companies, pipe lines, truckers, construction companies, the mining industry, the forestry industry, consumer service companies, retailers, farmers, ranchers, and the marine industry find that radio is necessary for efficient and safe operation of the primary business.

These businesses are not "communication organizations" and are not part of the "commercial communications system" of the United States which section 310 was intended to protect, and the private use of radio incidental to these businesses does not threaten control of the communications system of the United States. Nevertheless, the general prohibition on licensing alien interests prevents the Commission from licensing aliens for these aliens meet the standards for admission into the United States and are lawfully employed in non-communication businesses.

We believe that where aliens are admitted to this country and are permitted to carry on business activities in this country, it is consistent with the public interest that they also have available the same protection of life and property and increased efficiency that radio provides citizens engaged in the same kinds of enterprise.

We recognize that section 310(a)(5) mitigates the absolute ban prescribed in paragraphs (1)–(4) of 310(a) with respect to otherwise ineligible corporations that have the resources to establish a subsidiary corporation that meets the requirements of the law. In fact, use of this device is not uncommon. Competitive necessity for the use of radio in various business activities has led ineligible corporations to set up subsidiary corporations solely for the purpose of obtaining a radio station license and then providing communications services to the parent corporation.

These subsidiary corporations providing communications services to an ineligible corporation are now operating under licenses issued by the Commission because the Commission under the terms of 310(a)(5) determined that the public interest would not be served by a refusal of the license.

The Commission believes this limited permission in 310(a)(5) is inherently unfair to the small corporation without the resources or know-how to avail itself of this procedure and to the partnership or individual entrepreneur to whom this procedure is not available. The need for the license is independent of the size or the form of an organization. In addition, there is a needless expense and burden upon the corporations which are able to avail themselves of the provisions of paragraph (5) of section 310(a). The direct licensing of aliens in these safety, special and experimental services seems far preferable to the existing statutory scheme.

We think also that there are substantial reasons for permitting aliens to have licenses to use radios in all of the safety and special services established by the Commission and not just in those which are industry-oriented. In both the aviation and marine radio services, the underlying need for radio for safety purposes is present without regard to citizenship. Citizens radio may be used not only for business purposes, but also in motor vehicles and aboard pleasure boats for substantial messages. The Commission, effective July 1970, reserved citizens radio Channel 9 exclusively for emergency communications or communications necessary to assist a motorist. The availability of a citizens radio license to an alien can benefit not only the alien but also the general public because the licensed alien would then be able to summon aid in an emergency situation. In addition, radio is a safety factor as well as a convenience in such activities as hunting, fishing, camping and hiking.

Similar considerations apply to the amateur service. The amateur service is a voluntary noncommercial communication service that fosters technical contributions to the advancement of the radio art and international goodwill and has often proved invaluable during emergencies.

Since 1964 alien amateurs have been permitted under section 310(a) to operate their amateur radio stations in this country under reciprocal agreements. Under this procedure, alien amateurs licensed by countries with whom we have reciprocal licensing agreements, may obtain authority to operate in the United States, usually without the necessity of passing our amateur examination. Our proposal would retain the reciprocal authorization arrangement now provided for in the last paragraph of current section 310(a).

If our proposal to permit licensing aliens in the safety and special and experimental services is adopted, and if we deleted the reciprocal authorization arrangement from section 310, those alien amateurs would be required to take examinations prior to obtaining authority to operate here. Language difficulties and other problems might make the examination an insurmountable barrier to many aliens. Their inability to obtain authorizations here might result in reciprocal action against United States amateurs seeking authority to operate their stations in those foreign countries. Since the exception was enacted to benefit United States amateurs in foreign countries, we believe it is desirable to retain this reciprocal arrangement. In this way an alien amateur could seek authorization here either under the reciprocal authorization provision or as a regular applicant. On the other hand, alien amateurs from countries with whom we do not have a reciprocal agreement would have to apply in the regular manner and would, for the first time, be eligible and not barred by virtue of their alien status.

Our experience in issuing licenses to corporations and to pilots and in issuing authorizations to alien amateurs on a reciprocal basis under 310(a) and our knowledge of the kinds of service for which we are proposing that aliens be eligible indicate that the use of radio in the safety, special and experimental services will not raise security problems. We are unaware of any security problem which has resulted from the alien operations which the Commission has permitted under the existing exceptions to 310(a). The radio facilities authorized in the safety and special services, with the exception of ship, certain coast, amateur and certain aeronautical land stations, are generally limited to relatively short-range communications. In addition, almost all frequencies used by these stations are shared with others and are monitored by other licensees who wait for their turn to use them. There is thus little, if any, secrecy afforded transmissions. It seems doubtful that anyone would attempt to use such shared frequencies to breach the national security or indeed that anyone intent upon such a use would be inhibited by the lack of a license.

Moreover, aliens permitted to enter the United States are screened for security before they are granted visas. Accordingly, our proposal does not include any procedures for security checks on alien applicants. For the same reasons, we propose deletion of the current requirement that this Commission notify appropriate other agencies of the Gov-

ernment of the receipt of an application for an alien amateur authorization and afford them the opportunity of furnishing us with any information bearing on the national security. After seven years of experience operating under these procedures, we have found that they are cumbersome and time-consuming, as well as unnecessary. We believe that the general permission we are proposing will present no problems since, under the public interest mandate of the Communications Act, the Commission would retain the flexibility to deny any license application if the public interest so required.

Most of the safety and special radio services require only a station license and not a separate operator license. However, for several categories of stations, such as ship stations and aircraft stations, the station must be licensed and the operator also must have an operator license. Our purpose in proposing authority to grant station licenses would be substantially thwarted if an alien could obtain a station license but then was barred from obtaining a license to operate it solely because he was an alien. Under our proposal, aliens who are authorized to have radio station licenses would be eligible to have the operator license required to operate the station. Aliens who are not station licensees would not be eligible for operator licenses.

It should be noted that although the proposal revises section 3100(a) in toto, it effects substantive changes only in the respects discussed above and does not affect the prohibition on grants of licenses to aliens in the broadcast or common carrier services. The exceptions which permit licenses in the two unnumbered paragraphs immediately following numbered paragraph (5) in existing section 310(a) no longer need to be stated because they do not fall within the prohibitions in the proposed language and will therefore be permitted.

In sum, the Commission believes that the public interest would be served by adoption of the proposed amendment. We believe further that this can be done consistent with existing Congressional policy in this area and with the needs of national security.

Adopted: April 14, 1971.

S. 2802

A bill to amend the Communications Act of 1934, as amended, to permit the Federal Communications Commission to grant radio station licenses in the safety and special and experimental radio services directly to aliens, representatives of aliens, foreign corporations, or domestic corporations with alien officers, directors, or stockholders; and to permit aliens holding such radio licenses to be licensed as operators

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (1) of section 303 of the Communications Act of 1934, as amended (47 U.S.C. 303(1)), is amended by deleting paragraph (2) and inserting the following:

(2) Notwithstanding paragraph (1) of this subsection, an individual to whom a radio station is licensed under the provisions of this Act may be issued an operator's license to operate that station.

(3) In addition to amateur operator licenses which the Commission may issue to aliens pursuant to paragraph (2) of this subsection, and notwithstanding section 301 of this Act and paragraph (1) of this subsection, the Commission may issue authorizations, under such conditions and terms as it may prescribe, to permit an alien licensed by his government as an amateur radio operator to operate his amateur radio station licensed by his government in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation on a reciprocal basis by United States amateur radio operators. Other provisions of this Act and of the Administrative Procedure Act shall not be applicable to any request or application for or modification, suspension, or cancellation of any such authorization.

SEC. 2. Section 310 of the Communications Act of 1934, as amended (47 U.S.C. 310), is amended by deleting subsection (a), redesignating subsection (b) as subsection (d) and inserting the following new subsections (a), (b), and (c):

(a) The station license required under this Act shall not be granted to or held by any foreign government or the representative thereof.

(b) No broadcast or common carrier radio station license shall be granted to or held by—

(1) any alien or the representative of any alien;

(2) any corporation organized under the laws of any foreign government;

(3) any corporation of which any officer or director is an alien or of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country;

(4) any corporation directly or indirectly controlled by any other corporation of which any officer or more than one-fourth of the directors are aliens, or of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country, if the Commission finds that the public interest will be served by the refusal or revocation of such license.

(c) In addition to amateur station licenses which the Commission may issue to aliens pursuant to this Act, the Commission may issue authorizations, under such conditions and terms as it may prescribe, to permit an alien licensed by his government as an amateur radio operator to operate his amateur radio station licensed by his government in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation on a reciprocal basis by United States amateur radio operators. Other provisions of this Act and of the Administrative Procedure Act shall not be applicable to any request or application for or modification, suspension, or cancellation of any such authorization.

By Mr. McGOVERN:

S. 2803. A bill to provide that members of the Armed Forces of the United States may vote in Federal elections held in the State in which they are stationed. Referred to the Committee on Rules and Administration.

THE ARMED FORCES FEDERAL VOTING RIGHTS ACT

Mr. McGOVERN. Mr. President, the separation of the civilian and the military, with ultimate civilian control, remains appropriate and necessary. But this approach and the supposed requirements of the military have operated to prevent individual members of the Armed Forces from expression of political points of view which differ from those of the administration in office. In addition, requirements for registration and voting in many States effectively prevent members of the Armed Forces even from participating in elections. Thus, in effect, we are penalizing those who serve in the Armed Forces by excluding them from the political and civic life of the country.

No constraints should be placed on the expression of political views by members of the armed services, provided that they do not engage in political activities while in uniform and that they do not use facilities intended for the military purposes for their own purposes. All constitutional guarantees must extend to all members of the Armed Forces at all times. In particular, we have seen specific cases where officers have been prevented from expressing their own political views, where soldiers have been prevented from circulating or editing antiwar newspapers and where servicemen and women have been prevented from enjoying certain shows on post theater facilities. All of these practices must be opposed.

Appropriate directives should be issued by the Commander in Chief to permit all forms of political expression by members of the Armed Forces acting as private citizens.

An Armed Forces Voting Rights Act should be adopted which would permit servicemen and women to participate in all Federal elections. Members of the Armed Forces, when stationed in the United States, should be permitted to vote in Federal elections in the State and district of their place of service. Once the electoral college is replaced by direct election of the President and Vice President, service men and women stationed abroad should be permitted to participate in elections for these offices.

Mr. President, I introduce a bill and 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. 2803

A bill to provide that members of the Armed Forces of the United States may vote in Federal elections held in the State in which they are stationed

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Armed Forces Federal Voting Rights Act".

DEFINITIONS

SEC. 2. As used in this Act, the term—

(1) "State" means each of the United States and the District of Columbia;

(2) "Federal officer" means the President, Vice President, Senator, Representative, or Delegate;

(3) "district" means a district from which a Representative may be elected;

(4) "otherwise qualified" means qualified to register to vote or to vote under State and Federal law except for military status and any determination of residency based upon military status; and

(5) "general election" does not include a primary election or a special election held to fill the unexpired term of a Senator, Representative, or Delegate unless such special election is held at the same time as the general election regularly held for the selection of such officers.

VOTING AT DUTY STATION

SEC. 3. No individual who is performing active service as a member of the Armed Forces of the United States, who is stationed within the United States, and who is otherwise qualified to vote for Federal officers in the State in which he is stationed, shall be denied the right to register to vote or to vote for Federal officers in that State or in the district in which he is stationed.

PENALTIES

SEC. 4. (a) No individual who votes in a general election for a Federal officer in the State in which he is stationed as a member of the Armed Forces of the United States shall vote in any general election for a Federal officer during the same calendar year in any other State. Violation of the provisions of this subsection is punishable by a fine not to exceed $5,000, imprisonment for not to exceed 5 years, or both.

(b) Whenever the Attorney General has reason to believe that a State or political subdivision is denying or attempting to deny to any person the right to vote in any election in violation of this Act, he may institute for the United States, or in the name of the United States, an action in a district court of the United States, in accordance with sections 1391 through 1393 of title 28, United States Code, for a restraining order, a preliminary or permanent injunction, or such other order as he deems appropriate. An action under this section shall be heard and determined by a court of three judges in accordance with the provisions of section 2282 of title 28 of the United States Code and any appeal shall be to the Supreme Court.

(c) Any person who deprives, or attempts to deprive, any other person of any right secured by section 3 of this Act shall be fined not more than $5,000, or imprisoned not more than five years, or both.

By Mr. McGOVERN:

S. 2804. A bill to provide additional support prices for dairy farmers. Referred to the Committee on Agriculture and Forestry.

Mr. McGOVERN. Mr. President, I introduce, for appropriate reference, a bill to amend the Agricultural Act of 1949, as amended. If enacted, it would provide authority for the Secretary of Agriculture to use payments to dairy processing plants as an additional method of supporting prices to dairy farmers, while holding prices to consumers at reasonable levels.

Under existing law, the price of milk to farmers is supported between 75 and 90 percent of parity. This is accomplished by establishing prices of dairy products—such as butter, nonfat dry milk, and cheese—at which the Commodity Credit Corporation will purchase such products. The purchase prices must be at levels necessary to enable manufacturers to pay prices to farmers for milk comparable to the level of price support announced each year by the Secretary of Agriculture.

Under the existing procedure, the Secretary can only improve prices to dairy farmers by increasing the prices at which Commodity Credit Corporation is willing to purchase dairy products.

Enactment of the proposed legislation would provide authority for CCC to make payments to processors of milk or the products of milk. The payment would amount to the difference between the prices of dairy products necessary to assure the support level to dairy farmers, and lower market prices deemed necessary to encourage additional consumer purchases. Payment of the difference to plants would enable them to pay the announced support level of prices to farmers for milk even though the plants would receive lower prices for dairy products marketed.

Under a provision of Public Law 91–254 enacted in 1970, the Secretary of Agriculture is not required to support the price of butterfat as he was in former years.

This change allowed CCC to establish prices for butter and nonfat dry milk at discretionary levels, so long as the prices of the two products in combination provide enough money to plants so that they can pay the Secretary's level of price support to dairy farmers. Butter and nonfat dry milk are produced from the same milk. When the Secretary of Agriculture increased the level of price support to farmers to $4.93 per hundredweight for the marketing year beginning April 1, 1971, he exercised his discretion and reduced the wholesale price of butter 2 cents per pound and increased the price of nonfat dry milk 4.5 cents per pound. The increase in the price of nonfat dry milk served as an offset to the lower butter price and also enabled plants to pay the higher support price to farmers.

This adjustment in the price of butter improved the competitive position of butterfat in all uses, and sales of milk solids-not-fat have been maintained in a satisfactory manner. Nevertheless, nonfat milk solids compete for its market much the same as butterfat, and there is a practical limit as to how much its price can be increased without affecting the market.

Under my bill, the Secretary of Agriculture would consider the competitive position of both butterfat and milk solids-not-fat; and could make payments to dairy processing plants as a means of supporting prices to farmers at necessary commercial market purchases.

My amendment is a practical method of maintaining proper price support levels to farmers; and, in effect, is a subsidy to consumers.

The new authorization for payments could be used as an additional, or supplemental, method of supporting farm prices.

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

S. 2805. A bill to permit suits to adjudicate disputed titles to lands in which the United States claims an interest. Referred to the Committee on Interior and Insular Affairs.

Mr. JACKSON. Mr. President, on behalf of myself and the Senator from Colorado (Mr. ALLOTT), I send to the desk, by request, for appropriate reference a bill to permit suits to adjudicate disputed titles to lands in which the United States claims an interest.

Mr. President, this draft legislation was submitted and recommended by the Department of Justice and I ask unanimous consent that the executive communication accompanying the proposal from the Attorney General be printed in the RECORD at this point in my remarks.

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

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., October 6, 1971.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: Enclosed for your consideration and appropriate reference is a legislative proposal, "To permit suits to adjudicate disputed titles to lands in which the United States claims an interest."

The bill would allow the United States to be made a party to an action in the Federal district courts to quiet title to lands in which the United States claims an interest.

Suits to quiet title or to remove a cloud on title originated in the equity court of England. They were in the nature of bills *quia timet*, which allowed the plaintiff to institute suit when an action would not lie in a court of law. For instance, a plaintiff whose title to land was continually being subjected to litigation in the law courts could bring a suit to quiet title in a court of equity in order to obtain an adjudication on title and relief against further suits. Similarly, one who feared that an outstanding deed or other interest might cause a claim to be presented in the future could maintain a suit to remove a cloud on title. The plaintiff in such suits was required to be in possession, and the usual grounds of equitable jurisdiction (an imminent threat and an inadequate remedy at law) had to be present.

The doctrine of sovereign immunity presently prevents comparable suits from being brought against the United States. Title 28, United States Code, section 2410, allows suits to be maintained when the Government's claim is in the nature of a security interest only. Provision for suits to partition property in which the United States is a joint tenant or a tenant in common is made in 28 U.S.C. sec. 1347. And the Tucker Act, 28 U.S.C. sec. 1346(a)(2), grants the consent of the United States to be sued where the plaintiff alleges that his property has been taken in violation of the Constitution; the plaintiff's remedy, however, is just compensation for the taking, not an injunction prohibiting trespass by the United States. These statutes provide for several of the cases where a suit to quiet title would be the appropriate procedure under State law, but it is clear that many situations exist where questions of title to real property cannot be determined at the present time unless the United States itself brings suit.

Perhaps the most common application of the proposed statute would be in boundary disputes between the United States and owners of adjacent property. The quieting of title where the plaintiff claims an estate less than a fee simple—an easement or the title to minerals—is likewise included in the terms of the proposed statute.

The main objection in the past to waiving sovereign immunity in this area has been that it would make possible decrees ousting the United States from possession and thus interfering with operations of the Government which have been authorized by the Congress. Our draft bill would eliminate cause for such apprehension. The proviso in subsection (b) of proposed section 2409a would apply where the United States is in possession and the court finds that it is occupying the property without title. If the United States wished to retain possession it would be required to so elect and to pay compensation as determined by the court to the true owner. If the United States were in possession under a lease, and the title of the Government's lessor were adjudicated to be invalid, the United States could elect to continue its lease with the true owner. If the United States were adjudged to be occupying without title, it is only fair to require it to choose between acquiring the right to possession and ceasing to occupy. The procedure so provided preserves the Tucker Act method for acquisition of property by the Government, as it preserves the concomitant right of the former owner to receive just compensation. A difference from the remedy provided by 28 U.S.C. 1346(a)(2), however, is that the district courts would have jurisdiction without regard to any juris-

dictional amount. Where the subject matter of the litigation is real property, it appears equitable that suit be authorized in a court near the situs of the property.

One approach to a statute waiving immunity in this area would have been to adopt state law in its entirety, thereby placing the United States on the same footing as any private litigant. However, the wide differences in State statutory and decisional law on this subject make this an impractical alternative. Along with the merger of law and equity, many States have enacted legislation to abolish some of the traditional prerequisites for the institution of suits to quiet title. The requirement of possession has occasionally been dropped (see Cal. CCP sec. 738; Neb. R.R.S. 1943 § 25–21, 112; and Code Va. § 55–153), and the statutory procedure in some States appears virtually to supersede the common law (see Vernon's Ann. Civ. St. Art. 7364, *et seq.*, and 47 Tex. Jur. 2d Quieting Title § 1). Several States allow the plaintiff to obtain a judicial determination of rights acquired by adverse possession in this type of suit, and there is an immense variation with respect to the period of limitation on bringing suits. It is our belief that uniformity at least as to the plaintiff's qualifications for instituting suit is desirable, and the draft bill sets forth such qualifications. Possession in the plaintiff is not required. The State law of real property would of course apply to decide all questions not covered by Federal law.

The remedy provided in the draft bill does not apply to civil actions for partition of lands, or to foreclose a mortgage, deed of trust or other security interest, or to cancel, remove or discharge a lien of any kind, or involving or relating to water rights. These actions are provided for in other provisions of the Code. See secs. 1346(e), 1347, 1491, 2409 and 2410 of title 28; secs. 7424–6 of title 26, and sec. 666 of title 43. Nor does the remedy of the draft bill apply to property of the Postal Service for which express provisions already exist under title 39 of the Code. In addition, trust and restricted Indian lands are specifically protected from challenge under the draft bill.

Since we believe it is the better policy to litigate questions of the Government's title in the Federal courts, the draft bill provides for exclusive jurisdiction of suits under the statute in the United States District Courts. Also, since pre-existing claims can be settled as heretofore, under the Tucker Act or by special act of Congress, and because we wish to ensure that the workload of the Department and the courts under this legislation can develop a a rate which can be absorbed, we have made the draft bill prospective in operation.

The early introduction and prompt consideration of this legislation is requested.

The Office of Management and Budget has advised enactment of this proposed legislation would be in accord with the Program of the President.

Sincerely,

ATTORNEY GENERAL.

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

S. 2806. A bill to authorize appropriations for additional costs of land acquisition for the National Park System. Referred to the Committee on Interior and Insular Affairs.

Mr. JACKSON. Mr. President, on behalf of myself and the Senator from Colorado (Mr. ALLOTT), I send to the desk by request for appropriate reference a bill to authorize appropriations for additional costs of land acquisition for the National Park System.

Mr. President, this draft legislation was submitted and recommended by the Department of the Interior, and I ask unanimous consent that the executive communication accompanying the proposal from the Secretary of the Interior be printed in the RECORD at this point in my remarks.

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

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., Otober 20, 1971.

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

DEAR MR. PRESIDENT: We enclose herewith a draft bill "To authorize appropriations for additional costs of land acquisition for the National Park System."

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

The mandatory provisions of titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91–646; 84 Stat. 1894) impose substantial additional costs and expenses on the National Park Service in connection with its land acquisition program. These additional amounts, for moving expenses and other relocation benefits, together with the increased administrative expenses incurred in connection with providing these benefits, are chargeable against the existing statutory ceilings on amounts authorized to be appropriated for land acquisition which were considered and imposed by the Congress prior to January 2, 1971, the effective date of the Act. Of course, land acquisition estimates presented to the Congress prior to that time did not include costs attributable to the benefits provided for in the later enactment.

It is anticipated that the increased costs, including administration costs, due to these benefits will be an amount approximately 12 percent to 15 percent above the present authorization ceilings. Clearly, then, unless appropriations are authorized to supply these additional amounts, the land acquisition program for the National Park System could not be completed within the ceilings imposed. In each instance, as funds would be exhausted or nearly exhausted, individual amendatory legislation would be required and serious delays in acquisition could be experienced pending congressional action. Of course, new legislation authorizing additional land acquisition which will be considered by the 92d Congress can have the authorizations reflect the increased costs.

Accordingly, the draft bill enclosed herewith authorizes additional appropriations for land acquisition for areas of the National Park System, in the amount of the actual costs and expenses payable or incurred by reason of the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The bill specifically makes these increases applicable only to those authorizations approved prior to January 9, 1971, in which a congressionally imposed land acquisition ceiling does not include estimated amounts, or other provisions, for moving costs and other relocation benefits, and the directly related administrative expenses arising from payment of such benefits. We recommend an increased ceiling for projects approved prior to January 9, as opposed to the earlier effective date of P.L. 91–646 (January 2), because three new proposals, submitted prior to enactment of P.L. 91–646 without provision for relocation costs, were not finally approved until January 8. These are Gulf Islands National Seashore (P.L. 91–660), Voyageurs National Park (P.L. 91–661), and Cheasapeake and Ohio Canal National Historical Park (P.L. 91–664).

Acquisition cost estimates submitted to the Congress have in the past included our administrative expenses as a part of the total. However, the benefits now to be provided will increase these costs. For example, we may be required to render assistance to a displaced homeowner by helping him locate or construct a suitable replacement dwelling, obtain financing, and so on. It is apparent, therefore, that these added administrative expenses, if not recouped, could seriously deplete available funds. All future proposals will include an estimate of costs attributable to requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act.

We strongly urge the favorable consideration of this bill in order to permit the continuation of the land acquisition program for the National Park System.

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

Sincerely yours,

NATHANIEL REED,
Assistant Secretary of the Interior.

By Mr. THURMOND (by request):

S. 2807. A bill to amend title 38 of the United States Code to require that certain veterans receiving hospital care from the Veterans' Administration for non-service-connected disabilities be charged for such care to the extent that they have health insurance or similar contracts with respect to such care; to prohibit the future exclusion of such coverage from insurance policies or contracts; and for other purposes. Referred to the Committee on Veterans' Affairs.

Mr. THURMOND. Mr. President, I am today introducing legislation which provides that certain veterans receiving hospital care from the Veterans' Administration would be charged for such care to the extent that they have health insurance coverage. This would prohibit the future exclusion of such coverage from insurance policies or contracts.

The Veterans' Administration is in need of funds to operate its hospitals. Because health insurance companies refuse to pay on policies held by VA patients, the VA loses about $80 million a year. This money is sorely needed and we should no longer allow health insurance companies a "free ride" in this area.

These veterans are paying for this coverage by their premium expenses. Insurance companies should not be allowed to refuse payment to veterans just because the Veterans' Administration has undertaken treatment. This legislation would save this urgently required money for use within the VA hospital system.

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. 2807

A bill to amend title 38 of the United States Code to require that certain veterans receiving hospital care from the Veterans' Administration for non-service-connected disabilities be charged for such care to the extent that they have health insurance or similar contracts with respect to such care; to prohibit the future exclusion of such cov-

erage from insurance policies or contracts; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 610 of title 38, United States Code is amended by adding at the end thereof a new subsection (d):

"(d) A veteran furnished hospital care pursuant to subsection (a)(1)(B) and (a)(4) of this section who is entitled to care or reimbursement for the expenses of such care under an insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or similar arrangement for the purpose of providing, paying for, or reimbursing expenses for health services shall be charged for such care to the extent of such entitlement, and no such contract or arrangement entered into, renewed, changed, or amended, after the effective date of this subsection shall exclude from coverage the charges for hospital care furnished pursuant to subsection (a)(1)(B) and (a)(4) of this section and section 611(b) of this title if such care would be covered when furnished by other public or private facilities. Where such contract or arrangement provides for payment of less than the total charge for care and the insured veteran is entitled to care without charge under this chapter, the veteran shall be deemed to have paid that part of the charge not payable by the contract or arrangement."

By Mr. HARRIS:

S. 2808. A bill to provide for a reduction in the tax rates in the first two brackets, to reduce individual income taxes, and for other purposes. Referred to the Committee on Finance.

THE INDIVIDUAL INCOME TAX RELIEF ACT OF 1971

Mr. HARRIS. Mr. President, today I introduce for proper referral the Individual Income Tax Relief Act of 1971. This bill is a much-needed alternative to the administration's give-away tax bill for the corporations. The so-called Revenue Act of 1971 (H.R. 10947) is now being considered by the Senate Finance Committee, of which I am a member. It is clear to me that the committee will report out a bill that, while changed and possibly improved somewhat, will still be a windfall for the corporations. Instead of helping the consumer, H.R. 10947 provides approximately $75 billion in tax relief for big business over the next 10 years. In fiscal year 1972, the corporations will get $5.4 billion, while the consumer will at best get $3.2 billion. The original administration proposal created an even greater disparity. This relief to the individual was not given in new relief, but merely consists of a speeding up of the increased exemptions, standard deduction, and low-income allowance already authorized by the Congress.

The bill I introduce today gives emphasis on new tax relief by reducing the tax rates in the first two brackets. This bill will benefit all persons, but will give a significantly greater percentage tax reduction to those persons earning less than $10,000 a year. Additionally, the bill incorporates those provisions in H.R. 10947 which speed up the already authorized increases in the personal exemptions and the minimum standard deduction. This bill will give $6.3 billion directly to the consumer.

The Revenue Act of 1971 has been put forth in the name of the economy. We have been told that we need an investment tax credit to stimulate the economy. What the administration does not mention is that at this very hour 27 to 28 percent of plant capacity is now idle. Industry can find no use for over one-fourth of its industrial capacity. Thousands of plants are closing or are on short shifts because there is no consumer demand for their goods. Under those circumstances, it is only good economics to give a stimulus to the consumer—get him to increase his spending and thereby turn the wheels of industry faster.

The Revenue Act of 1971 is grossly unfair and one sided. It gives the rich more and will result in the working people getting less. Instead of using the $75 billion being given to the corporations for the necessary social programs so lacking in our country, the President postpones comprehensive welfare reform. While professing that his program will stimulate jobs, the President slashes Federal employment by 100,000 jobs. The President's concerns are clearly directed at big business. His idea of prosperity is when the big corporations are making bigger profits each year and when Government spending reaches a minimum. Mr. President, there can be no prosperity in this country when children and mothers are hungry and when fathers can find no work to support their families.

Instead of pouring money into the corporations—whose profits are increasing at a healthy rate, we need to put substantial funding into those social programs which increase the quality of life for the low- and middle-income individuals. That is a stimulus that will pay off in both economic and moral dividends. Instead of giving a huge windfall to the corporations, we should enact my proposal to stimulate the consumer by reducing the tax rates in the first two brackets. Instead of holding up a comprehensive welfare reform program, the administration should focus on implementation of an adequate program as a direct stimulus to the consumer.

Last week I introduced a welfare reform bill which would assure an adequate income for all of the people in this great land.

I hope my Senate colleagues will join in opposition to the administration's tax giveaway proposals and will work for a sound and fair tax proposal to help those low- and middle-income individuals who form the great majority of our citizens.

I ask unanimous consent that a table relating to the proposed legislation be printed in the RECORD.

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

TAX REDUCTIONS UNDER HOUSE BILL (H.R. 10947) AND HOUSE BILL PLUS SENATOR HARRIS' PROPOSED RATE REDUCTION,[1] COMPARED TO 1973 PRESENT LAW FOR SELECTED TAXPAYERS (ASSUMES NONBUSINESS DEDUCTIONS EQUAL TO 18 PERCENT OF INCOME)

Adjusted gross income (wage income)	Present law tax	House bill			Senator Harris' proposal		
		Tax	Tax decrease from present law		Tax	Tax decrease from present law	
			Amount	Percent		Amount	Percent
Single person:							
$3,000	$185	$138	$47	25.4	$104	$81	43.8
$5,000	548	491	57	10.4	456	92	16.8
$6,000	726	681	45	6.2	646	80	11.0
$7,500	984	984	0		949	35	3.6
$8,000	1,070	1,070	0		1,035	35	3.3
$9,000	1,261	1,261	0		1,226	35	2.8
$10,000	1,458	1,458	0		1,423	35	2.4
$12,500	1,965	1,965	0		1,930	35	1.8
$15,000	2,509	2,509	0		2,474	35	1.4
$17,500	3,094	3,094	0		3,059	35	1.1
$20,000	3,722	3,722	0		3,687	35	.9
$25,000	5,140	5,140	0		5,105	35	.7
Married couple with no dependents:							
$3,000	70	28	42	60.0	18	52	74.3
$5,000	370	322	48	13.0	252	118	31.9
$6,000	521	484	37	7.1	414	107	20.5
$7,500	744	744	0		674	70	9.4
$8,000	821	821	0		751	70	8.5
$9,000	977	977	0		907	70	7.2
$10,000	1,133	1,133	0		1,063	70	6.2
$12,500	1,545	1,545	0		1,475	70	4.5
$15,000	1,996	1,996	0		1,926	70	3.5
$17,500	2,473	2,473	0		2,403	70	2.8
$20,000	2,985	2,985	0		2,915	70	2.3
$25,000	4,100	4,100	0		4,030	70	1.7

TAX REDUCTIONS UNDER HOUSE BILL (H.R. 10947) AND HOUSE BILL PLUS SENATOR HARRIS' PROPOSED RATE REDUCTION,[1] COMPARED TO 1973 PRESENT LAW FOR SELECTED TAXPAYERS (ASSUMES NONBUSINESS DEDUCTIONS EQUAL TO 18 PERCENT OF INCOME)—Continued

Adjusted gross income (wage income)	Present law tax	House bill			Senator Harris' proposal		
		Tax	Tax decrease from present law		Tax	Tax decrease from present law	
			Amount	Percent		Amount	Percent
Married couple with 2 dependents:							
$3,000	0	0			0		
$5,000	$140	$98	$42	30.0	$63	$77	55.0
$6,000	278	245	33	11.9	181	97	34.9
$7,500	476	476	0		406	70	14.7
$8,000	545	454	0		475	70	12.8
$9,000	692	692	0		622	70	10.1
$10,000	848	848	0		778	70	8.3
$12,500	1,238	1,238	0		1,168	70	5.7
$15,000	1,666	1,666	0		1,596	70	4.2
$17,500	2,117	2,117	0		2,047	70	3.3
$20,000	2,610	2,610	0		2,540	70	2.7
$25,000	3,680	3,680	0		3,610	70	1.9

[1] Reduce 14 percent rate to 9 percent and 15 percent rate to 13 percent.

By Mr. TUNNEY:

S. 2809. A bill to authorize the establishment of regional centers of excellence in drug abuse research and education, and for other purposes. Referred to the Committee on Labor and Public Welfare.

THE DRUG ABUSE RESEARCH AND EDUCATION ACT OF 1971

Mr. TUNNEY. Mr. President, we are all too familiar with the toll that drug abuse has exacted. Among our young people, among our soldiers, among our urban poor, it has reached the point of a national scandal. But the scandal derives not from the fact that heroin addiction has become a problem of epidemic proportions; the scandal is that it has taken us as a nation so long to move into action.

We are, however, finally beginning to assemble the resources to combat this problem. In the past few months, efforts here in the Congress, most notably through the efforts of our distinguished colleague from Iowa (Mr. HUGHES) as well as Senators MUSKIE, RIBICOFF, JAVITS, and DOMINICK, are beginning to show promise of fruition.

I am encouraged by the fact that we are now moving toward a consensus for action against drugs.

I am concerned, however, about what will happen once the political heat cools. I am concerned lest we enact some magnificent structure and then go away thinking the crisis has ended. I am concerned that 1 or 2 or 3 years from now drugs will remain a terrible threat to our young people despite the best efforts of the entire structure we may create.

Emergency legislation to create a special office in the White House and to force coordination of Federal efforts against drug abuse is clearly appropriate. But no matter how skillfully that legislation is drafted, and no matter how competent are those who implement it, the fact remains that they must operate with only the talent and the knowledge that we now have about drugs. And to put it bluntly, there is a tremendous shortage of talent and research to call upon.

The legislation being considered in Senate committees at this time could, with sufficient resources, make substantial headway against drug abuse by hardheaded pragmatic application of existing knowledge. But there is little provision for long-term growth and development of talent and knowledge.

Mr. President, I think it is important that we realize that the problems of drug abuse may in fact continue to grow more complicated, because of the explosive increase in drug technology. Drug companies are continuing to develop more and more ingredients and combinations of drugs which may be two-edged swords. On the one hand they may offer the promise of treatment or cure for tragic diseases. On the other hand, they may present abuse potentials of kinds as yet unknown.

I say this not from any fear of technology or the expansion of research, but from a deep concern that we plan for and anticipate the needs of the future. If, after all of the public outcry against drugs, we come forward with nothing more than a 3-year crash program to get drug abuse out of the headlines, we will have failed our own children and generations yet to come.

It is for this reason that I am introducing today legislation to provide a continuing resource against drug abuse.

It will create two basic powerful mechanisms to provide a continuing and expanding fund of knowledge and talent in drug abuse and drug dependence. The bill provides for the establishment of, first, regional centers—up to a maximum of six—for research and education in drug abuse; and second, 5-year renewable awards to individual experts for increased research and education in drug abuse and drug dependence.

I. REGIONAL CENTERS OF EXCELLENCE

This bill provides for the establishment of a maximum of six regional centers of excellence in drug abuse research and education. Each center would conduct a multidisciplinary program in drug abuse and drug dependence including research, education of drug abuse personnel at all levels, model treatment projects, experimental therapeutics, continuing education for professionals in drug abuse fields and public education. The centers would be located at universities or other public or nonprofit institutions and would be selected by the Secretary of Health, Education, and Welfare through the National Institute of Mental Health.

In order to assure that these centers would be of maximum assistance to States and local communities, the bill requires that they be distributed geographically to the broadest extent feasible. Procedures for selection of the centers would be established by an appropriate advisory committee within the National Institute of Mental Health.

Mr. President, it is my belief that these regional centers would be a major resource both now and in the future in a continuing Federal commitment against drug abuse. The importance of these centers would be derived from two primary characteristics—the fact that they would be multidisciplinary and that they would be regional in nature. Both of these characteristics, I believe, are essential to any meaningful effort against drug abuse.

MULTIDISCIPLINARY CHARACTER

One of the very real problems which must be faced by any lasting commitment to deal with drug abuse is the fact that it does not fit conveniently in any one area of study or experience. Biological, medical, psychological, social and legal factors, as well as many others, are all intimately tied together. Unless we understand the nature of these interrelationships and begin to deal with drug abuse on the basis of a coherent pattern of knowledge, we can hardly expect anything other than fragmented efforts.

Regional centers established under this bill would be designed specifically to bring together all of the knowledge and experience available in all of these fields and to build upon it. These centers would be responsible for assembling a broad range of experts from a number of individual disciplines such as medicine, psychiatry, psychology, law, and pharmacology.

The mandate to such individuals would be the development of their own fields of expertise and the communication of their knowledge and research to others through education programs generally and through availability for specific consultation. In other words, these centers would be designed to provide not only increased and coordinated research, but also the organization and communication of knowledge from that research through specific education programs. Thus, for example, such centers would provide training programs for drug abuse personnel, develop new methods of treat-

ment and demonstrate how proven treatment methods might be adopted to local needs.

REGIONAL DISTRIBUTION

In order to maximize the practical benefits of these centers, the bill provides that they be located on a regional basis. In this way, they would serve as an important resource to State and local communities. This, I believe, is a fundamental necessity. No matter how capable a program we establish at the national level, the fact remains that the problems of drug abuse are dealt with at a local level. And if we restrict aid to local communities to grant programs alone, we will have neglected a most important part of the problem, for a large measure of the failure of many of the most ambitious Federal programs has been the gap between Washington, D.C., and the local community.

Much the same problem is involved here. If there is one thing I have learned here in the Senate, it is that San Diego, and Los Angeles, and San Francisco and all of the other cities in California are a continent away from resources available here in Wshington. Proposals for national research centers or national institutes or any other national effort against drug abuse, laudable though they may be, simply cannot provide direct and continuing communication and expertise of the kind needed to combat drug abuse throughout the country.

Few communities can afford to make use of research and training facilities here in Washington on anything other than a limited basis. How many communities could expect to send more than one or two persons back to Washington for training or consultation. Unless research and training efforts are available in a much more immediate and accessible fashion, much of their value is dissipated.

It is essential to any proposal for nationwide action that we include mechanisms to make it effective in local communities. Regional centers such as those envisioned by this bill could offer substantial education and training programs for State and local officials, professional staff and treatment personnel, school personnel and any other persons who must deal with drug abuse. At the same time the methods developed at such centers could be communicated to and implemented by local agencies on a continuing basis.

FUNDING

One of the major handicaps which projects funded under Federal programs have operated under in the past is the continuing uncertainly over funding from one year to the next. Planning from one year to the next almost invariably depends upon an educated guess about availability of funding. As a result, few programs are able to reap the benefits of a long-range coordinated effort. In fact, even the availability of high-quality personnel may be limited because no assurance can be given that when the political heat is off the money will still be available.

In order to deal with this problem in a constructive way, the bill provides a new method of funding. Grants and contracts for regional centers are authorized to be made on a 5-year renewable basis, subject to annual review and negotiation. In other words, the center is assured of funds for at least 5 years, and for renewal periods thereafter, subject only to normal reviews of progress and renegotiation where necessary during the period of any grant.

Authorized expenditures include staffing and operation, program evaluation and construction. Grants and contracts for staffing and operation may include funds for professional and staff salaries, leasing and other rental expenses related to physical facilities, supplies, and equipment, stipends for trainees and fellows, travel, consultation, data processing, and institutional administrative costs, and shall not require in-kind or cash contribution by the grantee. Payments under such grants and contracts may not exceed $1 million per year to any regional center during the first 3 years of such grant or contract.

Grants and contracts for construction may include, first, construction of new buildings and the expansion, remodeling and alteration of existing buildings including architect fees, but not including the cost of acquisition of land or offsite improvements; and second, equipping new buildings and existing buildings whether or not expanded, remodeled, or altered. Construction grants may not exceed $7 million for any one regional center.

Five percent of funds appropriated for the program are reserved for program evaluation costs. Such funds would be available for periodic evaluations of the administration of the program and the operation of individual regional centers.

In order to assure that development of the regional centers is done in a manner that is both sound and efficient, the Secretary is authorized to begin by making grants and contracts for the development of realistic plans for such centers. No restrictions are placed upon such planning grants, but it is the clear intent of the bill that such grants be limited to direct planning. In other words, lengthy multiple feasibility studies dissipating funds available for staffing or construction are not intended.

Total authorizations begin at $7 million per year in fiscal 1973 for staffing and operation of six regional centers, with modest increases to $8 million by fiscal year 1977. Construction funds would be authorized at $21 million per year in fiscal 1973 and 1974.

II. CAREER AWARDS IN DRUG ABUSE RESEARCH AND EDUCATION

The second major part of the bill would establish a program of individual experts in fields related to drug abuse. Awards under this program would be designed to provide to individuals of proven ability or great promise the opportunity to make a major commitment of their time and effort in research and education related to drug abuse.

The career awards program is modeled after a very successful program of similar awards in the field of mental health. It is founded upon the idea that capable and dedicated individuals, given even a modest amount of support, can make a major contribution to research and education in a specific field if they are assured of some continuity in that support. Under this program an individual who has manifested superior caliber or great promise in education and research in one or more academic fields relevant to drug abuse could apply for a career award. These awards would consist of $50,000 per year for a minimum term of 5 years and would be renewable.

Recipients of awards under the bill must be associated with a supporting institution which is approved by the Secretary of Health, Education, and Welfare under procedures established in the bill. Those procedures must include a finding that the supporting institution has in existence, or will establish a program of research and education in drug dependence and abuse, appropriate to support the work of the award recipient. It must also make satisfactory assurances that it will make reasonable continuing efforts to encourage and assist the award recipient in the development of his individual expertise and to promote further development of his field.

Payments to the individual grantee by way of salary would be limited to the current maximum under similar programs within the National Institutes of Health—presently $35,000. The award may include payments for salaries and stipends, research support, administrative costs, travel, and data processing.

All of these provisions are designed to maximize the dividend from a very modest investment of Federal money. The annual appropriations authorized for this program would be $2.5 million per year beginning in fiscal 1973 and increasing to $3 million by 1977. I can think of no more worthwhile investment of a relatively small amount of Federal money such as proposed here. The return on this investment could truly be incalculable.

The theory of these awards is that one capable and dedicated person can serve as the nucleus around which a much larger effort can be built.

A key provision, however, is the mechanism for funding. The bill is designed to encourage persons of great caliber to devote a major part of their lives to the development of knowledge in a specific area of great benefit to the public. If it is to accomplish that purpose, then the program upon which those persons are asked to rely must give some evidence of permanence. Thus, the award would be made on a 5-year basis, with renewal available, and is designed to enable a person to make a decision to pursue a public career in efforts against drug abuse.

CONCLUSION

Mr. President, both of these proposals in the bill are the result of extensive discussions with medical and professional persons who deal with drug abuse on a daily basis in cities and towns throughout the country. I can say without hesitation that there is a widespread belief that mechanisms such as those proposed in this legislation are absolutely essential if we are to make lasting progress against drugs.

I also believe that both of them can be easily combined with the legislation currently in committee here in the Sen-

ate dealing with the proposed Special Action Office in the White House and a National Institute for Drug Abuse and Drug Dependence. Addition of the proposals contained in this bill would conflict in no way with the developing consensus on those other bills. In fact, the regional centers and the career awards contained in my bill would serve to increase the effectiveness of such legislation.

I, therefore, intend to urge the inclusion of these provisions in the omnibus legislation in committee or on the Senate floor. I believe they offer a truly important addition to our efforts against drug abuse in a way that will raise no political complications. These proposals present no prospect of large bureaucracies or interagency conflicts. They could be administered by any agency in the executive branch, including a White House office, a new national institute or, as I have proposed here, by the National Institute of Mental Health. The important thing is that they be established in a way that will assure continued and expanded excellence in research and education efforts. Such efforts are the purpose and the promise of this bill. They are also essential, I believe, for the future of our necessary war against drug abuse.

Mr. President, I ask unanimous consent that the text of S. 2809, and a section-by-section analysis which I have prepared, be printed in the RECORD at this point.

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

S. 2809

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Drug Abuse Research and Education Act of 1971".

TITLE I—GENERAL PROVISIONS

FINDINGS AND DECLARATION OF PURPOSE

SEC. 101. (a) The Congress hereby finds that—

(1) that drug abuse and drug dependence are rapidly increasing in the United States and now afflicts not only inner city residents, but all urban, suburban, and rural areas of this Nation as well;

(2) That drug abuse and drug dependence contribute to crime and can seriously impair health;

(3) that the adverse impact of drug abuse and drug dependence inflicts pain and hardship on individuals, families, and communities;

(4) that efforts to combat and prevent drug abuse and drug dependence must be concentrated particularly in increased education and training in such fields;

(5) that successful efforts against drug abuse require a national commitment to a continuing program of such research, education and training in addition to efforts in law enforcement;

(6) that research, education and training must be conducted throughout the nation in order to provide all areas of the nation with the best possible assistance in combating drug abuse;

(7) that dedicated research and professional personnel must be encouraged to continue and expand their efforts in fields related to drug abuse and to promote the development of knowledge in such fields.

(b) In order to promote continuing and expanded efforts in research, education and training in all aspects of drug abuse and drug dependence, and to protect the national health and welfare against the threat of drug abuse, it is the purpose of this Act to authorize the establishment of regional centers of excellence in drug abuse research and education and to provide for the creation of career awards for scholars, researchers and scientists in fields related to drug abuse.

DEFINITIONS

SEC. 102. As used in this Act—

(1) "drug abuse" means the use of any controlled substance (as defined in section 102 of the Controlled Substances Act) under circumstances that constitute a violation of law;

(2) "drug dependence" means the use of a controlled substance (as defined in section 102 of the Controlled Substance Act) by a person who is in a state of psychic or physical dependence, or both, arising from administration of that substance on a continuing basis. Drug dependence is characterized by behavioral and other responses which include a strong compulsion to take the substance on a continuous basis in order to experience its psychic effects, or to avoid the discomfort caused by its absence; and

(3) "Secretary" means the Secretary of Health, Education, and Welfare;

(4) "Eligible institution" means any institution of higher education or other nonprofit research or educational institution which the Secretary determines is qualified to serve the purposes of title III of this Act.

ADMINISTRATION

SEC. 103. In exercising the authority granted by this Act, the Secretary shall act through the National Institute of Mental Health, unless otherwise provided by law.

TITLE II—REGIONAL CENTERS OF EXCELLENCE IN DRUG ABUSE RESEARCH AND EDUCATION

ESTABLISHMENT OF CENTERS

SEC. 201. The Secretary is authorized to make grants to and enter into contracts with universities and other public or nonprofit private institutions for the establishment of, and for the development of proposals and plans for such establishment, up to a maximum of six regional centers for drug abuse research and education.

SELECTION OF REGIONAL CENTERS

SEC. 202. Selection of regional centers under this title shall be determined by an appropriate advisory committee to be established by the Secretary and located within the National Institute of Mental Health, including appropriate review procedures. Such procedures shall include provision for geographical distribution of such regional centers to the broadest extent feasible.

FUNCTIONS

SEC. 203. (a) Regional centers established pursuant to this title shall carry out a multidisciplinary program in drug abuse and drug dependence, including research, education of personnel, experimental therapeutics, model treatment projects, continuing professional education and public education.

(b) For purposes of this section:

(1) "research" shall include—

(a) basic mechanisms of drug action (including alcohol).

(b) biology of the addicting process.

(c) development of blocking agents.

(d) development of substitute chemicals.

(e) identification of biological, psychological and social factors predisposing individual to alcohol or drug dependence or influencing the course of such dependence.

(f) general research on other aspects including legal research and development of evaluation systems.

(e) "education" includes—

(a) enhancement of existing professional education regarding alcohol and drug abuse and dependence in fields such as medicine, law, psychiatry, nursing, social work, psychology, pharmacology, and anthropology;

(b) establishment of new educational programs including development of new categories of health and personnel to deal with alcohol and drug dependence and abuse;

(c) development of teaching materials for alcohol and drug abuse related education programs at all levels of education

(3) "model treatment projects" includes projects to carry out research and education and to permit testing of experimental therapeutics and new treatment methods, and the demonstration of existing treatment methods.

FUNDING

SEC. 204. (a) Grants or contracts entered into pursuant to this title shall be made upon a five year renewable basis, subject to annual review and negotiation as provided in Section 205 and shall include funds for staffing and operation of the centers, construction and program evaluation.

(b) Grants and contracts for staffing and operation may include funds for professional and staff salaries, leasing and other rental expenses related to physical facilities, supplies and equipment, stipends for trainees and fellows, travel, consultation, data processing, and institutional administrative costs and shall not require in-kind or cash contribution by the grantee. Grants and contracts pursuant to this section shall be made on a five year basis, provided that payments under such grants and contracts shall not exceed $1 million per year to any regional center during the first three years of such grant or contract.

(c) Grants and contracts for construction may include (1) construction of new buildings and the expansion, remodeling and alteration of existing buildings including architect fees, but not including the cost of acquisition of land or off site improvements, and (2) equiping new buildings and existing buildings whether or not expanded, remodeled, or altered. Construction grants under this title shall not exceed $7 million for any one regional center.

(d) Not less than 5 percent of funds appropriated pursuant to Section 205 shall be reserved for program evaluation costs. Such sum may be expended by the Secretary for the purpose of conducting periodic evaluations of administration of this title and the operation of regional centers pursuant to this title and may be expended in such amounts and under such terms and conditions as the Secretary deems appropriate.

(e) Payment pursuant to grants or contracts may be made in advance or by way of reimbursement and in such installments as the Secretary shall prescribe.

AUTHORIZATION

SEC. 205. (a) For the purposes of Section 204 (b) and (d), there are authorized to be appropriated $7,000,000 for the fiscal year ending June 30, 1973; $7,000,000 for the fiscal year ending June 30, 1974; $7,500,000 for the fiscal year ending June 30, 1975; $8,000,000 for the fiscal year ending June 30, 1976; and $8,000,000 for the fiscal year ending June 30, 1977.

(b) For the purposes of Section 204 (c) of this title, there are authorized to be appropriated $21,000,000 for the fiscal year ending June 30, 1973, and $21,000,000 for the fiscal year ending June 30, 1974.

(c) Such sums shall remain available until expended.

TITLE III—CAREER AWARDS IN DRUG ABUSE RESEARCH AND EDUCATION

NUMBER OF AWARDS

SEC. 301. (a) The Secretary is authorized to make not to exceed 50 career awards in the fields of alcohol and drug abuse research and education to be used for study and research at institutions of higher education or research.

(b) Such awards shall be made for five

calendar years' duration and shall be renewable.

AMOUNT OF AWARD

SEC. 302. Career awards under this title shall consist of a maximum award of $50,000 per year and may include payment for salaries and stipends, research support, administrative costs, travel and data processing, provided that salary payments to the individual awardee shall be limited to a maximum amount established by Institute procedures dealing with similar career awards in other fields.

SELECTION OF RECIPIENTS

SEC. 303. (a) Recipients of career awards established pursuant to this title shall have manifested superior calibre or great promise in study and research in one or more academic fields relevant to alcohol or drug dependence and abuse and must be associated with a supporting institution approved by the Secretary.

(b) The Secretary shall by regulation prescribe uniform procedures for the selection of such recipients, including review of applications for such selection by an appropriate committee to be selected by him.

(c) No award may be made under this title except upon application made to the Secretary containing or accompanied by such information as the Secretary may reasonably require.

APPROVAL OF SUPPORTING INSTITUTIONS

SEC. 304. For purposes of this title, the Secretary shall approve an eligible institution as defined in Section 102 as a supporting institution for purposes of this title upon a finding that—

(1) the institution has in existence, or will establish, a research and education program in drug dependence and abuse appropriate for the support of the work of the award recipient, and

(2) the institution has made satisfactory assurances that it will make reasonable continuing efforts to encourage and assist the award recipient in the development of his individual expertise and to promote further development of his field for the term of the award.

ADMINISTRATION OF AWARDS

SEC. 305. Payment of sums awarded under this title shall be made by the Secretary to the supporting institution, and shall be disbursed by such institutions, in such manner as the Secretary may determine to be consistent with prevailing practices under comparable federally supported programs.

AWARD CONDITIONS

SEC. 306. (a) A recipient of a Career Award under this title shall pursue a program of research and education in drug dependence appropriate to his individual qualifications in, and to promote further development of, the field in which such award was granted. Payments to any award recipient under this title shall continue only during such periods as the Secretary finds that he is devoting essentially full time to education and research in the field in which such award was granted at a supporting institution approved by the Secretary under Section 304 of this title.

(b) The Secretary shall establish appropriate procedures to revoke a Career Award upon a showing of good cause.

ANNUAL REVIEW AND TRANSFER OF CAREER AWARDS

SEC. 307. (a) Career Awards shall be subject to review by the Secretary on an annual basis for the purpose of assuring compliance with the purpose of this Act and the provisions of this title.

(b) The Secretary shall establish appropriate procedures to permit the transfer of a Career Award by an award recipient from a supporting institution to a new supporting institution, where in the judgment of the Secretary such transfer will not conflict with the purposes of this title.

AUTHORIZATION

SEC. 308. For the purposes of carrying out the provisions of this title, there are authorized to be appropriated $2,500,000 for the fiscal year ending June 30, 1973; $2,500,000 for the fiscal year ending June 30, 1974; $2,750,000 for the fiscal year ending June 30, 1975; $2,750,000 for the fiscal year ending June 30, 1976; and 3,000,000 for the fiscal year ending June 30, 1977.

DRUG ABUSE RESEARCH AND EDUCATION ACT OF 1971—SECTION-BY-SECTION ANALYSIS

TITLE I—GENERAL PROVISIONS

Findings and Declaration of Purpose

Section 101.—Findings
Section 102.—Definitions

Administration

Section 103.—This section provides that in exercising the authority granted by this act, the Secretary of Health, Education, and Welfare shall act through the National Institute of Mental Health, unless otherwise provided by law.

TITLE II—REGIONAL CENTERS OF EXCELLENCE IN DRUG ABUSE RESEARCH AND EDUCATION

Establishment of Centers

Section 201.—This section authorizes the Secretary to make grants to and enter into contracts with universities and other public or non-profit private institutions for the establishment of up to a maximum of six regional centers for drug abuse research and education, as well as for the development of proposals and plans for such establishment.

Selection of Regional Centers

Section 202.—This section provides that regional centers shall be selected by an advisory committee established by the Secretary within the National Institute of Mental Health under review procedures which include broadest feasible geographic distribution of the centers.

Functions

Section 203.—This section sets out the broad areas in which the regional centers shall carry out a multidisciplinary program. Included in these programs are research, education, and model treatment projects, all of which are given specific minimum definitions, along with experimental therapeutics, education of personnel, continuing professional education and public education.

Funding

Section 204.—This section provides that grants for the staffing and operation of the centers shall be on a five year renewable basis and authorizes construction grants.

It limits the amount of staffing and operation grants to not more than $1 million per year during the first three years of such grants and provides that there shall be no requirement of in-kind or cash contribution by the grantee. Construction grants are authorized in amounts not to exceed $7 million per center.

The section also provides that a minimum of 5 percent of funds appropriated under this title must be reserved for program evaluation costs.

Authorization

Section 205.—This section authorizes appropriations for staffing, operation, and program evaluation grants of $7,000,000 for fiscal years 1973 and 1974, $7,500,000 for fiscal year 1975, and $8,000,000 for fiscal years 1976 and 1977.

It also authorizes appropriations for construction grants of $21,000,000 for fiscal years 1973 and 1974.

TITLE III—CAREER AWARDS IN DRUG ABUSE RESEARCH AND EDUCATION

Number of Awards

Section 301.—This section authorizes career awards in the fields of alcohol and drug abuse research and education up to a maximum of fifty. Awards are to be used for study and research at institutions of higher education or research, are for five years' duration and are renewable.

Amount of Award

Section 302.—This section set the amount of individual career awards at a maximum of $50,000 per year, with salary payments to the individual awardee subject to a maximum amount established by federal procedures dealing with similar career awards in other fields.

Selection of Recipients

Section 303.—This section provides for selection of recipients through uniform selection procedures established by the Secretary. It provides that award recipients must be individuals of superior calibre or great promise in fields related to drug abuse and must be associated with a supporting institution approved by the Secretary.

Approval of Supporting Institutions

Section 304.—This section provides for approval by the Secretary of supporting institutions on the basis of certain findings.

Administration of Awards

Section 305.—This section provides general administrative provisions for payment of awards.

Award Conditions

Section 306.—This section provides that the award is conditioned upon the recipient devoting essentially full time to education and research in the field in which such award was granted.

The Secretary is also authorized to establish appropriate procedures to revoke a career award upon a showing of good cause.

Annual Review and Transfer of Career Awards

Section 307.—This section provides for annual review of career awards and for transfer of an award to a new supporting institution under specified procedures.

Authorization

Section 308.—This section authorizes appropriations for career awards of $2,500,000 for fiscal years 1973 and 1974, $2,750,000 for fiscal years 1975 and 1976, and $3,000,000 for fiscal year 1977.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 895

Mr. ERVIN. Mr. President, I ask unanimous consent that, at the next printing, the Senators listed below be added as cosponsors of S. 895, a bill I introduced on February 22, 1971, to give vitality and meaning to the speedy trial guarantee of the 6th amendment of our Constitution.

I am pleased to note that the distinguished Senator from Massachusetts (Mr. BROOKE) and the distinguished Senator from Idaho (Mr. CHURCH) joined as cosponsors today. Now, with the distinguished Senator from Rhode Island (Mr. PASTORE) joining as a cosponsor, this will make the 52d.

Now that a clear majority of the Senate cosponsor this bill, I am hopeful that we will soon see Senate passage of this important legislation. The Subcommittee on Constitutional Rights has com-

pleted hearings and I anticipate we will be in a position to report a perfected measure in a short time.

The cosponsors of S. 895 are as follows: BIRCH BAYH, WALLACE F. BENNETT, LLOYD M. BENTSEN, Jr., ALAN BIBLE, EDWARD W. BROOKE, QUENTIN M. BURDICK, HOWARD W. CANNON, CLIFFORD P. CASE, LAWTON CHILES, FRANK CHURCH, ALAN CRANSTON, CARL T. CURTIS, ROBERT DOLE, THOMAS F. EAGLETON, HIRAM L. FONG, DAVID H. GAMBRELL, EDWARD J. GURNEY, PHILIP A. HART, VANCE HARTKE, MARK O. HATFIELD, ERNEST F. HOLLINGS, ROMAN L. HRUSKA, HAROLD E. HUGHES, HUBERT H. HUMPHREY, DANIEL K. INOUYE, HENRY M. JACKSON, JACOB K. JAVITS, EDWARD M. KENNEDY, WARREN G. MAGNUSON, CHARLES McC. MATHIAS, Jr., JOHN L. McCLELLAN, GALE W. McGEE, GEORGE McGOVERN, THOMAS J. McINTYRE, JACK MILLER, WALTER F. MONDALE, FRANK E. MOSS, EDMUND S. MUSKIE, GAYLORD NELSON, ROBERT W. PACKWOOD, JOHN O. PASTORE, CLAIRBORNE PELL, CHARLES H. PERCY, JENNINGS RANDOLPH, WILLIAM V. ROTH, TED STEVENS, HERMAN E. TALMADGE, STROM THURMOND, JOHN G. TOWER, JOHN V. TUNNEY, HARRISON A. WILLIAMS.

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

Mr. BROOKE. Mr. President, I am pleased to announce my cosponsorship of S. 895, a bill to give greater strength to the sixth amendment right to a speedy trial. Enactment of this proposal would be one of the strongest steps which the Congress could take to reduce crime and make more effective the administration of justice in the United States.

It is shocking that thousands of individuals are being detained in prisons for as long as 2 or 3 years prior to being granted their right to a trial. More than one-half of the 160,000 inmates in our Nation's prisons have not even been convicted of a crime.

As distressing as the simple fact of delay is the problem that justice delayed is more likely to result in no justice at all. As time lapses, it becomes increasingly difficult for the Government to obtain a conviction, as witnesses to the original crime either become unavailable or forget details of the event.

In addition, professional studies indicate that those suspects who are released on bail are more likely to commit an additional crime while awaiting trial. Thus, "speedy trial" can lead to "speedy justice" and a reduction in the soaring crime rates that is afflicting our Nation.

This bill woud require that individuals indicted in a Federal court be granted a trial within 60 days of an indictment. This would be a bold step, but I am convinced that it would provide the impetus necessary to force the President and the Congress to assist the courts in establishing plans for the implementation of the sixth amendment privilege of a "speedy and public trial"—including the creation of additional judgeships to handle what is now an impossible overload in our courts.

I am pleased to note that this concept has been endorsed by Chief Justice Warren Burger of the Supreme Court who declared that criminal trials within 60 days would sharply reduce the crime rate. It is also my understanding that the Justice Department has announced its support of efforts to establish a maximum pretrial detention period.

With a majority of the Senate now backing this bill, I am hopeful of prompt consideration and passage of S. 895.

S. 2023

At the request of Mr. BAYH, the Senator from New Jersey (Mr. WILLIAMS) was added as a cosponsor to S. 2023, a bill to provide for a procedure to investigate and render decisions and recommendations with respect to grievances and appeals of employees of the Foreign Service.

S. 2083

At the request of Mr. BAYH, the Senator from Rhode Island (Mr. PASTORE) was added as a cosponsor to S. 2083, a bill to prohibit the poisoning of animals and birds on the public lands of the United States, and for other purposes.

S. 2084

At the request of Mr. BAYH, the Senator from Rhode Island (Mr. PASTORE) was added a cosponsor to S. 2084, a bill to discourage the use of leg-hold or steel jaw traps on animals in the United States.

S. 2185

At the request of Mr. BAYH, the Senator from Missouri (Mr. EAGLETON) was added as a cosponsor to S. 2185, a bill to carry out the recommendations of the Presidential Task Force on Women's Rights and Responsibilities, and for other purposes.

S. 2748

At the request of Mr. BOGGS, the Senator from Wyoming (Mr. HANSEN) was added as a cosponsor of S. 2748, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide benefits to survivors of police officers, prison guards and firemen killed in the line of duty.

S. 2571

At the request of Mr. McGOVERN, the Senator from Wisconsin (Mr. NELSON) was added as a cosponsor of S. 2571, the Rural Development and Population Dispersion Act.

S. 2768

At the request of Mr. HUMPHREY, the Senator from Illinois (Mr. STEVENSON) was added as a cosponsor of S. 2768, a bill to require the Secretary of the Treasury to provide each taxpayer with 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.

EQUAL EMPLOYMENT OPPORTUNITIES ENFORCEMENT ACT OF 1971—AMENDMENTS

AMENDMENTS NOS. 590 THROUGH 599

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

Mr. ERVIN submitted 10 amendments, intended to be proposed by him, to the bill (S. 2515) to further promote equal employment opportunities for American workers.

EQUAL EMPLOYMENT OPPORTUNITY ACT OF 1971—AMENDMENTS

AMENDMENT NO. 600

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

Mr. GAMBRELL submitted an amendment, intended to be proposed by him, to the bill (H.R. 1746) to further promote equal employment opportunities for American workers.

REVENUE ACT OF 1971—AMENDMENTS

AMENDMENT NO. 601

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

MAKING THE INVESTMENT TAX CREDIT AVAILABLE FOR FIRST QUARTER FARM MACHINERY PURCHASES

Mr. HUMPHREY. Mr. President, the American farmer is taking it on the chin again this year. Although the prices farmers have to pay for production supplies, interest, taxes, and farm wage rates are 6-percent higher this year, all farm prices including prices paid for livestock and livestock products, as well as crops, are no higher than a year ago. And when you examine the price situation for feed and feed grain products today, you will find that the problem is much worse.

And, the income problem of the farmer is not helped a great deal by the Revenue Act of 1971—H.R. 10947.

Farmers make a heavy investment in machinery. And, they place almost $1 billion of their orders in the first quarter of every year.

But, the Revenue Act of 1971 does not clearly recognize the size or the importance of this first quarter investment. The Revenue Act provides that the tax credit for machinery will apply to the second, third, and fourth quarters of 1971, but not to the first quarter.

The amendment which I submit will make the investment tax credit available for farm machine orders placed from January to March 1971, as well as in the other quarters of the year.

I estimate that my amendment will provide farmers with an additional $66 million in benefits than are now available in pending legislation.

It is estimated that realized net farm income will drop again this year as it did last. The first half of this year farm income was down considerably. Despite improvements expected in this regard during the latter half of this year—mainly due to stronger prices for livestock—realized net farm income is still expected to drop by at least another $200 or $300 million this year.

Mr. President, prices received by farmers today are down to about 69 percent of parity. For the benefit of my nonfarm colleagues, parity is a level of income providing a farmer and his family with a standard of living equivalent to that afforded persons in other gainful occupations in return for like investments in time, energy, and money. Given the fact that farmers are among the few businessmen in this country who still must sell in a sellers market and buy in a buyers market, they are in urgent need of relief on both sides of the marketing fence.

Gross farm income hit an all time high last year of almost $57 billion. But as gross income has continued to increase farm production expenses have continued

to increase even more, thus leaving the farmer with less net income. Immediately following World War II it cost the farmer about 50 cents in expenses to produce $1 in gross income. Today he has to spend 73½ cents to produce $1 in gross income. This sharp increase in farm production costs has cut deeply into his net income returns. And Mr. President, it is to this problem that I direct my amendment to move the restoration date of the 7-percent investment credit for farm machinery ordered back to January 1, 1971, instead of April 1, 1971, proposed by the administration.

Mr. President, the revenue bill of 1971 relating to job development credit as reported by the House Ways and Means Committee on September 29, 1971, provides for the restoration of the 7-percent investment credit which was terminated on April 18, 1969. The new credit would be limited to the first $25,000 of income tax liability plus 50 percent of the tax in excess of $25,000. Farm property covered would be the same as the previous credit, except that livestock would now qualify.

No credit would be available for property that has a useful life of less than 3 years. Full credit would apply for property which has a useful life greater than 6 years; one-third credit for 3 through 4 years; and two-thirds credit for 5 through 6 years.

Used property qualifies for the credit not to exceed $65,000 of the cost in any year. This amount is reduced by the amount of qualified investment in new property place in service during the same taxable year.

Unused investment credit can be carried back 3 years and forward 7 years.

Of an estimated $5,150 million expended by farmers for machinery in 1971, 18 percent or $942.6 million will have been purchased in the first quarter of this year. Thus, a 7-percent investment credit applied retroactively back to January 1, 1971, would provide a total benefit to farmers of $361 million for 1971 or $66 million more than if the retroactive date were established as April 1, 1971.

Mr. President, to further clarify the importance of moving this retroactive date from April 1 to January 1, I ask unanimous consent to have printed in the RECORD, following the completion of my remarks, three tables.

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

(See exhibit 1.)

Mr. HUMPHREY. Table 1 indicates shipments of farm machines in the first quarter are about 29 percent of the yearly total. These first-quarter shipments have trended downward and may be approaching 28 percent in 1971. These data, however, relate only to shipments of machines and not to actual purchases by farmers.

Table 2 indicates farmer purchases of the three most important machine items—tractors, combines, and balers. Sales data indicate that farmers purchase substantially less than one-fourth of their farm equipment in the first quarter of the year.

Table 3 indicates the estimated farm gross capital expenditures for new and used farm machinery, for the first quarter and all of this year.

Mr. President, the American farmer is in serious economic trouble. The added help that my amendment would give him in holding down his costs is urgently needed now. With prices for many of his products down, while his costs continue upward, farmers need the kind of relief that my amendment provides.

Mr. President, I invite my colleagues to join me in sponsoring this amendment. I know the farmers of this Nation will greatly appreciate receiving their support regarding this matter which affects their pocketbook so directly.

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

Mr. HUMPHREY. I yield.

Mr. SPARKMAN. I would like my name to be added as a cosponsor.

Is it not true that farmers regularly buy their equipment in the early part of the year?

Mr. HUMPHREY. Absolutely.

Mr. SPARKMAN. There is very little during the summer, when crops are growing, or during the fall.

Mr. HUMPHREY. The Senator is correct. Three-quarters of the machinery is purchased by our farmers in the first 3 months of the year.

Mr. SPARKMAN. Yes. I am glad the Senator has offered the amendment, and I hope it is agreed to.

Mr. HUMPHREY. I am very pleased to have the distinguished Senator from Alabama as cosponsor. I think it assures favorable consideration of the amendment.

Mr. President, I ask unanimous consent that the names of the Senator from Alabama (Mr. SPARKMAN), the Senator from Illinois (Mr. STEVENSON), and the Senator from Georgia (Mr. GAMBRELL) be added as cosponsors of the amendment.

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

EXHIBIT 1

TABLE 1.—FARM MACHINES: 1ST QUARTER AND YEARLY SHIPMENTS, 1968–70

Year	1st quarter (million)	Total for year (million)	Percentage 1st quarter of total
All machines:			
1970	$582.0	$2,025.8	28.7
1969	586.0	2,022.8	29.0
1968	650.0	2,160.7	30.1
Wheel tractors:[1]			
1970	248.4	857.1	29.0
1969	222.5	874.1	25.5
1968	273.5	939.1	29.1
All other farm machines:			
1970	333.6	1,168.7	28.5
1969	363.5	1,148.7	31.6
1968	376.5	1,221.6	30.8

[1] Includes both farm and industrial tractors. Farm tractors are reported at about 80 percent of this total.

Source: U.S. Bureau of Census, series M35S, Current Industrial Reports.

TABLE 2.—FARM MACHINERY: SALES TO FARMERS OF TRACTORS, COMBINES, AND BALERS, 1ST QUARTER AND YEARLY TOTAL, 1969–71

Year	1st quarter	Total for year	Percentage 1st quarter of total
Tractors:			
1971[1]	25,600	119,000	21.5
1970	31,900	135,600	23.5
1969	35,200	143,600	24.5
Combines:			
1971[1]	2,778	25,944	10.7
1970	2,486	27,288	9.1
1969	2,923	28,052	10.4
Balers:			
1971[1]	1,558	26,560	5.9
1970	2,003	29,334	6.8
1969	2,147	31,879	6.7

[1] Yearly estimates based on January to August sales.

Source: Farm and Industrial Equipment Institute, FIEI Tractor and Machinery Retail Sales Reports.

TABLE 3.—FARM MACHINERY: ESTIMATED FARM GROSS CAPITAL EXPENDITURES FOR NEW AND USED MACHINERY, 1ST QUARTER AND TOTAL, 1971[1]

Item	1st quarter (million)	Total for year (million)	Percentage 1st quarter of total
Tractors	$223.2	$1,010	22
Trucks[2]	163.9	745	22
Autos[3]	148.5	675	22
Other machinery	408.0	2,720	15
All machinery	942.6	5,150	18

[1] Based on data from USDA–FIS–218, Farm Income Situation, annual summary, July 1971, and on FIEI retail sales of selected farm machines.

[2] Represents 78 percent of total purchases as that portion used in farm business.

[3] Represents 40 percent of total purchases as that portion used in farm business.

ADDITIONAL COSPONSORS OF AMENDMENTS

AMENDMENT NO. 551

At the request of Mr. GAMBRELL, the Senator from Utah (Mr. BENNETT), and the Senator from Alabama (Mr. ALLEN) were added as cosponsors of Amendment No. 551, to prohibit the forced busing of public school children, to the bill (S. 2515) to further promote equal employment opportunities for American workers.

NOTICE OF HEARING ON CERTAIN CHANGES WITHIN THE BUREAU OF INDIAN AFFAIRS

Mr. McGOVERN. Mr. President, I wish to announce that an oversight hearing has been scheduled by the Senate Interior Subcommittee on Indian Affairs for November 17, 1971, on general policy, organizational structure, and key personnel appointments and changes within the Bureau of Indian Affairs. Several well publicized events occurred during the past summer which call into question the path the Bureau of Indian Affairs is taking. I feel it is essential for administration officials to tell us their positions on general policy, Bureau of Indian Affairs organizational structure and key personnel appointments and changes within the Bureau. The hearings will begin at 10 a.m., room 457, in the Old Senate Office Building.

ADDITIONAL STATEMENTS

RUSSIAN ESPIONAGE

Mr. GOLDWATER. Mr. President, some time ago our news media informed us that England had sent a number of Russian diplomats back to Russia for espionage. I did not notice nor did I hear in any of the discussions of this move one of the prime reasons which was rendered in the British press.

It turns out that these spies had been stealing information on the Concorde, SST, and Olympus 593 engine. If this is true, it explains the reasons that the aircraft are so similar.

I was greatly impressed by the Concorde and particularly by the quality which went into its manufacture. It is surprising, however, to learn that the Russians have lost faith in their own ability when they, in effect, have created some of the world's greatest airplanes.

So that the Senators might have a better understanding of this subject, I ask unanimous consent that two articles published in the London newspaper be printed in the RECORD.

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

[From the London (England) Times, Sept. 25, 1971]

KGB DEFECTOR GAVE FACTS

(By A. M. Rendel and staff reporters)

The British Government has called for a cut of about a fifth in the number of Soviet officials in Britain, as well as of Soviet espionage.

It was emphasized yesterday at the Foreign Office that the British Government sincerely desires good relations with the Soviet Union, but requests in the past for a curtailment of the known large-scale espionage activities by Soviet officials have gone unheeded. These activities are themselves a major impediment to good relations.

On the instructions of Sir Alec Douglas-Home, Foreign Secretary, Mr. Ippolitov, the Soviet Chargé d'Affaires, was asked to call yesterday, on Sir Denis Greenhill, Permanent Under-Secretary. He was handed an aide mémoire which contained the Government's request for the withdrawal of the officials.

The Foreign Office aide mémoire stated:

When Mr. Gromyko visited London in October, 1970, he spoke of the desirability of improving Anglo-Soviet relations.

It is the sincere wish of her Majesty's Government to bring about such an improvement. There is however one matter of importance which has repeatedly caused friction in Anglo-Soviet relations. This is the scale of intelligence-gathering activities by Soviet officials in this country.

This subject was raised with Mr. Gromyko by Sir Alec Douglas-Home, first in conversation in London and subsequently in a letter dated December 3, 1970, written at Mr. Gromyko's suggestion, and in a further letter dated August 4, 1971.

These letters have not been answered, nor even acknowledged. Meanwhile inadmissible activities by Soviet officials in Britain have continued. During the last 12 months a number of Soviet officials have been required to leave the country after being detected in such activities. During the same period it has been decided not to issue visas to a number of officials nominated to Soviet establishments in the United Kingdom on account of their previous activities.

The staffs of the Soviet Embassy and the Soviet trade delegation, which form the two largest elements in the Soviet official establishment in Britain, far outnumber the British officials working in the Soviet Union.

Her Majesty's Government have tolerated the growth of these establishments. They have not sought to bargain increases in the Soviet establishment in this country against increases in the British establishment in the USSR; nor have they sought to establish any fixed relationship between the Soviet commercial establishment in this country and the growth of British exports to the Soviet Union. Evidence has however been accumulating that this tolerance has been systematically abused.

This abuse is a matter of serious concern to her Majesty's Government as a direct threat to the security of this country. Moreover the recurring need to request the withdrawal of Soviet officials from this country, or to refuse visas to certain officials selected for service in this country, imposes strains on Anglo-Soviet relations So do unjustified acts of Soviet retaliation such as the recent expulsions of Mr. Miller, Mr. Nicholson and Mr. Jackson.

The Soviet Government can hardly fail to be conscious of the contradiction between their advocacy of a conference on European security and the scale of the operations against the security of this country which Soviet officials and agents controlled by them have conducted.

Her Majesty's Government would like to see this contradiction resolved before the preparation of a conference on European Security begins.

The Soviet Embassy is therefore requested to arrange for the persons named on the attached list, all of whom have been concerned in intelligence activities, to leave Britain within two weeks from the date of this aide mémoire. Henceforth:

(a) The numbers of officials in (i) the Soviet Embassy (ii) the Soviet trade delegation, and (iii) all other Soviet organizations in Great Britain will not be permitted to rise above the levels at which they will stand after the withdrawal of the persons named in the attached list:

(b) If a Soviet official is required to leave the country as a result of his having been detected in intelliegnce activities, the permitted level in that category will be reduced by one.

The Soviet Embassy is also asked to take note that the Soviet citizens named on the second list attached, who are believed to have left the country but still hold valid reentry visas, will not be permitted to return to Britain, on account of their participation in intelligence activities.

In practice this means that out of a total strength of about 550 officials accredited to the various Soviet organizations in London, the British Government is asking for the withdrawal of about 90. It will not permit a further 15 or so, who have visas but are not in Britain, to come back. The total strength will therefore be reduced from about 550 to about 445.

A Foreign Office statement issued after Mr. Ippolitov's call said also that the number of Soviet officials in Britain and the proportion of them engaged in intelligence work had been causing grave concern for some time. The size of the Soviet Embassy was limited in November, 1968, to its then number, about 80, after the case of Chief Technician Douglas Ronald Britten.

[He was sentenced in 1968 to 21 years imprisonment for passing highly secret information to Soviet Intelligence. At the time of his arrest he was controlled by Mr. A. I. Borisenko, Counsellor in the cultural department of the Soviet Embassy, who left for Moscow shortly after the arrest.]

The total number of Soviet officials filling posts in Britain, standing at 550, is higher than for any other Western country, including the United States.

The Foreign Office statement said there was ample evidence of espionage activities. Further evidence of the scale and nature of Soviet espionage in Britain conducted under the auspices of the Embassy, trade delegations, and other organizations has been provided by a Soviet official who recently applied for and was given permission to remain in Britain.

The man in question, an officer in the KGB (Soviet Intelligence) brought with him certain intelligence and documents, including plans for the infiltration of agents for the purpose of sabotage.

It was an open question last night whether the British Government's move would change Sir Alec Douglas-Home's plans to visit the Soviet Union. Earlier in the week he had received a message from Mr. Gromyko proposing a date early in the new year.

Sir Alec was known then to feel that any final decision must await a talk with Mr. Gromyko in New York. Sir Alec leaves today for a week at the General Assembly of the United Nations.

The Russians, when faced with facts which can no longer be avoided, frequently respond. Although relations can hardly be anything but cool for the present, this forthright handling of a situation which has become intolerable may well clear the air and help to improve Anglo-Soviet relations in the end.

The influence of the Soviet Foreign Ministry is, however, by no means certainly sufficient to override the ambitions of the intelligence agencies in the Soviet Union.

Mr. Yuri Andropov, the head of the KGB, for instance, is a member of the Soviet Council of Ministers and the candidate member of the Politburo, whereas Mr. Gromyko, the Foreign Minister, is not in the Politburo at all.

The KGB has certainly been able to obtain a high proportion of the posts in Soviet missions abroad, particularly in those giving diplomatic immunity.

The large number of intelligence officers in the scientific and technical department at the Soviet Embassy shows the keen Russian interest in scientific and technical information in particular, including specifically information on electronics, transformers, semiconductors, computer circuitry, *and technical details of the Concorde and Olympus 593 engine.*

Soviet representation in Britain has risen steadily from 138 in 1950 to 249 in 1960 and over 550 today (including working wives).

Since 1960 the British Government has requested the immediate recall of 27 Soviet officials detected in active espionage, and more than 40 visa applications by identified intelligence officers have been refused.

There are some 280 people connected with the Soviet Embassy and other official agencies who have diplomatic status, and their families, who do not have all the privileges but enjoy certain immunity.

Since, for instance, Tass news agency claims to be an official government institution it also claims immunity in court cases.

WHEN NICK OF THE KGB SAW CONCORDE

(By Tim Jones)

Smuggling a member of the KGB, the Soviet secret police, into the Concorde hangar at Filton, near Bristol, had presented no difficulty, a former British Aircraft Corporation employee claimed yesterday.

"I told the security officer on the gate that the spy was a friend from Hamburg. We were waved through and spent some 35 minutes in the hangar. The spy, whom I only knew as Nick, made notes and sketches of the cockpit."

Making the confession was Mr. James Doyle, aged 45, of Springfield Avenue, Ashley Down, Bristol, who says that while employed by BAC as an electronics engineer, the Russians paid him about £5,000 for information he passed to them on Concorde's secrets.

It was a story he had given to *The Times* more than 18 months ago, but which was not published at the time after senior members of Scotland Yard's Special Branch were consulted. Our lengthy investigations had also shown up certain inconsistencies in Mr. Doyle's story.

Mr. Doyle has since had several interviews with the Special Branch but no charges have been preferred against him. His confession to *The Times* did, however, draw attention to possible flaws in the Filton security system and, it is understood, a sweeping review followed.

Yesterday Mr. Doyle repeated his claim to have passed on information about Concorde, including manuals, sketches and small pieces of equipment, to Russian contacts from the Soviet Trade Delegation in London.

Of the £5,000 paid to him, he said, "I was sometimes spending £50 in an evening on drinks and entertainment". The Russians gave him "dirty photographs" which he could show to people in order to make contacts.

"Security at BAC is more than a joke", he said. "I spent two-and-a-half years at the factory and during that time I could go in and out when I wanted. I had most of the keys to the secret departments."

One scheme he had refused to take part in was a plan, suggested by the Russians, to smuggle a 16ft missile out of the factory. "It would have been easy to drive it out through West Gate because no one stops you there.

"We had a house about 400 yards from the factory earmarked and would have hidden the missile in the back garden. Neighbours wouldn't have known what it was for, it would have been covered in tarpaulin and could have been a telegraph pole."

Why didn't he carry the scheme through? "I didn't mind taking out documents but I would have had to answer for a missing missile."

As well as information about the Concorde, the Russians also asked him to obtain secrets of various weapons systems being developed at the plant. He eventually confessed, he said, because the Russians were beginning to apply too much pressure on him.

When he left BAC 18 months ago, he had enough material accumulated to keep the Russians happy for another three months. After deciding to confess, he wrote to Mr. Wilson, then Prime Minister, saying he had spy information. He received an acknowledgement but no one called to see him. Eventually, he went to Scotland Yard.

Mr. Doyle, who now works as a burglar alarm specialist, was still wearing his Concorde tie as he spoke yesterday. He said he had been a member of the British Communist Party but left a year ago and now had no political affiliations.

Dr. William Strang, technical director of the BAC commercial aircraft division commented: "When we first had a glimpse of the Russian TU 144 we were all struck by the general similarity to the Concorde. I think it likely that they did have some knowledge of the work we were doing, which led to the general shape definition."

But Dr. Strang added that he had no personal reason to complain about any activities from the Russian side in relation to the Concorde.

BETTER HEALTH CARE AT LOWER COST: THE MERGER OF PUBLIC AND PRIVATE HOSPITALS

Mr. HUMPHREY. Mr. President, the State of Minnesota has long enjoyed a reputation of being a progressive and innovative State in the development and delivery of medical care.

Two of our great institutions, the Hennepin County General Hospital and Metropolitan Medical Center are proceeding to develop a very unique public-private alliance in the construction of health care facilities, an alliance that will have a dramatic effect on the health care system of the community and the State and a project that the State of Minnesota can be proud to have serve as a prototype for the Nation. These two institutions have together responded to community needs in a bold and innovative fashion and are willing to assume the responsibility of community leadership, recognizing the problems that this may entail as they seek some new directions and answers to the problems of health care systems that exist today.

In 1969, the Hennepin County community passed, by an overwhelming majority of 10 to 1, a $25 million referendum for the construction of a new Hennepin County General Hospital. Immediately thereafter, Hennepin County General began, with a significant amount of professional and consumer input from the community, to determine what the new general hospital should be; what programs the hospital should deliver; how the hospital should deliver its health services in a more responsive manner; what the county could do to assure the community it was not going to build the last of the old public hospitals. Concurrently, the Swedish and St. Barnabas Hospitals were searching to determine how they could best serve the needs of their community. Their immediate answer was in the merger of their two institutions into one facility, one organization: The Metropolitan Medical Center. This was the first real merger of medical institutions in this community.

In order to maximize the benefits of the merger of the metropolitan medical center, it was determined that the facilities of the older of the predecessor hospitals, the Swedish Hospital, had to be replaced. This hospital is located approximately three blocks from the existing Hennepin County General Hospital.

General hospital, one of the outstanding service and teaching hospitals in the Nation, is housed in inadequate, antiquated buildings and must replace its entire facility.

In response to community and national concern about the delivery and cost of health care, and concerns about the numbers of inpatient beds and facilities in the core metropolitan area, officials from the two hospitals have determined that they will not build separate facilities but that they will build contiguous, architecturally integrated facilities in which maximum sharing of space, equipment, services, and manpower can take place. Sharing will take place in approximately 30 separate programs where each hospital will phase out a particular service and only one program will exist for the two hospitals. This will occur in the clinical programs such as obstetrics, pediatrics, newborn intensive care, emergency care, primary care, as well as the ancillary programs such as laundry, dietary, central supply, and powerplants. Major coordination of manpower and services will also take place in laboratories, radiology, operating rooms, and so forth. The plan has been enthusiastically received by the community, the press, the State health department, and the metropolitan health board.

Contiguous facilities alone, however, are not what make this project a prototype for what can be the answer to many of the metropolitan health problems throughout the Nation.

The major strength of this proposed project lies in the coordination of the public and private health care systems. These hospitals have, in this project, no barriers to future program coordination development. There are no barriers to sharing of services, sharing of manpower, sharing of educational programs. They are developing a very unique capacity to accommodate change, change in the health care system itself, change in the demands for health care on one institution or the other. They will provide the opportunity to eliminate the dual system of health care. They will provide the opportunity to capitalize on the relative strengths of the public and private systems and reduce the weaknesses of each. This very unique capacity to accommodate change is going to be of major importance to these two institutions and to this metropolitan area and the State of Minnesota in the future as more and more health care programs at the national level are developed. These institutions are developing a capacity to accommodate whatever change might be brought in the forseeable future.

The Hennepin County General Hospital serves as one of the major educational institutions in the State of Minnesota. Thirty percent of all interns in the State have their internships at the general hospital. The capabilities of expanding and making the medical education programs even more inviting to medical students graduating from Minnesota and other parts of the Nation are of major significance if these two institutions coordinate their facilities and programs.

They have not yet defined all of the coordination that this project will have. The developing commitments of the governing boards, medical staffs, and administrative staffs of both institutions over the last 6 months have been greatly encouraging. Six months ago there was great doubt that they would be able to put together such coordination as now exists between two divergent health care systems. The problems of coordinating the public and the private medical philosophies in education and service seemed overwhelming. However, the two groups have recognized that the only way to proceed is through meaningful coordination. This coordination will lead to the development of programs beyond the four walls of the institution and into the community. This, too, will have a significant impact on health services for this metropolitan area.

In developing this project in this coordinated manner, the savings—both in initial construction cost and future operating costs—are not inconsequential. It is estimated that the coordinated construction of the two institutions will result in an immediate savings of $4 to $6

million over what the need would be if two institutions were to build independent facilities.

Of even greater significance are the annual savings in operating costs which will be realized. They are able to estimate very concretely right now that they will save over $500,000 per year in personnel cost in pediatrics, obstetrics, and emergency services alone. When you add up the personnel savings and the other 27 programs that they will share, the annual operating savings will be approximately $750,000 to $1 million per year. Savings of this type can only be achieved through the architecturally integrated facilities that they are developing.

Here is a project of great significance to our public hospitals facing budgetary crisis and to our voluntary hospitals seeking to define a responsible role in the provision of health care in metropolitan areas.

We should watch this project and see how it develops and see that it does develop. It can and will have a significant impact on the health care in this major metropolitan area.

FORCED BUSING

Mr. GRIFFIN. Mr. President, last week the Supreme Court, without handing down any opinion or explanation, denied certiorari and thus refused to review the Pontiac, Mich., segregation case.

It is unfortunate, I believe, that the Supreme Court did not take this opportunity to review its previous decisions concerning forced busing as a remedy for school segregation.

However, other similar cases are working their way toward the Supreme Court, and I hope that when the Court reaches full strength it will decide to reexamine both the efficacy and the constitutionality of forced busing.

The Washington Evening Star on October 29 carried a perceptive editorial which concluded that the Pontiac case "deserved a full hearing and a judgment by the Supreme Court."

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

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

THE BUSING DILEMMA

Federal court decisions on racial busing are accumulating this season like the autumn leaves. And this probably is just the beginning, because every school district has its peculiar circumstances which need to be interpreted. Local boards all over the country are awaiting clarification of their duties with regard to desegregation. Those responsibilities still are indistinct, despite the deluge of language that has been issued from the Supreme Court on the subject.

So the district and appeals courts have a long, hard road ahead, as does the Supreme Court in overseeing what the lower judiciary is doing. The high court has tended to support or at least leave undisturbed the lower courts' busing solutions. To delve into all the details and differentials that are at issue would be like trying to unravel a mountain of spaghetti. Understandably, the justices are restricting their searching examinations to appealed cases that seem ready-made for the laying down of broad, definitive rules.

Such a case was the one emanating from Pontiac, Michigan. This litigation deserved a full hearing and a judgment by the Supreme Court. By declining to review a federal court order for extensive busing at Pontiac, the high court allowed the decree to stand and left critical questions unanswered. It missed an excellent opportunity to deal with the rolling issue of busing to create racial balance in Northern schools. In sidestepping at this juncture, it assured that the technique developed in the Pontiac case will be applied elsewhere and added to the difficulty of any modifications it might decide to sanction in the future.

This was, in fact, the first chance the court has had to rule on a new genre of Northern and Western cases that are moving up the appeals route. Last April it approved of busing as an acceptable implement to achieve desegregation in three Southern cities, where it is presumed that the dismantling of the old *de jure* (officially imposed) segregation system is still in progress. But suits in Northern cities now claim that school segregation, defended as being *de facto* (a consequence of residential patterns), actually is *de jure*—the result of official manipulation. For example, in Pontiac the officials were accused of failing to adjust school district lines so as to attain desegregation, and of building schools in areas that are all-black and all-white with the effect of perpetuating segregation.

Certainly the gerrymandering or freezing of attendance zones to avoid desegregation cannot be tolerated, but this conclusion suggests that busing isn't the only available expedient. Much can be achieved through rearrangement of zones. By no stretch of reasoning, however, should school boards be required to make racial balance their overriding consideration in building new schools.

The school boycott at Pontiac and the busing protest violence that has occurred there are indefensible, but apart from those repugnant spectacles are far-reaching questions of law that must be answered soon in the interest of educational stability. If that interest is to be served, we believe, the court must outline some practical limits on busing.

RESOLUTION OF JOINT COMMITTEE ON ATOMIC ENERGY TO AMEND ATOMIC ENERGY ACT OF 1954, AS AMENDED

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD the text of a resolution adopted by the Joint Committee on Atomic Energy on November 2, 1971. The resolution was adopted pursuant to the authority contained in section 161 v. of the Atomic Energy Act of 1954, as amended.

The resolution waives a waiting period contained in that section of the law relative to the time during which any proposed amendment to the AEC's uranium enrichment services criteria must lie before the joint committee before such amendment may be established. The proposed amendment was submitted to the joint committee on October 13, 1971, and would increase termination charges to customers for AEC's uranium enrichment services and the notice period by which enrichment services contracts may be terminated by the customer without incurring such termination charges. The committee carefully considered the proposed amendment and determined that it would be in the best interest of the United States for the proposed amendment to be established without further delay.

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

RESOLUTION: JOINT COMMITTEE ON ATOMIC ENERGY, NOVEMBER 2, 1971

To waive certain provisions of the Atomic Energy Act of 1954, as amended, so as to permit an amendment to the Atomic Energy Commission's Uranium Enrichment Services Criteria to be immediately established.

Whereas, on October 13, 1971, the Atomic Energy Commission submitted to the Joint Committee on Atomic Energy, pursuant to subsection 161 v. of the Atomic Energy Act of 1954, as amended, a proposed amendment to the Uranium Enrichment Services Criteria; and

Whereas, Section 161 v. of the Atomic Energy Act of 1954, as amended, provides in effect that such amendments may not be established until forty-five days have expired while the Congress is in session after the submission of the amendment, without adverse action thereon by the Congress, and unless such period is waived by resolution of the Joint Committee on Atomic Energy; and

Whereas, the Joint Committee on Atomic Energy is satisfied that the proposed amendment is in keeping with the provisions of the Atomic Energy Act of 1954, as amended, and the legislative history thereof; and

Whereas, the Joint Committee on Atomic Energy recognizes that the early establishment of the proposed amendment would be in the best interests of the United States: Now, therefore, be it

Resolved by the Joint Committee on Atomic Energy of the United States Congress assembled, That notwithstanding the provisions of section 161 v. of the Atomic Energy Act of 1954, as amended, which provides for a forty-five day waiting period before amendments to the Uranium Enrichment Services Criteria may be established, the proposed amendment submitted on October 13, 1971, by the Atomic Energy Commission, may be established at any time after the approval of this Resolution.

Approved by a majority of the Joint Committee on Atomic Energy, November 2, 1971.

Attest:

EDWARD J. BAUSER,
Executive Director.

THE FARMERS HOME ADMINISTRATION

Mr. BEALL. Mr. President, it is welcome news when a Federal agency doubles its service to the people without a corresponding leap in Government spending.

That is exactly the record made since 3 years ago by the Farmers Home Administration of the Department of Agriculture.

In its role as a supplementary credit agency for family-farm agriculture, rural housing, and rural community facilities, Farmers Home has lifted the volume of its services from $1.3 billion in fiscal year 1969 to $2.4 billion in fiscal 1971. A level of $2.8 billion is in sight for the current year.

For the Nation, the tangible assets created by these programs the past 2 years are 185,000 new town and country homes, 2,500 rural community water and sewer system projects, and 145,000 loans to farm families for ownership, operation, or rectifying disaster damage to their farms.

A point to note is that this great contribution to rural development is being accomplished through use of private rather than Government loan funds.

The agency actually used $28 million

less of direct Government loans in fiscal 1971 than in 1969. All the increase the past 2 years—more than $900 million—represents insured lending, the attraction of more private capital into rural areas.

This has been done through Farmers Home Administration insurance of the investor's risk, and much more effective efforts to place FHA loan notes both with local lenders and nonrural investors.

Rural housing is very much a growth enterprise as a result of new credit resources opened up by Farmers Home. In Maryland and many other States, building is on the boom for the first time in smaller towns and open country well away from the metropolitan suburbs.

One thousand new homes for rural families of low and moderate income were added in southern, Eastern Shore, northeastern, and western Maryland the past year through $15 million of Farmers Home-insured home buyer credit. This, again, was twice the amount of 2 years ago.

Rural people, long suppressed in their ambition for better housing due to shortage of credit, have been quick to respond to the opportunity opened up by expansion of the rural FHA program.

Urban Americans have been slower to take notice, but now they are beginning to realize that a housing surge in rural areas will have a profound and enduring good effect, even on problems of the cities.

The modernization of rural living standards is one of the first prerequisites for ending the flow of distressed rural people to the city, and reestablishing a balance between urban and rural community development.

The renewal of opportunity in rural areas is a clearly stated objective of President Nixon. He has acted on his word to strengthen programs such as those administered by the Farmers Home Administration. And the immensely effective followthrough by Farmers Home is a credit to National Administrator James V. Smith and the staff of his agency who carry their services to rural people through a nationwide system of local county offices.

We are pleased that they have signified their intention to increase their services in rural Maryland by adding offices this year in Hagerstown and North East and strengthening their forces in our rural counties around Chesapeake Bay.

A NEW POLICY FOR VETERANS AND SERVICE MEN AND WOMEN

Mr. McGOVERN. Mr. President, I ask unanimous consent that a statement that I issued today be printed in the RECORD.

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

A NEW POLICY FOR VETERANS AND SERVICEMEN AND WOMEN

For most of the past 30 years, the United States has been engaged in war in some part of the world. Throughout that period, we have used conscription to raise the major part of our Armed Forces. The use of the draft, which is not customary in the broad sweep of our national history, illustrates just how exceptional this period has been.

Tens of millions of young American men and women have served their Nation with distinction and honor. Most of them are now veterans. Of particular importance are those who have been called upon to make great sacrifices in Indochina in a war which has divided our Nation and which is now generally considered to have been a mistake.

The entire American people owe a special debt to their servicemen and women and veterans. To our credit, we have recognized this debt, in part, through the creation of the Veterans Administration and of a wide range of programs intended to provide special assistance to those who have made personal sacrifices for their country.

Unfortunately, we have failed to provide adequate programs for the veterans of Indochina. Nor have we kept the practices and procedures of our Armed Forces in line with the evolution of our society as a whole.

Therefore, building on all that is constructive in our current programs for veterans and servicemen and women, I propose measures that should be taken without further delay to deal fairly with those who have served their country. I advocate the principle that our government policies should be based upon the concept of "equality of sacrifice" by all Americans. In the case of the military service, this concept may not be fully applicable, and, in that case, we must provide compensation to those who have done more than their share.

VETERANS

1. *A new GI Bill of Rights.* Not even the two or more years that a Vietnam veteran serves in the Armed Forces hardens him for the kind of uphill battle he encounters when he returns home and tries to continue his education. He must contend with government assistance that is minimal and fragmented, the rising cost of education, inflated prices, a dearth of part-time jobs, the struggle to re-adjust himself psychologically, and the additional handicap of having fought in a war that many of his fellow students regard as having no justification. Vietnam veterans have to pay the physical and psychological price of this nation's war policies in Indochina. When they return, they are, too often, required to repeat that sacrifice in order to re-establish themselves in our society. Should a young Vietnam veteran, placed at a disadvantage at 18 or 20 years of age and forced to bear the brunt of the sentiment against the Vietnam war, be further handicapped with inadequate re-adjustment assistance when he returns home to re-build his life?

A new GI Bill of Rights should provide additional educational assistance to veterans who have served during the Vietnam era. It would assure them of educational assistance from the Veterans Administration adequate to fulfill their needs to at least the degree this country met the needs of veterans of World War II. It would take account of the fact that millions have been subject to the draft even if they have not served in Indochina, because the draft was extended, in large part, as a result of our involvement there.

A new GI Bill would amend the present system of providing educational and training assistance to Vietnam era veterans by establishing several new provisions, specifically for them, which would: 1) reimburse the veteran for tuition and other fees that are required of all students in an educational institution—up to $3000; and 2) substantially increase the monthly allowances paid to veterans getting additional education or training under the current "GI Bill." It is aimed at providing a realistic level of aid so that this country's promise to help its veterans readjust can be fulfilled.

Specifically, the new GI Bill would provide that the young Vietnam veteran would be reimbursed for all required fees up to $3000 by the VA instead of the present system which requires him to pay his tuition and fees out of a very limited monthly allowance and whatever he can make from part-time jobs. Basically, this is the practice that was followed after World War II when the VA reimbursed schools for tuition and fees.

In addition, the Vietnam veteran would receive an increased monthly allowance for his living costs. This subsistence allowance would be $214 per month for a single veteran pursuing a full-time course of education or training. It would range up to $414 per month if he has 3 dependents and an additional $61 per month would be provided for each additional dependent above 3. Smaller amounts would be provided to the veteran who took ¾ or ½ the full-time course load. Under the present system, VA educational assistance payments range from a low $141 per month for a single veteran pursuing a program of cooperative education (combining both classroom instruction and practical training) to a high of $230 per month plus $13 per month for each dependent over 2. Out of this monthly allowance, the veteran is expected to pay for tuition, required fees, and his living costs. The present proposal would make the monthly allowance a subsistence allowance and provide a separate payment for tuition and required school costs.

The actual costs would either be reimbursed on presentation of a receipted invoice or would be paid in advance against a properly authenticated invoice from the educational or training institution. The institution would not be required to monitor attendance; it would simply report on the completion of the course work.

Because payment of educational expenses would be based on actual cost, there would be no need to prescribe any distinction in the ceiling on aid between veterans attending college and those in other programs.

Finally, a new GI Bill would remove the unfair differentiation now made between veterans taking cooperative courses designed to give practical experience along with academic training and those who follow a regular academic program. Those veterans who now take cooperative courses receive a reduced amount of VA assistance. For a single veteran, it is $141 versus $175 per month for veterans taking only an academic course of study. In effect, the cooperative student is a second-class veteran in terms of VA assistance. The new GI Bill would substitute a more realistic system of dealing with the problem of money earned from working while a veteran is receiving VA educational assistance. Both the cooperative student and the academic student would be treated equally. If an eligible Vietnam veteran received compensation for productive labor, he would receive a reduced VA monthly allowance, as determined by the Administrator of Veterans Affairs. In general, the VA subsistence allowance plus the compensation a veteran receives could not exceed $600 per month for a single veteran, $720 per month for a veteran with one dependent, or $850 per month for a veteran with two or more dependents. This would guarantee all veterans in school an adequate level of assistance and provide for an equitable treatment of any outside earned income. Eligibility would allow for 48 months of education.

The increases in the VA educational and training payments provided would not remove all the extra burdens that this society and the circumstances of this war have placed on the Vietnam veteran. But, they would eliminate what is probably the single greatest handicap—inadequate financial assistance. The new GI Bill would supplement the concerted efforts now being made by Congress and private groups to assure a realistic and effective readjustment program for Vietnam veterans.

The need for the changes proposed is indi-

cated both by a comparison with GI Bill assistance after World War II and a comparison between VA assistance and the costs of living and getting an education.

After World War II, VA-provided educational assistance included: 1) tuition and fees up to $500; and 2) a graduated scale of monthly subsistence allowances that began at $50 per month for a single veteran, and was later raised to $75 per month. This meant that an eligible veteran could expect at least $675 per school year plus up to $500 in tuition and fees—a minimum of $1175 per year. At the same time, the cost-of-living, as indicated by the Consumer Price Index, was less than ½ of what it is today. And, the tuition and required fees are estimated to have averaged about $125 per year in public institutions and $330 per year in private colleges.

Given the benefits provided by the VA and the average costs after World War II, the educational assistance set up in the original GI Bill was adequate to assure that if a veteran wanted an education he could get one. The tuition provision covered tuition costs in both public and most private schools. The subsistence allowance along with the range of other assistance provided by the government and local communities assured that the World War II veteran could live with a minimum supplemental income. And, the rapidly increasing demand for labor gave him a chance to work part-time to earn that supplemental income.

In contrast, today, with the cost of living more than twice that of 1946 and with tuition and required fees averaging almost $350 per academic year in public universities and $1650 in private schools, the tuition payment by the VA has been dropped and the monthly allowance has barely kept up with the rise in the cost of living. The veteran in 1971 can expect a minimum of $175 per month (if enrolled in an academic program) or $1575 per school year, only about ⅓ above his minimum expectations in 1946 (a subsistence payment of $675 plus $500 for tuition).

The present scale of educational assistance to Vietnam veterans has not kept pace with the increase in costs and need. Today, this country is coming nowhere near giving the Vietnam veteran the same generous support it gave its World War II veterans, even though the soldier returning from Vietnam has a far bleaker employment outlook—nearly an 8-½% unemployment rate overall, and double that for minority veterans and those in their early 20's—and must face a psychological readjustment problem far tougher than any other veteran in our history.

The same inadequacies exist with respect to a comparison between the costs the young veteran must pay and the VA assistance he receives. Basically, present education benefits for veterans may almost cover the costs of a veteran if he attends a statistically "average" public university, lives in a dormitory, and eats only in regular student cafeteria facilities. This means that if there is any deviation from the statistically average pattern such as a new child or a higher tuition the veteran must find the money by seeking support from his family or getting a part-time job. With the present economic situation in this country, his chance of getting extra money from other sources is extremely limited. Thus, he either sees what will happen and does not take advantage of VA educational aid, choosing instead to try and find full-time employment, or drops out as the financial pressures become worse. Added to the task of making it through the school year is the problem of finding some way to support himself through the summer when he receives no VA assistance.

An example is the Vietnam veteran who chooses to go to a small private college. Many educators have suggested that this is the best idea for a newly returned veteran since at a smaller college he can receive the attention and counseling he needs and have time to readjust. A veteran attending even an "average" private college will probably have to use up his entire VA allowance for tuition and work nights and weekends to pay his living costs. In effect, the work he must put in will most probably negate whatever benefit the attention and lack of pressure available at a smaller college affords him. Only by guaranteeing the Vietnam veteran full payment of his tuition without his having to pay it out of his monthly allowance can we assure that our assistance will be truly meaningful.

A recent article in the *National Observer* highlighted a typical experience of a veteran returning to school. "He tends bar a few nights a week and his wife is employed full-time for a credit union. Their apartment costs $180 a month plus electricity and his tuition is over $200 each quarter." This couple is using up the money they saved during the six months they both worked before he resumed his full-time college work. Indeed, in some ways they are lucky to have found jobs to supplement their VA assistance. Too many young veterans cannot.

Last year, after Congress voted a limited rise in the educational allowances participation moved up sluggishly. According to the most recent Veterans Administration statistics, about 35% of the 5 million veterans who have returned during the Vietnam era have participated in the educational assistance programs. This compares with a 40% participation rate after the same period of time for the World War II GI Bill. Those who defend the present system point out that ultimately the participation rate may reach the final rate of 50% achieved after World War II. But with the increased emphasis on an education in determining the kind of job available to a veteran, a far better record is necessary.

When we have finished our withdrawal from Vietnam there will probably be almost 6 million Vietnam veterans. They want to be able to return and participate fully in the society that took two or more years out of their lives. The least we can do is provide them with as much as we spend to train, feed, clothe, and equip them as soldiers so that they can gain a full education and build productive lives. On the average, the U.S. Army spends about $6300 in one year to add one soldier. This only includes his base pay, food, housing, and other costs associated with the individual soldier. It does not include the huge sums that go into construction, research, combat consumption, equipment, and training. Yet, for four years of schooling we now allow the single Vietnam veteran the same $6300 this country spends just to pay, feed and clothe him for one year in the army. We find the money to pay for his training as a soldier and we should be willing to provide equivalent amounts for his readjustment to civilian life.

2. *Drug rehabilitation and psychiatric programs.* One of the highest costs of the war has been its effect on those who served in Indochina. Not only do they return home without a hero's welcome, but many are addicted to drugs and many others are suffering from various mental problems requiring psychiatric care.

The drug problem has reached alarming proportions. In Vietnam, drug treatment facilities are limited to retention of drug users for a few days. When users have been removed from dependence on drugs they are sent home and are soon released from the military. The program seems to be directed mainly at insuring that there will be no withdrawal problems on flights returning servicemen to the United States and that, upon arrival, these returnees will not prove to be an embarrassment to the Armed Forces. In short, the Armed Forces do not cure addicts or provide any sustained help to the great majority of those who began to use drugs while in Vietnam.

The burden of the drug rehabilitation program must then fall on Veterans Administration facilities. But, despite assurances from Administration sources, the drug treatment and psychiatric programs are insufficient to meet the problems of the returning servicemen. Only by ignoring most of these men can we believe that our current efforts are adequate.

Unfortunately it is all too easy to ignore those with drug or mental problems. Many of them are disaffected and want nothing further to do with the institutions of our government. Others are disoriented and do not know how to help themselves.

A total of $65 million should be allocated immediately for drug and psychiatric rehabilitation programs, and we should make the commitment to extend such appropriations for as long as they are necessary.

These programs would allow the Veterans' Administration to expand its facilities and to hire qualified psychologists and psychiatrists where they are available.

They would allow the Veterans' Administration to establish an "outreach" program in which qualified young staff could seek out those needing help.

Funds would also be available for the infusion of young personnel into the Veterans' Administration. Younger workers are needed to serve as recreation and other types of therapists who would be best able to communicate with the returning servicemen.

Finally, these programs would create jobs for many of the Vietnam veterans who are now unable to find work.

Undoubtedly the present programs of veteran assistance must be improved in other ways. But the two areas treated in this statement—educational and training benefits and drug and psychiatric rehabilitation—are those which most urgently require attention. And they represent the two critical areas for updating veterans assistance programs in light of the developments of recent years.

SERVICEMEN AND WOMEN

Our Armed Forces face a crisis caused, in large measure, by American involvement in the Indochina war. The Armed Forces have lost in the public's esteem because of general disenchantment with the war itself. This is unfair to the millions of fighting men who have acquitted themselves with great honor and distinction. And it represents a heavy burden for the Armed Forces as we emerge into the post-war period.

A sustained effort must be launched to make a military career attractive to able men and women. A large part of this effort involves the alignment of military practices and standards on the values of today's society. This can be accomplished without undermining the degree of discipline required to enable the Armed Forces to perform their allotted functions.

1. *Participation in political and civic life.* The separation of the civilian and the military, with ultimate civilian control, remains appropriate and necessary. But this approach and the supposed requirements of the military have operated to prevent individual members of the Armed Forces from expression of political points of view which differ from those of the Administration in office. In addition, requirements for registration and voting in many States effectively prevent members of the Armed Forces even from participating in elections. Thus, in effect, we are penalizing those who serve in the Armed Forces by excluding them from the political and civic life of the country.

No constraints should be placed on the expression of political views by members of the Armed Services, provided that they do not engage in political activities while in uniform and that they do not use facilities intended for the military purposes for their own purposes. All Constitutional guarantees

must extend to all members of the Armed Forces at all times. In particular, we have seen specific cases where officers have been prevented from expressing their own political views, where soldiers have been prevented from circulating or editing anti-war newspapers and where servicemen and women have been prevented from enjoying certain shows on post theatre facilities. All of these practices must be opposed.

Appropriate directives should be issued by the Commander-in-Chief to permit all forms of political expression by members of the Armed Forces acting as private citizens.

An Armed Forces Voting Rights Act should be adopted which would permit servicemen and women to participate in all Federal elections. Members of the Armed Forces, when stationed in the United States, should be permitted to vote in Federal elections in the State and district of their place of service. Once the Electoral College is replaced by direct election of the President and Vice President, servicemen and women stationed abroad should be permitted to participate in elections for these offices.

2. *Military justice.* Over the years, the Uniform Code of Military Justice has been somewhat adjusted to conform with civilian legal practice. But further reform is required if members of the Armed Forces are to gain confidence in their special judicial system. In particular, further efforts are required to insure that military courts are free from the possibility of command influence.

The military courts should be relieved of any jurisdiction over alleged offenses which are not peculiar to the military. All such matters should fall under the jurisdiction of the Federal court system.

Offenses relating directly to the military function should remain under the jurisdiction of military courts. Thus, such alleged offenses as absence without leave and desertion should be subject to military justice.

Cases of such importance that they involve threats to the physical security of all or part of the United States extend in scope beyond internal military considerations and the maintenance of discipline. Cases of this nature in the United States should fall under the jurisdiction of the Federal courts.

In cases where an act in the United States would be deemed criminal regardless of the fact that it was committed in the Armed Forces, it would fall under the jurisdiction of the Federal courts.

Naturally, new rules must be adopted to prevent double jeopardy between military and State institutions.

Beyond this reorientation of the system of military justice, we should model that system, to the greatest extent possible, on the Federal court system. The military judicial system should be made into a single worldwide system under a unified command. The Courts of Military Review, appellate jurisdictions below the level of the Court of Military Appeals, should be staffed with high ranking legal officers appointed by the President. They should be subject to rating only by the chief judge, not by military commanders. Judges of all higher military courts should be assisted by law clerks from the junior officer ranks. The physical characteristics of the military courtroom should be the same as those of Federal district courts. Military judges should give advance approval orders to appear as witness or to produce evidence. The Court of Military Appeals, the highest court, should review all cases where a penalty of more than one year's confinement is given. Military judges should have the power to suspend sentences. They should also be empowered to issue orders and writs necessary to protect the rights of military personnel. Members of military juries should be selected at random, not by command choice, and should include female personnel.

In addition, the summary court martial, which does not provide adequate safeguards, should be abolished. The death penalty should be eliminated. All offenses, now described in general terms, should be precisely defined.

All of these measures, taken together, would represent a fundamental realignment of the system of military justice on the system of civilian justice. They would virtually eliminate the possibility of command influence on the judicial process.

A further step is the continual review by the Commander-in-Chief and the Congress of the offenses defined by the Uniform Code of Military Justice and the penalties. Military justice must be kept in line with general practice in these areas as well as in the realm of procedure.

3. *Military pay.* The pay scales now in effect for men and women in the Armed Forces are unjust. They penalize those who serve as a result of conscription and they make national service, either on a short-term or career basis, a sacrifice. Undoubtedly those in the military service receive certain non-pay benefits not normally available to the general public. But the pay scale, especially in the lower ranks, does not meet even the minimal living needs of the individuals concerned.

If we are to have an all-volunteer army in the United States, military pay must be increased. All projections that are now made relating to our ability to raise an all-volunteer army are based on existing pay scales. Naturally, the results are disappointing. If a military pay increase is constructed in such a way as to distribute pay better in the lower ranks, we will maximize the ability of the Armed Forces to attract and retain personnel.

The Congress has moved to increase military pay. These pay increases should be put into effect without any undue delay. Such pay increases would not have an inflationary effect but serve to stimulate consumer spending.

Even more important, action finally to bring military pay into line with civilian scales would represent a tangible expression of continued support for the Armed Forces at a time when some unjustly blame them for our involvement in Indochina.

The pay scales adopted by the Congress represent a major step in the right direction. But they fail to include fully the recommendations of the Gates Commission with regard to pay scales in the lower grades. The following examples indicate the differences:

	New scales (monthly)	Gates scales (monthly)
2 years or less service:		
E-1	$268.50	$301.50
		310.80
E-2	299.10	320.70
E-3	311.10	336.90
E-4	323.40	352.80
Over 2 years service:		
W-1	507.00	517.20
W-2	573.60	576.60
2 years or less service:		
O-1	495.00	612.30
O-2	570.30	693.30

The Gates Commission recommendations on pay in the lower grades should be added to the present pay scales if the concept of an all-volunteer army is to have a fair chance. More than any other single measure, such pay increases would counter the arguments of those who say that an all-volunteer army would only attract the poor. If pay were competitive with civilian occupations open to recent high school or college graduates, recruitment from middle class backgrounds would be easier.

All of these proposals are designed to make possible the advent of an all-volunteer army and the end of conscription. Military life requries the maintenance of military discipline. But we have allowed military life to stray too far from the standards and norms of the general society as they relate to non-military matters. For that reason, we should move now to accord servicemen and women full political and civic rights, impartial justice and fair compensation.

SECRETARY STANS DISCUSSES THE ROLE OF PROFITS AND PRODUCTIVITY IN REVITALIZING THE ECONOMY

Mr. PERCY. Mr. President, on October 27 Secretary of Commerce Maurice H. Stans addressed the fall management conference of the Northwestern University Graduate School of Management on policies to revitalize the economy. Secretary Stans stresses the role of profits and the need to make a special effort to increase productivity, a subject that is of very great interest to me. Secretary Stans argues that the time has come to "breathe new life into the old belief that we are the most efficient and productive people on earth." And he appropriately calls on American labor and management to work together in a spirit of common purpose to achieve this objective:

In no area of American life is there a greater opportunity and a greater need for the leaders of labor and management to bury the old antagonisms and go forward together.

Secretary Stans reminds us in this regard of all that the American enterprise system has accomplished for us. He notes, for example, that since 1900 real income has tripled, and that at the same time the number of hours a man works over his lifetime has been cut almost in half.

I enthusiastically call the attention of the Senate to Secretary Stans' speech and ask unanimous consent that it be printed 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, my good friend Dean Barr, gentlemen, there are several reasons why I am particularly pleased to be here with you today.

First is the fact that many of you are old friends, from the Chicago business community and from Northwestern, and we share a great number of mutual interests. So this is a personal pleasure, to be back in the Midwest as your guest.

Second, it is a privilege to participate in a conference that exemplifies the productive partnership that can exist between business and the academic world. Working together, your two forces have done perhaps more than any other elements in our country to make life better for people everywhere—through science and technology, medicine, business management, and many other joint efforts.

Third, I am very glad to meet with you at this particular time, which is far more propitious than anyone could have foreseen when this conference was first scheduled last spring. There is no more dominant issue in the country today than what is happening economically, and the American people are far more interested than usual in the subject of American business.

TURNING POINT

In recent years, in fact, we have gone through a long night of criticism of our private competitive system. Its critics were becoming radical and almost rabid in their efforts to make business the whipping boy for one cause after another.

But today I think circumstances may have brought us to a turning point—to the beginning of a new period in which the nation will renew its appreciation of American enterprise.

Having come face to face with the economic realities of our times, we are due for a reawakening to the fact that we can recover from the mistakes of the 1960's—we can regain our economic stability and achieve our goal of a New Prosperity—only with the help of American business and industry.

We are all in this economy together—business, labor, the public, and government. Each of these is beginning to realize that we all have to rise together to a great national purpose.

The time for pursuing the special private interests of the past is gone—and if we are going to succeed in this common enterprise, we certainly cannot do it by kicking business around any more.

For its part, business must continue to lead the way in cooperation and support for the New Economic Program. It has given this kind of leadership in the freeze period up to now, and for this it has earned the country's appreciation.

REPORT

Today I want to give you a report on the New Economic Program, and the ways in which it may improve our prosperity and our economic directions for years to come.

Then I would like to comment on two matters directly related to business management and to your conference theme, "Getting on Top of the Bottom Line"—the subjects of profits, and the growing issue of productivity.

These three—prosperity, profits and productivity—are tied together in the country's interest today more than ever before.

PROGRESS

As you know, the fundamental goal of the New Economic Program is to blunt forces of inflation, to reduce unemployment, and to reestablish our competitive strength in the world at large.

This is a huge undertaking, but on the basis of success up to now in the freeze period we believe these goals will be met. For example:

In the first full month of the freeze, wholesale prices had their sharpest drop in more than five years, and retail prices began a less inflationary course.

Interest rates are down, in some cases significantly, and even mortgage rates are dropping.

On the labor front, more than 70 percent of the pre-freeze strikes have now been settled, and so have almost 50 percent of the new strikes in the freeze period.

Retail sales have risen considerably, led by a healthy rise in automobile sales.

And in the Business Community, a remarkable 100 percent of the 1,250 firms we contacted have voluntarily agreed to restrain dividends.

INTERNATIONAL

Beyond these domestic indicators we have also seen the first encouraging steps toward resolution of some very serious international problems which constituted so much of our total economic concerns.

For instance:

Once the shock waves had passed after August 15, our major allies in the free world economy began to realize the absolute necessity of the steps we were taking, for their interests as well as ours, in closing the gold window.

They have also begun to realize that they must take steps on their own to rebalance the international monetary scales, if we are to avoid the recurring financial crises of the past.

In addition, the Japanese textile agreement—and similar ones elsewhere in the Far East—have paved the way to a new rebalancing of world trade patterns.

Achieving it has been influential in helping other countries to see at last that we are serious about the rapid deterioration of our competitive position in world commerce, and that we are determined to act in our own self-interests.

Other countries are now willing to sit down and talk with us about redressing the grievances of non-tariff barriers which have discriminated so sharply against American products and the American trading position in many parts of the world.

All of this is important to those of you who want to see some black on the bottom line.

And in our judgment, all of this is not a bad box score for less than 90 days.

PHASE TWO

Now let me say a word about the next phase of the New Economic Program, and where we go from here.

First, Phase Two has been designed very carefully to make it both fair and flexible.

We will not play favorites with any special interests, and there will not be any economic discriminations.

We are determined to have a fair program, both because it is right, and because it will attract broad public support only if it is fair.

Public support is essential for this whole effort to succeed. The program for limited wage and price restraints will work if our industries really want it to work, if labor unions really want it to work and the public really wants it to work.

It must have those commitments.

In order to assure fairness, we must also have flexibility in its controls, its limits and its ceilings. Adjustments must be possible to avoid unnecessary restrictions on production, efficiency or growth.

The President very wisely has left the job of developing ways and means to groups of non-governmental officials. He is saying, in effect, "You know best what is needed and what we ought to do. Work out sensible and effective solutions to accomplish our objectives."

This is a far more reasonable approach than for government to issue rigid regulations without public consultation or participation.

So in Phase Two, operating with this public part in the program—operating by two guidelines—fairness and flexibility—the country is going to remedy its problems.

It is going to set a strong new economic course for decades to come.

We are going to meet our goal of a New Prosperity.

PROFITS

The second subject I want to discuss here today is the matter of profits—getting on top of the bottom line.

By your conference agenda I know you are looking closely at all the factors that management must consider in the endless effort to earn a fair return on investment.

Many of these factors that were less in the equation for business profits in the past—social responsibilities, corporate citizenship, rugged international competition, national issues, and the partnership of government—to name just a few.

These new elements bear out the fact that profits are becoming more difficult to obtain.

So do the figures. A downward trend has been underway for some time in the general level of profits.

Certainly there is no excess profits level to be taxed in connection with the present economic program, except in the case of windfall profits which President Nixon has insisted must be shared with consumers.

The important point that all the nation should focus on is not whether profits should be taxed. It is the question of how they can be stimulated, recognizing that profits are the fuel of the American economy.

THE PRESIDENT

President Nixon has made this very clear on two recent occasions.

In his address of October 7 he pointed out "an unassailable fact of economic life"—that "All Americans will benefit from more profits." He said "more profits . . . generate more jobs (and) . . . mean more investment, which will make our goods more competitive in America and in the world." And he added: "More profits mean there will be more tax revenue to pay for the programs that help people in need."

Two weeks earlier in Detroit he cited the fact that 100 million Americans are the direct beneficiaries of profits in one way or another, and that "more profits means more jobs." "When you really look at what makes this economy work, when you really look at what produces jobs," he said, "it comes from profits being plowed back into industry . . ."

DISSENTERS

Unfortunately, there are leaders in major segments of our economy today who do not see this truth.

Among them, as we all know, there are partisans of political causes to whom profitable American enterprise is a convenient whipping boy.

There are partisans of economic theory who have never had to participate in the practical world, and they see profits as some kind of an exploitation device.

And there are partisans in organized labor who see everything about business in an adversary way. They seem honestly to believe that what is good for business cannot be good for labor, and vice versa, not recognizing that we are all in this economy together, and that what benefits one inevitably benefits both.

For example, they have attacked the proposed investment tax credit as a "bonanza for business". Nothing could be further from the fact.

The tax credit is a proposal to stimulate the purchase of American-made equipment and machinery. It will benefit labor at both ends of the line—on the one end making more jobs for the men who build equipment and machinery, and at the other making more jobs in plants which buy them in order to become more competitive in domestic markets and around the world.

BENEFITS

By every standard of measurement the profit system has provided more benefits for American workers than any other economic system has provided any other workers in the world.

Under the profit system we are constantly cutting down the number of Americans in need, constantly raising the median family income, constantly expanding the purchasing power of every American worker and family.

Under the profit system, with its automatic growth factor, we have been able to raise the number of American families with incomes of over $10,000 a year from about 10 percent in 1949 to 46 percent in 1969.

Under the profit system we have trimmed our work week from 12 hours a day, six days a week a century ago to less than 8 hours five days a week today with at least six holidays a year and two weeks of paid vacation.

The American profit system has expanded the need and the rewards for professional and technical workers and engineers many times over in this century alone.

WAGES

Under the profit system we have a Gross National Product equal to that of Russia, Japan, France, West Germany and the United Kingdom combined.

The average take-home pay of an industrial manufacturing worker in the United States is more than twice as high as it is in the highest other country in the world; and under the profit system American workers have greater purchasing power than the workers of any other countries.

So in a time when we are preoccupied with our economic system, all Americans must recognize that profits are essential to our standard of living and our common interest. We must recognize that corporations which make profits are not monsters with super appetites devouring the resources of the people.

Corporations are people—the people who own them, who manage them, who work there—three million owners in the case of AT&T, for example, who put up the money to make jobs possible and in the case of General Motors another million and a half who do the same.

This is the system that keeps the fuel of economic progress pumping into the engine of American enterprise.

This is the system that has given us the highest standard of living in the world, a standard which every other country wants to achieve, and one which we want to achieve for every American who has not yet shared fully in the affluence of our economy.

PRODUCTIVITY

The key to reinvigorating the American profit system, with all its benefits, is greater productivity—and this is the third subject I want to discuss here with you today.

The time has come to breathe new life into the old belief that we are the most efficient and productive people on earth.

In most respects this is still true, but our lead has been cut very drastically and quickly by the development of new economic superpowers, and there are some at our heels who think we are tired and in trouble.

The trends of recent times have encouraged them.

American productivity is rising far slower than our major competitors' in world trade—1.7 percent per year against 4.5 in Western Europe and 10.6 in Japan.

Over the past five years productivity in American industry had the smallest increase of any industrial nation in the free world.

COMPARISONS

But even as other countries close the productivity gap and even as their wage levels rise, they are still far from the earnings of American industry and business.

In 1970, Japanese labor costs—including fringe benefits—were only 26 percent of ours. They are 37 percent in Britain, 39 percent in France, 54 percent in West Germany and 83 percent in Canada.

In short, they are gaining on us in productivity but not in wages—and this is a major factor in the decline of our competitive position in the world.

American imports have risen far faster than exports, and this year we face the first deficit in our balance of trade since 1893.

Our share of the world's commerce between nations has dropped from approximately 21 percent to about 18 percent within a decade.

Germany has replaced the United States as the world's leading exporter of manufactured goods.

Our trade in minerals and fuels and in low-technology goods is falling steadily deeper into deficit conditions.

Even our traditional dominance in high-technology trade has begun to be challenged by a number of countries in such items as computers, aircraft and electronics.

And to close the gap still farther, many countries are investing relatively far more heavily than we are in plant assets, in research and development, and in technological achievements.

ANSWER

One answer to this condition is to increase American productivity by better machines, better methods and better products.

This is not just a matter of losing a race, and unexpectedly taking second or third place in the community of nations.

What is at stake here are American jobs and the American standard of living.

For if we cannot produce competitively, we will find that our markets overseas will be lost increasingly to the producers of other countries, and the goods of other nations will become increasingly dominant in our domestic market.

Government actions alone could not staunch the inevitable loss of American jobs under those circumstances. Ultimately we would be faced with a massive challenge of adjusting to a new role, changing from the great productive industrial super-power of today into a service nation of indefinite situation in the future.

Instead, the time has come for productivity to become an honored concept once more, encouraged and respected by management, and rewarding for labor.

In no area of American life is there a greater opportunity and a greater need for the leaders of labor and management to bury the old antagonisms and go forward together.

PUBLIC

In doing so, several things must be made clear to all concerned.

The public and its legislators must be convinced that encouraging new capital investments is not a "bonanza for business", but a means of creating new business and more business.

By giving American workers better tools to work with, they can beat the competition. They can reduce unit costs, increase American output, lower consumer prices, raise profits for future investments, and in the process create more jobs for more Americans.

LABOR

As for American workers, they must be convinced that accelerated productivity means more income, more jobs and a better standard of living.

We must get over the tired notion of the past that greater efficiency is contrary to the best interests of the working man. The jobs eliminated by efficiency and productivity are the hard jobs, the back-breaking ones, the dirty jobs and the menial jobs. For these it substitutes machines to do the human labors of the past.

This has been the history of our rise in productivity. Since 1900:

The number of hours a man works over his lifetime has been cut almost in half.

We have put more machines to work in this country than all of mankind combined.

And real income per person has more than tripled.

So the lesson is clear: The old ways of the past—the inefficient uses of labor—must be ended in the interest of those who labor.

MANAGEMENT

American management, for its part, must recognize that it has never been more urgent to modernize plant and equipment, and never more advantageous to do so.

Management must take stock and become aware that 44 percent of the business facilities in America today are more than ten years old, and ready to be updated.

As part of the process to regain our country's competitive equilibrium and our economic stability, management also must improve its own skills and efficiency. Bottlenecks to the full utilization of technology must be broken, and the creation of new technology must be encouraged.

This begins in the front office.

NEW WEALTH

Of this much we are certain:

Gains in productivity are the primary source of new real wealth for the country.

We cannot produce new real wealth by financial hocus-pocus . . . by increasing wages or prices beyond gains in productivity. To do so only produces new inflation.

Our surest source of greater wealth for a greater America lies in better use of our material and human resources—better management, greater efficiency of labor, improved technology, and better uses of investment capital.

FUTURE

Government is considering a number of possible steps to encourage more rapid growth of productivity.

Among others, we are studying the possibility of creating financial incentives for the development of technology.

We are also examining the need for modernization of the antitrust laws, so that industries may work together in developing technology. Foreign competitors do not face any such restraints.

CONCLUSION

Today the American economy stands at a point where there can be no exemptions from the national interest.

We did not arrive here because of any desperate condition or fundamental weakness in the system; we are here because of many international factors, some of which we could not control, and because in our own pursuit of abundance through the Sixties we grew slack in many domestic policies and production practices, including the growth of productivity.

Today we all face the question of what is best for the country and what is best for all of us.

The President said in August that in the final analysis we would succeed or not depending upon our spirit, our strength and our sense of destiny and the depth of our commitment to the country.

This applies to every element of our economy, including the business community.

If business, labor and government show wisdom and restraint in 1972 we can begin the job of disassembling controls, returning to a free economy, and restoring American enterprise and American labor to the competitive conditions in which they function best—and with more profits on the bottom line.

FIREFIGHTERS FACE DEATH AND INJURY: THE NEED FOR GROUP LIFE INSURANCE

Mr. HUMPHREY. Mr. President, on May 25, 1971, I introduced a bill (S. 1946) that would provide group life, accidental death, and disability insurance to our law enforcement and firefighters throughout America.

I noted at that time that one fundamental reason for introducing this legislation was the increasing number of police officers and firemen who are killed in the line of duty. I pointed out that these men are public servants, that they do risk life to help others, and that we as public officials ought to be cognizant of their possible sacrifice.

The most recent issue of the International Fire Fighter, published in October of this year, reminds us again of the grim facts of life faced by firefighters. This

magazine has published the annual death and injury survey of the professional firefighter. The figures are shocking; and they are all the more reason for action on this bill.

Last year 115 paid firemen died in the line of duty. This figure is higher than the number of deaths in any previous year.

And, when compared on the basis of 100,000 workers, the deaths of firemen average higher than the deaths of mining or quarry workers.

Mr. President, I ask unanimous consent that the article listing the death and injury figures be printed in the RECORD.

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

ANNUAL DEATH AND INJURY SURVEY OF THE PROFESSIONAL FIREFIGHTER IN THE UNITED STATES AND CANADA

It is sad to report that "the most hazardous occupation" once again falls to the fire fighting profession. Last year 115 paid professional fire fighters died in the line of duty. In 1969, the previous year, 104 fire fighters (per 100,000 workers) were killed on duty.

Until 1969, fire fighting had followed mining and quarrying as the most hazardous occupation, according to statistics released by the National Safety Council, the FBI's Annual Crime Report and Fire Administration records.

President McClennan called the high death toll among U.S. and Canadian fire fighters a "tragedy of epic proportions. My heart goes out to the widows and children of these brave men who have given their lives to save others. They are martyrs in the truest sense of the word."

President McClennan said "everything humanly possible must and will be done to make our profession safer. This will be one of the primary goals of the National Commission On Fire Prevention and Control." He is a Vice Chairman of the 22-member Commission.

Fire fighters deaths per 100,000 workers topped mining and quarrying in 1970 by 15 deaths. In 1969 104 fire fighters died to 100 deaths in mining and quarrying.

Although a policeman's death seems to generate much more publicity than fire fighters, the statistics show that fire fighting is perennially considerably more dangerous than police work. In 1969 there were 104 fire fighter deaths per 100,000 to 64 policemen.

Over a ten year period, 1960 to 1970, there have been 790 fire fighters killed in the line of duty as compared to 707 policemen during the same span. Fire fighter injuries on-the-job in 1970 per 100 men were just double that of policemen—38 per 100 for fire fighters and 18.9 injuries for every 100 policemen.

In 1970 there were 38,583 fire fighters injured. Over 11,000 of those injured, or better than one in four, lost time from work because of their injuries.

In addition to deaths and injuries on the job, fire fighters are particularly vulnerable to heart and lung diseases strictly because of the nature of their job.

Recent statistical studies have proven beyond doubt that the risk of heart disease among fire fighters—and indeed the death rate from all causes—is much higher than is attributable to the general population.

The smoke inhalation problem is directly related to rapidly increasing number of occupational deaths among fire fighters due to lung diseases. In 1969 there were only 23 deaths from lung disease. In 1970 there were 126 fire fighter deaths due to lung diseases—a nearly six-fold increase!

The fire fighter must often cope with concentrations of carbon dioxide and carbon monoxide gases that are regularly present in smoke, along with a variety of other often more dangerous gases. These may be formed by the process of combustion or liberated from industrial storage and processing equipment. As the complexity and number of synthetic building and textile materials increase, so do the number and toxicity of the gases formed by their combustion. These gases may damage the lungs themselves or may use the lungs merely as a port of entry into the body and produce pathologic changes elsewhere. Toxic gases, incidentally, accounted for nearly 1,500 lost-time injuries last year, or 13 percent of the total lost-time injuries during 1970.

Besides smoke and fire and collapsing buildings, the fire fighter has another formidable enemy he must cope with in an increasing number of incidents—the unseen enemy who pulls the false alarm. Over 200 fire fighters were injured in responding to or returning from a false alarm last year. Traffic accidents involving fire apparatus also accounted for 1,305 injuries.

AREA OF INJURIES

In other areas, fire fighters were injured in the following categories:

Civil disorder injuries—195 (reported).

Injuries sustained by individual violence—113.

Injuries during training—1,223.

In spite of the documented fact that fire fighting is the most hazardous occupation in the world, many city officials in towns and cities in certain areas of the U.S. and Canada are trying to reduce their fire departments, thus further increasing the hazards of our profession.

"Although the fire fighting profession is considered and recognized as the most dangerous occupation, it is imperative that all safety measures be carefully observed and every possible means must be initiated to reduce the number of deaths and disabling injuries," President McClennan said.

"It is of deep concern to this union that many fire department personnel rosters are not being brought up to full strength," he said. "One man can hardly be expected to do the work of two or three men at a fire without proportionately increasing the possibility of his death or injury.

"Officials in many communities must also come to the realization that fire fighters must be supplied with proper and adequate protective clothing and equipment to meet the demands of our profession to protect life and property."

LONG HOURS CITED

President McClennan also stressed that "the long hours fire fighters are required to work in many communities must and have to be reduced if a man is to be in proper mental and physical condition to combat the dangers of smoke and fire. Safety committees and programs, organized and initiated by IAFF affiliates, can readily bring these factors to the attention of local communities," he stated.

In view of the valuable statistics compiled on these pages, the IAFF Department of Research and Education feels that it is of the utmost importance that affiliated local unions immediately report all injuries through official channels and to the responsible officer of their local union for the protection of themselves and their families.

Each local should keep injury records in a permanent file since it can never be known for sure when a "temporary" disability of a fire fighter will recur and it may be necessary to have documented proof that he was previously injured.

MORE DATA NEEDED

Local unions should also maintain data on the number of fire fighters killed, or who have died later as the result of their work, the causes of death, the economic and financial status of dependents and if proper compensation was paid. Similar data should also be kept on record for injured fire fighters.

The safety committees of local unions should develop safety thinking among rank and file members and stimulate members to proper safety measures.

Local affiliates should also keep current with municipal and state safety codes and work in close harmony with central labor bodies and the National Safety Council in developing safety procedures.

To protect the physical welfare of its rank and file members, the IAFF has taken positive steps to keep abreast of safety developments by establishing fire fighter committees on occupational diseases, and safety and radiation hazards. The International has taken a vital interest in having safety statutes written regulating the transportation of flammable materials in interstate commerce. This was a topic discussed at the recent Notre Dame Symposium and outlined in the recently published proceedings on this symposium.

SAFETY CONSCIOUS

The International Union and its local unions, as records prove, have faithfully represented rank and file members at the negotiating table in continuing efforts to better the salaries and working conditions of fire fighters. And even more important, this union stands ready to do the same to promote and activate safety programs and research into better equipment in order to reduce the death and injury toll among fire fighters everywhere.

NORTHWESTERN UNIVERSITY SETTLEMENT

Mr. PERCY. Mr. President, the Northwestern University Settlement is this year celebrating its 80th anniversary of outstanding service to the city of Chicago and its people. Under the extremely competent direction of Mr. and Mrs. Mike Rachwalski and their very able staff, the settlement is providing programs of an educational, recreational, and social nature similar to those it began 80 years ago. These programs serve a great number of individuals, ranging from senior citizens to high school dropouts.

George T. Drake, vice president of the settlement, has sent me a statement on the settlement's history which I think we will all find of great interest. Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

It was in January of 1891 that President Henry Wade Rogers of Northwestern University and two members of the school's faculty, Professor Robert D. Sheppard and Professor George A. Coe, joined with Mr. William Deering and Mr. Norman W. Harris in founding the Settlement Association.

President Rogers served as the first President of the Association, Mr. Deering was named First Vice President, Professor Sheppard Second Vice President, Professor Coe Secretary, and, appropriately, Mr. Norman W. Harris was designated as the first Treasurer.

The first Head Resident, then called Resident Secretary, was Mr. Charles Zeublin. Mr. Clark J. Tisdell served as Assistant Resident Secretary.

The object of the Settlement was:

"The elevation of neglected parts of Chicago by the maintenance in their midst of College Settlements modeled in part after those already in operation in London, New York, Boston and other cities. The aim and

motives are distinctively Christian, but the methods are not a repetition of those of the Churches."

A flat was rented at 143 West Division Street, near Milwaukee Avenue, above a feed store. Mr. Zeublin was in charge. Mr. and Mrs. Clark Tisdell also were in residence there.

In addition, a store and basement at 225 West Division Street was leased, named 'Evanston Hall' and furnished as a reading room and club room. A social science club was implemented and also clubs for boys, girls, young men and working girls.

Expenses for the first year of operation were estimated at $1,500.00.

In 1892 the Settlement moved to larger quarters at 26 Rice Street. In that year, Mr. Zeublin resigned to accept a position in Chicago and Clark J. Tisdell was put in charge as Head Resident, which position he held until 1896 when William Haid a Journalist, replaced him in that capacity.

In 1898 the Settlement moved to still larger quarters at 252 West Chicago Avenue and a Committee was organized to raise $40,000.00 for a permanent home.

At this time, the Settlement applied for and obtained a charter as an Illinois corporation, issued November 18, 1898, which carried the following statement as the purpose of the Association:

"The object for which it is formed is to purchase, erect, establish and maintain in the County of Cook and State of Illinois one or more Social Settlements and Houses and Places of Amusement, Entertainment or Instruction."

The campaign was quickly carried to a successful conclusion and in 1901 the Settlement's permanent home at 124 Augusta Street was formally opened.

Mr. Raymond Robbins held the position of Head Resident in this period of the Settlement's growth, serving from 1899 to 1904. A Mr. Maynard succeeded Mr. Robbins for about one year, and for the next two or three years, the Settlement House was operated by a Regency Board pending the selection of a new Head Resident. Finally in 1908, a Miss Harriet Vittum, who had come to the Settlement as a Volunteer Worker in the previous year, was officially appointed Head Resident. Her outstanding period of service in this capacity extended for 38 years until her retirement in 1946.

In 1908 the emphasis was upon improved housing, improved sanitation, adult education and recreation for all ages. It was at about this time that the Association sponsored one of the first distributions of sterilized milk in the Chicago area.

In 1910 one of the earliest Infant Welfare Stations was opened at the Settlement House; the Legal Aid Society held its initial meetings there, and in the fall of that year, one of the first Boy Scout Troops in the Nation was formed. It was in 1910 that the Settlement's first Summer Camp, known as the House in the Wood, was opened upon Forest Preserve property.

The most significant development of the year 1910, however, was the formation of the Evanston Board of Northwestern University Settlement, the Settlement's first Supporting Board.

The years between 1910 and 1920 were productive years for the Settlement. Many new activities were added, such as courses in Manual Training, Home Economics, and Home Nursing. During this same period, Miss Harriet Vittum was an ardent worker and supporter of the Women's Suffrage Movement and at one time ran for Alderman of the 16th Ward.

In 1916, President Theodore Roosevelt and his daughter Alice, later Mrs. Nicholas Longworth, paid a visit to the Settlement House. Pictures of this social call are among those photographs of the Settlement's early years on display this evening in Guild Hall.

In the war years 1917 and 1918, the Settlement became the headquarters for the Selective Service Board and served as a Physical Examination Center for Inductees. It was also used as a focal point for the Liberty Bond Drives and for the Red Cross Work undertaken by the Women's Clubs and Classes.

At the end of World War I, the Settlement assisted returning Veterans in finding employment and adjusting to civilian life.

In the midst of the recession of the early '20s, when wide-spread unemployment placed additional demands upon the Settlement in the form of emergency aid to unemployed persons and evicted tenants, further and timely assistance and support come through the organization of the Winnetka Board in 1923.

The world-wide Depression which started in this country in October of 1929, deepened rapidly and by 1931 the Settlement again found itself in the depths of probably the greatest economic catastrophe of modern times. Ever increasing demands were made upon the services of the Settlement in this trying period. Assistance to the unemployed, emergency relief, evictions, food distribution, and the many problems which arose through the thousands of home mortgage foreclosures which the Depression fostered, received the urgent attention of the Settlement staff.

It was at the outset of this critical period that much-needed additional assistance came through the formation of the Highland Park Board in 1929.

The year 1930 saw the establishment of the Oak Park-River Forest Board, followed in 1931 by the creation of that refreshing and energetic group of Oak Park School girls as the Junior Service League. This same year saw the formation of the Business and Professional Women's Board.

During the mid-thirties, the Settlement also received assistance from many of the schools in the North Suburbs in the form of prepared and canned food which was sent to the Settlement and there distributed to the many needy families in the neighborhood. During these tragic months, many hundreds of people were provided with overnight lodging and food at the Settlement House. Each of the programs at the Settlement House was widened and extended and the House was open throughout this period from 8:00 in the morning until 11:00 in the evening, seven days a week.

It was in 1937, when many people were wondering if financial recession might not be a permanent way of life, that a group of young ladies living in the North Shore area conceived the idea of forming the North Shore Junior Board to assist the Settlement in its work, but primarily to support the Summer Camp known to us as the House in the Wood.

The decade of the forties again witnessed a radical change in the services afforded to the neighborhood by the Settlement. The years of World War II saw a resumption of the same type of services and uses that the Settlement had sponsored in World War I.

Over 1,000 young men from the neighborhood joined the armed services during this period and with end of the war and their return to th area, the staff of the Settlement was again charged with assisting them in finding employment and adjusting to civilian life.

One of these returning veterans was Michael Rachwalski, who, upon the retirement of Miss Vittum as Head Resident in 1946, was appointed to that position by the Board; and his lively wife, Helen, was appointed as Assistant Head Resident.

In 1949, the businessmen of the community which the Settlement serves, formed a supporting group known as the Century Club, and in 1950 the Northwestern University Settlement Associates was organized by a group of young matrons living in the North Shore Suburbs.

The 1950's found the Settlement staff directing its energies towards assisting displaced persons coming into the community, developing an expanded adult education program, fostering citizenship classes and reconstituting the afternoon and evening programs.

In 1952, through the efforts of the North Shore Junior Board, a permanent Summer Camp was acquired at Lake Delavan, Wisconsin, to replace the House in the Wood. This lake front site has made it possible to add all forms of water recreation to the Summer Camp Program.

We are now in the 1970's. While the basic services offered by the Settlement are much the same as they have been since its inception, we are constantly developing new services and facilities to deal with the problems occasioned by population shifts, urban renewal, school dropouts, and the increasing number of senior citizens living in the area the Settlement serves. Under the able direction of Mike and Helen Rachwalski and their very competent staff, the Settlement is successfully meeting these new challenges.

EXPULSION OF NATIONALIST CHINA FROM U.N.

Mr. THURMOND. Mr. President, editor Louis Harris of the Augusta, Ga., Chronicle penned an excellent editorial entitled, "Moment of Infamy," published October 27.

Editor Harris took note of the accelerating power of the Communist nations over the United States as evidenced by the admission of Red China and the expulsion of Nationalist China.

This is a strong editorial, but it reflects the attitude of the American people in the South toward the United Nations. Mr. Harris is quite correct when he predicts that the U.N. "now seems certain to succumb to Communist domination."

However, one danger we must avoid in this current situation is that of allowing an attitude of isolationism to sweep this country. Only through the sacrifice of the American people has communism been stemmed in the past 20 years. If we allow the United States to become a second rate military power or fail to support our allies this Nation may witness in the next few years the type of Communist gains seen at the close of World War II.

I ask unanimous consent that the editorial be printed in the RECORD.

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

[From the Augusta (Ga.) Chronicle, Oct. 27, 1971]

MOMENT OF INFAMY

Whatever faint claim to respect the United Nations might have retained from its record of failures and blunders went down the drain when its General Assembly replaced law-abiding Free China with the outlaw dictatorship in Peking.

The Republic of China, in a portion of the world where aggression seems to be the rule rather than the exception, has been distinguished into the leading country of Southeast Asia. It has, in fact, contributed to the cause of freedom and democracy even to the extent of helping defend South Korea and South Vietnam from savage invasions. It has built for its people the highest standard of

living in that quarter of the globe, it has effected a land distribution system to poor farmers without expropriation, and it has shared its material goods and its technical knowledge through an extensive system of aid to developing nations.

This is the country—a founding member of the United Nations—that the UN is expelling in favor of Red China. Peking brings as its "qualifications" the condemnation by the United Nations itself for aggression in Korea (which has never been rescinded), its statement that the UN must change its Charter to suit the Communists, its continued expression of bitter and vituperative hatred against the United States, and its record of slaughter and imprisonment for its own citizens who dared espouse freedom and democracy.

The United Nations blithely ignored its own Charter which says flatly that no member shall be expelled without recommendation of the Security Council. Indeed, had any such recommendation been advisable, nominees for expulsion would far more logically have been the oppressive dictatorships behind the Iron Curtain, or the prison-nation of Cuba, or the African countries actively engaged in training terrorists for bombings and assassinations in neighboring lands.

The United Nations under its Charter is an organization of "peace-loving" nations. Yet Red China is a major supplier of the North Vietnam Communists' effort to take over South Vietnam by force. And, on the very day that Secretary of State William P. Rogers announced the United States' new "two-China" policy, a Senate Foreign Relations subcommittee reported that Red Chinese troops operating in northern Laos had increased rapidly from some 6,000 or 8,000 to a total of between 14,000 and 20,000.

FBI Director J. Edgar Hoover recently reported that the United States "today is the target of a growing Red Chinese espionage campaign" and of attempts to influence American youth, and that "we expect the subversive danger to grow as time passes."

This is the viper which the United Nations has taken to its bosom. The UN, of course, has been a walking corpse for years. In Vietnam, Biafra, the Middle East and elsewhere it has tucked its tail and run from its primary responsibility of peace-keeping. In its international political position since the death of Dag Hammarskjold, it has shown gross partiality to Communist nations.

Any tattered shred of integrity the UN may have still claimed has now disappeared. Respect for Charter commitments, for truth, for peace, for individual freedom, for honor—all these have been tossed cynically on the garbage dump. In such an organization, the incentive for membership has shrunk from a vision of a better world to a ruthless maneuvering for power.

The Congress should without delay adopt Sen. James L. Buckley's measure calling for a major reduction in the United States' financial contribution to the UN. We are now paying an incredible 35 per cent of the UN's bills while some other nations get away with refusing to meet their UN obligations. We trust that any possible further U.S. appropriations will be at the minimum amount for any individual nation.

And, further, the time would seem to have come for the Nixon Administration to reevaluate our membership in this organization. It appears to us that continued participation is worse than futile. And, we suspect, most of the people of this country will want their government to consider most seriously the matter of cutting all ties with a group that now seems certain to succumb to Communist domination.

FOREIGN AID SCUTTLED

Mr. PERCY. Mr. President, I never thought that I would be placing in the RECORD an editorial from the Chicago Tribune critical of the U.S. Senate for cutting our foreign aid. The Tribune has through the years been highly critical and skeptical of many foreign aid projects. But there is a difference between constructive criticism of a given wasteful project and the direct scuttling of an entire program without any alternative plan or policy in sight.

I commend this incisive editorial of October 31 to the Senate and ask unanimous consent that it be printed in the RECORD.

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

[From the Chicago Tribune, Oct. 31, 1971]

THE WRONG WAY

We never expected to find ourselves objecting to a cut in foreign aid, but the Senate's behavior Friday evening in throwing out the entire foreign aid bill was hasty, vindictive, and irrational. It was just the sort of short-tempered response which we warned against the other day after the United Nations ousted Nationalist China.

Here were men who like to call themselves the greatest deliberative body on earth blithely throwing out, without the slightest debate, a 25-year-old program which, however many its faults, directly affects our relationships to just about every country in the world. And what's more, it did so for a number of conflicting reasons, some of them good and some bad.

Some senators acted out of resentment at the United Nations, some out of exasperation at the defeat of provisions aimed at the Viet Nam war, some with an eye on the critical deficit in our foreign payments, and some because of the weaknesses in foreign aid itself. So many senators were not even present that only 41 votes killed the bill—an unlikely assortment of Republicans, Democrats, liberals, conservatives, internationalists-turned-isolationists, doves, and just complainers.

President Nixon, never the greatest of foreign aid boosters himself, quite properly called the action "highly irresponsible" and urged the Senate to reconsider. The Nixon doctrine in the Pacific, designed to avoid future Viet Nams, depends on a certain amount of aid in order to help those free countries who are willing to defend themselves against aggression and help themselves economically. One might name the Philippines, South Korea, and Thailand as just a few. Are these countries to be sacrificed to the Chinese dragon just because of pique over its victory in the United Nations? This would be nonsense. Some of the very senators who voted against foreign aid Friday have told us in the past that foreign aid is better than war, and they are right.

Senator Mansfield, the majority leader, offers little hope. He says that the matter will not be revived but that foreign aid's death will be a lingering one because of the many billions of dollars still in the pipeline. He opposes a continuing resolution, a normal way of keeping programs going while Congress argues over their future.

If the Senate wants, it can recover its senses and pass a new foreign aid bill. The President knows this, Mr. Mansfield knows it, and the other senators themselves know it. The Senate has proved itself an unthinking patsy for foreign aid in the past. It has now proved that it can be equally blind in its opposition. Surely it must be possible for such a body to arrive at a sensible medium—sorting out the parts of foreign aid that may be productive, scrapping the rest, scaling down the total volume, avoiding emotionalism over peripheral issues like the U.N. and Viet Nam, and in general keeping control in our own hands rather than turning it over to international agencies. By doing this, the Senate could at least demonstrate that its aberrations are temporary.

FUNDS FOR PSYCHIATRIC RESIDENCY EDUCATION

Mr. THURMOND. Mr. President, the Senate of South Carolina has passed a resolution commending the Congress of the United States for approving the continuing support of psychiatric residency education by appropriating funds for this purpose in the Labor-HEW Appropriations Act for fiscal 1972. The resolution requests that the President of the United States take such immediate action as may be necessary to release, for expenditure, the funds appropriated for psychiatric residency education under this act.

Mr. President, the Senate of South Carolina, in passing this resolution, feels that the funds which have been appropriated for this program should be immediately released and any delay will further jeopardize the survival of this training program.

Mr. President, on behalf of my colleague from South Carolina (Mr. HOLLINGS) and myself, I ask unanimous consent that the resolution be printed in the RECORD.

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

A SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO RELEASE CERTAIN FUNDS APPROPRIATED FOR PSYCHIATRIC RESIDENCY EDUCATION

Whereas, the members of this body wish to commend the Congress of the United States for its wisdom in approving the continuing support of psychiatric residency education by appropriating funds for this purpose in the Labor-HEW Appropriations Act for the fiscal year 1972; and

Whereas, since these funds have not been released, the survival of this training program and the mental health needs of this country are at stake. Now, therefore

Be it resolved by the Senate of the State of South Carolina:

That the President of the United States is urgently requested to take such immediate action as may be necessary to release, for expenditure, the funds appropriated for psychiatric residency education in the Labor-HEW Appropriations Act for the fiscal year 1972.

Be it further resolved that the President is requested to give close attention to the expansion of psychiatric education for the future.

FOREIGN AID DILEMMA

Mr. McGEE. Mr. President, the Senate finds itself in a dilemma as to finding some feasible method for resolving the question of our foreign aid program. Therefore, I should like to offer a three-phase approach toward resolving this dilemma—an approach which I feel would be compatible with all interests involved in the problem.

Phase I would entail the passage of a continuing resolution for, say, 60 days, or whatever period Congress can agree upon. In this manner we could continue foreign aid funding at the fiscal 1971 levels while allowing us to achieve enough time to prepare wisely for the next stage.

Planning for phase II would require

the working out of what I feel would be a bare bones program to run until next June 30. Here again we would have ample time in which to negotiate and implement phase three.

Phase III would entail the restructuring of a new approach to foreign aid, bringing together all interested parties in order to hammer out a program which everyone could live with.

Indeed, there may be an urgent need for a new approach to foreign aid. However, I contend that it would ill behoove us to completely cast aside any type of program in favor of starting from scratch once again. I think it is essential that an interim foreign aid funding program be initiated and in the works while the reevaluation and restructuring process takes place.

I also feel that the time element involved in my proposal would give us the opportunity to allow tempers to cool relative to reaction to the U.N. vote on China and the disenchantment expressed over the present foreign aid program. It would allow us to come up with a program which would be the outgrowth of the best thinking we could offer, rather than a knee-jerk response based on emotional reaction to events which have tended to cloud the real issues before us.

It would be my hope that we could adopt something close to this approach. I strongly believe it is a most realistic proposal for resolving this dilemma.

SUPREME COURT NOMINATIONS

Mr. HANSEN. Mr. President, on October 28, 1971, the Evening Star published a column, prepared by James J. Kilpatrick, on the subject of President Nixon's two nominees for appointment to the Supreme Court.

The article is a reminder to all of us of the checks-and-balances system under which our government operates. It particularly related to the appointment of judges and the manner in which Presidents have exercised the power to nominate Justices to the Supreme Court.

Mr. Kilpatrick points out:

When all the checks and balances work perfectly, we get to the point we have reached just now. Powell and Rehnquist are superlatively qualified for service on the Supreme Court.

The column concludes:

The President has acted responsibly in every sense of the word. One devoutly hopes that the Senate will respond in kind.

Mr. President, I believe that all Senators and the American public will find this column of great interest. I ask unanimous consent that it be printed in the RECORD.

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

TWO SUPERLATIVELY QUALIFIED COURT NOMINEES

(By James J. Kilpatrick)

The President announced his two nominations for the Supreme Court a little before 8 o'clock Thursday evening, and the wire services began calling around Capitol Hill looking for reaction. The nominees were Lewis F. Powell of Virginia and William Rehnquist of Arizona. How did they strike Emanuel Celler?

The old New York liberal, dean of the House and chairman of its Judiciary Committee, allowed himself a small sigh. "On the whole, good." But Powell had been described to him as an arch-conservative, and "I would not have appointed him."

Celler has been misinformed as to Powell—the Virginian is a man of law, not of ideology—but his brief comment invites renewed appreciation of the genius of our constitutional system. "I would not have appointed him." Of course, not. But Celler is not President of the United States. More to the point, neither is Hubert Humphrey; and Humphrey would not have appointed him, either. But Richard Nixon is; and Richard Nixon did.

This is of the essence. On the domestic side, a President's power to nominate members of the Supreme Court is by far his most important power.

If he chooses wisely—wisely, that is to say, by his own lights—and if he can get his nominees confirmed, a President can leave his own lengthened shadow on the law. "We live under a Constitution," said Chief Justice Charles Evans Hughes in the famous line, "but the Constitution is what the judges say it is." Precisely. And how do we get our judges? We get them by presidential nomination.

It is curious that so many persons in public life appear to be discovering this truth so belatedly. Two factors may account for the sudden buzz of liberal alarm and conservative delight. The first is Nixon's candor—one might wish in this instance, that the President had not been quite so candid. The second is recent history.

Nixon's immediate predecessors—Truman, Eisenhower, Kennedy and Johnson—had the same power, but they seemed never to know what to do with it. None of them was a lawyer. It makes a difference.

Harry S. Truman thought of honoring his pals. Heaven alone knows what Dwight D. Eisenhower thought. John F. Kennedy and Lyndon B. Johnson had two chances each, and they used them alike: Each tapped an old friend, and each paid a political debt—Byron White and Arthur Goldberg, Abe Fortas and Thurgood Marshall. Nixon is thus the first President since Franklin D. Roosevelt to exercise his appointive power fully, knowingly and deliberately, in the acknowledged hope of achieving particular ends at law.

If such a power were absolute, our system would fail. The judicial branch gradually would fill up with rubber stamps and obedient hacks. But the power is not absolute. It is checked first by the Senate's power to withhold its consent, and second by the device of life tenure. The power is checked also by public opinion and by political pressure.

When all the checks and balances work perfectly, we get to the point we have reached just now. Powell and Rehnquist are superlatively qualified for service on the court.

I have known Powell for 30 years as a great lawyer and good citizen. He is the best Virginia has to offer, and by the repeated professional judgment of his colleagues, perhaps the best the bar has to offer. Rehnquist is possessed of a formidable intellect. He is as profound a student of the Constitution as any Sam Ervin or Abe Fortas, and he is only 47. He will grow.

Nixon's own judgment is that his two nominees share his judicial philosophy. "I would imagine that it may be charged that they are conservatives." But surely it is Nixon's right deliberately to choose conservatives, just as it was Roosevelt's right deliberately to name liberals. This is the way the system is supposed to work.

Humphrey would not have named Powell and Rehnquist—or Burger or Blackmun, either. But Humphrey didn't win. Wait till next time.

The President has acted responsibly in every sense of the word. One devoutly hopes the Senate will respond in kind.

OPPOSITION TO ATLANTIC COAST OIL DRILLING

Mr. HARRIS. Mr. President, I am opposed to the offshore drilling for oil on the Atlantic coast being planned by this administration.

Abandonment of the oil import quota system, I am now convinced, is a better alternative for providing adequate supplies of fuel at reasonable cost.

I have written a letter stating these views to the Secretary of the Interior with a copy to President Nixon. I ask unanimous consent that the letter be printed in the RECORD.

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

NOVEMBER 3, 1971.

Hon. ROGERS C. B. MORTON,
Secretary of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: Your predecessor, Walter Hickel, acted with courage and firmness to halt offshore drilling in California after the terrible oil spill at Santa Barbara in 1969.

I am deeply disturbed by press reports that you are now planning to lease areas off the New Jersey coast and the Maryland shore and off Cape Cod for oil drilling. This could make Cape Cod into the Santa Barbara of the east, and that must not be allowed to happen.

Jacques Cousteau has recently stated the alarming fact that the oceans are dying. I lately talked with a student who has quit his pursuit of studies in the field of oceanography because of disillusionment. He feels that we are rapidly ruining the great source of food—indeed of oxygen—which the oceans represent. Thor Heyerdahl has reported to the United Nations the tragic news that nowhere in his recent voyage across the Atlantic was he in waters free of man's pollution, principally from oil.

The reported plans for drilling offshore along the Atlantic coast present enormous dangers of ruining our remaining beaches and shores and of further contamination and pollution of the oceans.

I urge you to go extremely slow on any plans for such offshore drilling leases and that you give the fullest possible hearing to all conservationists and other experts. They are talking about our survival on this small, increasingly poisoned globe.

There is a better present alternative to this offshore drilling. I believe it is preferable that we abandon the oil import quota system to insure greater supplies of fuel—particularly for the northeast—at lower cost for the consumer.

I am now convinced that President Nixon's Task Force report—with which he disagreed—urging that the United States switch to a tariff system, rather than oil import quotas, was correct. That is a far more preferable immediate solution to the energy crisis than rushing headlong into offshore drilling on the Atlantic coast.

Sincerely yours,

FRED R. HARRIS,
U.S. Senate.

VA MEDICAL CARE: AN ENORMOUS POTENTIAL FOR THE NATIONAL HEALTH STRATEGY

Mr. CRANSTON. Mr. President, an excellent article published in the Medical World News of August 6 raises a very important question. That is: What would be the role of the enormous hospital system of the Veterans' Administration under a national health insurance program?

This excellent article points up the role of the Veterans' Administration hospitals in the current health system, the outstanding contributions made by medical research in VA hospitals to the improvement of medical treatment universally, the sizable proportion of the Nation's health manpower which has received and is receiving training and education in the Veterans' Administration system and the potential role which the Veterans' Administration can fulfill as a full partner in the Nation's health system if it is released from statutory and budgetary limitations which retard its progress in the health manpower field and its full involvement with the local medical community.

I have fought hard against the budgetary limitations which have been proposed by the Office of Management and Budget and, with the very capable assistance and partnership of Senator PASTORE and Representative TEAGUE, chairmen, respectively, of the Senate Housing and Urban Development, Space, Science, Senate Appropriations Subcommittee and of the House Committee on Veterans' Affairs, have been successful in bringing the Veterans' Administration hospital and medical care budget to a level which, at least, prevents serious reductions in staff and services and, hopefully, provides for increased quality and quantity of care. This is a continuing battle, and I am carefully watching the administration's application of their proposed wage and personnel reduction to the VA Department of Medicine and Surgery, to insure that the gains we have made are not further eroded.

I have also, as has Chairman TEAGUE, introduced legislation which will improve the Veterans' Administration's ability to attract and retain highly qualified professionals and paraprofessionals in its medical facilities.

Insofar as the statutory limitations restricting the Veterans' Administration's full partnership with the medical community, last year I authored legislation, now enacted into law, which requires the inclusion of representatives of Veterans' Administration facilities on advisory councils of community and State health planning agencies and regional medical programs. This legislation—Public Law 91-515—provides an initial step in fostering greater coordination between Veterans' Administration medical programs and community medical programs.

This year I have introduced legislation—S. 2219 and S. 2355—in coordination with Chairman TEAGUE, which will further strengthen the relationships between Veterans' Administration medical facilities and community medical education programs and medical schools by expanding support of education and training programs conducted by institutions affiliated with VA facilities, as well as by expanding educational programs within VA facilities themselves.

To accelerate the Veterans' Administration into the mainstream of medical care, I have introduced legislation—S. 2354—which would broaden the responsibility of the Veterans' Administration in caring for its beneficiaries to include dependents and widows of totally disabled veterans whose disability is due to a service connected injury, as well as, other veterans where care can be provided without being detrimental to the provision of care to veterans with service connected disabilities.

This new legislation should remove the unrealistic restrictions, from a medical point of view, placed on the treatment of the veteran and instead provide for his care as a whole person, as a member of a family unit and beyond that as a member of his community, thus making the VA medical facility indistinguishable, in terms of the extent of medical care, provided, from community medical facilities.

In this session of Congress, I have also introduced legislation—S. 2108—to meet the problem of the treatment of the increasing number of veterans who have become addicted to narcotics and alcohol. The administration has addressed itself to this problem as well. When this legislation is enacted, and I firmly believe it will be, the Veterans' Administration Department of Medicine and Surgery will be in the forefront in the timely development of programs for treatment and rehabilitation of addiction, one of the most critical medical problems of current times.

Thus, the Veterans' Administration medical system, with its 165 hospitals, its outstanding contributions to medical care, medical research, and medical education, has a vital role to play in the Nation's health system. Under the legislative program I have outlined, the VA could live up to its full potential as a national health resource. I believe the Medical World News article, "Caring for the Veterans" presents the rich potential of the Veterans' Administration system very clearly and provides important facts that must not be overlooked in congressional consideration of means of improving the Nation's health system.

Mr. President, I ask unanimous consent that the text of the article as well as the letter from the publisher, Dale R. Bauer, be printed in the RECORD.

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

[From Medical World News, Aug. 6, 1971]

A LETTER FROM THE PUBLISHER

Research in the years since the end of World War II has created a potential for effective therapy of many diseases that the physicians of an earlier day could only dream about. But in the opinion of many critics this potential all too often remains just that—a potential. It is the possibilities for improved health and prolonged life inherent in modern care—as much as the problems of rising cost and uneven quality—that have created the tremendous public pressure to provide, either by public or private means, a method to deliver the best medical care to all who need it.

In the 1970s one of the dominant themes of medicine is certain to be the continuing debate over how we are to establish an adequate health care delivery system at a price society can afford. Medical World News has followed this developing battle, just as it has chronicled through the years the advances in medical practice. Each week it is our obligation to report to our readers noteworthy events that bear upon medicine. And socio-economic events are an important part of our news spectrum.

We feel particularly proud of this week's cover story on the Veterans Administration hospital system by Washington-based Senior Writer John Blamphin. With 96,000 beds in more than 400 institutions, it is the nation's largest single health care delivery system. And what happens to the system is of importance to more than just its veteran-patients.

Blamphin's story focuses on the vital question of the future of the VA system and its mission to care for the veteran within the context of the growing prospect for some kind of national health insurance system. For his perceptive account of why the VA "is running scared" turn to page 34.

DALE R. BAUER.

CARING FOR THE VETERAN—MORE VETS SEEKING TREATMENT AS OFFICIALS DEBATE VA'S FUTURE

What will become of the Veterans Administration medical service? The question is important because the VA, through its Department of Medicine and Surgery, is the nation's largest health care system. As such, what happens in the VA affects medicine generally—in patient care, education, research, and facilities. Not unlike other institutions these days, the VA is in a squeeze. But beyond the annual haggling over budgets and personnel levels, a more basic debate is taking place concerning the very function of the VA system: Will it eventually be reduced to a dispenser of checks for care and treatment that veterans receive elsewhere? Or will it become a keystone for a national system of health care for all?

Between these extremes, meanwhile, the VA is currently grappling with fiscal problems and an increasing number of patients. Servicemen returning from Vietnam, plus an aging population of veterans from earlier wars, are making heavy demands on the VA for medical and psychiatric care. The facilities to which they are turning are chronically understaffed and many are in need of modernization or replacement. To make matters worse, the Office of Management and Budget (OMB, formerly the Bureau of the Budget) will not permit the VA to fill more than 79,000 beds per day in fiscal 1972. Last year, the VA hospitals averaged close to 85,000 inpatients per day.

New advances in medical care and treatment are pushing VA hospitals to keep service up to date. In addition, the Nixon Administration has handed the VA a massive drug abuse control assignment. To carry it out, the VA will supplement its existing drug treatment programs by opening 32 specialized units by next October.

Finally, the VA is faced with the challenge of justifying a place for itself among rapidly evolving systems of national health care delivery and financing that, philosophically at

least, would seem to leave little room for separate government medical care programs.

The latter issue—the role of the VA in a program of universal health insurance of a national health care system, whatever it might be called—is pivotal. Until that decision is made, the VA will probably continue its hand-to-mouth existence, providing reasonably good-quality care, often under spare conditions.

The VA medical service, even now, is no small segment of the U.S. health care industry. With a budget of nearly $2 billion last year, it cared for seven million of the nation's 28 million veterans through a network of 165 hospitals with a capacity of 96,000 beds, 202 independent clinics, and 65 nursing homes. The system is staffed by 150,000 physicians, dentists, nurses, and every category of allied health worker. In addition, the VA relies on 83,000 private physicians to provide care, on a fee-for-service basis, to veterans in their local hospitals.

Essentially, the VA system cares for two types of patient. The first is the veteran with an illness or disability that resulted directly from his time in military service. He is entitled to—indeed, guaranteed—comprehensive care, both in the hospital and as an outpatient, for such ailments.

The other VA patient is the veteran whose illness or disability is not service-connected. He is eligible for inpatient care if he can't afford to pay for it elsewhere and if a VA bed is available. He can be treated as an outpatient only when such treatment is related directly to a hospitalization.

Besides caring for veterans, the VA serves as a major resource of medical education, training, and research. VA hospitals and clinics are affiliated with 81 medical schools, 51 dental schools, 287 schools of nursing, and some 400 universities, colleges, and junior colleges that train both professional and technical allied health workers.

Nearly one third of all physicians now practicing have had some or all of their postgraduate training in VA hospitals. In addition, a total of 8,649 interns and residents, including 4,278 full-time VA and 4,371 part-time appointees this year, are receiving all or part of their postgraduate education in VA hospitals.

Of the 5,100 full-time VA physicians, some 2,100 hold medical school faculty appointments. An additional 16,414 physicians serve in part-time or consultant capacities, while each year some 11,700 medical students are provided a large portion of their clinical experience in VA hospitals. More than 52,000 allied health workers are being trained in some 60 professional and technical categories within the VA health care system during the present year.

The VA has also compiled an excellent record in research. It led the way in testing antituberculosis and psychotropic drugs, pioneered the clinical use of radioisotopes, and was among the first to investigate the relationship of dietary fats and atherosclerosis. Much of the basic research on the cardiac pacemaker was performed in VA hospitals.

For years, however, this massive health care system has been underfunded and understaffed. The situation reached crisis proportions after the 1968 federal employment ceiling, imposed by Congress on hiring of federal employees, reduced VA staff at all levels.

Thus, the problem for VA proponents was to stir up enough public furor to get Congress to vote more money. Sen. Alan Cranston (D–Calif.) took care of that with a sensational round of hearings that opened on Veterans Day in 1969 (MWN Jan. 5, June 12, '70). "Our investigation lasted six months," says Senator Cranston. "We found a dangerous deterioration in the quality of medical care due primarily to shortages of funds and personnel. We found that the number of full-time doctors and nurses had not increased since 1964 although casualties requiring hospital care had risen 300% and total U.S. military troop strength in Vietnam had tripled.

"At some hospitals, we found new equipment and new wings unused for lack of staff; at others, we found obsolete equipment and rundown facilities still in use because restrictions on the VA's budget had deferred repairs and replacements."

VA officials maintained that by and large the system provides a high level of care but admitted that their hospitals were undermanned by at least 10,000, and catching up on staff alone would cost $100 million.

The congressional probes were not hooked up for political purposes. "VA hospitals are in a period of crisis," Dr. John C. Rose, dean of Georgetown University School of Medicine, told the Senate Subcommittee on Housing and Urban Development, Space and Science earlier this year. He said that the "most highly visible elements of the crisis—chronic overcrowding and understaffing—were having an adverse effect on the quality of medical care rendered to our veterans," and that they "can also adversely affect the quality of medical education carried out in VA hospitals affiliated with medical schools."

The VA's chief medical director, Dr. Marc J. Musser, admits that "we have had a long-term shortage of personnel." The VA national average is 1.8 employees for every patient. But at the Durham (N.C.) VA Hospital, for example, regarded as one of the system's better hospitals with a medical school affiliation, the ratio is 1.7:1. In the general care wards, the evening and night shifts have only one registered nurse and one licensed practical nurse or nurses' assistant for every 35 to 40 patients. "That's not adequate," says Durham's director, Stanley Morse. With additional nurses, he says, the patients would get better care. "But," he adds quickly, "that is not to say they are being neglected now."

Space needs are becoming critical in many hospitals. When more than 150 veterans seek admission to the Durham VA Hospital in a single day, "we have to use doctors' offices as examining rooms, or even the hallways, on heavy days," says director Morse. "But the examination is made, the diagnosis is rendered, and the patient gets the care he needs."

While the physical plants of VA hospitals have changed little, the services offered have expanded a great deal. Typically, the Durham hospital, which opened in 1953 with 491 beds, still has 489 beds. "But we've cranked in 14 major programs, among them chronic renal dialysis, a coronary care unit, and surgical and medical intensive care units—all without adding space," reports Morse.

Like other VA hospitals affiliated with medical schools, the Durham VA leaders are proud of their relationship with Duke University Medical Center. "I am convinced that our medical school affiliation is the best thing that has happened to us," says Morse. "There is no doubt we come out on the good end of the deal in staffing and in clinical research."

"We are really utterly dependent on the Duke departments to staff our hospitals," notes Dr. Delford Stickel, chief of staff at the VA hospital, and a surgeon who does nearly all the kidney transplants for both the VA Hospital and Duke. Nearly all recruiting of physicians is handled through the university medical center, with the faculty appointments and research opportunities offered as attractions, he explains.

The relationship between the VA and the medical school has also produced tensions. Dr. Stickel admits that quality control and cost effectiveness are advantageous to delivery of health care through a system such as the VA. "But the other side of the coin is the rigidity in the system."

He points with irritation to the VA rule that requires full-time VA doctors who supplement their income by teaching or doing research at the medical center to sign a statement every two weeks saying they will devote 80 hours of their time in that period to the VA hospital, and that the care of the veteran-patients will come first at all times.

Dr. Stickel and other physicians who are on both the VA and medical center staffs also resent centrally imposed rules and regulations that inhibit them from keeping up with innovations in care being tried by the local medical schools. Physicians at other VA centers voice similar complaints.

Medical school officials generally share the enthusiasm for the relationship between schools and VA hospitals. "There is no doubt that the VA system has been one of enormous benefit, at least to our university," says Dr. Roscoe Robinson, chief of nephrology at Duke and a member of the liaison committee between the two institutions.

Dr. William G. Anlyan, vice president for health affairs at the university, finds the school-VA relationship beneficial, but he believes the VA hasn't pulled its own weight. "In 1953, when we started the affiliation with the VA hospital here, we were equal partners. Now the partnership is like a two-horse chariot drawn by one thoroughbred and a mule near death. In some aspects, the VA hospital is ten years behind the quality of care that we give on this side of the street."

"Inadequate financial support has not allowed the VA to staff up for the new kinds of care," says Dr. John A. D. Cooper, president of the Association of American Medical Colleges. Yet he and others believe the VA offers a satisfactory level of diagnosis and management. "Compared with 1942, I think the quality of care is absolutely fantastic today. Compared with general care in the country, it's good. But it is not up to the level in many academic medical centers."

Although some schools in the past have considered severing their relations with VA hospitals because of incompatibilities between the schools and the centralized VA system, "those situations are easing off today," says Dr. Cooper.

Dr. Jack M. Layton, acting dean of the new University of Arizona College of Medicine in Tucson, which HEW's new health chief, Dr. Merlin K. DuVal, helped to establish is more optimistic about the VA-medical school liaison. "We've had a fine relationship with them. It is growing and being strengthened." Dr. Layton says that as the Tucson medical center becomes involved in community care for the Tucson area and the entire state, the VA hospitals will be playing an important role in that project. "The system we have in Tucson could serve as a national prototype," he adds.

As a result of stories concerning understaffing, overcrowding, and tensions with medical schools that came out in hearings and in the press, an aroused Congress last year voted an additional $105 million to the VA's fiscal 1971 budget with the intention that it be used principally to hire more staff.

Instead, the OMB, which tells executive-branch agencies how to spend their money, ordered the VA to use the $105 million on "nonrecurring" items, including dental care for Vietnam veterans and X-ray equipment.

This year, the OMB rejected the VA's request for $2,147,559,000 in fiscal 1972 and instead called for $2,027,750,000 in the President's budget request for the VA. OMB based this lower figure on the reduction—to 79,000—in the maximum number of inpatients that the VA could house on a given day.

The OMB justified the bed cutback by ordering the VA to increase its outpatient services and achieve a more rapid turnover of inpatients. But VA supporters in Congress see it differently: "I doubt that anyone

could prove it, but scraps of information and conversations here and there have led us to believe that the Office of Management and Budget is antagonistic to VA medical programs and that it believes the VA ought to get out of caring for patients with non-service-connected health problems," confides Rep. Olin Teague (D-Tex.). "Tiger" Teague, chairman of the House Veterans' Affairs Committee, is a powerful figure who wields enormous influence with the nation's millions of veterans. "This would mean getting out of the medical business because 65% of the care the VA provides is to veterans with non-service-connected disabilities and illnesses," says Representative Teague.

The Administration's failure to use the $105 million in last year's budget to hire new employees, and the reduction of the hospitals' patient capacity brought howls of outrage from some members of Congress. Both Representative Teague and Senator Cranston held hearings this past spring. Senator Cranston said the ordered cutback of 5,500 in average daily inpatient census will mean the VA will be forced to treat 46,728 fewer hospital patients during fiscal 1972, based on the current flow of patients.

To counter the failure of the Administration to spend last year's $105 million on staff, Senator Cranston pushed an $8-million supplemental appropriation through Congress. President Nixon accepted it, and the VA has already hired and is putting to work 8,600 new employees, including 802 physicians.

Then, in passing the VA appropriations bill for fiscal 1972, Congress added $120 million to the VA budget to restore the 5,500 cut in daily inpatient census called for by the Administration, and added $100 million to provide year-round funding for the 8,600 new employees. As the final precaution, both the House and Senate appropriations committees took the unusual action of writing language directly into the bill forbidding the VA to reduce its level of operations.

Adding nearly a quarter of a billion dollars to the VA medical budget may ease the financial and staff crunch for the coming year, and so improve patient care. But it by no means guarantees the future of the VA in the delivery of health care in the U.S. Carving out that niche is the major goal of VA's aggressive medical director, Dr. Musser. "The VA is a considerable national resource for delivery of health services," he says. "As a system, it offers opportunities for quality control that don't exist too widely elsewhere. Personally, I believe that in a universal health insurance plan, the nation cannot do without the VA as a resource."

"The VA is running scared," says Duke University's Dr. Anlyan. "They don't know what will happen to their system if national health insurance comes along." He believes that if financing for private health care is available for all, the VA could be relegated to running a reimbursement program for its veteran-beneficiaries. "I question the need for the VA hospital system if there is a universal health care system."

Dr. Musser's concern that the VA become an indispensable part of the total U.S. health care system is not simply the urge of the bureaucrat to preserve his empire. Rather, it is based on the recognition that the VA cannot provide high-quality care for the veteran in a vacuum or on a limited scale. If a national health care plan were to be enacted, covering the costs for most veterans except those with service-connected disabilities or those with special problems for which the VA has great expertise, the result would be to lower the quality of VA care, Dr. Musser claims. "If the system is to be restricted that much, you could not avoid a deterioration in quality of services. It would be mediocre, and we could no longer justify it. Rather than operate a small and mediocre system it would be better to have the private sector assume full responsibility for the care of veterans."

To preserve the VA system and make it compatible with methods of delivering private health care, Dr. Musser and the deputy chief medical director, Dr. Benjamin Wells, would first expand the eligibility for receiving VA care. They believe that veterans without service-connected disabilities should be eligible for outpatient care as well as inpatient care.

In addition, they see merit in the proposal of the Veterans of Foreign Wars that services should be offered to the dependents or widows of the permanently and totally disabled veteran. These changes would allow the Veterans Administration to offer a complete range of comprehensive health care services, including pediatrics and gynecology, comparable to what is available outside the system. To do this, an omnibus VA bill (House Resolution 37) is now pending in Congress.

Next, Dr. Musser would liberalize the rules for sharing VA facilities and services with the communities in which the VA hospitals are located. VA hospitals would become part of the area's total health care system. VA beneficiaries could use local services that the VA could not provide, and local private physicians could send patients to VA hospitals when appropriate.

The VA and community institutions could cooperate to build and operate centralized services, such as laboratory and x-ray. Given staff privileges at VA hospitals, private physicians could admit their veteran-patients and still retain control over the patients' management.

Dr. William W. Hofmann, chief of neurology at the Palo Alto (Calif.) Veterans Administration Hospital, says that taxpayers will get their money's worth only if the VA system is put to its fullest use, with active patient turnover and strong interaction with all of the health needs and facilities of the entire community. "Only then can the veteran-patient get the good care to which he is entitled." Dr. Hofmann adds that VA physicians "are asking for more work and involvement in the community as a whole. We challenge the health planners to provide us with a flow of patients who may now be waiting unnecessarily for care and advice."

Finally, Dr. Musser suggests that under a program of national health insurance the medical staffs of local VA hospitals be allowed to join or form partnerships, such as Health Maintenance Organizations. This arrangement could improve the salary potential of the doctors, provide incentives for more productivity, and would make the VA more akin to closed-panel prepaid group medical practices. By building in all the elements of the private health care system—from comparable patient groups to partnerships of physicians—the VA hospital system could become an integral part of the national health plan and at the same time serve its primary client—the veteran.

Blending the VA with the private medical community is by and large acceptable to organized medicine. "The VA has been a monolithic system separate from the community," notes Dr. Milo A. Youel of San Diego, Calif., chairman of the AMA's Committee on Government Medical Services. "On the teaching level it has integrated well, but in the community it is still isolated. I do feel it has to be integrated into the private health care system. It can't exist as an isolated system of medical care."

But Dr. Youel does not believe the VA should provide free care to any but the veteran with a service-connected illness or disability. "In the past, where the community had no provision for the indigent and where VA space was available, you couldn't fight the vet going to the VA hospital for treatment of non-service-related ailments. But as a right, when the nonveterans in the community are not entitled to that care, it is not fair."

"I don't believe there should ever be a federal takeover of health care," Dr. Musser says. "But properly developed, a case could be made for a federal system operating in support of the private sector. The last thing we want to do is compete with the private sector or interfere with its prerogatives. But to be available as support, to explore new modalities of care while treating a fair segment of the population, I think we can be very useful."

The VA also hopes to make its system more rational and valuable to local communities by setting up VA regions. The objective is "to develop fully each hospital's special potential so that patients will have available to them the complete range of medical and health services no matter which hospital they happen to be in," says Dr. Musser, the former coordinator of the North Carolina Regional Medical Program. Five VA regions are active now: 17 more out of a total of over 30 will get under way before the end of the year.

Another means of tying the VA indispensably to the health care system is to beef it up as a training ground for health workers. "If funds were available, the current VA educational system could provide training for an additional 3,300 medical students and an equal number of interns and residents," says Dr. Musser, "plus an additional 941 dental students and 357 dental interns and residents." Dr. Musser told the House Subcommittee on Public Health and Environment that VA hospitals could also increase the number of allied health workers by 12,500.

The VA is cognizant of newly emerging health professions. This year, about 20 VA hospitals will set up training programs for physicians' assistants, in conjunction with seven or eight major medical centers and colleges, and the VA has already worked out a civil service classification for employing physicians' assistants.

Another major aim of Dr. Musser and the VA Department of Medicine and Surgery is to strengthen the VA's 25-year-old relationship with medical schools. Although 95 VA hospitals are today affiliated with 81 medical schools, there are still 72 hospitals in 36 states that have no such affiliation.

A bill (House Joint Resolution 464) pending in Congress would give the VA authority to help states start five new medical schools using VA hospitals as the principal clinical facilities. The VA administrator could provide the necessary land and buildings, renovate the buildings to make them suitable for medical education, and pay salaries and costs for supporting the new faculties.

There would also be additional funds to strengthen the current hospital-medical school affiliations. The AAMC is opposed to the bill, although it endorses the principle of new schools. It fears that some schools might get started without adequate planning and guarantees of continued support, and it objects to splitting the support for medical education between the VA and HEW. Finally, the AAMC says the VA ought to clean up its own house before taking on additional responsibilities in medical education. Georgetown's Dr. Rose sees improving the "aging and increasing obsolescent physical facilities of some VA installations" as a "prerequisite to broadening the Veterans Administration's responsibilities in medical education."

Dr. Musser admits to the problems in VA facilities, but, he counters, with proper funding and authority the VA could substantially cut the costs and time required to open a new medical school. The VA is not without experience. In 1966, when Louisiana State University decided to establish the School of Medicine in Shreveport, the VA cooperated

by lending its hospital for the primary clinical teaching resource. "Instead of taking from two and a half to three years, it became possible to enroll the first class of students within 14 months," says Dr. Musser.

Four other medical schools are or will be partially housed in VA hospitals—the proposed University of New Jersey College of Medicine in East Orange, the University of Nevada School of Medicine in Reno, the University of Arizona College of Medicine in Tucson—and negotiations are now under way with State University of New York at Stony Brook to affiliate with the VA hospital at Northport, Long Island.

How many of Dr. Musser's plans for the VA medical care system eventually come into being remains to be seen. But he is not alone in his efforts. Says Representative Teague: "Despite the attitudes that now exist in the Administration, we intend to make the VA just as indispensable to the U.S. medical care system as we can. We are going to strengthen the association of the VA with medical schools and with junior colleges that train allied health workers. Then, any major disintegration of the VA medical system is going to have an even more disastrous effect on the total health care system of this country."

ENVIRONMENTAL HEALTH EFFECTS LABORATORY

Mr. MATHIAS. Mr. President, I invite the attention of Senators to the proposed construction of an Environmental Health Effects Laboratory to be added to the Naval Medical Research Institute at Bethesda, Md. I thoroughly support the findings of the Senate Appropriations Committee in its recommendation that $4.5 million be appropriated for this Laboratory. I find it important to underscore the findings of the committee at this time in view of the fact that the House struck this item from its appropriations bill after it had been included in the military construction authorization bill passed by both Houses of Congress.

Mr. President, I have long pointed to the misappropriation of our resources which we squander in the jungles of Southeast Asia when we should be concentrating them toward maintaining our strategic edge in competition with the Soviet Union. One of the most important factors in maintaining this edge—and I might add the most cost effective means of doing so—is the conduct of meaningful research and development. This Laboratory will provide us the keys we need to enable extensive undersea exploration. It will serve us not only in the military field but also in the entire area of undersea research.

Questions have been raised regarding the location of this Laboratory in Bethesda. Other questions have been posed regarding the respective purposes of our naval undersea research facilities at Bethesda, at New London, Conn., and at Panama City, Fla. Finally, a question has been presented as to why this research should be conducted by the Navy rather than by industrial or university facilities. Mr. President, I have explored these questions in detail and, through the aid of the Department of the Navy, have pulled together pertinent information and precise answers to the questions cited above. I ask unanimous consent that material on this subject be printed in the RECORD.

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

ENVIRONMENTAL HEALTH EFFECTS LABORATORY, BETHESDA

Mission: To conduct fundamental research and development with emphasis on animal experimentation on stresses being imposed by fleet, amphibious and underseas environments. Specifically this laboratory will be concerned with research on the psysiological, behavioral and toxicological effects experienced in underwater (depths up to 3300 ft.) and closed systems (submersibles) environments; such as the effects of altered pressures and gas breathing mixtures, body heat and work management, oxygen toxicity, drug effects under pressure, decompression schedules, trace contaminant effects, and nutrition in the hyperbaric environment.

Work in Progress: Presently the following types of research are being pursued: (a) Study of the biochemical parameters of man under diving stress. (b) Study of the nutritional factors in diving. (c) Study of diver work tolerance limits. (d) Study of heat loss and thermal balance in divers. (e) Study of biomedical instrumentation in physiological monitoring of the diver. (f) Study of improved procedures for treatment of decompression sickness and air embolism in divers. (g) Bubble detection in the blood of divers. (h) Development of new decompression schedules in operational deep diving systems. (i) Virulence and treatment of bacterial illness in diving environments. (j) Study of the effects of long-term exposure to trace contaminants in a closed environment.

NAVAL SUBMARINE MEDICAL RESEARCH LABORATORY, NEW LONDON

Mission: To conduct medical research and development as it relates to submarine, shipboard, and diving environments. To provide special medical research and development in cardiopulmonary, operational psychology, oral biology, vision, audition and human engineering as they relate to *human function in submarine and underwater systems.*

Work in Progress: Presently the following types of research are being pursued: (a) Studies in underwater vision and hearing. (b) Continued studies on diving escape procedures. (c) Studies on chronic exposure to CO_2. (d) Human engineering studies at the man/equipment interface. (e) Oral biology studies in submarine personnel.

OCEAN SIMULATION LABORATORY, PANAMA CITY

Mission: To conduct research, development, test and evaluation of equipment and systems involving man working in the underwater environment with *emphasis on the man/machine interface and mission simulation.* To conduct research, development, test and evaluation to provide undersea warfare capability, including mine, torpedo and acoustic countermeasures, inshore submarine, sneak craft and swimmer countermeasures, and swimmer diver equipment and techniques.

Work in Progress: (a) Studies on mine countermeasures. (b) Studies on torpedo and acoustic countermeasures. (c) Studies on swimmer diver equipment such as hand held sonar. (d) Studies on underwater communication gear. (e) Studies on swimmer delivery vehicles.

The three laboratories at Bethesda, New London, and Panama City are interrelated but distinct in mission and function. Their research programs are complementary to one another. At Bethesda, the chambers are research tools which supplement the wide range of laboratories, animal facilities and other research apparatus available to its large and multidisciplined community. The chambers at New London occupy an intermediate position in which exploratory and advanced development, mostly using man as the experimental subject, are undertaken. The chambers at Panama City permit the evaluation of already developed biological and engineering data which have been incorporated into systems to be exposed in toto to a simulated deep ocean environment. As an example, the basic physiological studies done at Bethesda would result in the development of new decompression schedules; which are tested in human divers at New London; followed by development and testing in operational diving systems in the laboratories and chambers at Panama City.

JUSTIFICATION FOR GEOGRAPHIC SEPARATION OF MAN RATED UNDERWATER R.D.T. & E. FACILITIES

The Navy has authorized and has under construction a large ocean simulation facility at Panama City, Florida, and authorized but not yet under construction a hyperbaric chamber complex at the Submarine Medical Research Laboratory, New London, Connecticut. Both of these facilities will have a capability to simulate depths of 2,000 feet of sea water.

For construction year 1972, the Navy requests the first increment of a third hyperbaric chamber complex at Bethesda, Maryland. This chamber will differ in construction and capability from the first two in that it will provide for animal experiments at 1,000 meters (3,300 feet) and will include chambers which will permit the exposure of animals for 30 to 60 days without the need for concurrent human exposure. These latter chambers are primarily intended for the investigation of toxic compounds, but are also adaptable to nutritional and metabolic studies. The chambers proposed or under construction are with a single exception the only ones built for RDT&E by the government since World War II, are the only ones capable of pressure equivalence exceeding 1,000 feet, and are the only ones capable of studying the combined stresses of pressure and cold water.

In planning for these new chambers, consideration was given to the advantages of placing them in a single location as opposed to locating them as presently proposed. A detailed study of the construction costs savings which would result from a single location has not been made, but it is believed they would be small as no overall reduction in the total number of chambers to be built would result. There are potential advantages in the procurement and storage of gases and other consumables, the utilization of chamber-operating maintenance and repair technicians, and the like, to having all hyperbaric chamber facilities at one site. These are more than offset by the dissimilar requirements of a research and a test chamber facility. These are:

(1) For the research facility: proximity to large scientific and medical centers; community attractive to basic as well as applied scientists; ongoing biomedical research program; supporting laboratories in basic disciplines such as biochemistry; large and well equipped animal care facilities; and an extensive library with emphasis in the biological sciences.

(2) For the test facility: access to open ocean; community concerned with operational diving; ongoing program in ocean engineering and technology supporting machine shops, diving life support design and fabrication capability.

As the presence of an established diving research capability is fundamental to the production of early results from the completed chamber, it was determined that the best site for a biomedical research activity was at Bethesda, Maryland, the best site for a development activity at New London, Connecticut, and the best site for a test

and evaluation facility at Panama City, Florida. In this manner, the dislocation of already established laboratories could be minimized and the design and construction of the chambers could be participated in by the people who were actually going to use them. The advantages of colocating the facilities planned at New London and Bethesda are considered to be outweighed by the availability of an existing building to use the hyperbaric chamber in New London, the availability at the Submarine Medical Research Laboratory, New London, of a community of scientists and engineers already engaged in underwater development tasks, and the presence there of the submarine school, operating submarines, diving and submarines rescue operations. Also located in New London is the design and construction expertise of the Electric Boat Division of General Dynamics, and the U.S. Naval Underwater Sound Laboratory. The laboratory in New London is therefore considered an excellent site in which to expand the development phase of diving physiology and diver life support, together with the physiological studies necessary to improve individual submarine escape techniques, submarine lockout procedures and mobile submersible diving station concepts. Neither New London nor Panama City is well suited for fundamental biomedical research.

QUESTIONS AND ANSWERS

Question. Provide a description of the chamber facilities at New London and Panama City.

Answer. The High Pressure Chamber Complex at New London will provide a capability for performing physiological and behavioral studies on *human beings* exposed to pressures corresponding to submergence depths of over 2000 feet underwater (1,000 psi). The complex consists of three interlocking welded high strength steel pressure vessels, one vertical and two horizontal. The first horizontal chamber (6′ x 6′) is an airlock. The second horizontal chamber (8′ x 6′) is a medical treatment chamber, entered from the airlock. Both chambers are equipped with folding seats or bunks. The vertical chamber (10′ x 16′) is an experiment chamber, entered from the treatment chamber. The experiment chamber has an air and water tight deck, below which is an 8 ft. diving tank. All three chambers are equipped with receiving ports, airlocks for food, supplies, instruments, etc., feed-through connections for instrumentation, gases, telephone, etc. The experiment chamber is provided with a circulating and chilling system capable of maintaining water temperatures from 28° F to 85° F. The complex will accommodate four human test subjects.

The Ocean Simulation Facility (OSF) Panama City will provide a capability to test and evaluate man and machine together in a simulated deep ocean environment to a depth of 2000 ft. This facility will include a complex of chambers consisting of a large wet chamber (15′ x 45′) and an upper dry chamber complex (62′ x 8′). The dry chamber complex consists of two 12 ft long main chambers each containing an outer lock 8 ft long. A center lock, 10 ft long, is interposed between the main chambers. A dry center trunk (6½′ x 8′) connects the center lock with the wet chamber. All known wet submersibles and most two and three man dry submersibles can be placed in the large wet chamber. Each of the two dry chambers is sized to accommodate four test subjects for extended habitation. These chambers will have similar requirements as to airlocks, receiving ports, feed-through connections, water chilling, etc., as the New London chambers.

Question. When were the chamber facilities completed at New London and Panama City? What are the similarities of the proposed facility (EHEL) to the facilities at New London and Panama City?

Answer. New London presently has a capability for exposing human subjects to pressures of 150 psi or ocean depths of some 300 ft. This chamber complex was built in 1962. The new 1000 psi (2000 ft) facility was authorized and funded for construction in the FY68 MilCon program. Due to a series of unfortunate circumstances, ths chamber complex has not been built. A fund deferral of FY68 MilCon funds caused a considerable delay in contract negotiations. When a contract was finally let and to the dismay of all concerned it was found that the contractor was incompetent and could not complete the contract. (Approximately 2 years has been lost in dealings with this contractor.) This contract has been terminated at the convenience of the government. Presently a program cost review is being undertaken to determine if sufficient funds are available for completion. If this review determines that sufficient funds exist a re-estimated completion date has been set for July 1973. The building to house this complex has been built (a renovated existing building).

The Panama City chamber complex was authorized and funded in the FY70 MilCon program. Construction is underway and apparently on schedule. The complex is scheduled for completion in mid-1972 and will become operational soon after.

The three chamber complexes are similar in principal but differ in purpose. All three are to provide a capability for testing man and/or animals and man and machine to pressures equivalent to more than 2000 ft of sea water. The design of the Bethesda and New London complexes are quite similar. However, the Bethesda chambers will be much more complex due to the biomedical instrumentation required. In that Bethesda will be concerned primarily with the animal model considerably more instrumentation and automation is necessary than when human subjects are within the chambers. The Panama City chambers are quite different from the other two from the standpoint of design and size. Panama City will not be concerned with any biomedical research and will only test and evaluate the *human* subsystem as part of the total man-machine system to ensure the safety of the man. It's biomedical instrumentation requirements are fewer and less complicated. In that Panama City will test equipment (submersibles, etc.) their chambers will be much larger.

Question. Give the reasons why the work planned for EHEL, Bethesda, cannot be accomplished at New London and Panama City.

Answer. NMRI (EHEL) is the optimal site for a broad based basic central core effort in the Deep Submergence Biomedical Research Program. It has for many years been involved in fundamental R&D hyperbaric studies and the solution to problems associated with man in the underwater environment. These research efforts require the multidisciplined staff, multidisciplined approach and facilities that NMRI has and utilizes. Neither New London nor Panama City have these capabilities and to acquire them would mean the construction and acquisition of a large animal facility, ancillary laboratory spaces and most important a scientific staff. The facilities at the National Naval Medical Center, the National Institutes of Health, the National Library of Medicine, the Experimental Diving Unit, and the Naval Ships Research and Development Center, could not be duplicated elsewhere. Cooperative programs planned and in progress between the EHEL and these various institutions could be maintained only with major logistic difficulties.

The three laboratories, NMRI, New London, and Panama City are interrelated but distinct in mission. At NMRI, the chambers are research tools which supplement the wide range of laboratories, animal facilities, and other research apparatus available to its large and multidisciplined scientific community. The facility at Panama City is a test platform which permits the evaluation of already developed physiological and engineering data which have been incorporated in systems which may then be exposed in toto to a simulated deep ocean environment. The facility at New London occupies an intermediate position in which exploratory and advanced development, mostly using man as the experimental subject, are undertaken. It's location within the submarine base allows ready application to basic research ideas to operational test and evaluation.

It can thus be seen that the facility at NMRI is required in order for the other two to be employed with peak efficiency and safety. Presently NMRI has 50% more experiments to be done than there is chamber time.

Question. Describe the chamber facilities at Duke University and the University of Pa., and their similarities to the proposed facility at Bethesda.

Answer.—The Duke University Hyperbaric Complex (the F. G. Hall Laboratory for Environmental Research) is an integral part of the Duke Medical School and consists primarily of seven interconnected chambers for hyper and hypobaric environmental research. Four of the chambers are equipped for altitude or hypobaric environment, three for simulated diving experiments to depths of 1000′ (446 psig) in sea water and three for hyperbaric environments to 100 psig (one of these is a large surgical suite). One of the three diving chambers can be filled with water chilled to 40°F. Unfortunately 32°F water is sometimes required in the study of cold water or under ice conditions.

The Institute for Environmental Medicine (UPA) is housed within the Medical School and includes an extensive system of supporting offices, workshops, and labs. The chamber complex consists of 6 interconnected pressure chambers, 2 rated to 200′ and 4 rated to 1800′. One of the deep chambers can be flooded with water at any temperature from 34°–120°F.

The planned NMRI chamber complex of 3 large pressure vessels is designed for 2000′ and will allow tests to be conducted on swimmers in 33–85°F water. The facilities, aside from the depth and temperature advantage, will be quite similar to those at Duke and Univ. of Pa. Because Italian, French and British diving physiologists are already approaching 2000′, serious consideration is being given to redesign for a 3000′ depth to prevent early obsolescence.

Question. Why not accomplish at Duke University or the University of Pennsylvania, under contract, the work planned for Bethesda?

Answer. The Duke University hyperbaric staff is diversified and enthusiastic. Its interests and skills lie in four areas—hyperbaric respiratory physiology (Dr. Saltzman), oxygen toxicity on the subcellular level (Dr. Saunders), decompression theory (Dr. Hills) and hyperbaric hearing loss (Dr. Farmer). Duke can be expected to do excellent research related to exercise physiology down to 1000 feet and to date has provided us with much data at this depth. Their chambers are pressure limited to 1000′ and temperature limited to 40°F. The British and Italians have already pushed experimental dives to 1500′, the French to 1700′. Potential areas of Naval operations make an understanding of high pressure thermal stress (28°–35°F) of coming importance. Duke will continue to be an important underwater research resource, but will not be able to stimulate the extreme diving environment of the next 10 years.

The University of Pennsylvania hyperbaric complex is probably the most active of its kind in the country. It is entirely under the guidance and control of one man, the dynamic Professor C. J. Lambertsen. Dr. Lambertsen, one of the world's top five authorities on

underwater physiology and the inventor of the first U.S. closed circuit scuba gear for military use, has been since World War II a constant advisor to the Navy's Underwater Research Programs, and has heavily influenced the scope and directions of these programs. His laboratory trains two Navy postgraduate diving physiologists a year. The University of Pennsylvania chambers can go to 1800' and provision has been made for wet swims at 34°–120° temperatures.

We have funded the University of Pennsylvania laboratories for basic human studies of oxygen toxicity and inert gas narcosis. They will eventually be utilized to their fullest depth-temperature capabilities and as a computerized repository of decompression data. Dr. Lambertsen has strong feelings about the proper priorities for underwater research and is not easily deviated from his program.

Hyperbaric research efforts within the Navy, while not provided with broad based university research resources except in the case of NMRI, all share certain advantages over industrial or university contract researchers. All are staffed with operationally experienced submarine and diving medical officers who have a personal understanding of the military applications of the proposed research. This allows a much greater degree of responsiveness to sudden shifts in fleet requirements. The military organization allows a more positive control over the staffing of key positions, a control which can assure a more unified service-wide effort. There are recurrent research requirements unique to the military which are not favored by civilian institutions because of their limited civilian applications, i.e., submarine escape work, table development for deep submarine lock out and covert excursion diving. Political unrest generated by military related work on university property has already hampered BUMED–ONR contracts at State University of New York at Buffalo. It is in the national interest to keep secret the capabilities generated by some diving techniques. This is more easily done on government property. Finally, a central institution for basic underwater research such as NMRI is able to achieve economy by integrating the research efforts of many investigators during each expensive saturation dive. Cooperation between the Experimental Diving Unit or other naval institutions conducting operational dives of opportunity allows the gathering of research data at much less cost. It is for these reasons that the maintenance of a strong hyperbaric research group is desirable.

DR. DENNIS GABOR AWARDED THE NOBEL PRIZE FOR PHYSICS

Mr. RIBICOFF. Mr. President, Dr. Dennis Gabor, a professor emeritus of applied electronic physics at the Imperial College of Science and Technology in London and a staff scientist at the Columbia Broadcasting System Laboratories in Stamford, Conn., has been awarded the 1971 Nobel Prize for Physics. Dr. Gabor was cited for his work in three-dimensional photography.

Dr. Gabor's achievements bring great honor to Connecticut and reflect the high level of scientific and engineering research being conducted at the CBS labs.

I know I speak for other Senators when I extend my congratulations to Dr. Gabor and his colleagues at CBS labs and wish them continued success in their work.

I ask unanimous consent that two articles about Dr. Gabor's having won the Nobel Prize, published in the New York Times of November 3, be printed in the RECORD.

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

HOLOGRAPHY A LONG-TIME DREAM

(By John Noble Wilford)

STAMFORD, CONN., November 2.—Dr. Dennis Gabor, the 71-year-old scientist who was awarded the Nobel Prize for Physics today came upon the idea of three-dimensional imagery that would bring him fame as he was waiting for a tennis court at Rugby, England, in 1947.

At the time, Dr. Gabor was a research engineer at the Rugby electrical company of British-Thomson-Houston, and he was particularly concerned with ways to improve the resolution of electron microscopes. He was looking for a way to get around the limits on magnification imposed by the microscope's lens, a way perhaps to enable scientists to "see" a single atom.

As a bright, 17-year-old student in Budapest, he had wondered about the possibility of seeing through frosted glass. This gave him a long-standing curiosity about the nature of photographic images and invisible light beams.

EXCITING DEVELOPMENT

The questions at 17 and the dawning on an English tennis court 30 years later led to the discovery of the basic principles of one of the most exciting developments in modern optical science—holography.

Dr. Gabor is now professor emeritus of applied electronics physics at the Imperial College of Science and Technology in London and a staff scientist at the Columbia Broadcasting System Laboratories in Stamford. He spends about half of each year in the United States and the rest of his time in London or at his new villa near Rome.

The Hungarian-born scientist, a short, courtly man with a bristling gray mustache and thinning hair, was in Stamford, when he received the news of the prize. He held a brief news conference, spoke to his wife in London, kissed every young woman in sight and then sat down for an interview to describe his research and his immediate plans.

"I feel that I'm very, very lucky," Dr. Gabor said with a slight Hungarian accent. "Every Nobel winner is lucky, but I'm extra lucky. Most people get the prize for one thing they spent a long life in science to accomplish. I'm an outsider. I've worked in industrial laboratories most of my life, and industrial workers rarely get Nobel prizes. What I did was not pure science. I consider it an invention."

HAS 100 PATENTS

As an inventor, as well as physicist and engineer, Dr. Gabor has more than 100 patents to his credit. A number of them relate to applications of his work in holography.

Holography is three-dimensional photography without the use of a lens. Through the use of coherent beams of light, it provides a means of recording a whole image—not just the flat surface of ordinary photographs.

Dr. Gabor gave the new type of photography the name of hologram, after the Greek word, holos, meaning whole, and gramma, meaning letter or message.

But, he said, he was "20 years ahead of my time." Working with mercury light, he was unable to develop holography from an idea to a practical technique. When he tried to sell the idea to some companies, no one was interested. Then with the development of laser light, all that changed, and many researchers began working with holography.

Dr. Peter Goldmark, president of C.B.S. Laboratories said that Dr. Gabor's work "is very profound in terms of the many potential applications, which we are just beginning to see."

Holography is being perfected for use in nondestructive testing of materials, medical examinations that are superior to X-rays and the more efficient storage of information in computers. In the future, it may be possible, with the process, to have three-dimensional movies and television that would not require the viewer to wear special spectacles.

Dr. Gabor was born in Budapest, June 5, 1900. "Like most Hungarians," he said, he left the country for his higher education, going to Berlin to earn his doctorate in electrical engineering at the Technische Hochschule in 1927. His research assistant then was Peter Goldmark, who recalls Dr. Gabor rewarding good work with a generous supply of Hungarian salami.

After working for the German electrical concern of Siemens & Halske/A.G., he went to England to escape the Hitler regime. There he worked for British companies until he joined the Imperial College faculty in 1948.

He became a naturalized British subject and married the former Marjorie Butler, whom he describes as being "still very good looking." They have no children, but their adored companion, until its death earlier this year, was a poodle named Zsa Zsa. Dr. Gabor is not related to the Gabor sisters of show-business renown.

BRITON, CANADIAN WIN NOBEL PRIZES—AWARDS ARE ANNOUNCED FOR PHYSICS AND CHEMISTRY

STOCKHOLM, November 2.—Prof. Dennis Gabor, a Hungarian-born scientist, was named today the winner of the 1971 Nobel Prize for Physics for his work in three-dimensional photography. Prof. Gerhard Herzberg, a German-born Canadian, won the Nobel Prize for Chemistry for his research in the structure of the molecule.

Professor Gabor was honored for his invention and development of the holographic method of three-dimensional imagery. A naturalized Briton who spends about half his time in Europe and half in the United States, he is both professor emeritus at the Imperial College of Science and Technology in London and staff scientist at the Columbia Broadcasting System Laboratories in Stamford, Conn.

Professor Herzberg of the National Research Council of Canada in Ottawa was chosen, an announcement from the Swedish Academy of Science said, "for his contributions to the knowledge of electronic structure and geometry of molecules, particularly free radicals."

Free radicals are fragments of molecules that are highly reactive and combine easily with other molecules.

The winners will each receive the equivalent of 450,000 Swedish crowns—more than $87,000.

In holography, a beam of coherent light—that is, ordered light waves of a single color or frequency—is split, by a mirror, for example. One part is sent directly to an emulsified plate; the other part is aimed at the object that is being photographed and is then reflected onto the same plate.

When the light waves reflected from the object meet the waves arriving directly from the light source, the interaction produces submicroscopic patterns of dark and light areas on the plate. These so-called interference patterns encode in the emulsion all the characteristics of the waves reflected from the object.

After the plate has been developed, it is again illuminated by coherent light. The applied light is altered by the interference patterns on the plate so that the light reaches the eye with all the characteristics of the light reflected from the object.

Thus, a three-dimensional image is obtained.

The advent of lasers in the nineteen-sixties greatly advanced the development and

extended the applications of holography. The laser produces coherent light.

Professor Herzberg is the author of about 200 publications in spectroscopy and quantum mechanics.

His monumental three-volume work, "Molecular Spectra and Molecular Structure," has made his name respected in chemical laboratories throughout the world.

The academy's statement said that under Professor Herzberg's leadership, his laboratory had become the foremost center for molecular spectroscopy in the world.

Such investigations, it added, provide extremely precise information on molecular energies; rotations, vibrations and electronic structures.

In the nineteen-fifties, Professor Herzberg began a series of investigations of free radicals that proved to be of great importance to chemistry in general.

In these studies, the method of flash photolysis (for which Ronald G. W. Norris and George Porter were awarded the Nobel Prize in 1967) was applied and further developed by Professor Herzberg.

DISASTER RELIEF FOR PRIVATE NONPROFIT HOSPITALS, S. 1237

Mr. CRANSTON. Mr. President, I support S. 1237, which I have joined in cosponsoring with my fellow Senator from California (Mr. TUNNEY). The bill as reported by the Committee on Public Works would amend the Disaster Relief Act of 1970 by authorizing Federal grants for up to 100 percent of the cost of repairing, reconstructing, or replacing any private nonprofit hospital or medical care facility which is damaged or destroyed by a major disaster. S. 1237 would also authorize Federal grants for up to 50 percent of the cost of restoring such hospitals and medical care facilities under construction when damaged by a major disaster to predisaster condition and for up to 50 percent of increased construction costs due to the disaster. The bill would be affective retroactively to January 1, 1971.

The need for this legislation became evident at the time of the San Fernando earthquake on February 9 of this year. Four hospitals were so severely damaged by this earthquake that they could no longer operate. Two of these hospitals were Government owned and were eligible for reconstruction grants under the Disaster Relief Act of 1970—the Los Angeles County Olive View Hospital and the Veterans' Administration San Fernando Hospital. However, two hospitals were privately owned, but operated on a nonprofit basis. These two privately owned, nonprofit hospitals—Holy Cross and Pacoima Memorial—were not eligible for Federal assistance under the Disaster Relief Act of 1970, which applies only to publicly owned facilities.

Experts in hospital care who testified at hearings held by the Public Works Committee last June 10th through 12th in San Fernando, Calif., emphasized the great need to extend Government aid to private nonprofit hospitals hit by disasters as well as to Government-owned hospitals.

There are many reasons to extend Government aid for reconstruction and repair to private nonprofit medical care facilities damaged by disasters. Adequate health care for communities is a matter of high national priority. Community health needs are met by a combination of private and public hospitals. If a major disaster strikes hospitals and other medical care facilities, community health care is severely disrupted. Restoring just Government hospitals and medical care facilities to predisaster condition meets only part of the problem of restoring adequate health care to the community. If private nonprofit hospitals are not restored, and if, as is likely, no other hospitals can adequately pick up the additional health care burden, a gap in health care to the community remains. Thus, an additional burden is placed on Government-owned hospitals in the area.

Moreover, communities struck by disasters—hurricanes, tornadoes, tidal waves, floods as well as earthquakes—are generally particularly in need of adequate hospital and medical care facilities. For example, in the San Fernando earthquake, 2,328 casualties of the earthquake were treated by area hospitals on the first 2 days after the earthquake.

If the Federal Government does not act to provide financial assistance, there is little likelihood of securing funding elsewhere to repair or replace private nonprofit hospitals and medical care facilities. Today private nonprofit hospitals are increasingly financed by debt, rather than by philanthropic donations. In 1969, of $2,260,000,000 spent on private hospital construction, $1 billion came from gifts and $110 million came from Hill-Burton funds. Therefore, $1,150,000,000 came from other sources, primarily debt financing.

When disaster disables a hospital, revenues drop or stop. If the hospital is able to continue operation at all, emergency expenses caused by the disaster are likely to skyrocket. Many hospitals, as did Holy Cross Hospital at the time of the San Fernando disaster, are already heavily in debt. To take on additional debt to rebuild after a disaster would be too costly for most disaster-struck hospitals at a time when revenues are cut off or reduced. Furthermore, after a disaster has hit the community, the local residents and business community are beset by many financial losses, and community funding is unlikely to be sufficient to replace the private hospitals.

Worst of all, while the private hospital administrators are trying to search out sources of funding reconstruction, their talent pool of doctors and other trained personnel, who have often been carefully gathered together over a number of years, may be forced to find jobs and hospitals elsewhere. This loss of valuable personnel, which may occur if reconstruction of the hospital is indefinite, may never be completely restored. Assurance of reconstruction funds for private nonprofit hospitals would thus enable hospital administrators to hold on to their staff during the period before repair or reconstruction.

As I mentioned earlier, S. 1237 would be retroactive to January 1 of this year. Thus, the bill would authorize Federal assistance to replace the tragic losses of Holy Cross Hospital and Pacoima Memorial Lutheran Hospital. The reconstruction needs of these two hospitals have been placed at $9 million and $6 million, respectively. Together these two hospitals had provided 369 beds for the health care needs of the community, serving an extremely large number of medicare and medicaid patients. Seventy-one percent of the patients at Pacoima Memorial Lutheran Hospital were either medicare or medicaid patients. Both hospitals were constructed with large amounts from Federal Hill-Burton funds.

These private nonprofit hospitals were, therefore, functioning akin to public hospitals, carrying out numerous Government functions and providing a needed health care service in the community to many who could not afford to pay for it. The loss of these two hospitals should serve as a warning to us of what could happen elsewhere in the private health care sector when disaster strikes an area. The Federal Government must act to insure that adequate community health care is restored as soon as possible in the San Fernando Valley and in other such areas struck by disasters.

Mr. President, I urge my colleagues to support S. 1237.

OIL WELLS OFF THE ATLANTIC COAST?

Mr. RIBICOFF. Mr. President, during the Subcommittee on Executive Reorganization's recent hearings on the environment of Long Island Sound, it was revealed that the Department of the Interior is planning to grant leases for oil and gas exploration off the southern New England and the Delmarva Peninsula coasts.

The recent disasters off Santa Barbara, Calif., and the gulf coast reveal that no drilling operation is absolutely safe. Because the ecology of the Atlantic Coast, including Long Island Sound, is already so fragile, I seriously question the wisdom of these proposals and hope that Congress will take a long, hard look before the Department of the Interior is allowed to tamper with the ocean bottom.

Because such drilling could have a serious impact on Long Island Sound, I have asked the Secretary of the Interior to keep the subcommittee informed of the Department's plans.

I ask unanimous consent that my letter to Secretary Morton be printed in the RECORD.

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

U.S. SENATE,
Washington, D.C., November 2, 1971.

Hon. ROGERS MORTON,
Secretary of the Interior,
Interior Building, Washington, D.C.

DEAR MR. SECRETARY: As you know, the environment of Long Island Sound is inextricably linked with the condition of the Atlantic Ocean off the southern New England coast. For this reason, there is understandable apprehension over the reported plans of your Department to lease areas on the Georges Bank for exploratory gas and oil drilling.

During my Subcommittee's recent hearings on the future of Long Island Sound, Frank Gregg, Chairman of the New England River Basins Commission which is presently

undertaking a comprehensive study of the Sound, testified that he had asked the Department of the Interior to report to the Commission on October 19 on its plans affecting the Sound. He specified an interest in being advised of developments in the reported exploratory gas and oil drilling.

I am equally interested in any exploratory gas and oil drilling projects near the Sound. In turn, I would appreciate receiving a copy of the Department's report to the Commission and any other information your Department has relating to mineral exploration in this area.

Sincerely,

ABE RIBICOFF.

THE FOREIGN AID PROGRAM

Mr. MUSKIE. Mr. President, last Friday's vote has left the Senate with the opportunity and the duty to create a foreign aid program which truly will serve human needs and our national interest. Last Monday and again this morning the Foreign Relations Committee has discussed ways of moving us in this direction. For the moment, however, we are confronted with the immediate problem of producing an interim program that will salvage the best parts of our aid program until a more permanent structure can be devised.

My own approach is to support a 1-year authorization for economic development and humanitarian aid, on the condition that the maximum feasible amount of assistance be given through multilateral agencies. A country with 5 percent of the world's people and 40 percent of the world's wealth—a country which has always believed in its own decency—cannot now turn its back on people in need, at home or abroad.

Second, I would recommend that the Senate consider the more controversial military and security supporting assistance programs separately from economic aid and on a nation-by-nation basis. While I believe in economic aid, I do not believe in sending weapons to dictatorships like those in Greece and Pakistan, which use our arms to repress their people rather than to defend them. But a state like Israel needs and deserves our steady support—and the Senate should act without delay to prevent an interruption in our assistance to her.

In the midst of the debate on foreign aid, the administration threatened aid cutbacks to counter the domestic political consequences of its diplomatic defeat on the China question in the United Nations. Now the administration asks for a continuing resolution for foreign aid, which would silence debate about vital issues and postpone basic reforms in the program. I think the Senate should adopt a more responsible course—to continue aid where it is right, to cut aid where it is wrong, and to set the stage for fundamental reform.

The Senate vote against the foreign aid bill last Friday came as a surprise and shock. It may well be that the American foreign aid program needed such a shock. I only hope that the President and Congress can now work together to restructure the program on more rational and effective lines—in accordance with the political, economic, and strategic realities of the 1970's. Meanwhile, Congress must insure that the best parts of the aid program are preserved during the transition from old to new.

We are all aware of the great changes that have been taking place during the last decade in the structure of the world community. The old patterns of the cold war have given way to new kinds of relationships in the world. The preeminence of the United States and Soviet Union as superpowers has been lessened as other nations have asserted themselves in Europe and Asia. During this transition, the American people have become aware of the need to adjust our political, military, and economic commitments abroad to make our role in the world community fully appropriate to our position and our power.

Yet during this period of readjustment, our foreign aid program has continued as though the Marshall plan and the Truman doctrine were begun yesterday, not in 1947.

Opposition has developed to foreign aid because too much of it seemed predicated on obsolete assumptions of the cold war. Well over half of our annual expenditures have been devoted to military and security supporting assistance. Too often, we have contributed to the power of military regimes that face negligible external threats and which use our arms to repress their people rather than to defend them. Much of our development assistance has been used as an ecomonic lever in the give-and-take of international politics. And our bilateral development assistance has proven to be a singularly inappropriate—as well as ineffective—instrument of political pressure.

The time has come, therefore, for a complete restructuring of our foreign aid program. First, we must separate economic development assistance from military and security supporting assistance. Second, we must increase our development assistance and channel it as much as possible through multilateral aid-giving institutions. Third, we should reduce our military and security supporting assistance.

Economic assistance is in the best of the American humanitarian tradition. But quite apart from humanitarian motivations, economic assistance is justified as one important means of building a stable international order. We must look toward the growth of a world economy in which the developing nations play an increasingly important role. By assisting poorer countries, we cannot only help to create a better life for the majority of the world's people, but we can also help them to preserve their own independence and stability, which are critical to regional and world stability. We do not deserve, nor can we maintain, a position of leadership in the world if we turn our back on people in need either at home or abroad.

The goals of economic assistance are best achieved when aid is channeled through multilateral institutions such as the World Bank and regional development banks. The multilateral approach encourages a coordinated effort by the developed nations to ease the economic problems of the less developed nations. And it shields the developing world from the strains of the bilateral aid relationship and its inevitable political overtones.

Finally, I believe we should move now toward substantial reductions in military aid and security supporting assistance. This kind of assistance frequently does little for long-term development. And it often impedes political development by placing too much power in the hands of military elites. Doubtless, there are areas in which continued military assistance is appropriate and even vitally necessary. But a review of the present program will show a number of areas in which substantial reductions or deletions can and should take place.

Much time and work will be required for this type of fundamental change in our programs. Hopefully, Congress and the President can cooperate to accomplish a total restructuring during the coming year. Today's meeting with Secretary Rogers and AID Administrator Hannah should be a beginning of that restructuring.

During the time it takes to develop a new approach to foreign aid, interim steps must be taken to assure the funding of essential programs. I do not believe that an all-encompassing, long-term continuing resolution would be appropriate for this purpose. It would perpetuate parts of our present aid programs that deserve little support. It would ignore rather than confront vital issues. Instead of bundling all the foreign aid programs together and attempting to rush them through Congress, it would be wiser to separate them and pass those that should gather widespread, interim support.

Because the long-term economic development portion of the foreign aid program should command such support, because its interruption would cause great havoc in the development programs and ongoing projects of so many nations, and because I believe it is so clearly in our long-term interest, I think that this type of aid should be continued during the interim until a new, multilateral economic aid program can be created. For this purpose an authorization for economic development assistance for fiscal year 1972 is appropriate.

I think this authorization should include the funds for development loans and technical cooperation and development grants, including the Alliance for Progress; American contributions to international organizations; contributions to the Indus Basin project; support for population control programs; and support for international drug control assistance. This 1-year authorization should make clear that the bilateral economic aid program will be transferred to the maximum extent possible to multilateral institutions, as provided in Section 101(3) of this year's foreign aid legislation. And we must be absolutely clear that the change from bilateral to multilateral economic development aid will not be used as a pretext to lower our level of support for these programs. Hopefully, the success of multilateral aid should attract higher levels of contributions from other developed nations, in addition to the United States.

As part of our change toward increased utilization of multilateral institutions, we should continue to strengthen the United Nations. The inability of the United States to attract support for a formula to keep the representatives of Peking and Taipei both in the United Nations—whether caused by the inevitable changes of international politics or lack of imaginative thinking by the administration—should not lead to diminished American support for the United Nations.

The special commitment we made to help further economic development in Latin America should be reflected by an increased American contribution to the development aid going to our southern neighbors. Much of this aid should be channelled through the Inter-American Development Bank.

Reasonable economic development depends upon a transfer of large amounts of capital from the developed to the less developed nations. No realistic development strategy can ignore the contributions of private foreign capital investment. For this reason, we should continue the insurance program for overseas investments under the Overseas Private Investment Corporation—OPIC—to encourage private investment in the third world.

But the extension of this program must be accompanied by steps toward the development of orderly procedures and agreements under which foreign investments can, over time, be shifted to the developing countries themselves. Without these orderly methods, foreign investment that can benefit both parties will shrink and the chances of serious political differences arising from these investments will increase.

I feel there is no reason for the United States to diminish the humanitarian aid that we have continued to provide on an ad hoc basis to countries suffering from unique, immediate disasters. This kind of bilateral assistance does not involve the political complications of long-term military or development aid. It simply fulfills our best traditions of directly helping people in need. It is imperative, for example, that we provide without any delay the $250 million for Pakistani refugee relief. We must help alleviate the suffering of these helpless millions.

Also in this category is the $30 million of support we provide for American schools and hospitals abroad.

There are also a few cases where a continuation of bilateral economic development assistance may be appropriate for humanitarian reasons. Small nations may, because of particular circumstances, be unable to receive adequate assistance through multilateral or regional institutions. Those nations should receive aid to insure that their populations do not suffer the consequences of the international situation.

Both the military assistance and security supporting assistance aid programs deserve the widespread criticism they have encountered. There are frequently doubts about their effectiveness or desirability. However, bilateral military assistance to some countries—like Israel—is essential to American vital interests abroad.

So in the interim, it would be best to consider military aid as distinguished from humanitarian and economic aid on a country-by-country basis. This should limit the disputes over controversial aid programs—such as military equipment sales to Latin America, security supporting assistance to Southeast Asia, or arms funds for Greece—to the merits of those particular programs. And this will allow military assistance programs that are not controversial, such as the $300 million in military credit sales to Israel, to receive prompt approval.

I think if we proceed on this basis—a 1-year authorization for economic development programs, a continuation of humanitarian aid, and a country-by-country consideration of military assistance—we can preserve essential programs during the time necessary to reshape our foreign aid programs. Programs that have support—because they are widely regarded as furthering our national goals—will be promptly continued. Debate over controversial programs will be limited to those programs. And the present sense of urgency to devise a new foreign aid program will not be dissipated.

UNITED STATES-INDIA RELATIONS

Mr. CHURCH. Mr. President, Prime Minister Indira Gandhi, of India, comes to Washington, D.C., today at a time when United States-India relations are not going well. As columnist Carl T. Rowan describes the situation, relations have deteriorated "to what may be the lowest point ever." Hopefully, Mrs. Gandhi and President Nixon will be able to stop the downward skid, and agree that taking the high road offers the best opportunity to reestablish cooperation and understanding between the world's largest democracies.

From our side, we might assure the Prime Minister that the United States will assume a position of benevolent neutrality in the present conflict in East Bengal, suspending all military and economic aid to the Pakistan Government, as the Congress agreed to do in the ill-fated foreign aid bill, until Islamabad comes to terms with the verdict of the majority of its own citizens, as expressed in their last elections.

Secondly, America should provide as much humanitarian assistance as it can to help India avoid suffocation under the heavy weight of nearly 10 million refugees from East Bengal. In the third place, as the Washington Post editorialized yesterday, "Mr. Nixon has got to do some sympathetic listening." The core of the crisis in East Bengal and between India and Pakistan stems directly from the Pakistan military junta's rigid decision to use force excessively, unrelentlessly, and indiscriminately, against its own citizens. The editorial concludes:

Mrs. Gandhi will be able to offer a perspective close to reality, namely, that the humanitarian and political disasters alike are chiefly of the Pakistani government's own making and that their resolution will require the kind of changes in Pakistani policy which only American urging can help bring about.

I ask unanimous consent that Mr. Rowan's article, the Washington Post editorial, and other recent commentaries on United States-India relations be printed in the RECORD.

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

[From the Washington Star, Oct. 31, 1971]

THE SAD STATE OF UNITED STATES-INDIA RELATIONS

(By Carl T. Rowan)

In December 1969 the Indian prime minister, Mrs. Indira Gandhi, told L. K. Jha that she was naming him ambassador to Washington with one idea in mind: he must make relations with the United States as good as India's relations with the Soviet Union.

Jha has been here a year and a half, helplessly watching Indo-American relations deteriorate to what may be the lowest point ever. Meanwhile, the Soviets have won even more prestige and influence with India's government and her 537 million people.

Now the U.S. is on a kick of wooing Communist China with neither the U.S. government nor the public appearing to give two hoots about what happens to the world's second most populous country, India.

Mrs. Gandhi comes to Washington on an official visit this week, and there is a grave question as to whether she and President Nixon together can halt the drift of the two countries toward lasting political hostility.

The threat of warfare between India and Pakistan will surely be uppermost in Mrs. Gandhi's mind. For two decades, conflict with Pakistan has been at the heart of India's troubles with the United States. The U.S. has steadfastly refused to accept the notion that friendship with India meant that India's enemies automatically became Uncle Sam's foes.

But there are dimensions of India's current troubles with Pakistan that deserve the understanding, interest and action of the White House and the rest of the world. Unless Mrs. Gandhi can inspire such understanding and action, a new tragic wave of warfare on the Indian subcontinent seems inevitable.

West Pakistani refugees fleeing the grim oppression of the Pakistan army have put terrible strains, financial, political and social, on India. The Bangla Desh conflict has put India in a position where war seems certain unless the U.S. and other countries pressure Pakistan President Yahya Khan to agree to a settlement. So far Mr. Nixon has not seen fit to pressure Pakistan, and there is doubt that Mrs. Gandhi will be able to prod Nixon into this kind of action.

In the fiscal year ending last March, India spent $800 million caring for what now are 9.5 million West Pakistani refugees. The cost in the current year will be more than $1.2 billion.

No less ominous is the rise in communal tensions. More than 8 million of the 9.5 million Bengalis who have fled Moslem Pakistan are Hindus. Indian extremists are now insisting that India force 8 million of her 60 million Moslem residents into Pakistan and thus create an economic crisis that some economists say would swamp Pakistan and create choas. Indian leaders swear they would never resort to this kind of tactic.

So the refugees continue to flood into India, many of them eating better than the ordinary Calcutta resident.

Officials here assume that Mrs. Gandhi is too proud to ask President Nixon for more economic help; she will hope that the need is already obvious. But she surely will try to convince Mr. Nixon that world peace requires that he pressure the Pakistanis to resolve the Bangla Desh affair promptly.

However, the U.S.'s chronic trouble with India seems to grow deeper than such matters as U.S. military aid to Pakistan. American leaders, whether Democratic or Republican, seem to become severely irritated by what they consider a "more moral than thou" Indian posture.

Indians point out that for years they were the targets of American anger because they advocated good relations with Communist China and the Soviet Union—a stance the U.S. now has adopted. They say they were ridiculed by Americans year after year for pressing to get Peking into the U.N.—a position the U.S. now takes. They say they bugged Americans by arguing that U.S. warfare in Vietnam was a mistake—a point on which most Americans now agree.

Indians profess an inability to understand why they arouse ire among Americans just by being right.

"Being right is bad enough, but being superciliously right is irritating as hell," explains one American official.

It is on such attitudes that great matters of state, of war and peace, often turn. We all ought to hope that these kinds of emotional hangups and petty sensitivities will not get in the way when Mrs. Gandhi and Mr. Nixon attempt to put the two countries on a friendship course that they should have been on all along.

[From the Washington Post, Nov. 2, 1971]

MRS. GANDHI'S VISIT

Mrs. Gandhi's arrival here this week gives President Nixon the chance to get Indian-American relations out of the tailspin they've been in since the United States began condoning, if not quite endorsing, Pakistan's expulsion of some nine million refugees into India—a movement of people and misery, by the way, which has made war talk in the subcontinent ring louder than it has for years. That Indian-American relations are in a tailspin is apparent. The governments are all but openly snapping at each other and, at least on the Indian side, popular support for continuing a previously deep and friendly association has diminished sharply. This can only disturb those who believe that a good relationship between the world's strongest democracy and the largest is essential to the interests of them both.

There are perhaps three things that Mr. Nixon might consider. The first is to assure Prime Minister Gandhi that the direct supply of American arms to Pakistan will halt. The amount of arms affected would be trivial; whatever supplies might still be deemed necessary could be routed through third countries. But a halt would remove the most conspicuous and, in India, the most maddening symbol of American favor for Pakistan.

Secondly, Mrs. Gandhi deserves American assurance that the aid-India consortium will treat India's refugee load not merely as a costly relief burden in itself but as a heavy drag on the country's whole economic development. Pakistan declared a moratorium on its debts; the United States acquiesced. Does fairness not argue that India should be "rewarded" for continuing to pay its debts on schedule?

Finally, Mr. Nixon has got to do some sympathetic listening. His own aides seem to have informed him that the humanitarian crisis on the subcontinent arises essentially from the general condition of poverty and from last year's cyclone, and that the political crisis is owed to India's aid and encouragement to the Bengali insurgents. Mrs. Gandhi will be able to offer a perspective closer to reality, namely, that the humanitarian and political disasters alike are chiefly of the Pakistani government's own making and that their resolution will require the kind of changes in Pakistan policy which only American urging can help bring about.

[From the New York Post, November 1, 1971]

. . . A TEST CASE

The imminent Washington visit of Indira Gandhi underlines the nature of the challenge to obsolete Washington positions.

Last March the oppressive Pakistan regime undertook a major offensive against the indigenous independence movement in East Pakistan. Massacre and terror have resulted in the flight of some 9,000,000 desperate human beings into India, where Mrs. Gandhi's government has valiantly labored to save them from starvation and plague. Their immediate survival requires help from the U.S. and other countries on a scale more massive than any program now conceived; India cannot conceivably carry the burden. Any ultimate solution will involve political concessions that Pakistan's Khan seems resolved to resist—as long as it continues to receive aid from the United States and as long as we fail to throw our moral and material weight on India's side.

Mrs. Gandhi's journey provides the setting for a clear revision of our pro-Pakistan stance that goes back to the time of John Foster Dulles. A sympathetic response to Mrs. Gandhi's visit could have vast impact in Pakistan and perhaps offer some glimpse of hope for the refugee multitudes facing a winter of agony. In terms of a new direction in American aid policy, there is no more urgent place to begin.

[From the Washington Evening Star, October 27, 1971]

MRS. GANDHI COMES BEARING GREAT PROBLEMS

(By Crosby S. Noyes)

The visit here next week of Indian Prime Minister Indira Ganhdi comes at a particularly sticky time. In the view of both Indian and American officials, relations between the two countries have never been worse.

Nor are they likely to improve very much as the result of Mrs. Gandhi's trip. It would appear that her purpose in coming is less to cultivate goodwill—at least with the Nixon administration—than to change American policy. Mrs. Gandhi apparently plans to use her very considerable powers of persuasion in a direct appeal to American public opinion in the course of her two-day stay in Washington.

The visit takes place against a background of deepening crisis between India and Pakistan in which the danger of full-scale war has grown measurably within the last week. Tensions between the traditional enemies have risen steadily since March, when West Pakistan sent its army to suppress a movement toward independence in its detached eastern province. Last week, as Mrs. Gandhi prepared to leave on her three-week foreign tour, India mobilized its military reserves for the first time since the Indian-Pakistani war in 1965.

The growing tension between India and Pakistan is the outcome of the effort to crush the rebellion in East Bengal. Military operations there have produced a flood of refugees—now numbered at more than 9 million—in India's eastern states, creating an intolerable burden on the Indian economy. In addition, Pakistan blames India for providing sanctuary and arms to rebellious East Pakistanis and for encouraging increasingly effective guerrilla activities.

The anger of the Indians toward the United States, in turn, is a direct outgrowth of this situation. The Indians, who feel they are the chief victims of the East Bengal rebellion, bitterly resent the efforts of the administration to maintain a neutral position in the dispute. In particular, they have been infuriated by reports of continuing American aid for Pakistan, including the delivery of some military equipment.

American efforts to cool the conflict have only increased Indian irritation. Suggestions that India and Pakistan should pull their military forces back from their respective borders have been angrily rejected by the government in New Delhi. Since the Indians are convinced that the government in West Pakistan is entirely to blame in the present confrontation, they consider that any pressures brought to bear on them are both immoral and unjust.

It might be noted that the irritation of the Indians is reciprocated, with interest, by American officials dealing with the problems of the subcontinent. It both the Pakistan rebellion and the India-Pakistan crisis, the central American interest is to prevent the outbreak of war, restore the stability of the area and eventually to work toward a political solution of the problems.

American officials are by no means certain that the Indian government shares these goals. Although the Indians insist that they are acting with great restraint so far as Pakistan is concerned, they also make no secret of their support for the secessionist movement in East Bengal. Indeed, Indian encouragement and arms are essential to the success of the rebellion.

American officials, furthermore, are not persuaded that the Indians are quite as anguished over the current state of affairs as they appear to be. The refugees, to be sure, are a temporary problem for India. But it is Pakistan that is in real trouble over the long run. And so far as virtually every Indian is concerned, what is bad for Pakistan cannot also be bad for India.

Pakistan, it is widely believed, will not be able to control the secessionist forces in its eastern province over the long run. The area is separated from West Pakistan by 1,000 miles of Indian territory. Its population is larger than that of West Pakistan. And the repressive action of the army has, according to all observers, thoroughly alienated a large majority of the people.

A sustained military effort in the East would be not only futile but ruinously expensive for the government in Islamabad. In West Pakistan itself, there is growing unrest aimed at the ruling military establishment and a possibility of new movements toward regional autonomy.

It would not be altogether surprising if the Indians should be content to sit back and watch the distintegration of their major enemy in Asia. Not surprising, either, if they should help the process along a bit, even at the risk of a war which most observers agree would be suicidal for Pakistan. It is the fact that American officials see the problem rather differently that accounts for the bad relations that Indian officials complain about.

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

A HARDER LINE FOR INDIA—NEW DELHI APPEARS TO BE TOUGHENING STAND ON PAKISTAN AND TOWARD UNITED STATES

(By Sydney H. Schanberg)

NEW DELHI, Nov. 2.—Under heavy diplomatic and military pressure, India seems to be toughening her policy toward Pakistan and toward what she considers a lack of understanding by Western nations—particularly the United States.

Prime Minister Indira Gandhi's decision to go ahead with her current three-week trip to the West—she arrives in the United States tomorrow—gives the impression of both self-confidence and a lack of interest in attacking Pakistan.

At the same time, the hardline speeches of her Defense Minister, Jagjivan Ram, seem to be aimed at warning Pakistan of the heavy price she would pay if she started a fight with the Indian armed forces, which all observers consider superior.

It appears clear that Mrs. Gandhi will spell out her hard line when she meets with President Nixon on Thursday. But it is much less clear whether she will receive a sympathetic response.

Washington's apparent short-term goal, according to analysts here, is to prevent the

crisis on the subcontinent from upsetting the President's global plans for improving relations with both Peking and Moscow.

U.S. IRRITATION NOTED

Recent remarks by Administration officials indicate that the White House has grown increasingly irritated over India's latest position. This includes a refusal to accept United Nations observers, a refusal to withdraw Indian troops from the borders until the Pakistanis halt the flow of refugees into India by stopping "their atrocities" in East Pakistan, and a refusal to accept mediation either by the United Nations or a third country, on the ground that there is nothing to negotiate until Pakistan reaches a political settlement with the elected leaders of the autonomy movement in East Pakistan.

American officials now charge privately that India is eager to weaken her old enemy, Pakistan—that she is helping the Bengali insurgents in East Pakistan—not to protect Indian interests but to hasten Pakistan's disintegration.

In short, United States officials are saying that India is being unreasonable.

But most Western diplomats here, while acknowledging that there is room for more accommodation in India's policy, suggest that it is the United States that is being unreasonable. They point out that the Americans have urged restraint on India without offering her any reassurances, and without putting forth any specific proposals to solve the root problem in East Pakistan and thus ease the pressures created by the millions of refugees.

ARMS SHIPMENTS CITED

Worse, these diplomats argue, Washington has appeared to favor Pakistan by continuing to ship arms to her and by refusing to criticize the Pakistani military operation openly.

"I'm skeptical," said one diplomat, "about the efficacy of diplomatic initiatives that counsel restraint without sympathy or positive proposals about the basic issue."

Mrs. Gandhi at a news conference before her trip, declared: "As you know, everybody admires our restraint. We get the verbal praise and the others, who are not restrained, get arms support."

As American relations with India have plunged to a new low, Soviet relations with her have soared. By signing a friendship treaty with New Delhi in August and assuring the Indians that Moscow would be on their side should the Pakistanis attack, the Russians have been able to counsel restraint on the Indians gracefully and thus strengthen their influence not only in India but also in East Pakistan.

They have done all this without completely cutting their lines to Pakistan, and many observers think that Moscow is looking ahead to the possibility of playing mediator again—as it did at Tashkent after the brief Indian-Pakistani war in 1965.

The reservoir of Indian-American goodwill, though greatly diluted, is still extant. But if another war breaks out between India and Pakistan, many Indians may begin to look on the United States as their out-and-out enemy.

The consensus among analysts here is that the likelihood of war is not great for the next month or so. But they feel that the odds could change quickly—depending on the trend of the civil war in East Pakistan and on the extent to which the world community is moved to act.

Foreign observers foresee mounting tension as the Bengali insurgents, aided by India, increase their pressure on the Pakistan Army, and the army in turn increases its attempts to wipe them out. This tension, they feel, could peak in December or January.

A WARNING LIKELY

Observer believe that Mrs. Gandhi's objective in the United States is to convince President Nixon that unless he persuades Pakistan to change her present course, it may not be possibel to avert war.

The 53-year-old Prime Minister will also try to increase pressure on the Administration by rallying American public opinion to her side—in an address to the National Press Club in Washington and on national television.

A few months ago, a European diplomat here remarked, "Pakistan is a drowning dog. India doesn't have to push its head under."

But Pakistan is barking loudly at India. If India feels threatened, many observers believe, she may decide to push.

CATEGORY C IMPACTED AID

Mr. PERCY. Mr. President, I was distressed to read in the New York Times of Sunday, October 31, that the Dayton, Ohio, public school system has joined the ranks of increasing numbers of school systems who face a shutdown of their schools because of serious financial trouble. I bring this situation to the attention of the Senate not to point a finger at the problems of another State, but rather to suggest that the Dayton dilemma is merely the latest in a series of similar situations that have affected many States, including Illinois.

The article discloses that the Ohio Legislature has defeated four tax levies since 1969. I suppose Ohio taxpayers are much like Illinois taxpayers in the respect that most of them feel that they simply cannot sustain the burden of additional taxes at this time. The action by the Ohio Legislature, therefore, may not be unusual.

But the lesson I would draw from this report is that the school systems across the country have been faced with greatly increasing demands on their funds and simply cannot handle them. Congress cannot afford to view casually the fact that, in Illinois alone, the Chicago schools will have to close for 12 days in December because of budgetary deficits, and that the school systems of Kankakee, East St. Louis, and Cairo appear unlikely to be able to continue their operations for even the minimum term. The Gary, Ind., schools also stand on the verge of closing. I would hate to guess the number of other schools facing this dilemma.

The precarious condition of schools is in large part the responsibility of the Federal Government so long as we continue to leave the category C portion of impacted aid to education unfunded. This program is directed toward compensating school boards for the loss of local tax revenues resulting from the presence of Federal public housing projects. Despite authorization levels of $250 million to $300 million, not 1 cent has been appropriated to date. In light of the conspicuous demand for funds—not to add frills to the curriculum, not to bolster extracurricular activities, not to compensate the teachers—though they deserve better than what they are getting, in many instances—not to stock the closets with equipment and supplies, not even to build more schools, but merely to keep the schools open—the failure of Congress to appropriate funds for this program is particularly irresponsible and unconscionable.

We will have another opportunity very soon to indicate our support for this program and for the schools generally across this country. I testified last week—October 21—before the Appropriations Subcommittee considering supplemental appropriations for the Office of Education to urge the inclusion of this item. While the Senate overwhelmingly adopted this appropriation earlier this year, the other body failed to permit any money for it. I would urge the House to recede from its position of disagreement when the matter is again raised in the supplemental appropriation, and I strongly recommend that the Senate repeat its acceptance of this request.

In order that I need not repeat all the arguments included in my testimony, I ask unanimous consent that the testimony be printed in the RECORD. I also ask unanimous consent that the New York Times article to which I referred earlier be printed in the RECORD.

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

STATEMENT OF SENATOR PERCY

Mr. Chairman and members of this subcommittee, I am pleased to appear here this afternoon to recommend an amendment to the Supplemental Appropriations Bill which would allocate at least $60 million to fund the Category C part of impacted aid to education. You may recall that when we first considered this issue in the course of the FY '72 Office of Education Appropriation this past spring, this subcommittee and the full Appropriations Committee approved a $60 million appropriation for Category C pupils. Having also been agreed to by the Senate as a whole, this amount regretfully was thereafter lost in the House-Senate Conference Committee due to a refusal by the House to allow any funds for this program.

The authorization level for Fiscal Year 1972 is $300 million to provide federal assistance to local boards of education that have public housing units within their districts. Last year, $268 million was authorized. To date absolutely no funds have been approved for what I consider to be a worthwhile—indeed essential—program.

The full '72 authorization would make available to local school boards approximately $200 per pupil. Even if the opponents of Category C funding believe that this federal contribution is too high, surely the principle of compensating local school boards for the loss of local tax revenues resulting from the presence of federal public housing projects cannot be seriously opposed. It would seem in any case that opposition to the basic premises of this legislation should be raised in terms of amending the authorizing legislation, not in withholding appropriations. The question now is not so much over whether to have this program, but at what level to fund it. A zero appropriation is not consistent with already established Congressional policy.

The fact of the matter is that the impact aid program is needed; it works; it puts money where children are, with the least encumbrances, with the least amount of red tape, with more efficient distribution of aid than almost any other legislation passed by Congress.

A failure to appropriate funds to reimburse local government for the expense of educating students who live in public housing would result in a decreased per-pupil expenditure for *all* children in a particular

school district, whether or not they reside in public housing. Therefore, the quality of education available to all children would fall off. In addition, the financial strains that local school boards have been forced to assume are enormous, especially in the cities. In Chicago, for instance, the Board of Education must rely solely on local property taxes for the local share of its revenues. One-and-a-half percent of its budget comes from federal sources; 23% comes from the State. There are more than 62,000 school children living in public housing in Chicago, the cost of whose primary and secondary education now depends on the city's ability to juggle its limited revenues in such a way to support them. The fiscal crisis in education in the State of Illinois is so critical that a shut-down of Chicago schools is scheduled for 12 days in December. It would require an additional $26 million for Chicago to operate a full year's program this year. Interestingly enough, this crisis situation is not limited to Chicago alone, but confronts many other school systems in Illinois where there exist large concentrations of poor people and where there are large numbers of school children who live in public housing. In Illinois alone, it appears that the school systems of Kankakee, East St. Louis, and Cairo appear unlikely to continue their operations for even the minimum term this year. The school system of Gary, Indiana, is also on the verge of closing.

The financial bind in education is tying the hands of rural schools as well. Seventy-two percent of the public housing units in the country are located in cities and towns of less than 500,000 and 46 percent of them are in cities of less than 100,000. Only 45 percent of public housing is in our 35 largest cities. (See Exhibit A)

The financial impact of public housing on urban centers and rural areas is a fact that the federal government cannot ignore. The tax bases of our cities are being eroded by an exodus of middle and upper income families to the suburbs; low income public housing families continue to migrate to the cities; and boards of education, no matter where they are located, are facing budgetary constraints that seriously limit both the number and quality of their operations. As far as education aid to federal impacted areas is concerned, there is no other federal program in existence today that can meet the problem better than the Category C plan. Every other program provides, at best, inadequate and indirect assistance.

The federal government has already acknowledged its responsibility for providing educational support to offset the local tax drag of residents of public housing in the form of the annual in-lieu-of-taxes payment made through the Department of Housing and Urban Development to local housing authorities. The minimum annual payment from HUD, however, provides only a small fraction of the cost of educating the public housing student—about $11 per child—while the local school districts must raise an average of $400 per child annually. Today, most American public school systems remain in a state of crisis, unable to obtain the financial resources to provide each child with a quality education.

The most important consideration for this subcommittee is that there will be no significant improvement in the lives of children in public housing communities until they are given a better education. The schools which they attend, more often than not, must operate the most marginal programs and the children wind up with marginal educations. There will be no way for them to move up and move out unless they have the knowledge to see that a change is possible. When I first came to the Senate I worked hard to develop the concept of homeownership. This program opened new possibilities for many low-income families to begin to own their own homes, to lead more productive independent lives, free from the stigma and limitations of welfare.

In the search for other legislative means to alleviate conditions brought about by concentrations of the poor, the category C impacted aid program stands out as one of the best. Under this program no State will be untouched. Educational assistance will be applied wherever there are public housing students, and it will be applied in a manner designed to advance the best interests of our Nation's schools and schoolchildren.

(See exhibit B.)

I urge this committee to reaffirm its earlier support of category C funding by approving at least $60 million for fiscal year 1972 in the supplemental appropriations bill and by urging that the House Appropriations Committee recede from its earlier position of disagreement by approving the requests of many Members of the other body who urge that these funds be allocated.

EXHIBIT A

RESEARCH DIVISION

City	Projected number children in public housing units built or under development	Estimated grant based on $100,000,000 appropriation
Atlanta	19,600	$1,353,779
Baltimore	18,490	1,651,703
Boston	26,159	3,207,829
Buffalo	6,354	823,520
Chicago	54,864	5,863,853
Cleveland	16,575	1,398,598
Dallas	9,590	679,746
Denver	5,909	557,117
Detroit	13,134	1,111,128
Houston	3,970	281,408
Los Angeles	14,243	1,179,304
Memphis	9,048	625,036
Milwaukee	5,842	569,206
Minneapolis	10,187	781,633
New York City	109,690	14,215,837
Philadelphia	29,173	2,579,503
Pittsburgh	14,689	1,298,775
Portland	5,075	606,385
St. Louis	12,613	970,540
San Diego	1,300	107,640
San Francisco	10,793	893,627
Washington, D.C.	15,652	1,394,593

ESTIMATED GRANTS FOR PUBLIC HOUSING BASED ON $100,000,000 APPROPRIATION

City	Projected number children	Estimated Grant
Akron, Ohio	4,208	$355,080
Albany, N.Y.	2,528	327,694
Albuquerque, N. Mex.	2,040	71,843
Allentown, Pa.	1,431	126,556
Amarillo, Tex.	0	0
Anaheim, Calif.	0	0
Atlanta, Ga.	19,600	1,353,779
Austin, Tex.	1,755	124,394
Baltimore, Md.	18,490	1,651,703
Baton Rouge, La.	1,196	82,620
Beaumont, Tex.	845	59,894
Berkeley, Calif.	1,430	126,126
Birmingham, Ala.	8,869	612,733
Boston, Mass.	26,159	3,207,829
Bridgeport, Conn.	3,783	434,099
Buffalo, N.Y.	6,354	923,520
Cambridge, Mass.	1,884	230,988
Camden, N.J.	2,825	338,141
Canton, Ohio	0	0
Charlotte, N.C.	4,781	330,299
Chattanooga, Tenn.	4,005	276,686
Chicago, Ill.	54,864	5,863,853
Cincinnati, Ohio	9,698	818,317
Cleveland, Ohio	16,575	$1,398,598
Columbus, Ga.	2,655	183,353
Columbus, Ohio	8,653	730,140
Corpus Christi, Tex.	2,309	163,648
Dallas, Tex.	9,590	679,746
Dayton, Ohio	4,869	410,840
Dearborn, Mich.	433	36,623
Denver, Colo.	5,909	557,117
Des Moines, Iowa	650	61,276
Detroit, Mich.	13,134	1,111,128
Duluth, Minn.	1,459	111,918
Elizabeth, N.J.	2,051	245,553
El Paso, Tex.	6,960	493,239
Erie, Pa.	1,997	176,557
Evansville, Ind.	1,535	118,495
Flint, Mich.	1,781	150,673
Fort Wayne, Ind.	555	42,843
Fort Worth, Tex.	1,396	98,963
Fresno, Calif.	2,386	197,519
Gary, Ind.	3,224	248,828
Glendale, Calif.	0	0
Grand Rapids, Mich.	426	36,073
Greensboro, N.C.	3,041	210,052
Hammond, Ind.	779	60,100
Hartford, Conn.	4,018	461,100
Honolulu, Hawaii	4,841	344,209
Houston, Tex.	3,970	281,408
Indianapolis, Ind.	4,688	361,804
Jackson, Miss.	390	26,941
Jacksonville, Fla.	4,560	314,987
Jersey City, N.J.	5,205	623,062
Kansas City, Kans.	1,782	111,668
Kansas City, Mo.	3,507	269,894
Knoxville, Tenn.	4,830	333,622
Lansing, Mich.	1,097	92,823
Lincoln, Nebr.	1,755	189,540
Little Rock, Ark.	1,840	127,073
Long Beach, Calif.	910	75,348
Los Angeles, Calif.	14,243	1,179,304
Louisville, Ky.	7,592	524,455
Lubbock, Tex.	476	33,725
Madison, Wis.	699	68,143
Memphis, Tenn.	9,084	625,036
Miami, Fla.	11,049	763,134
Milwaukee, Wis.	5,842	569,206
Minneapolis, Minn.	10,187	781,633
Mobile, Ala.	5,251	362,718
Montgomery, Ala.	3,593	248,218
Nashville, Tenn.	8,382	579,056
New Bedford, Mass.	3,453	423,417
New Haven, Conn.	2,467	283,134
New Orleans, La.	18,534	1,280,336
New York, N.Y.	106,690	14,215,837
Newark, N.J.	18,116	2,168,425
Newport News, Va.	2,213	181,168
Niagara Falls, N.Y.	1,013	131,246
Norfolk, Va.	4,836	395,972
Oakland, Calif.	6,080	503,432
Oklahoma City, Okla.	4,290	324,324
Omaha, Nebr.	4,645	501,650
Pasadena, Calif.	325	26,910
Paterson, N.J.	3,085	369,263
Peoria, Ill.	5,355	573,310
Philadelphia, Pa.	29,173	2,579,503
Phoenix, Ariz.	2,085	164,210
Pittsburgh, Pa.	14,689	1,298,775
Portland, Oreg.	5,075	606,385
Portsmouth, Va.	2,479	202,981
Providence, R.I.	4,516	486,756
Richmond, Va.	5,312	434,930
Rochester, N.Y.	2,570	233,085
Rockford, Ill.	2,188	233,843
Sacramento, Calif.	3,010	265,438
St. Louis, Mo.	12,613	970,540
St. Paul, Minn.	6,000	460,441
St. Petersburg, Fla.	1,232	85,122
Salt Lake City, Utah	0	0
San Antonio, Tex.	8,878	621,251
San Diego, Calif.	1,300	107,640
San Francisco, Calif.	10,793	893,627
San Jose, Calif.	1,937	170,843
Santa Ana, Calif.	0	0
Savannah, Ga.	3,666	253,211
Scranton, Pa.	1,820	160,927
Seattle, Wash.	8,588	635,755
Shreveport, La.	761	52,535
South Bend, Ind.	1,268	97,864
Spokane, Wash.	0	0
Springfield, Mass.	1,511	185,245
Syracuse, N.Y.	3,012	390,368
Tacoma, Wash.	2,152	159,276
Tampa, Fla.	6,026	416,181
Toledo, Ohio	3,868	326,340
Topeka, Kans.	697	56,754
Torrance, Calif.	0	0
Trenton, N.J.	2,638	315,733
Tucson, Ariz.	1,010	79,545
Tulsa, Okla.	2,981	225,364
Utica, N.Y.	602	78,006
Washington, D.C.	15,652	1,394,593
Waterbury, Conn.	1,086	124,561
Wichita, Kans.	1,344	109,485
Wichita Falls, Tex.	104	7,362
Winston-Salem, N.C.	4,326	298,868
Worcester, Mass.	2,394	293,650
Yonkers, N.Y.	2,674	346,563
Youngstown, Ohio	1,382	116,605

EXHIBIT B

ESTIMATED ENTITLEMENTS BY STATE FOR CHILDREN IN PUBLIC HOUSING BASED ON APPROPRIATION OF $100,000,000

State	Estimated number of children	Projected grant
Alabama	44,404	$3,067,428
Alaska	1,228	150,700
Arizona	5,539	436,220
Arkansas	11,853	818,833
California	68,485	5,670,583
Colorado	6,386	601,971
Connecticut	19,035	2,184,220
Delaware	2,735	212,935
District of Columbia	14,863	1,324,284
Florida	35,727	2,467,636
Georgia	55,397	3,824,378
Hawaii	5,814	413,375
Idaho	569	43,946
Illinois	81,535	8,714,429
Indiana	14,738	1,137,487
Iowa	2,410	227,210
Kansas	4,625	376,739
Kentucky	23,134	1,598,062
Louisiana	28,726	1,984,399
Maine	2,136	198,959
Maryland	19,374	1,703,670
Massachusetts	39,853	4,887,149
Michigan	26,156	2,212,798
Minnesota	18,680	1,433,293
Missouri	21,044	1,619,367
Montana	1,685	155,793
Nebraska	9,226	996,419
Nevada	3,029	222,177
New Hampshire	3,775	409,420
New Jersey	55,839	6,683,760
New Mexico	3,773	260,611
New York	124,933	16,191,265
North Carolina	28,540	1,971,557
North Dakota	1,503	139,328
Ohio	51,612	4,355,049
Oklahoma	9,164	692,798
Oregon	7,952	950,117
Pennsylvania	58,766	5,196,090
Rhode Island	10,907	1,175,837
South Carolina	11,058	763,887
South Dakota	1,583	142,506
Tennessee	38,856	2,684,152
Texas	56,581	4,010,475
Utah	69	4,767
Vermont	1,105	102,710
Virginia	19,964	1,634,660
Washington	16,810	1,244,467
West Virginia	4,186	289,169
Wisconsin	9,828	957,542

[From the New York Times, Sunday, Oct. 31, 1971]

DAYTON'S SCHOOLS FACE SHUTDOWN—TO CLOSE FOR WEEK IN FISCAL CRISIS—TAX VOTE DUE

DAYTON, OHIO, October 30.—The Dayton public school system, in serious financial trouble over the defeat of four tax levies since December, 1969, and caught up in the budget problems of the state Legislature, faces a shutdown next week affecting its 54,000 students. Unless the Legislature intercedes, the schools will close for one week, Nov. 5 to 12.

However, these closings, if they occur, may be but the forerunner of a problem that could keep schools closed until the end of the year and foreshadow an even more critical condition in 1972.

Dayton is the largest of 33 Ohio school districts facing shutdowns.

Dr. Wayne M. Carle, Superintendent of Public Schools in Dayton places the blame on a combination of factors, including public militancy, legislative short-sightedness and racial fears.

During his thre years in Dayton, Dr. Carle, who has urged an end to racial isolation in schools has been criticized in the conservative community for innovative educational programs.

LEGISLATIVE PROBLEM

One of the factors in the school crisis has been the Ohio Legislature's inability to agree on a budget.

Voters in Dayton will be going to the polls Tuesday to decide whether a 13.6-mill property tax, which expires Dec. 31 should be renewed.

On Nov. 12 a second school tax levy will be on the ballot, which if passed would provide an additional 10.5 mils. If it fails schools will be closed until Dec. 14. In anticipation of possible failure of the additional tax a second election has been scheduled for Dec. 14. If that fails, schools will remain closed until the end of the year.

And in the event that Tuesday's tax renewal is rejected by the Dayton electorate, schools will be closed after 13 weeks during the first half of 1972 and for eight weeks between Labor Day and the end of 1972 unless voters change their position in a special election next year.

PROVISO CRITICIZED

A year ago, Dayton schools faced bankruptcy but the Ohio Legislature mandated that financially distressed school systems must borrow against future financing with the proviso that borrowed money be repaid with carrying charges.

Dr. Carle has called this a ruse and he fears that the Ohio General Assembly will again attempt to keep troubled school districts open by enacting a similar law. His position is that such tactics force local school districts to face deeper financial problems in the future.

The Dayton crisis was compounded during the past two years by a divided Board of Education, which included four liberals and three conservatives. The conservative members gave only lukewarm endorsement to the four previous school levies but they are united behind Tuesday's 13.6-mill renewal.

The liberal faction contends that in Tuesday's election, their opponents smell victory—only one needs to be elected to produce a 4-to-3 conservative majority—and that the conservatives would not want to preside over a bankrupt school system.

Dr. Carle says Dayton's problem is part of a national trend * * *

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

MILITARY CONSTRUCTION APPROPRIATIONS, 1972

The PRESIDING OFFICER. Under the previous order, the Chair now lays before the Senate H.R. 11418, which the clerk will report.

The assistant legislative clerk read as follows:

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.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. Under the unanimous-consent agreement, 4 hours are allotted on the bill, the time to be equally divided and controlled by the manager of the bill and the minority leader or his designee. There will be 1 hour on each amendment and 30 minutes on any amendment to an amendment, motions, or appeals, except nondebatable motions.

The majority leader is recognized.

Mr. MANSFIELD. Mr. President, I am delighted to present this proposal to the Senate today, and especially so in view of the fact that the ranking Republican member of the subcommittee is the distinguished Senator from Massachusetts (Mr. BROOKE), who played a very important part in bringing about an agreement on this bill which covers a great deal of money, although considerable savings have been accomplished.

Mr. President, I present today for the consideration of the Senate, H.R. 11418, together with the report from the Appropriations Committee, No. 92-419, making appropriations for Military Construction for the Department of Defense for the fiscal year ending June 30, 1972, and for other purposes.

The Military Construction Subcommittee of the Appropriations Committee again held joint hearings this year with the Military Construction Subcommittee of the Armed Services Committee, chaired by the able Senator from Missouri (Mr. SYMINGTON). The joint hearings were most productive in saving time, both for Senators and the witnesses from the Department of Defense. Additional hearings by the Appropriations Subcommittee were held to hear testimony on items in the bill from previous years' authorizations and on the Safeguard missile system. Money for the Safeguard missile system is not in this bill. The authorization for the antiballistic missile system was transferred from the authorization bill to the military procurement authorization bill, which is still in conference. The appropriation for the Safeguard system will appear as a line item in the Defense appropriations bill which will be before this body at some future date. However, interested Senators will find on their desks the military construction appropriations hearings and information on the Safeguard antiballistic missile system appears on pages 545 through 557.

It is not my intention in presenting the bill to give detailed figures concerning each line item. The line item breakdown and explanations are contained in the report which has been placed on each Senator's desk.

Before going into the recommendations of the Appropriations Committee, I would briefly like to summarize the pertinent figures pertaining to the bill. The fiscal year 1972 budget estimates for new obligational authority, as submitted to the Congress for military construction last January, were $2,313,375,000, broken down as follows: Army, $642,200,000; Navy, $405,500,000; Air Force, $316,600,000; Defense agencies, $25,400,000; Army National Guard, $29,000,000; Air National Guard, $10,600,000; Army Reserve, $33,500,000; Naval Reserve, $10,900,000; Air Force Reserve, $5,700,000; and, family housing (less $92,82,000 for debt reduction on housing mortgages), $833,975,000.

The total of the military construction bill as reported by the Committee on Appropriations is $2,002,312,000. This is a decrease of $10,134,000 under the $2,012,446,000 provided by the House. The total of the bill as reported to the Senate is $127,493,000 under the budget estimate of $2,313,375,000.

If we add to that the $74 million which was in Safeguard, this committee has effected a total reduction of $201,493,000.

GENERAL FINANCIAL STATEMENT

For military construction for the Active Forces of the Department of the Army,

the committee has approved an amount totaling $432,946,000. This is a decrease of $4,328,000 from the amount of $437,274,000 approved by the House, and a decrease of $209,254,000 from the budget estimate of $642,200,000.

For military construction for the Active Forces of the Department of the Navy, the committee has approved an amount totaling $357,536,000. This is an increase of $13,770,000 from the $343,766,000 allowed by the House and a decrease of $47,964,000 from the budget estimate of $405,500,000.

For military construction for the Active Forces of the Department of the Air Force, the committee has approved an amount totaling $291,954,000. This is an increase of $18,923,000 over the $273,031,000 allowed by the House and a decrease of $24,646,000 from the budget estimate of $316,600,000.

For the Army National Guard, the committee approved $29,000,000 and approval was given for the Army Reserve in the amount of $33,500,000, the budget estimate.

For the Naval Reserve, the committee recommends an appropriation of $10,900,000, the same amount as the budget estimate.

For the Air Force Reserve, the committee recommends an appropriation of $5,700,000.

For the Air National Guard, the committee recommends an appropriation of $10,600,000.

For the Department of Defense agencies, the committee recommends an appropriation of $14,801,000. This is $10,599,000 under the budget estimate of $25,400,000, and is the same as the House allowance.

The appropriation breakdown is as follows:

Defense Nuclear Agency, $662,000; National Security Agency, $2,683,000; and, the Defense Supply Agency, $7,301,000. The committee also recommends for the Department of Defense general support programs a total of $7,000,000, including planning and design; and, for the Office of Secretary of Defense emergency fund, $5,000,000.

ARMY

The major item included in this bill for the Army is $101,670,000 for the construction of the new Walter Reed Army Hospital. The Army has requested a total of $112,300,000 for medical facilities. This constitutes 21 percent of the Army's construction program for installations in the United States.

This year, the Army has placed a premium on providing quarters, medical facilities, and community support facilities for its men. This is a part of the continuing effort by the Army to improve the living conditions of its personnel which has taken on a particular significance because of special efforts to decrease reliance on the draft.

The fiscal year 1972 program provides for the construction of 7,420 new barracks spaces and approximately 1,200 bachelor officer quarters at permanent installations in the United States. Another $13,000,000 will be utilized to completely modernize 4,927 permanent barracks spaces which were built between 1895 and 1939, and must be improved to raise them to current living standards.

The Army has included in this bill $9,800,000 for community facilities which will provide a number of diverse facilities, including a commissary at Fort Bragg and Fort Carson, a laundry at Fort Lewis, major post offices at Fort Lee and Fort Bliss, and an enlisted men's service club at Fort Sill. In addition, there is money for a junior and senior high school for dependent children in Germany.

In support of the national goal for reduction of environmental pollution, the Army has included in this construction program $35.3 million for air pollution abatement and $35.4 million for water pollution control. The money for these projects will reduce particulate and gaseous emissions, provide incinerators for waste disposal, provide treatment of industrial wastes, provide connections to regional sewer plants, and upgrading sewage treatment plants to conform with Federal standards. By way of emphasis, I can say that each of these projects has been coordinated with appropriate Federal agencies involved in pollution abatement.

To support research and development programs, the Army requested $30,000,000. Of particular interest is one project the Committee has approved for $2.9 million for the Yuma Proving Ground, which will allow for new facilities for weapons evaluation. The major portion of the funds in support of research and development is required to continue the construction of two major laboratories—the Harry Diamond Laboratories and the Western Medical Institute of Research, located on the Presidio of San Francisco. Another project will provide for facilities for the Engineer Topographic Laboratory at Fort Belvoir, Va.

Mr. President, in summary, I can say that the fiscal year 1972 military construction Army program has been carefully designed to enhance the welfare of the soldier by improving our primary medical care facilities, bachelor housing, community facilities, and general working conditions. In addition, the Army is fulfilling its mandate to control environmental pollution and improving its operational capability. Because there is the possibility of changes in the force structure of the Army, very careful consideration has been given to insuring that the projects requested are located only at "hard core" installations where the facilities will be fully utilized, even if the strength of the Army is reduced below currently planned levels.

NAVY

Mr. President, the Navy has all types of military projects and operational facilities in this fiscal year 1972 construction bill. I will not attempt to go into an explanation of each project. I will, for the sake of brevity, limit my remarks to some particularly significant portions of the Navy's construction program.

The Navy is continuing a program started last year for people-oriented facilities. The provision of bachelor quarters comparable to those found in the civilian community is essential to securing and retaining qualified personnel. The committee shares the Navy's belief that the retention of highly qualified personnel is the key to an effective Navy and has approved a program of $127 million for people-oriented facilities. This is an increase of $49 million over last year's program.

With the reduction in the Navy's end strength, improved training facilities are required to improve the professional caliber of the officer cadre and proficiency of the enlisted men. The Navy's request of $30 million for training facilities was substantially reduced by the authorization law. The committee, believing that new training facilities are needed to strengthen and modernize the training programs for both enlisted and officer personnel, made only minor reductions in this category of facilities.

The Navy continued its progressive program of pollution abatement at shore installations with the allocation of 9 percent of its budget request to air and water pollution abatement. This reflects an ambitious effort to curb air and water pollution at naval shore installations and the committee strongly endorses these actions. All pollution abatement facilities were funded.

The Marine Corps devoted the majority of its budget request to people-oriented facilities. Again the reason is to construct an environment conducive to the attraction and retention of highly qualified and skilled personnel without whom the Corps cannot continue to function as an effective, efficient force. The committee fully supports this goal and has approved in its entirety the $35,000,000 request for people-oriented facilities that represents 74 percent of the Marine Corps budget. In fact, the committee funded all of the Marine Corps projects.

On May 30, 1971, a heavy rain and windstorm caused the collapse of the theater roof at the Naval Air Test Center, Patuxent River. The Department of Defense requested $500,000 to replace this facility under the restoration of damaged facilities authority of 10 United States Code 2673. Similarly, a request for $1,272,000 was requested for a replacement cafeteria for cafeteria No. 1 destroyed by fire at the Naval Shipyard, Long Beach, Calif. The committee approved funding for both of these projects.

Six projects were added to the Navy's construction program by the Armed Services Committees for an aggregate amount of $4,626,000. These projects were: a community building at the Naval Radio Station, Sugar Grove, W. Va.; an auditorium/theater and end zone improvements at the Naval Air Station, Whiting Field, Fla.; and a mess hall, a Navy exchange with cafeteria, and a chapel at the Naval Construction Battalion Center, Gulfport, Miss. These projects were all funded by the committee.

All factors considered, the Navy's appropriation budget request was well balanced between the various facilities categories such as operational, maintenance, research and development, medical, and personnel and community support. The reductions by the committee were not made because the committee

questioned the validity of the requirement for those projects. In these austere times, funding was withheld for those projects which the committee believes may be deferred without serious impact to the operational effectiveness of the Navy.

AIR FORCE

Approximately 13 percent of the appropriations in this bill for the Air Force is for such essential items as airfield pavements, aircraft fueling support facilities, flight operations buildings, air passenger terminals, communications facilities, and navigational aids. These facilities are urgently needed to upgrade the operational effectiveness of the Air Force.

Training facilities included in this construction program cover a wide range of Air Force training activities such as training for pilots, navigators, aircrews, and base maintenance personnel. A most significant project in this group is a complex for $2.5 million at Lowry Air Force Base, Colo., to provide an effective environment to accomplish essential personnel education and behavioral-oriented rehabilitation activities.

One of the foremost activities that the Air Force must accomplish is the maintenance of its equipment. Approximately 19 percent of the appropriations in this bill are for Air Force maintenance facilities. The bill contains money for facilities to support aircraft and engine maintenance activities, special purpose shops, as well as shops to support maintenance of base facilities. Included in this category of appropriations, the Air Force is carrying out a continuing program for adequate facilities for nondestructive inspection of aircraft components and to provide protection from hazardous noise generated during jet engine tests required in the maintenance and testing of engines.

For a number of years the Air Force has been carrying out a program to upgrade its research and development facilities. The single largest project for research and development is the materials laboratory building for $11.3 million at Wright-Patterson Air Force Base. Other major projects are the high velocity test track addition at Holloman Air Force Base, N. Mex., for $6.6 million.

The Air Force, over the years, has expended a large amount of money for environmental protection including, for example, an investment of over $250 million in facilities for waste water collection and disposal. Since fiscal year 1967, the Air Force has spent $11 million on air pollution abatement projects and over $42 million on water pollution abatement projects. This bill contains $15,220,000 for air pollution control and $8,805,000 for water pollution control. These projects are required to bring specific Air Force installations into compliance with applicable air and water standards by December 31, 1972, as directed by the President of the United States in Executive Order 11507.

The Air Force continues to plan for the replacement of World War II-type medical facilities. Specifically, this bill will replace outmoded and seriously deteriorated hospital facilities at Hill Air Force Base, Utah; an obsolete dispensary at Brooks Air Force Base, Tex.; and small amounts for other bases to update medical facilities. The program also provides for a new hospital at Pease Air Force Base at a cost of $7,800,000. The Air Force's medical program in this bill will cost approximately $15 million.

One of the large items in this bill for the Air Force is the providing of suitable living quarters for bachelor enlisted and officer personnel. Approximately 12.8 percent of this bill is for the construction of 4,976 new dormitory spaces at a cost of approximately $21 million, and 504 new junior grade officers' quarters at a cost of $6,900,000. In general, the Air Force is continuing with its phased program to replace old World War II barracks at bases with modern composite structures.

The last large category of appropriations is the renovation and repair of utilities at Air Force bases. This appropriation includes fire protection and pollution abatement projects—which I have mentioned earlier—as well as projects to install the necessary utility support for existing and programed construction. The installation of fire warning and protective systems will be accomplished at such locations at a cost of approximately $1.5 million. There are several major utility projects, including a comprehensive utility system at Bolling Air Force Base, a new base road at Robins Air Force Base, Ga. Also, money will be expended to upgrade electrical substations.

The Air Force has informed the committee that it is now launching on a full 5-year program to upgrade the facilities of the Air Force Logistics Command. This program is treated to some extent in the report now on the desk before each Senator. It is estimated that this program, when completed, will save a great amount of money and will enable the Air Force to accomplish its logistics mission at a greatly reduced cost to the Government.

FAMILY HOUSING

The committee has approved $900,620,000 in new appropriated funds for the fiscal year 1972 military family housing program. This amount comprises approximately 45 percent of the entire funds appropriated in this bill.

To provide maintenance and operation funds for defense housing, approval has been given in the budgeted amount of $474,295,000. The budget request was for the maintenance and operation of 371,978 housing units during fiscal year 1972.

The committee has recommended $267,408,000 for the family housing construction program. The approved program will provide for the construction of 9,342 new permanent units. New construction includes 1,578 units at eight Army installations, 4,254 units at 16 Navy and Marine Corps bases, and 3,510 units at 11 Air Force bases.

The fund allowed by the committee for debt payment is the budget estimate of $158,917,000. This includes $92,820,000 for the payment of debt principal amount owed on Capehart, Wherry, and Commodity Credit financed housing. In addition, $59,135,000 is approved for the payment of interest on mortgage indebtedness on Capehart and Wherry housing and for other expenses relating to the construction and acquisition of these houses in prior years. The committee approved $6,962,000 for payment to the Federal Housing Administration, for premiums on Capehart and Wherry housing mortgage insurance and for the payment of premiums on insurance provided by the FHA for mortgages assumed by active military personnel for houses purchased by them.

The committee also has approved $33,589,000 for leasing of 10,000 domestic and 3,482 foreign family housing units for assignment as public quarters. This provides a reduction of $788,000 from the request and is in consonance with the authorization action which reduced the number of units authorized for domestic lease from 10,359 to 10,000.

CONSTRUCTION MANAGEMENT

For each of the last 2 years the committee has gone to considerable length in its reports to express its concern over the cost of design and construction supervision of military construction. In the report for fiscal year 1970, with reference to section 704 of the Military Authorization Construction Act, the committee pointed to potential economies that would accrue from assigning design and construction responsibility for projects under $200,000 directly to the post, base, or activity on which the construction was to occur.

Further, in the same report, the committee pointed out that the design and construction assignments should be made to agencies on the basis of economies and benefits to be gained. In our report for fiscal year 1971, under the heading of "Planning and Design," the committee went to greater lengths in explaining its reservations on the true end use and economical application of planning and design funds on the part of the Department of Defense. Our admonitions for economies, innovations, competitive construction assignments, and the specific assignment of small construction projects to "customer" engineering organizations appear to have fallen on deaf ears.

Reports received by the Congress on completed construction indicate design and construction overhead costs as high as 17 percent, and an incidence of construction agencies charging greater cost for design and supervision on work for a sister service than that charged on work for its own service. As to the percentage variance in design and construction supervision from one service to another, the committee has listened to testimony of representatives of the Secretary of Defense contending that such differences are attributable to a lack of uniformity in accounting systems. These representatives further explained that if a uniform system were in effect there would be a closer relationship between the agency percentages for design and construction management, and that those percentages now at the lower level would go higher.

The committee is most disturbed that its guidance has met with such poor reception by the Office of the Secretary of Defense. Where we ask for action, we are offered a study; where we seek in-

novation, we are confronted with a firm grip on the status quo; and, where we suggest specific construction assignments, we find a rigid resistance to change. We are, therefore, recommending maximum expenses this year for construction supervision in an effort to force economies and efficiencies that we feel are long overdue.

We are, at this time, applying limitations by title, rather than project, because we recognize that the size and degree of construction complexity can cause individual project construction supervision costs to exceed what would be acceptable as a program average. The committee expects the Department of Defense to review its reports for fiscal years 1969, 1970, and 1971, with a view to a more objective consideration of our suggestions for innovations, economies, and efficiencies that can easily enable the fiscal year 1972 and beyond construction supervision effort to be accomplished within the limitations we have recommended.

We are tired of suggesting. We expect action and if no action is forthcoming we will hold the Department of Defense accountable next year and we will keep a very close watch on them from now on.

Mr. President, at this point I would like to read from the report on the military construction appropriation bill an item on page 17 entitled "Boiler Conversions at Installations in Germany."

BOILER CONVERSIONS AT INSTALLATIONS IN GERMANY

It is the consensus of the committee that the Department of Defense and the Department of the Army, through the Department of State, should initiate negotiations with the Government of the Federal Republic of Germany to effect an agreement whereby the German Government will assume full financial responsibility for converting coal-fired furnaces to oil in the installations occupied by American forces in Germany. The committee is sympathetic to the plight of the occupants of these facilities, and hopes that an agreement may be reached expeditiously in view of the inadequacy of the labor market with respect to boiler firemen, the cost of coal, as well as handling equipment, and the age of the boilers presently in use. These facilities, the property of the German Government, contain a total of 3,108 boilers originally planned for conversion, of which 308 have already been converted. It is the view of the committee that the conversion of the remaining, 2,800 boilers should be financed by the German Government. In view of this, the request for $5,835,000 for this purpose has been denied.

Mr. President, with the approval of my distinguished colleague, the ranking Republican member of the committee, I ask unanimous consent that there be printed in the RECORD a comparative statement of new budget—obligational—authority for 1971 and budget estimates and amounts recommended in the bill for 1972.

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

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1971 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1972

Item	New budget (obligational) authority, fiscal year 1971	Budget estimates of new (obligational) authority, fiscal year 1972	New budget (obligational) authority recommended in the House bill	Amount recommended by Senate committee	Senate committee bill compared with—		
					New budget (obligational) authority, fiscal year 1971	Budget estimates of new (obligational) authority, fiscal year 1972	House allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Military construction, Army	$646,958,000	$642,200,000	$437,274,000	$432,946,000	−$214,012,000	−$209,254,000	−$4,328,000
Military construction, Navy	302,483,000	405,500,000	343,766,000	357,536,000	+55,053,000	−47,964,000	+13,770,000
Military construction, Air Force	284,147,000	316,600,000	273,031,000	291,954,000	+7,807,000	−24,646,000	+18,923,000
Military construction, Defense Agencies	46,300,000	25,400,000	14,801,000	14,801,000	−31,499,000	−10,599,000	
Transfer, not to exceed	(20,000,000)	(20,000,000)	(20,000,000)	(20,000,000)			
Military construction, Army National Guard	15,000,000	29,000,000	29,000,000	29,000,000	+14,000,000		
Military construction, Air National Guard	8,000,000	10,600,000	10,600,000	10,600,000	+2,600,000		
Military construction, Army Reserve	10,000,000	33,500,000	33,500,000	33,500,000	+23,500,000		
Military construction, Naval Reserve	5,000,000	10,900,000	10,900,000	10,900,000	+5,900,000		
Military construction, Air Force Reserve	4,000,000	5,700,000	6,581,000	5,700,000	+1,700,000		−881,000
Family housing, defense	806,464,000	919,220,000	938,238,000	900,620,000	+94,156,000	−18,600,000	−37,618,000
Portion applied to debt reduction	−90,278,000	−92,820,000	−92,820,000	−92,820,000	−2,542,000		
Homeowners assistance fund, defense		+7,575,600	+7,575,000	+7,575,000	+7,575,000		
Subtotal, family housing	716,186,000	833,975,000	852,993,000	815,375,000	99,189,000	−18,600,000	−37,618,000
Grand total, new budget (obligational) authority	2,038,074,000	[1] 2,313,375,000	[2] 2,012,446,000	2,002,312,000	−35,762,000	−311,063,000	−10,134,000

[1] Includes $334,000,000 for Safeguard regular program and Safeguard family housing.

[2] Includes $183,570,000 for Safeguard regular program and Safeguard family housing.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc and that the bill as thus amended be regarded for the purpose of amendment as original text, providing that no point of order shall be waived by reason of agreement to this request.

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

The amendments agreed to en bloc are as follows:

On page 2, at the beginning of line 4, strike out "$437,274,000" and insert "$432,946,000".

On page 2, line 14, after the word "appropriation", strike out "$343,766,000" and insert "$357,536,000".

On page 2, line 22, after the word "Code", strike out "$273,031,000" and insert "$291,954,000".

On page 5, line 2, after the word "Acts", strike out "$6,581,000" and insert "$5,700,000".

On page 5, line 11, after the word "law", strike out "$938,238,000" and insert "$900,620,000".

On page 5, line 16, after the word "Construction", strike out "$58,277,000" and insert "$44,941,000".

On page 5, line 18, after the word "Construction", strike out "$135,717,000" and insert "$120,717,000".

On page 5, line 20, after the word "Construction", strike out "$110,827,000" and insert "$101,545,000".

On page 8, after line 24, insert a new section, as follows:

SEC. 111. (a) In no case shall the average amount charged by any construction agency of the Department of Defense for supervision, inspection, and overhead services performed by such agency in connection with the construction of projects for which funds are appropriated in this Act exceed an amount equal to 5 per centum of the total cost of construction for all projects awarded such agency for construction (and for which funds are appropriated in this Act).

(b) As used in subsection (a) of this section the terms "supervision", "inspection", and "overhead" include legal services, procurement services, inspection and supervision of construction (both on-site and in-factory), review of shop drawings, as built drawings, engineering and design associated with change orders, other similar and related services, and other services and work incidental to the supervision of construction activities.

Mr. BROOKE. Mr. President, I have no desire to add to that which has been said by the distinguished chairman of our subcommittee. I concur in all he has said, and most particularly the remarks pertaining to the boiler conversions at installations in Germany.

Mr. President, I commend the distinguished majority leader, and chairman of the Military Construction Appropriation Subcommittee, for exercising his customary thoroughness in the preparation of this bill.

In this, my first year on the Appropriations Committee, it has been an education for me to serve as ranking member of this subcommittee and to benefit from the wisdom of the senior Senator from Montana.

The subcommittee has gone into each of the projects for which funding was sought, considering the requests and weighing them against our overall defense needs. We have kept two basic considerations in mind: first, that we are reducing the size of our armed services and withdrawing many of our troops from overseas; and second, that we are in the process of moving to an all-volunteer Armed Force. Thus, overseas construction has been carefully curtailed, while greater emphasis has been placed upon improving the housing recreational facilities, and operating capacity of our permanent U.S. bases.

The total appropriation for military construction recommended by the committee is $2.002 million. Of this, $432.9

million is for the Army; $357.5 million for the Navy; $292 million for the Air Force; and $14.8 million for the defense agencies.

More than 40 percent of the bill is for military housing—including $267 million for new construction. And nearly $130 million, I am very pleased to report, is for pollution control.

The bill does not include money for the Safeguard antiballistic missile program, which was incorporated this year in the military procurement bill. The legislation reported from the committee is $127.4 million below the budget request, and $10 million below the amount appropriated by the House.

The committee has exercised the greatest care in considering these requests, and has approved only those programs which in our judgment could not be deferred. I urge my colleagues to support this legislation.

Mr. PERCY. Mr. President, will the Senator yield for just a moment?

Mr. BROOKE. I am very pleased to yield to the distinguished Senator from Illinois, who is also a member of the committee.

Mr. PERCY. Mr. President, I am also serving for the first year on the subcommittee, and I followed the proceedings with considerable interest.

I would like first to say how impressed I was with the fact that our majority counsel Mr. Rexroad personally was as familiar with so many of the projects. We did not have to rely upon just hearsay or reports from the military, but Mr. Rexroad actually had been there to see them and was able to give us the benefit of that kind of first-hand judgment. I think these staff trips are exceptionally important to the members of the committee.

I would also like to commend the committee on the fact that we did see fit to reduce the budget in certain areas, and we did so after very considered and careful judgment, but the best judgment we could render was that certain projects were simply not necessary. They may have been desirable, but they were not essential. We felt, in view of the $30 billion deficit this year and considering the fact also that our Armed Forces are being brought down substantially, from roughly 3½ million to a level of about 2½ million by next July, those facts should be taken into account in providing for facilities and construction for our military forces.

One area of the report that I felt very strongly about dealt with the conversion of the heating structure of old, World War II German barracks now being occupied by American forces assigned to NATO from the use of coal to oil. There was an item of some $5,835,000 that was asked for, in American dollars, to be spent in Europe on property the title to which is owned by the German Government, to convert these facilities to use fuel oil as against coal. The coal comes from Pennsylvania. I offered the amendment on behalf of Senator SCOTT. At least there was a little balance-of-payment offset in the use of coal from the United States rather than oil from, say, the Mideast. But that is not the most important element. What we found most difficult was the principle that we should continue to pour American dollars into the repair and maintenance of physical facilities used by NATO forces, those physical facilities being located in European countries.

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

Mr. PERCY. I yield.

Mr. BROOKE. And the title is vested in the German Government, not in the U.S. Government. The conversion of those barracks from coal burning to oil burning, and putting in oil burners, would result in a cost to us of more than $5 million, as my distinguished colleague has pointed out. These oil burners would then belong to the German Government, which owns the barracks that are housing American troops for the protection of our allies in Europe.

Mr. PERCY. Furthermore, we are all hopeful that, by one means or another, we are going to reduce the size of the American forces in Europe and that, through mutual negotiations, there will be a mutual reduction of forces in Eastern as well as Western Europe. Here we would be putting $5,835,000 into physical facilities, into old barracks, which hopefully we would be vacating in part at least in the foreseeable future.

This is the very kind of item that could have slipped through the committee if the Senator from Pennsylvania (Mr. SCOTT) had not objected, primarily because of the fact that coal from Pennsylvania for heating purposes would no longer be purchased.

Not only was the balance-of-payments issue involved in the offsetting transaction, but the principle is of much greater importance—that we ought to knock out of this budget every single item that uses American dollars to build structures in Europe for our common defense, such as costs for building or extending runways or roadways or equipment purchased in and to be used in Europe.

The cost of the salaries of 74,000 Europeans that we pay in dollars has contributed to the more or less $1 billion balance-of-payments deficit we have had year in and year out. That has helped precipitate the economic crisis that now has engulfed the entire free world.

Mr. BROOKE. Mr. President, if the Senator will yield further, I think he is absolutely correct in what he has said. I want to point out to the distinguished Senator from Illinois that our distinguished chairman has put in the RECORD the consensus of the committee pertaining to this matter, as is contained in the report of the committee.

I think it is well to point out not only what happened about spending this $5 million-plus in the conversion from coal to oil, but that we also want negotiations to have them assume full responsibility for this program, even the coal program, by the German Government. So it is not a matter of forestalling or denying funds for conversion, but we would like them to take over the full financial responsibility for paying for the heating and maintenance of those barracks. I do not know what that actual sum amounts to at the present time, but it is considerable.

Of course, we are encountering difficulties, in the manpower shortages, in trying to get persons who are needed to stoke the coal, and so forth. So considerably more than the $5.8 million is involved, if we are successful in our negotiations with the German Government in having it assume full financial responsibility for these barracks.

Mr. PERCY. I think this is an example of what can be done, and I think we should note for the public record that I offered the amendment on behalf of the Senator from Pennsylvania (Mr. SCOTT), which was unanimously carried by the subcommittee. We all felt very deeply and strongly about this item as a matter of principle.

Now that the majority leader is back on the floor once again, I would like to commend the committee staff for the meticulous way in which it has brought to our attention, through visitation, these items, which have enabled us to do a much more careful and prudent job than we could have if we had relied simply on testimony and reports that came to us from the military services.

Mr. BROOKE. I am very pleased that my distinguished colleague has recommended and complimented our counsel Rexroad and the staff, because these persons personally visited and saw the state of repair of the installations with which we are concerned. I am sure they were very helpful to all the members of the committee. Sometimes when we see just a new line item, and it is said, "We need a new chapel or a new hospital or a new recreation area," it is well to have someone who visited there and who can say, "Well, the chapel needs roof repair, but we do not need an entirely new chapel," or "We do not need a new runway; we can extend the old one," or to say, "This is not a priority item. It could be deferred for 4 or 6 years, particularly in these times."

This has been very helpful to the committee in its deliberations and decisions.

Of course, we are encountering difficulties, in the manpower shortages, in trying to get persons who are needed to stoke the coal, and so forth. So considerably more than the $5.8 million is involved, if we are successful in our negotiations with the German Government in having it assume full financial responsibility for these barracks.

I certainly want to join with my colleague, as I am sure all of the members of the committee would, in saying how grateful we are to have the sort of expertise we have enjoyed on this measure.

Mr. PERCY. If the Senator will yield, I am only sorry we did not take up this item a little sooner, because the United States did repair 238 of them, and stood the cost. But we are catching 2,800 more of them, and asking the German Government to repair them.

Mr. MANSFIELD, may I say I agree wholeheartedly with what the Senator from Massachusetts (Mr. BROOKE) and the Senator from Illinois (Mr. PERCY) have said. I think we might well take this as an indication of a warning which might burst into flame as to the feelings over here about what should be done by way of sharing the burden by the host government.

I join the Senators in the thanks they have extended for the outstanding work

performed by Vorley M. Rexroad, the clerk of the committee, and Edmund L. Hartung, the minority counsel. Both Mr. Hartung and Mr. Rexroad worked very closely in cooperation and accommodation, and in seeing to it that all the views vital to the consideration of a bill of this nature were brought out.

I want also to pay tribute to Gordon Nease, who is the professional staff member of the Subcommittee on Military Construction of the Committee on Armed Services, whose help and assistance has been invaluable as well as appreciated.

Mr. President, if there are no further remarks on the pending bill, I suggest third reading.

The PRESIDING OFFICER. Do Senators yield back the remainder of their time?

Mr. MANSFIELD. I yield back the remainder of my time.

Mr. BROOKE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill—H.R. 11418—was read the third time.

Mr. MANSFIELD. Mr. President, in view of the fact that there are some very important committee meetings just getting underway, one in the Committee on the Judiciary having to do with the two nominations for the Supreme Court, and the other in the Committee on Foreign Relations, where the Secretary of State, Mr. Rogers, and the administrator of the AID program, Mr. Hannah, are in attendance, plus the fact that there is a conference in progress at the present time, I believe, between the Armed Services Committees of the two Houses relative to the military procurement bill, I shall break a long-standing practice, and state that what I am about to do is not to be considered a precedent, but only an accommodation because of unusual circumstances.

I ask unanimous consent that at 12:30 p.m. today there be a rollcall vote on the pending measure, that the yeas and nays be in order, and that rule XII be waived.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

DISASTER RELIEF AMENDMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 408, S. 1237.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (S. 1237) 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.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with amendments on page 2, line 1, after the word "is", to strike out "operated on a nonprofit basis" and insert "owned"; in line 4, after "1954", to insert "and is operated to carry out the exempt purposes of such organization"; and, on page 3, line 5, after the word "disease", to strike out the period and insert a comma and "including the administrative and support facilities essential to the operating of such medical care facilities although not contiguous thereto"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the Disaster Relief Act of 1970 is amended by adding at the end thereof the following new section:

"PRIVATE MEDICAL CARE FACILITIES

"SEC. 255. (a) The President is authorized to make grants for the repair, reconstruction, or replacement of any medical care facility which is operated on a nonprofit basis owned by an organization exempt from taxation under section 501 (c), (d), or (e) of the Internal Revenue Code of 1954 and is operated to carry out the exempt purposes of such organization, and which is damaged or destroyed by a major disaster. Such assistance shall be made available only on application, and subject to such rules and regulations as the President may prescribe.

"(b) A grant made under the provisions of subsection (a) shall not exceed—

"(1) 100 per centum of the net cost of repairing, restoring, reconstructing, or replacing any such facility on the basis of the design of such facility as it existed immediately prior to such disaster and in conformity with applicable codes, specifications, and standards; or

"(2) in the case of any such facility which was under construction when so damaged or destroyed, 50 per centum of the net cost of restoring such facility substantially to its condition prior to such disaster, and of completing construction not performed prior to such disaster to the extent that the cost of completing such construction is increased over the the original construction cost due to changed conditions resulting from such diaster.

"(c) For purposes of this section, 'medical care facility' includes, without limitation, any hospital, diagnostic or treatment center, or rehabilitation facility as such terms are defined in section 625 of the Public Health Service Act, and any similar facility offering diagnosis or treatment of mental or physical injury or disease." , including the administrative and support facilities essential to the operating of such medical care facilties although not contiguous thereto."

SEC. 2. The amendment made by the first section of this Act shall take effect as of January 1, 1971.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time be charged equally to both sides on the appropriation 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. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECESS

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess until 11:30 a.m. today.

The motion was agreed to; and at 10:59 a.m., the Senate took a recess until 11:30 a.m.; whereupon the Senate reassembled, when called to order by the Presiding Officer (Mr. GAMBRELL).

DISASTER RELIEF AMENDMENTS

The Senate continued with the consideration of the bill (S. 1237) 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.

The PRESIDING OFFICER. Who yields time?

Mr. TUNNEY. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is S. 1237, disaster relief amendments.

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. TUNNEY. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, with the time to be taken equally from both sides on the appropriation bill.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TUNNEY. 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. TUNNEY. Mr. President, I have not made my opening statement on this measure. However, the Senator from Kentucky (Mr. COOPER), the ranking Republican member of the Committee on Public Works, is present in the Chamber. He has to be at a meeting of the Committee on Foreign Relations, and has a statement that he would like to make on the bill at this time. So I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I thank the distinguished Senator from California for his kindness. We are in session in the Committee on Foreign Relations, and the Secretary of State, Mr. Rogers, is talking with us. We have a very full attendance there, and I should like to go back to it.

The bill which is before us was reported by the Committee on Public Works without any opposition. I wanted to make the comment that without question it is a bill of great humanitarian merit. It will help restore hospitals in California that were destroyed, partly destroyed, or prevented from being constructed because of the disaster that occurred there some months ago.

I have not received information from the administration as to its position. However, I thought I should raise this question, because the bill would provide 100-percent funding in some cases, and 50 percent in others: We must look to the future, and consider whether or not this bill might set a precedent—a precedent for Federal grants to private nonprofit organizations which might not in all cases be as meritorious as in this case.

We have our programs for the construction of hospitals. Last year we passed a very comprehensive disaster act to help in these situations. I wanted to be here when the bill was taken up in order to say and have it appear in the RECORD that, before we take action on other bills of a similar nature, we ought to have full hearings in our committee and determine whether we should have a program which affects the whole country, and provides substantial Federal relief to hospitals in these cases, including private nonprofit hospitals.

That is all I wish to say; that we need to consider the whole subject more fully for the future. But in this case, I certainly would not oppose the bill, which was authored by the Senator from California (Mr. TUNNEY). I commend him for his loyalty, not only to his own State, but beyond that to the humanitarian needs of the people, particularly those who will be served by these hospitals.

Mr. TUNNEY. I thank the Senator very much. I appreciate the remarks that he has made regarding the humanitarian purposes of the bill.

I also recognize full well the Senator's very deep concern that we do not establish a type of precedent with legislation of this kind which could lead to an extensive depletion of the Federal Treasury, without extended hearings on such legislation so that we may know exactly what we are doing.

I would like to point out, while the Senator is still in the Chamber, that this bill which I introduced, though it is generic in terms of its language, would at the moment principally apply only to the construction of two hospitals in California. If there were a major disaster in some other part of the country, the bill could apply to that part of the country, and to any hospitals destroyed in a major disaster. But I think it is most important to realize that as of now, this measure would primarily apply only to those two hospitals, and that if this bill does not pass, those two hospitals will not be reconstructed. One of them is a Catholic hospital, the other a Lutheran hospital. Both of them are nonprofit, charitable hospitals, and there is no question but that they will not be rebuilt if the legislation does not pass.

Mr. COOPER. I thank the Senator. I remember very well that in his explanation to the committee he pointed out these facts.

Just as a matter of interpretation, I believe the Senator is saying that in the future this kind of relief, unless we enact further legislation, is directed to helping in situations of tremendous disasters—such as occurred in California and of course could occur anywhere else in the United States.

Mr. TUNNEY. Yes.

Mr. COOPER. The Senator does not intend it to be stretched out to supplant Hill-Burton and similar programs?

Mr. TUNNEY. No, certainly not.

Mr. COOPER. Which have meant so much in the construction of hospitals throughout the country.

Mr. TUNNEY. Absolutely not. The Senator is absolutely correct; we are dealing only with major disasters, such as an earthquake, a tornado, a hurricane—a major disaster of that variety, and certainly it is not intended that this measure would replace Hill-Burton with 100 percent Federal funding.

Mr. COOPER. I thank the Senator.

Mr. TUNNEY. I thank the Senator for his very valuable comments on the legislation, and for more precisely defining what the bill is intended to do.

Mr. COOPER. I support the bill.

Mr. TUNNEY. I thank the Senator.

Mr. President, the measure that I have introduced, together with many other Senators, S. 1237, is designed to provide Federal assistance for the repair, reconstruction, and rebuilding of private nonprofit medical care facilities that have been destroyed by a major disaster after January 1, 1971.

The bill also provides that if a medical facility is under construction at the time of the disaster, a Federal grant will be made of 50 percent of the net cost of restoring the facility to substantially its condition prior to the disaster, and of 50 percent of any construction completion cost increases resulting from the disaster. A medical facility which has been fully constructed would benefit under this legislation by having 100 percent of the cost of replacement paid for by Federal grants.

I feel that the value of this measure can be appreciated in connection with the situation in the San Fernando Valley in California, where we suffered a disastrous earthquake last February 9. Two private nonprofit medical facilities—a Catholic hospital and a Lutheran hospital—were totally destroyed. A devastating burden was suddenly and unexpectedly placed on these hospitals, and this burden threatens to shut them down. When I went to California several days after the earthquake, and later, as a member of the Committee on Public Works, to hold 3 days of hearings on the extent of the damage that occurred from the earthquake and the amount of Federal money that was made available to the citizens of the community to help them recover under the Disaster Relief Act of 1970, I learned that these two hospitals are absolutely essential to the health and well-being of the citizens in the San Fernando Valley.

I had a chance to talk with members of the administration of the two hospitals, and they said that they could not understand why the Federal Government did not have some kind of assistance or insurance program for private nonprofit hospitals. Under the Disaster Relief Act, the Federal Government provides moneys for debris clearance of homes. The act also provides for a $2,500 Federal forgiveness of loans to private homeowners and private businesses. And the act provides funds for restoring highways, schools, and other public facilities destroyed in a natural disaster. The act even provides full grant aid for public hospitals providing the same desperately needed services, to the same public, as are provided by nonprofit private hospitals. But those nonprofit private hospitals are ignored and left only with limited loan programs which are of no effective help.

After talking with the administrators of these hospitals, I returned to Washington and discussed the matter with a number of other Senators. I asked the Senators if they knew of any reason why private nonprofit hospitals had not been included under the Disaster Relief Act. I learned that in all probability it was an oversight.

As a result of my consultation with other Senators, I then introduced this bill. I believe we now have 34 cosponsors, and cosponsorship ranges from the most liberal Democrats to the most conservative Democrats, the most liberal Republicans to the most conservative Republicans. I feel very strongly that, with this broad base of support, the bill ought to be accepted unanimously by the Senate, as it was accepted unanimously by the Committee on Public Works.

There are two very minor committee amendments which I would like to have considered en bloc. Mr. President, I ask unanimous consent that the amendments accepted by the committee be considered and adopted en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are considered and agreed to en bloc.

Mr. TOWER. Mr. President. I was pleased to have the opportunity to join with so many of my fellow Senators in sponsoring S. 1237.

I feel that this piece of legislation is appropriate for consideration by the Federal Government. Over the years, we have developed a comprehensive set of acts to assist the local communities which have been devastated by a major disaster. We realized that the responsibility of assisting these communities in returning to normalcy was more than the local community or State was able to meet. The Federal Government assumed the responsibility, and acting on behalf of the American people and the other States, has responded to the needs of the people when it is most urgent. This legislation is a mere continuation of this commitment.

Furthermore, the Federal Government has come to accept the major responsibility for the provisions of adequate medical facilities throughout this country. However, when disaster strikes, these facilities are often damaged and destroyed causing tremendous setbacks in our progress in health field. We need to make provisions for these facilities to return to full operation as soon as possible. The Disaster Relief Act of 1970 already provides for public hospitals and medical care facilities which suffer damage in a major disaster.

If there had been legislation such as S.

1237, which would provide Federal financial assistance to nonprofit, private medical care facilities for repair and reconstruction of facilities damaged and destroyed by a major disaster, enacted in 1970, the constituents of my State would have greatly benefited. When Hurricane Celia struck the Texas gulf coast on August 3, 1970, the medical care facilities in the area were severely damaged.

The Spohn Memorial Hospital, located in Corpus Christi, is a nonprofit charitable hospital. It is administered by the Catholic Order of the Sisters of Charity. This 377-bed hospital suffered over $1,300,000 of damage, which was only partially covered by insurance. Other institutions which suffered extensive damage which would have been eligible if this legislation had already been enacted were the Driscoll Childrens' Hospital, the Ada Wilson Hospital of Physical Medicine, both in Corpus Christi, and the Charles H. Ewing Community Hospital in Sinton, Tex.

Any community's efforts to provide medical care facilities is seriously handicapped when its private, nonprofit institutions are damaged and it lacks the immediate means of rebuilding.

Mr. President, this bill would provide that necessary financial assistance. It is a statement of our Nation's commitment to face and respond to its needs in a positive, constructive manner.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Do Senators yield back the remainder of the time on the bill?

Mr. TUNNEY. I yield back the remainder of my time.

Mr. GRIFFIN. I yield back the time on this side.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1237) was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. TUNNEY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MOTOR VEHICLE INFORMATION AND COST SAVINGS ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 410, S. 976. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (S. 976) to amend the National Traffic and Motor Safety Vehicle 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.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was reported by the Committee on Commerce with an amendment on page 1, after line 4, strike out:

PURPOSE

SEC. 2. (a) It is the purpose of this Act, (1) to amend the National Traffic and Motor Vehicle Safety Act of 1966 (hereinafter referred to as "the Act") in order to establish procedures for setting minimum property loss reduction standards and to promote competition among motor vehicle manufacturers in the design, production, and sale of motor vehicles which are less susceptible to damage in traffic accidents occurring at normal operating speeds and which lessen the risk of injury and death to occupants of motor vehicles and pedestrians involved in traffic accidents, and (2) to provide for the augmentation and implementation of certain Federal motor vehicle and highway safety standards.

(b) The first section of the Act (15 U.S.C. 1381) is amended to read as follows: "That the Congress finds and declares that—

"(1) it is necessary to establish motor vehicle safety standards for motor vehicles and equipment moving in interstate commerce, to establish testing procedures for passenger motor vehicles, to establish property loss reduction standards, to undertake and support necessary safety research and development, and to expand the national driver register; and

"(2) it is the purpose of this Act to reduce the number and severity of traffic accidents, the number of deaths and injuries resulting from such accidents, and the extent of property damage and economic losses resulting from such accidents."

DEFINITIONS

SEC. 3. Section 102 of the Act (15 U.S.C. 1391) is amended by—

(1) inserting in paragraph (1) after "injury to persons" the following: "and unnecessary damage to motor vehicles";

(2) adding at the end thereof the following new paragraphs:

"(14) 'Property loss reduction' means the reduction of economic loss suffered by the public as a result of property damage to motor vehicles involved in accidents.

"(15) 'Property loss reduction standards' means a minimum standard for motor vehicle performance, or motor vehicle equipment performance, which is practicable, which meets the need for motor vehicle property loss reduction and which provides objective criteria.

"(16) 'Make', when used in describing a motor vehicle, means the manufacturer's trade name or other designation for a particular line of motor vehicles.

"(17) 'Model' means a particular size and style of body of any make of motor vehicle, including distinctive sizes of sedans, convertibles, station wagons, and trucks, and such other classifications as the Secretary may prescribe.

"(18) 'Passenger motor vehicle' means any motor vehicle manufactured primarily for the transportation of its operator and passengers upon the public streets, roads, and highways.

PROPERTY LOSS REDUCTION STANDARDS

SEC. 4. Title I of the Act (15 U.S.C. 1391 et seq.) is amended by adding at the end thereof the following new sections:

(a) the words "or property loss reduction" after the words "motor vehicle safety" wherever they occur following section 102;

(b) the words "or property loss reduction standards" after the words "motor vehicle safety standards" or "safety standard" wherever they occur following section 102 (except section 103(h)); and

(c) the words "or property loss reduction standards" after the words "motor vehicle safety standard" wherever they occur following section 102 (except section 103 (g)).

PUBLIC DISCLOSURE OF COMPARATIVE SAFETY AND SUSCEPTIBILITY TO DAMAGE OF PARTICULAR MOTOR VEHICLES AND ADDITIONAL STANDARDS

SEC. 5. Title I of the Act (15 U.S.C. 1391 et seq.) is amended by adding at the end thereof the following new sections:

"SEC. 125. (a) The Secretary shall develop and prescribe by regulations issued not later than July 1, 1972, a system of tests and testing procedures designed to allow a determination and comparison of the susceptibility to damage of passenger motor vehicles involved in traffic accidents which reasonably may be anticipated to occur at normal speeds and under normal operating conditions, including, but not limited to, collisions at speeds of five, ten, and fifteen miles per hour.

"(b) The Secretary shall as soon as possible, after July 1, 1972, promulgate property loss reduction standards which will minimize economic losses associated with motor vehicle accidents. These standards shall be compatible with safety standards issued to protect motor vehicle occupants.

"(c) The Secretary shall, as soon as practicable, after July 1, 1972, promulgate a property loss reduction standard which requires that all motor vehicles manufactured after January 1, 1975, and offered for sale in the United States, are so designed and constructed with energy absorbing bumpers capable of withstanding impacts front and rear of 5 miles per hour into a solid, fixed barrier (as prescribed by the Society of Automotive Engineers Standard J850) and the vehicle shall withstand such impacts with a minimum prescribed amount of damage as may be determined by the Secretary.

"(d)(1) The Secretary shall undertake a study of the feasibility of developing tests and testing procedures designed to allow a determination and comparison of the risk of personal injury or death to occupants of passenger motor vehicles resulting from traffic accidents which reasonably may be anticipated to occur at normal speeds and under normal operating conditions. The Secretary shall report the results of such study, and his findings and recommendations, including any recommendations for additional legislation he deems necessary, to the President and the Congress by July 1, 1972.

"(2) If the Secretary finds that such tests are feasible he shall develop and prescribe by regulations issued as soon as may be practicable such a system of tests and testing procedures.

"SEC. 126. (a) Each manufacturer of motor vehicles shall test production models of every make and model of passenger motor vehicle manufactured or imported by him in accordance with the regulations promulgated by the Secretary under the provisions of section 125 of this title, and shall furnish the results of such testing, including such data as the Secretary deems necessary, to the Secretary.

"(b) No manufacturer shall sell, offer for sale, introduce or deliver for introduction in interstate commerce, or import into the United States—

"(1) any passenger motor vehicle manufactured on or after January 1, 1973, unless production models of the make and model of such motor vehicle have been tested in accordance with the regulations promulgated by the Secretary under section 125(a) of this Act; or

"(2) any passenger motor vehicle manufactured on or after a date one hundred and twenty days after the date on which regulations governing tests and testing procedures are promulgated by the Secretary under the provisions of section 125(b) of this Act un-

less a production model of the make and model of such motor vehicle has been tested in accordance with such regulations.

"SEC. 127. (a) The Secretary shall compile information submitted to him under testing programs carried out under the provisions of sections 125 and 126 of this Act, and furnish it to the public in a simple and readily understandable form in order to facilitate comparison among the various makes and models of passenger motor vehicles with respect to the factors analyzed by such testing programs. The information shall include, but not be limited to a comparative analysis of the cost of repairing motor vehicles under section 125(a) and if practicable under section 125(d). The Secretary shall require that the results of such testing be made available to prospective purchasers of passenger motor vehicles by the manufacturer of such motor vehicles prior to the sale.

"(b) The Secretary shall—

"(1) make such information available to insurance companies and business organizations engaged in the business of selling or underwriting motor vehicle insurance in interstate commerce, for use in determining premium rates for insurance covering property damages and personal injury related to the factors tested under the provisions of section 126 of this Act. Information furnished shall include, but not be limited to, identification of parts, components, systems, and subsystems damaged or displaced in the motor vehicles tested; and

"(2) report to the President and the Congress on February 1, 1973, on the extent to which the motor vehicle insurance industry is utilizing such information in the determination of insurance premium rates, together with such additional findings and recommendations, including recommendations for additional legislation, as he deems appropriate. The Secretary is authorized to conduct such studies and surveys as may be necessary to carry out the purposes of this Act.

"(3) The Secretary, not later than February 1, 1974, shall establish procedures requiring the automobile dealers to provide insurance cost data to prospective purchasers that would enable the prospective purchasers to compare the difference in costs for auto insurance on the various makes and models of passenger motor vehicles having different occupant injury severity or vehicle property damage characteristics.

"SEC. 128. The Secretary shall, as soon as practicable, promulgate Federal motor vehicle safety and property loss reduction standards which require that all motor vehicles manufactured after January 1, 1975, and offered for sale in the United States, are so designed and constructed as to facilitate motor vehicle inspection, and to facilitate the repairs necessary to meet the requirements of such inspection."

JUDICIAL REVIEW

SEC. 6. Section 105(a)(1) of the Act (15 U.S.C. 1394(a)(1)) is amended by inserting after the words "any order under section 103" the following: "or 128, or any regulation issued under section 125."

SAFETY RESEARCH

SEC. 7. Section 106(a) of the Act (15 U.S.C. 1395(a)) is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and inserting immediately after paragraph (1), the following new paragraph:

"(2) collecting data from any source for the purpose of determining the relationship between passenger motor vehicle performance and design characteristics and (A) property damage resulting from motor vehicle collisions, and (B) the occurrence of personal injury or death resulting from such accidents;"

COOPERATION WITH OTHER AGENCIES

SEC. 8. Section 107 of the Act (15 U.S.C. 1396) is amended by striking out the period at the end thereof, and inserting in lieu thereof a semicolon and the following:

"(3) tests and testing procedures established under section 125 and methods for inspecting and testing to determine compliance with such tests and testing procedures.".

PROHIBITION AND EXCEPTIONS

SEC. 9. Section 108(b) of the Act (15 U.S.C. 1397(b)) is amended by—

(1) inserting in paragraphs (1), (3), and (5) of such section, immediately after the words "subsection (a)" wherever they appear in such paragraphs, a comma and the words "and section 126(b),"; and

(2) amending paragraphs (2) and (3) of such section 108 to read as follows:

"(2) Paragraph (1) of subsection (a), and section 126(b) shall not apply to any person who establishes that he did not have reason to know in the exercise of due care that such vehicle or item of motor vehicle equipment is not in conformity with applicable Federal motor vehicle safety standards or property loss reduction standard or, in the case of a passenger motor vehicle, is not of a make and model which has been tested in accordance with the requirements of section 126(b), or to any person who, prior to such first purchase, holds a certificate issued by the manufacturer or importer of such motor vehicle or motor vehicle equipment, to the effect that such vehicle or equipment conforms to all applicable Federal motor vehicle safety standards, and (in the case of a passenger motor vehicle) is of a make and model which has been tested in accordance with the requirements of section 126(b), unless such person knows that such motor vehicle or motor vehicle equipment does not so conform or (in the case of a passenger motor vehicle) is not of a make or model which has been so tested.

"(3) A motor vehicle or item of motor vehicle equipment offered for importation in violation of paragraph (1) of subsection (a), or section 126(b), shall be refused admission into the United States under joint regulations issued by the Secretary of the Treasury and the Secretary; except that the Secretary of the Treasury and the Secretary may, by such regulations, authorize the importation of such vehicle or item of motor vehicle equipment into the United States upon such terms and conditions (including the furnishing of a bond) as may appear to them appropriate to insure that any such motor vehicle or item of motor vehicle equipment will be brought into conformity with any applicable Federal motor vehicle safety or property loss reduction standard prescribed under this title, brought into conformity with the requirements of section 126(b), or will be exported or abandoned to the United States.".

PENALTIES

SEC. 10. Section 109(a) of the Act (15 U.S.C. 1398(a)) is amended to read as follows:

"SEC. 109. (a) Whoever—

"(1) violates any provision of—

"(A) section 108 (relating to motor vehicle safety standards or property loss reduction standards);

"(B) subsection (c) or (d) of section 112 (relating to keeping records and reporting data);

"(C) section 114 (relating to certification); or

"(D) section 126 (relating to passenger motor vehicle testing); or

"(2) refuses to permit an inspection authorized under section 112 (a) and (b) shall be subject to a civil penalty of not to exceed $5,000 for each such violation or refusal. A violation of a provision of such sections or regulations issued thereunder, shall constitute a separate violation with respect to each motor vehicle sold, offered for sale, introduced or delivered for introduction in interstate commerce, or imported into the United States in violation of such provisions or regulations, and with respect to each failure or refusal to allow or perform an act required thereby. A refusal to allow an inspection authorized under section 112 (a) and (b), or a refusal or failure to allow or perform an act required thereby, shall constitute a separate violation with respect to each day such refusal or failure continues."

INJUNCTIVE RELIEF

SEC. 11. Section 110(a) of the Act (15 U.S.C. 1399(a)) is amended by inserting in the first sentence thereof, immediately after the words "standards prescribed pursuant to this title", a comma and the following: "or to the requirements of section 126(b)".

REPURCHASE OR REPLACEMENT

SEC. 12. Section 111(a) of the Act (15 U.S.C. 1400(a)) is amended by inserting immediately after the words "applicable Federal motor vehicle safety standards" or property loss reduction standards the following: "or the requirements of section 126(b)".

INSPECTION OF MANUFACTURING FACILITIES

SEC. 13. Section 112(b) of the Act (15 U.S.C. 1401(b)) is amended by inserting, immediately after the words "or are held for sale after such introduction", a comma and the following: "or are held after being tested in accordance with the requirements of section 126(b)".

CERTIFICATION OF CONFORMITY

SEC. 14. Section 114 of the Act (15 U.S.C. 1403) is amended by inserting before the period at the end of the first sentence a comma and the following: "and that the particular make and model of such motor vehicle has been tested in accordance with the requirements of section 126(a)".

TITLE V

DIAGNOSTIC INSPECTIONS, REGISTRATIONS AND TITLING STANDARDS

SEC. 501. (a) The Secretary of Transportation shall, not later than January 1, 1973, amend highway safety program standard number 1, relating to periodic motor vehicle inspection, issued June 27, 1967, under the provisions of section 402(a) of title 23, United States Code, to include the following additional provisions:

(1) The standard shall require inspection of a motor vehicle whenever the title to the motor vehicle is transferred for purposes other than resale, and whenever the motor vehicle sustains damage if any safety related mechanism, subsystem, or functional nonoperational part, as defined by the Secretary, is damaged.

(2) The standard shall require that a certificate of safe operating condition shall be delivered by the seller of a motor vehicle to the purchaser at the time of sale. The certificate shall be prepared and signed by an inspector trained to perform this duty. The inspector shall be certified by the State in accordance with provisions established by the Secretary. No motor vehicle inspector may be certified by any State if he owns or receives any benefit in or from a business or enterprise engaged in the repair or sale of motor vehicles, automotive repair parts or accessories: *Provided*, That upon approval of the Secretary, a State may certify a motor vehicle inspector receiving such benefit where the vehicle population to be served is insufficient to make independent motor vehicle inspectors feasible and such State makes provision for protecting the public from any conflict of interest resulting from such certification.

(3) The standard shall be expressed in

terms of motor vehicle safety performance applicable to new or used motor vehicles.

(b) The Secretary shall, not later than January 1, 1973, amend highway safety program standard numbered 2, relating to motor vehicle registration, issued on June 27, 1967, under the provisions of section 402(a) of title 23, United States Code, to include requirements for a State motor vehicle registration and uniform certificate of title program similar to the registration and title program contemplated by the Uniform Motor Vehicle Code and Model Traffic Ordinance, chapter 3, "Certificates of Title and Registration of Vehicles" revised 1968 and published by the National Committee on Uniform Traffic Laws and Ordinances, Washington, District of Columbia.

REPORTS ON IMPLEMENTATION

SEC. 502. (a) The Secretary shall report to the President and Congress by January 1, 1972, the extent to which the States have implemented programs in accordance with the provisions of highway safety program standards numbered 1 and 2, relating to periodic motor vehicle inspection and motor vehicle registration, respectively, as issued on June 27, 1967, and make legislative recommendations for Federal financial and other assistance, as he deems necessary in order to facilitate compliance by the States by January 1, 1973.

(b) The Secretary shall provide for the States financial incentive programs for establishing the inspection and titling standards of this title. Each State certified by the Secretary as being in compliance with the provisions of this title shall, after January 1, 1973, receive not less than 10 per centum nor more than 50 per centum of the annual costs of such programs, the percentage to be determined by the Secretary based on degree of compliance. The funds for these incentive programs shall be paid from the Federal Aid Highway Trust Funds apportioned on or after January 1, 1973.

(c) The Secretary shall report to the President and Congress by January 1, 1974, the extent to which the States have implemented programs in accordance with the provisions of section 501 of this Act, and make legislative recommendations, for Federal financial and other assistance, as he deems necessary to facilitate complete compliance by the States not later than January 1, 1975.

(d) Not later than July 1, 1973 the Secretary shall—

(1) certify each State program of motor vehicle inspection and motor vehicle registration which meets the requirements of the applicable standard;

(2) the Secretary shall not approve any State highway safety program under this section which does not establish motor vehicle inspection or motor vehicle registration programs meeting the requirements of section 501 of this title and the appropriate Federal highway safety program standard; and

(3) funds authorized to be appropriated to carry out the provisions of section 501 and this section shall be used to aid the States to conduct the highway safety program approved in accordance with subsection (a), (b), and (c) hereof. Federal aid highway funds apportioned on or after January 1, 1975, to any State which is not implementing a highway safety program approved by the Secretary in accordance with this section shall be reduced for the first year of noncompliance by amounts equal to 10 per centum of the amounts which would otherwise be apportioned to such State under section 104 of title 23, United States Code, with the reduction of an additional 10 per centum for each succeeding year of noncompliance, but not in excess of a total of 50 per centum, until such time as the State is implementing an approved highway safety program certified by the Secretary in accordance with this subparagraph (d). Any amount which is withheld from apportionment to any State hereunder shall be reapportioned to the other States.

(e) In order to carry out the provisions of this section, the Secretary may—

(A) assist, by contract, grant, or any other arrangement, any State in establishing or improving programs of periodic motor vehicle inspection and motor vehicle registration;

(B) use the personnel, facilities, and information of Federal agencies, and of State and local public agencies, with the consent of such agencies, with or without reimbursement for such use;

(C) enter into contracts or other arrangements and modifications thereof, and make advance, progress, and other necessary payments;

(D) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code;

(E) issue, amend, and repeal such rules and regulations as may be necessary; and

(F) take such other appropriate action as may be necessary.

SEC. 503. There are authorized to be appropriated to the Department of Transportation such sums as may be necessary to carry out the provisions of this Act.

And, in lieu thereof, insert:

TITLE I—PROPERTY LOSS REDUCTION

FINDINGS AND PURPOSE

SEC. 101. (a) The Congress finds that it is necessary to reduce the economic loss resulting from damage to motor vehicles involved in motor vehicle accidents.

(b) It is the purpose of this title to reduce the extent of such economic losses by providing for the promulgation and enforcement of property loss reduction standards.

DEFINITIONS

SEC. 102. For the purpose of this title—

(1) "passenger motor vehicle" means any motor vehicle manufactured primarily for the transportation of its operator and passengers on the public streets, roads, and highways, and includes passenger motor vehicle equipment;

(2) "property loss reduction" means the reduction of loss suffered by the public as a result of damage to passenger motor vehicles involved in motor vehicle accidents;

(3) "property loss reduction standard" means a minimum performance standard established under this title for the purpose of increasing the resistance of passenger motor vehicles to damage resulting from motor vehicle accidents or for the purpose of reducing the cost of repairing such vehicles damaged as a result of such accidents;

(4) "make" when used in describing a passenger motor vehicle means the trade name of the manufacturer of that vehicle;

(5) "manufacturer" means any person engaged in the manufacturing or assembling of motor vehicles or motor vehicle equipment, including any person importing motor vehicles or motor vehicle equipment for resale;

(6) "model" when used in describing a passenger motor vehicle means the size, style, and type of any make of motor vehicle;

(7) "motor vehicle accident" means an accident arising out of the operation, maintenance, or use of a motor vehicle; and

(8) "Secretary" means the Secretary of Transportation.

SETTING OF STANDARDS

SEC. 103. (a) The Secretary shall promulgate property loss reduction standards for passenger motor vehicles manufactured in the United States or imported into the United States for sale, resale, or introduction into interstate commerce, except passenger motor vehicles intended solely for export and so labeled or tagged on the vehicle itself and on the outside of the container, if any, which is exported.

(b) Such standards shall—

(1) require levels of property loss reduction performance which can be attained at costs which are reasonable when compared with benefits attainable with the implementation of such standard, including but not limited to anticipated insurance cost reductions, savings realized because deductible payments on collision coverage would be reduced, and savings in terms of consumer time and inconvenience; and

(2) not conflict with motor vehicle safety standards promulgated under title I of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1390 et seq.).

(c) In promulgating any standard the Secretary may, for good cause shown, exempt any make, model, or class of passenger motor vehicle manufactured for a special use, including occasional off-road operation, if such standard would unreasonably interfere with the special use of such passenger motor vehicle.

(d) The Secretary shall establish the effective date of any property loss reduction standard when finally promulgating the standard, and such standard shall apply only to passenger motor vehicles manufactured on or after such effective date. Such effective date shall not be later than eighteen months after final promulgation of the standard unless the Secretary presents to Congress and publishes a detailed explanation of the reasons for such later effective date. In no event shall the Secretary establish an effective date sooner than July 1, 1973.

(e) (1) All rules establishing, amending, or revoking a property loss reduction standard under this title shall be issued pursuant to section 553 of title 5 of the United States Code.

(2) The Secretary may conduct a hearing in accordance with such conditions or limitations as he may make applicable thereto, for the purpose of resolving any issue of fact material to the establishing, amending, or revoking of a property loss reduction standard.

JUDICIAL REVIEW

SEC. 104. (a) Any person who may be adversely affected by any standard established under section 103 of this title when it is effective may at any time prior to sixty days after such order is issued file a petition with the United States Court of Appeals for the District of Columbia, or any circuit wherein such person resides or has his principal place of business, for judicial review of such standard. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or his delegate. The Secretary thereupon shall file in the court the record of the proceedings on which the Secretary based his order, as provided in section 2112 of title 28, United States Code.

(b) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Secretary, and to be adduced upon the hearing, in such manner and upon such terms and conditions as to the court may seem proper. The Secretary may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings, and his recommendation, if any, for the modification of setting aside of his original standard, with the return of such additional evidence.

(c) Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to review the standard in accordance with chapter 7 of title 5, United States Code, and to grant

appropriate relief as provided in such chapter.

(d) The judgment of the court affirming or setting aside, in whole or in part, any such standard of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(e) Any action instituted under this subsection shall survive, notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office.

(f) The remedies provided for in this subsection shall be in addition to and not in lieu of any other remedies provided by law.

POWERS OF SECRETARY

SEC. 105. (a) The Secretary may conduct informational hearings anywhere in the United States or otherwise secure data and expressions of opinions pertinent to his duties under this title. He shall publish notice of any proposed hearing in the Federal Register and shall afford a reasonable opportunity for interested persons to present relevant views and data. In connection therewith the Secretary is authorized—

(1) to require, by special or general orders, corporations, firms, and individuals engaged in the manufacture, insurance, aftermarket modification, or repair of passenger motor vehicles or passenger motor vehicle equipment to submit in writing such reports and answers to such questions relating to property loss reduction technology, costs, and feasibility, and relating to motor vehicle physical damage insurance premium costs and claims data as the Secretary may require and make such information publicly available in accordance with section 109 of this title;

(2) to administer oaths;

(3) to pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

(b) The Secretary is authorized to request from any department, agency, or independent instrumentality of the Government any information he deems necessary to carry out his functions under this title and each such department, agency, or independent instrumentality is authorized to cooperate with the Secretary and, to the extent permitted by law, to furnish such information to him upon request.

(c) The Secretary shall conduct such research as is necessary for him to carry out his functions under this title.

COMPLIANCE CERTIFICATION

SEC. 106. (a) Every manufacturer of passenger motor vehicles shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this title and property loss reduction standards prescribed pursuant to this title and shall, upon request of an officer or employee duly designated by the Secretary, permit such officer or employee to inspect appropriate books, papers, records, and documents relevant to determining whether such manufacturer has acted or is acting in compliance with this title and passenger motor vehicle property loss reduction standards prescribed pursuant to this title.

(b) For purposes of enforcement of this title, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (1) to enter, at reasonable time, any factory, warehouse, or establishment in which passenger motor vehicles are manufactured, or held for introduction into interstate commerce or are held for sale after such introduction; and (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, or establishment. Each such inspection shall be commenced and completed with reasonable promptness.

(c) Every manufacturer or distributor of a passenger motor vehicle shall furnish to the distributor or dealer at the time of delivery of such vehicle or equipment by such manufacturer or distributor the certification that each such vehicle conforms to all applicable property loss reduction standards.

(d)(1) The Secretary may obtain from any manufacturer at no cost a reasonable number of production passenger motor vehicles for the purpose of conducting compliance tests on vehicles in accordance with regulations pursuant to section 553 of title 5 of the United States Code.

(2) Upon completion of such compliance testing, the Secretary shall return the passenger motor vehicle to the manufacturer from whom he obtained it, and such manufacturer, in any subsequent sale or lease of such vehicle, shall disclose that it has been subjected to compliance testing and shall indicate the extent of damage, if any, prior to repair.

ENFORCEMENT AND PENALTIES

SEC. 107. (a) The district courts of the United States shall have jurisdiction to restrain violations of this title in an action by the Attorney General or by the Secretary by any of its attorneys designated by him for such purpose. Upon a proper showing, and after notice to the defendant, a temporary restraining order or preliminary injunction may be granted without bond under the same conditions and principles as injunctive relief against conduct or threatened conduct that will cause loss or damage granted it by courts of equity: *Provided, however,* That if a complaint is not filed within such period as may be specified by the court after the issuance of the restraining order or preliminary injunction, the order or injunction may, upon motion, be dissolved. Whenever it appears to the court that the ends of justice require that other persons should be parties in the action, the court may cause them to be summoned whether or not they reside in the district in which the court is held, and to the end process may be served in any district.

(b) Any person who knowingly manufactures and distributes for sale a passenger motor vehicle which violates a property loss reduction standard applicable to that vehicle may be imprisoned for not more than one year or fined not more than $5,000, or both.

(c) Any person who manufactures and distributes for sale a passenger motor vehicle which violates any such standard may be assessed a civil penalty of not to exceed $1,000 for each violation. Any such penalty shall be paid to the Secretary and may be recovered in a civil action in the name of the United States by the Attorney General or the Secretary, acting through any of his attorneys designated by him for that purpose, in the United States district court for the district where that person has its principal office.

(d) Any person who violates the regulations of the Secretary relating to certification may be assessed a civil penalty of not to exceed $1,000 for each such violation. Any such penalty shall be paid to the Secretary and may be recovered in a civil action in the name of the United States by the Attorney General or the Secretary, acting through any of his attorneys designated by him for that purpose, in the United States district court for the district where that person has its principal office.

CIVIL ACTION

SEC. 108. (a) Any owner of a passenger motor vehicle who sustains any economic loss as a result of a motor vehicle accident because of such vehicle's noncompliance with any applicable property loss reduction standard may bring a civil action against the manufacturer of that vehicle in the United States District Court for the District of Columbia, or in the district court in which that owner or insurer resides, to recover the amount of that loss, and in the case of any such successful action to recover that amount, costs and attorneys' fees (based upon actual time expended) shall be awarded to that owner or insurer.

(b) Any such action shall be brought within three years of the date of the loss.

PUBLIC ACCESS TO INFORMATION

SEC. 109. (a) Copies of any communications, documents, reports, or other information sent or received by the Secretary in connection with his duties under this title shall be made available to any member of the public, upon request, at cost.

(b) In carrying out the provisions of this section, the Secretary shall not disclose any information which contains or might reveal a trade secret referred to in section 1905 of title 18 of the United States Code, and is otherwise unavailable to the public, except that such information may be disclosed:

(1) to other governmental officials if necessary to carry out the purposes of this Act;

(2) to duly authorized committees of Congress;

(3) in any judicial proceedings if ordered by a court;

(4) if relevant in any proceeding under this Act;

(5) to other officers and officials concerned with carrying out this Act; and

(6) to the public if necessary to protect their health, safety.

EFFECT ON STATE LAWS

SEC. 110. (a) No State or political subdivision thereof shall have any authority to establish or continue in effect with respect to any passenger motor vehicle offered for sale to the public any property loss reduction standard which is not identical to a Federal property loss reduction standard.

(b) The Secretary may, after notice and opportunity for public hearing, upon application of any State prescribe standards limited to such State, which are more stringent than the nationally applicable Federal standards prescribed pursuant to section 103, if he finds that such State requires such standards to meet conditions peculiar to that State. The standards prescribed hereunder shall be regarded as if prescribed pursuant to section 103, with respect to new passenger motor vehicles manufactured for sale, sold or offered for such sale in, or introduced or delivered for introduction into such State.

AUTHORIZATION

SEC. 111. There is authorized to be appropriated to carry out this title for this fiscal year $5,000,000 and for the following two fiscal years $10,000,000 each year.

REPORTS

SEC. 112. The Secretary shall report to the Congress and to the President not later than March 31 of each year on the progress in carrying out the purposes of this title. Each such report shall contain a statement of the cost savings that have resulted from the administration of this title, and include such recommendations for further legislative or other action as the Secretary determines may be appropriate.

TITLE II—AUTOMOBILE CONSUMER INFORMATION STUDY

SEC. 201. (a) The Secretary of Transportation (hereafter in this title referred to as the "Secretary") is authorized and directed to conduct a comprehensive study and investigation of the methods for determining the following characteristics of passenger motor vehicles (as defined in section 102(1) of this Act:

(1) the susceptibility of such vehicles to damage as a result of motor vehicle accidents;

(2) the degree of occupant protection pro-

vided by such vehicles in any motor vehicle accident; and

(3) the characteristics of such vehicles with respect to the ease of diagnosis and repair of mechanical and electrical systems which fail during use or which are damaged in motor vehicle accidents.

(b) After reviewing the methods for determining the characteristics enumerated in subsection (a), the Secretary shall make specific recommendations for the further development of existing methods or for the development of new methods.

(c) The Secretary shall also recommend specific ways in which existing information and information to be developed relating to the characteristics of passenger motor vehicles or information relating to vehicle operating costs dependent upon those characteristics can be communicated to consumers so as to be of benefit in their passenger motor vehicle purchasing decisions, including information obtained pursuant to section 205 of this title.

(d) The Secretary shall submit to the President and to the Congress interim reports from time to time and a final report not later than twenty-four months after enactment of this Act. Such final report shall contain a detailed statement of findings, conclusions, and recommendations of the Secretary, and may propose such legislation or other action as the Secretary considers necessary to carry out his recommendations.

ADMINISTRATIVE POWERS

SEC. 202. In order to carry out his functions under this title the Secretary is authorized to—

(1) appoint and fix the compensation of such employees as he deems necessary without regard to the provisions of title 5, United States Code, governing appointment in the competitive service and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United State Code, but at rates for individuals not to exceed $100 per diem;

(3) enter into contracts with corporations, business firms, institutions, and individuals for the conduct of research and surveys and the preparation of reports; and

(4) appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive services, such advisory committees, representative of the divergent interests involved, as he deems appropriate for the purpose of consultation with and advice to the Secretary.

Members of advisory committees appointed under paragraph (4) of this section, other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Secretary, may be compensated at rates to be fixed by the Secretary but not exceeding $100 per day, and while away from home or regular place of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently. Members of such advisory committees shall, for the purposes of chapter 11, title 18, United States Code, be deemed to be special Government employees.

COOPERATION OF FEDERAL AGENCIES

SEC. 203.(a) The Secretary is authorized to request from any department, agency, or independent instrumentality of the Government any information he deems necessary to carry out his functions under this joint resolution; and each such department, agency, or independent instrumentality is authorized and directed to cooperate with the Secretary and to furnish such information to the Department of Transportation upon request made by the Secretary.

(b) The head of any Federal department, agency, or independent instrumentality is authorized to detail, on a reimbursable basis, any personnel of such department, agency, or independent instrumentality to assist in carrying out the duties of the Secretary under this joint resolution.

HEARINGS AND PRODUCTION OF DOCUMENTARY EVIDENCE

SEC. 204. (a) For the purpose of carrying out the provisions of this title, the Secretary, or on the authorization of the Secretary, any officer or employee of the Department of Transportation may hold such hearings, take such testimony, sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, papers, correspondence, memorandums, contracts, agreements, or other records as the Secretary or such officer or employee, deems advisable.

(b) In order to carry out the provisions of this title, the Secretary or his duly authorized agent shall at all reasonable times have access to, and for the purposes of examination the right to copy, any documentary evidence of any corporation, business firm, institution, or individual having materials or information relevant to the study authorized by this joint resolution.

(c) The Secretary is authorized to require, by general or special orders, any corporation, business firm, or individual or any class of such corporation, firms, or individuals to file, in such form as the Secretary may prescribe, reports or answers in writing to specific questions relating to the study authorized by this joint resolution. Such reports and answers shall be made under oath or otherwise, and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe.

(d) Any of the district courts of the United States within the jurisdiction of which an inquiry is carried on may, in the case of contumacy or refusal to obey a subpena or order of the Secretary or such officer or employee issued under subsection (a) or subsection (c) of this section, issue an order requiring compliance therewith; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(e) Witnesses summoned pursuant to this section shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

(f) Any information which is reported to or otherwise obtained by the Secretary or such officer or employee under this section and which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall not be disclosed except to other officers or employees of the Federal Government for their use in carrying out this title. Nothing in the preceding sentence shall authorize the withholding of information by the Secretary (or any officer or employee under his control) from the duly authorized committees of the Congress.

INSURANCE INFORMATION

SEC. 205. (a) Insurers of passenger cars, or their designated agents, shall, upon request by the Secretary, make such reports and furnish such information as the Secretary may reasonably require to enable him to carry out the purposes of this title.

(b) Such reports and information may include, but not be limited to—

(1) accident claim data relating to the type and extent of physical damage and the cost of remedying the damage according to make, model, and model year of passenger car.

(2) accident claim data relating to the type and extent of personal injury according to make, model, and model year of passenger car.

(c) In determining the reports and information to be furnished pursuant to this section, the Secretary shall—

(1) consider the cost of preparing and furnishing such reports and information;

(2) consider the extent to which such reports and information will contribute to carrying out the purposes of this title; and

(3) consult with such State insurance regulatory agencies and other agencies and associations, both public and private, as he deems appropriate.

(d) The Secretary shall, to the extent possible, obtain such reports and information from the insurers of passenger cars on a voluntary basis.

(e) The Secretary shall not, in disseminating any information received pursuant to this section, disclose the name of, or other identifying information about, any person who may be an insured, a claimant, a passenger, an owner, a driver, an injured person, a witness, or otherwise involved in any motor vehicle crash or collision, unless the Secretary has the consent of the persons so named or otherwise identified.

(f) Every insurer of passenger cars, or its designated agent, shall, upon request by the Secretary, furnish him with a description of the extent to which the insurance rates or premiums charged by the insured for passenger cars are affected by the damage susceptibility and crash-worthiness of the various makes and models of passenger cars.

(g) The information required by this section shall be furnished at such times and in such manner as the Secretary shall prescribe by regulation or otherwise.

TERMINATION

SEC. 206. The authority of the Secretary under this title shall terminate ninety days after the submission of his final report as provided for in section 201(d) of this title.

APPROPRIATIONS AUTHORIZED

SEC. 207. There are hereby authorized to be appropriated, without fiscal year limitation, such sums, not to exceed $2,000,000, as may be necessary to carry out the provisions of this title."

TITLE III—DIAGNOSTIC INSPECTION DEMONSTRATION PROJECTS

POWERS AND DUTIES

SEC. 301. (a) The Secretary of Transportation is required to establish motor vehicle diagnostic inspection demonstration projects to be in being not later than December 31, 1973, for completion not later than December 31, 1975.

(b) To carry out the program required by this title, the Secretary shall—

(1) make grants and furnish technical assistance to States; and

(2) consult with the Administrator of the Environmental Protection Agency.

(c) It is the intent of the Congress that—

(1) not fewer than five nor more than ten projects be undertaken;

(2) that such projects may be performed by either public or private organizations but not for profit from diagnostic inspection services; and

(3) that 50 per centum of such projects ought to provide diagnostic inspection services without providing repair services.

ELIGIBILITY AND CRITERIA

SEC. 302. (a) A State may be eligible for grants or other assistance under this title if the Secretary determines on the basis of an application by such State that such State will undertake a motor vehicle diagnostic inspection demonstration project which meets

the requirements of subsection (b) of this section.

(b) (1) A motor vehicle diagnostic inspection demonstration project shall be designed, established, and operated to conduct periodic safety inspections pursuant to criteria established by the Secretary by regulation and emission inspections pursuant to criteria established by the Secretary by regulation in consultation with the Administrator of the Environmental Protection Agency.

(2) Such project shall require an additional inspection of any motor vehicle subject to the demonstration as determined by the Secretary whenever—

(A) the title to such motor vehicle is transferred to another person unless the transfer is for the purpose of resale; and

(B) such motor vehicle sustains substantial damage to any safety-related or emission-related system or subsystem, as prescribed by the Secretary.

(3) Such inspections shall be conducted so as to provide specific technical diagnoses of each motor vehicle inspected in order to facilitate correction of any component failing inspection.

(4) A demonstration project shall provide for reinspection of vehicles which initially fail to meet the safety and emission standards established for the project after repair.

(5) Each project shall provide to the Secretary information and data relating to the costs and benefits of such projects, including information and data relating to vehicle-in-use standards, vehicle designs which facilitate or hinder inspection and repair, the standardization of diagnostic systems and test equipment, the capability of the motor vehicle repair industry to correct diagnosed deficiencies or malfunctions and the costs of such repairs, the relative costs and benefits of the project, the efficiency of facility designs employed, recommendations as to feasible reject levels which may be employed in any such project, and such other information and data as the Secretary may require.

APPLICATIONS AND ASSISTANCE

SEC. 303. (a) A grant or other assistance under this title may be obtained upon an application by a State at such time, in such manner, and containing such information as the Secretary prescribes.

(b) Upon the approval of any such application, the Secretary may make a grant to the State to pay an amount each year up to 90 per centum of the costs of establishing and operating its project. Any equipment purchased with Federal funds may be retained by a State for its inspection activities following the demonstration project with the approval of the Secretary. Payments under this subsection may be made in advance, in installments, or by way of reimbursement.

AUTHORIZATION

SEC. 304. There is authorized to be appropriated to carry out this title for each fiscal year such sums as the Congress deems necessary not to exceed $50,000,000 per year.

TITLE IV—ODOMETER REQUIREMENTS

SEC. 401. The Congress hereby finds that purchasers, when buying motor vehicles, rely heavily on the odometer reading as an index of the condition and value of such vehicle; that purchasers are entitled to rely on the odometer reading as an accurate reflection of the mileage actually traveled by the vehicle; that an accurate indication of the mileage traveled by a motor vehicle assists the purchaser in determining its safety and reliability; and that motor vehicles move in the current of interstate and foreign commerce or affect such commerce. It is therefore the purpose of this title to prohibit tampering with odometers on motor vehicles and to establish certain safeguards for the protection of purchasers with respect to the sale of motor vehicles having altered or reset odometers.

SEC. 402. As used in this title—

(1) "motor vehicle" means any vehicle driven or drawn by mechanical power for use on the public streets, roads, and highways;

(2) "odometer" means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation;

(3) "repair and replacement" means to restore to a sound working condition by replacing the odometer or any part thereof or by correcting what is inoperative;

(4) "transfer" means to change ownership by purchase, gift, bequest, or any other means.

SEC. 403. It is unlawful for any perosn to advertise for sale, to sell, to use, or to install or to have installed, any device which causes the odometer to register any mileage other than the true mileage driven. For the purpose of this section the true mileage driven is that mileage driven by the vehicle as registered by the odometer within the manufacturer's designed tolerance.

SEC. 404. It is unlawful for any person or his agent to disconnect, reset, or alter the odometer of any motor vehicle with the intent to reduce the number of miles indicated thereon.

SEC. 405. It is unlawful for any person with the intent to defraud to operate a motor vehicle on any street or highway knowing that the odometer of such vehicle is disconnected or nonfunctional.

SEC. 406. No person shall conspire with any other person to evade the intent and purpose of this title.

SEC. 407. Nothing in this title shall prevent the service, repair, or replacement of an odometer, provided the mileage indicated thereon remains the same as before the service, repair, or replacement. Where the odometer is incapable of registering the same mileage as before said service, repair, or replacement, the odometer shall be adjusted to read zero and a notice in writing shall be attached to the left door frame of the vehicle by the owner or his agent specifying the mileage prior to repair or replacement of the odometer and the date on which it was repaired or replaced. Any removal or alteration of such notice so affixed shall be unlawful.

SEC. 408. It shall be unlawful for any person to transfer ownership of a motor vehicle unless such person—

(1) enters on a form prescribed by the Secretary of Transportation or as prescribed by State law the mileage said motor vehicle has been operated. Said form as completed shall then be attached to the instrument evidencing transfer of ownership; or

(2) enters upon such form "true mileage unknown" in the event that the odometer reading is known to such person to be less than such motor vehicle has actually traveled; or

(3) enter the total cumulative mileage on the form in the event that it is known that the mileage indicated on the o lometer is beyond its designated mechanical limits.

It shall be a violation of this title for any person knowingly to give a false statement to a transferee under the provisions of this section.

SEC. 409. Any person who, with intent to defraud, violates any requirement imposed under this title shall be liable in an amount equal to the sum of—

(1) three times the amount of actual damages sustained or $1,500, whichever is the greater; and

(2) in the case of any successful action to enforce the foregoing liability, the costs of the action together with a reasonable attorney's fee as determined by the court.

SEC. 410. An action to enforce any liability created under this title may be brought in any appropriate United States district court without regard to the amount in controversy, or in any other court of competent jurisdiction, within two years from the date on which the liability arises.

SEC. 411. This title does not annul, alter, affect, or exempt any person subject to the provisions of this title from complying with the laws of any State with respect to the disconnecting, altering, or tampering with odometers with the intent to defraud, except to the extent that those laws are inconsistent with any provision of this title, and then only to the extent of the inconsistency.

SEC. 412. This title shall take effect ninety calendar days following the date of enactment of this Act.

SEC. 413. One year after the date of enactment of this Act, the Secretary shall report to the Congress and to the President on the extent to which the reliability of odometers can be improved, on the technical feasibility of producing odometers which are tamper proof, and on the Secretary's plans and recommendations for future action.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess until 12:15 p.m., at which time there will be a quorum call, preparatory to the rollcall vote on the military construction bill, which will occur at 12:30 p.m.

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

Thereupon, at 11:56 a.m., the Senate took a recess.

The Senate reassembled at 12:15 p.m., when called to order by the Presiding Officer (Mr. GAMBRELL).

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session, the 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. Berry, one of its reading clerks, announced that the House had passed the bill (S. 113) for the relief of certain individuals and organizations, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 3227. An act for the relief of S/Sgt. J. C. Bell, Jr., U.S. Air Force; and

H.R. 6100. An act for the relief of Janis Zalemanis, Gertrude Jansons, Lorena Jansons Murphy, and Asja Jansons Liders.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to

the enrolled bill (S. 26) to revise the boundaries of the Canyonlands National Park in the State of Utah.

The enrolled bill was subsequently signed by the President pro tempore.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on the Judiciary:

H.R. 3227. An act for the relief of S/Sgt. J. C. Bell, Jr., U.S. Air Force; and

H.R. 6100. An act for the relief of Janis Zalemanis, Gertrude Jansons, Lorena Jansons Murphy, and Asja Jansons Liders.

QUORUM CALL

Mr. PASTORE. Mr. President, I suggest the absence of the quorum.

The PRESIDING OFFICER. S. 976 is the pending business. It is under time control. Does the Senator wish the time to be evenly divided?

Mr. PASTORE. Mr. President, I ask unanimous consent that the time consumed in the quorum call be evenly divided.

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.

MITITARY CONSTRUCTION APPROPRIATIONS, 1972

The Senate resumed the consideration of 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.

Mr. BYRD of West Virginia. Mr. President, I ask for the yeas and nays on final passage of the military construction bill.

The yeas and nays were ordered.

Mr. PELL. Mr. President, I am pleased that with this military construction appropriation bill the Congress will be providing for the Defense Department every penny requested to reduce air and water pollution from our military installations.

In my own State of Rhode Island, where we have very important Navy installations, this bill will provide $5,753,000 for abatement of shore installation water pollution problems at Newport Naval Station and of air pollution problems over Quonset Naval Air Station. I know that we in Rhode Island are proud and glad to have these naval installations in our State. I also believe the Federal Government has a responsibility to provide leadership in attacking environmental problems, to make certain that defense installations do not impose an environmental burden.

Even with these appropriations, we will have some serious environmental problems remaining in my State. I urge the Defense Department to move expeditiously toward solving those remaining problems, and I pledge my full support toward obtaining any funds needed for that purpose.

The two biggest and most specific remaining problems which should be mentioned are air pollution from the firefighter training school at Newport, and the problem of waste disposal from Navy vessels in our bay. I hope the Defense Department which often expresses an interest in resolving environmental problems will give high priority to these projects, and request at the earliest time possible the funds required to correct those problems.

In addition, this bill provides $5,826,000 for military construction at Rhode Island naval bases. These funds will provide badly needed improvements in quarters and facilities for enlisted men at these bases. And I am particularly happy that the Senate has approved the funds needed for expansion of facilities at the Naval Underwater Systems Center in Newport, funds which had been cut from the bill by the House.

Mr. BYRD of West Virginia. Mr. President, I want to take this opportunity to congratulate the distinguished majority leader, Senator Mansfield, for the fine job he has performed as chairman of the Military Construction Appropriations Subcommittee, and to express my appreciation to the committee for including $260,000 in the bill for the construction of a community building at the Sugar Grove Naval Receiving Station located in Pendleton County, W. Va.

On July 6, 1971, I wrote to Senator MANSFIELD and requested the subcommittee to include $260,000 in the fiscal year 1972 appropriations bill to construct the facility at Sugar Grove and to support the inclusion of funds for four other West Virginia projects totalling $767,000. These four projects are as follows:

First. Romney, W. Va., construction of an Army Reserve Center, $415,000. This center is required in order to provide adequate training facilities for the accomplishment of the training missions of assigned units. It will provide an Army Reserve Center with a 100-man capacity and a maintenance shop. The present leased facilities are inadequate, and the continued usage of them will hinder training and preclude increasing the capability of the unit.

Second. Huntington, W. Va., conversion of storage building to armory, $67,000. The present facilities are overcrowded, and this lack of space is hampering the efficient operation of the units involved. The renovated facility will provide space for the 254th Transportation Co., which is temporarily housed with two others units.

Third. Huntington, W. Va., construction of an organizational maintenance shop, $65,000. The facility presently used for the organizational maintenance shop is needed for conversion to an armory, and it has been determined that it will be more economical and efficient to convert this facility and to construct a new organizational maintenance shop.

Fourth. Martinsburg, W. Va., construction of a one-unit armory, $220,000. The present facility is in a very deteriorated condition and is inadequate for the operation, maintenance, and training of the units assigned.

I am certain that all of these facilities, when completed and utilized, will promote increased efficiency in the operation and training functions of West Virginia's National Guard and Reserve Units. I thank the subcommittee chairman and the other members of the Appropriations Committee for including funds for these West Virginia items in the fiscal year 1972 Military Construction Appropriations bill.

Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time not be charged against either side on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, what will the yea and nay vote be on?

The PRESIDING OFFICER. The yea and nay vote will be on the passage of H.R. 11418.

Mr. MANSFIELD. The military construction bill for the Department of Defense?

The PRESIDING OFFICER. That is correct.

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 Hawaii (Mr. INOUYE) and the Senator from Connecticut (Mr. RIBICOFF) are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Ohio (Mr. TAFT) is necessarily absent, and if present and voting, would vote "yea."

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The result was announced—yeas 95, nays 1, as follows:

[No. 290 Leg.]

YEAS—95

Aiken	Ervin	Mondale
Allen	Fannin	Montoya
Allott	Fong	Moss
Anderson	Fulbright	Muskie
Baker	Gambrell	Nelson
Bayh	Goldwater	Packwood
Beall	Griffin	Pastore
Bellmon	Gurney	Pearson
Bennett	Hansen	Pell
Bentsen	Harris	Percy
Bible	Hart	Proxmire
Boggs	Hartke	Randolph
Brock	Hatfield	Roth
Brooke	Hollings	Saxbe
Buckley	Hruska	Schweiker
Burdick	Hughes	Scott
Byrd, Va.	Humphrey	Smith
Byrd, W. Va.	Jackson	Sparkman
Cannon	Javits	Spong
Case	Jordan, N.C.	Stafford
Chiles	Jordan, Idaho	Stennis
Church	Kennedy	Stevens
Cook	Long	Stevenson
Cooper	Magnuson	Symington
Cotton	Mansfield	Talmadge
Cranston	Mathias	Thurmond
Curtis	McClellan	Tower
Dole	McGee	Tunney
Dominick	McGovern	Weicker
Eagleton	McIntyre	Williams
Eastland	Metcalf	Young
Ellender	Miller	

NAYS—1

Gravel

NOT VOTING—4

Inouye Ribicoff Taft
Mundt

So the bill (H.R. 11418) was passed.

Mr. PROXMIRE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PROXMIRE. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. GAMBRELL) appointed Mr. MANSFIELD, Mr. PROXMIRE, Mr. MONTOYA, Mr. HOLLINGS, Mr. BROOKE, Mr. BOGGS, Mr. PERCY, Mr. SYMINGTON, Mr. CANNON, and Mr. TOWER conferees on the part of the Senate.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER. The pending business is S. 976, the motor vehicle safety bill.

PRIVILEGE OF THE FLOOR

Mr. COOK. Mr. President, I ask unanimous consent that a member of my staff, Miss Webb, have the privilege of the floor during the course of the debate on the motor vehicle safety bill.

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

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, on behalf of the distinguished Senator from Michigan (Mr. HART), I yield 3 minutes to the distinguished Senator from Massachusetts (Mr. KENNEDY).

CONFERENCE REPORT ON PUBLIC HEALTH SERVICE HOSPITALS AND CLINICS

Mr. KENNEDY. Mr. President, I should like to note in the RECORD that I have submitted today the conference report on Senate Concurrent Resolution 6, relating to the Public Health Service hospitals and clinics.

I ask unanimous consent that the report be printed in its entirety in the CONGRESSIONAL RECORD.

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

CONFERENCE REPORT (S. REPT. NO. 92-423)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the concurrent resolution (S. Con. Res. 6) to express the sense of Congress relative to certain activities of Public Health Service hospitals and outpatient clinics, having met, after full and free conference, have been unable to agree.

EDWARD M. KENNEDY,
HARRISON A. WILLIAMS, Jr.,
GAYLORD NELSON,
THOMAS F. EAGLETON,
ALAN CRANSTON,
HAROLD E. HUGHES,
CLAIBORNE PELL,
WALTER F. MONDALE,
PETER H. DOMINICK,
JACOB K. JAVITS,
RICHARD S. SCHWEIKER,
BOB PACKWOOD,
ROBERT TAFT, Jr.,
J. GLENN BEALL, Jr.,
Managers on the Part of the Senate.

HARLEY O. STAGGERS,
PAUL G. ROGERS,
DAVID E. SATTERFIELD III,
WILLIAM L. SPRINGER,
ANCHER NELSEN,
Managers on the Part of the House.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the concurrent resolution (S. Con. Res. 6) to express the sense of Congress relative to certain activities of Public Health Service hospitals and outpatient clinics, report that the conferees have been unable to agree.

The Senate Resolution provides that the Public Health Service Hospitals and outpatient clinics should not be closed at this time, but should be funded and staffed through fiscal year 1972, during which time the Secretary of Health, Education, and Welfare and the Congress should determine the future disposition of these facilities.

The House adopted the Senate passed resolution, with an amendment to include the Clinical Research Centers at Fort Worth and Lexington among the facilities to which the resolution applies.

The Conference failed to reach agreement on the House amendments concerning the Clinical Research Center at Fort Worth, nor could any mutually agreeable compromises be reached.

EDWARD M. KENNEDY,
HARRISON A. WILLIAMS, Jr.,
GAYLORD NELSON,
THOMAS F. EAGLETON,
ALAN CRANSTON,
HAROLD E. HUGHES,
CLAIBORNE PELL,
WALTER F. MONDALE,
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JACOB K. JAVITS,
RICHARD S. SCHWEIKER,
BOB PACKWOOD,
ROBERT TAFT, Jr.,
J. GLENN BEALL, Jr.,
Managers on the Part of the Senate.

HARLEY O. STAGGERS,
PAUL G. ROGERS,
DAVID E. SATTERFIELD III,
WILLIAM L. SPRINGER,
ANCHER NELSEN,
Managers on the Part of the House.

Mr. KENNEDY. Mr. President, the report that I have submitted is a report of disagreement. The Senate and House were in total agreement on this resolution on the eight Public Health Service Hospitals and the 30 outpatient clinics. We were in disagreement only with respect to the clinical research center at Fort Worth.

Unfortunately, the disposition of the conferees was such that without adding the House provision for this clinical research center, we could report no compromise resolution at all. Our Conference Report specifically describes this as the one area of disagreement.

I wish to assure my colleagues and the public that I have every assurance that failure to report a resolution from Conference will in no way jeopardize the future of the eight PHS Hospitals and 30 clinics. Both Senate and House passed identical language requiring that these facilities be maintained in their current mode of operation through June 30, 1972—allowing Congress and the Secretary of DHEW to review their future disposition. The intent of both houses is clearly on record in this regard.

Moreover, the DHEW gives every indication of honoring this intent and is scheduling meetings to brief members of Congress on plans for these hospitals developed since the resolution was passed.

I am anxious that these plans be given every scrutiny, and feel confident that the resolutions passed independently by the House and Senate will assure us an opportunity for this review.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time not be charged against either side.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that it be in order to order the yeas and nays on the amendment which the Senator from Michigan (Mr. GRIFFIN) will offer to strike title I from the pending bill.

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

Mr. BYRD of West Virginia. Mr. President, I ask for the yeas and nays on that amendment.

The yeas and nays were ordered.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time not be charged against either side.

The PRESIDING OFFICER (Mr. GAMBRELL). Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MOTOR VEHICLE INFORMATION AND COST SAVINGS ACT

The Senate resumed the consideration of the bill (S. 976) 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.

PRIVILEGE OF THE FLOOR

Mr. HART. Mr. President, first, I ask unanimous consent that, during the discussions and action on the pending bill, an additional staff member be permitted the privilege of the floor. His name is Donald Randall.

The PRESIDING OFFICER (Mr. STE-

VENSON). Without objection, it is so ordered.

Mr. HART. Mr. President, I ask unanimous consent that the committee amendment be agreed to and that the bill as thus amended be considered as original text for purpose of further amendment.

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

Mr. HART. Mr. President, I yield myself such time as may be required for this initial discussion.

Initial investigation of the issues prompting the consideration of S. 976 were undertaken by the Antitrust and Monopoly Subcommittee of the Judiciary Committee, in a 3-year study of automobile repair problems. During that study, the subcommittee received more than 8,000 letters of complaint from disgruntled automobile owners who complained about the fragility of cars, the difficulty in obtaining timely repair, and the soaring costs of collision insurance coverage. The initial investigation disclosed that Americans spend an estimated $25 to $30 billion a year for auto repairs. Various studies showed that the quality of work done was less than satisfactory, and that an estimated $8 to $10 billion a year was being charged for work that was never done, was unneeded, or was improperly performed.

Equally disturbing was the finding that the "egg-shell exteriors" of motor vehicles produced needlessly high repair costs in collisions at very low speeds. For example, tests by the Insurance Institute for Highway Safety showed that when four popular sedans were crashed into a solid barrier at just 5 m.p.h., the average repair bill for the cars was more than $200 each.

In addition, the subcommittee investigation disclosed that there was a high incidence of safety defects in cars operating on the Nation's highways. For example, a study by the Automobile Club of Missouri indicated that 43 percent of new vehicles driven less than 500 miles had safety related defects, For cars 5 years old, the defect rate increased to 92 percent. Finally, the investigation by the Antitrust and Monopoly Subcommittee found that existing competitive pressures within the automobile industry probably would not produce improvements in the susceptibility of automobiles to damage, their ease of repair, their crashworthiness, or their production quality. The conclusion from this investigation was that legislation is needed.

Accordingly, on September 9, 1970, I introduced the Motor Vehicle Information Act (S. 4331). This act amended the National Traffic and Motor Vehicle Safety Act of 1966 and was referred to the Senate Commerce Committee. However, no action was taken in the 91st Congress on this legislation.

Then, in the 92d Congress, the Senator from Washington (Mr. MAGNUSON) joined me in the introduction of the Motor Vehicle Information and Cost Savings Act (S. 976). Extensive hearings were held on S. 976 in May of 1971. Shortly thereafter the administration submitted its own proposal (S. 2345) which was introduced by the Senator from Washington (Mr. MAGNUSON) as a request bill. After careful study of the hearing record on S. 976, and the administration proposal, a committee staff print of S. 976 was prepared at the direction of the Senator from Washington, which was considered and ordered to be reported as amended on October 19, 1971.

There are four basic needs: First, the need to reduce the incidence of property loss resulting from motor vehicle accidents; second, the need to foster competition between auto companies so as to promote the construction of safer, less fragile, and more easily repairable motor vehicles; third, the need to facilitate inspection and repair of vehicles by encouraging their diagnostic inspection; and fourth, the need to prevent odometer tampering.

The need to reduce property loss resulting from motor vehicles is critical. In 1970, it is estimated that Americans lost more than $5.5 billion because of vehicle damage resulting from motor vehicle accidents. The insurance mechanism paid for $4.6 billion of this loss; the remainder was absorbed by car owners either because of deductibles in their collision coverage or because they did not carry collision coverage and were not compensated under the liability insurance system. To generate the $4.6 billion in insurance benefits which paid for damage to the automobiles, the insurance industry collected $7.9 billion in premiums.

Testimony before the Senate Commerce Committee, principally by the Insurance Institute for Highway Safety, disclosed that a great portion of damage to vehicles could have been eliminated if they had been designed to withstand low-speed collisions without sustaining damage. And such design was shown at the hearings to be feasible. An auto capable of sustaining a 10-mile-per-hour barrier collision—20 mile-per-hour car-to-car collision—was demonstrated. Because of this great and unnecessary economic loss, there is a need to authorize the Government to set minimum property loss reduction standards which would protect the fragile exteriors of motor vehicles.

There is also a need to encourage automobile manufacturers to voluntarily construct safer, less fragile, and easier to repair vehicles. Government regulation alone is not sufficient because much of the technology for innovation is in the control of the automobile industry, not the Government. One way of promoting competition is to insure informed purchasing decisions by consumers. By providing consumers with useful information about the crash worthiness, damageability, or repairability of vehicles prior to the time of purchase, the consumer should be able to make more informed purchasing decisions. More informed purchasing decisions would encourage the selection of motor vehicles with the best safety, damageability, and repairability features. And this selection should encourage automobile manufacturers to compete with one another to build automobiles that rated high in these areas.

In addition, the need to facilitate inspection and repair of vehicles is compelling. Too many vehicles being driven on the highways of this Nation are not in a safe operating condition. Convenient and effective inspection programs at the time of title transfer, after an automobile accident and periodically could insure the safety of vehicles in use. But such inspection must, at the same time, facilitate the ease of vehicle repair. There is a need, therefore, to promote diagnostic inspection which provides an effective means of screening vehicles which are not in a safe operating condition and gives the consumer and the mechanic an indication of what needs to be done to correct any defects or malfunctions.

Finally, there is a need to adopt a national policy against odometer tampering. Some 17 States presently have legislation prohibiting persons from tampering with odometers. A national policy against such fraudulent practices is needed.

In my view, S. 976 as unanimously reported from the Senate Commerce Committee meets very well the needs which I have just outlined. I urge my colleagues to take favorable action on this bill, a bill which I believe to be significant and important.

Mr. President, I reserve the remainder of my time.

AMENDMENT NO. 587

Mr. GRIFFIN. Mr. President, I call up my amendment No. 587 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that further reading of the amendment may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 19, beginning with line 14, strike out through line 4 on page 32.

On page 32, line 5, strike out "TITLE II" and insert in lieu thereof "TITLE I".

On page 32, line 7, strike out "SEC. 201" and insert in lieu thereof "SEC. 101".

On page 33, line 8, strike out "205" and insert in lieu thereof "105".

On page 33, line 18, strike out "SEC. 202" and insert in lieu thereof "SEC. 102".

On page 35, line 6, strike out "SEC. 203" and insert in lieu thereof "SEC. 103".

On page 35, line 21, strike out "SEC. 204" and insert in lieu thereof "SEC. 104".

On page 37, line 19, strike out "SEC. 205" and insert in lieu thereof "SEC. 105".

On page 39, line 16, strike out "SEC. 206" and insert in lieu thereof "SEC. 106".

On page 39, line 18, strike out "201(d)" and insert in lieu thereof "101(d)".

On page 39, line 21, strike out "SEC. 207" and insert in lieu thereof "SEC. 107".

On page 40, line 1, strike out "TITLE III" and insert in lieu thereof "TITLE II".

On page 40, line 4, strike out "SEC. 301" and insert in lieu thereof "SEC. 201".

On page 40, line 24, strike out "SEC. 302" and insert in lieu thereof "SEC. 202".

On page 42, line 17, strike out "SEC. 303" and insert in lieu thereof "SEC. 203".

On page 43, line 6, strike out "SEC. 304" and insert in lieu thereof "SEC. 204."

On page 43, line 10, strike out "TITLE IV" and insert in lieu thereof "TITLE III".

On page 43, line 11, strike out "SEC. 401" and insert in lieu thereof "SEC. 301".

On page 43, line 25, strike out "SEC. 402" and insert in lieu thereof "SEC. 302".
On page 44, line 12, strike out "SEC. 403" and insert in lieu thereof "SEC. 303".
On page 44, line 19, strike out "SEC. 404" and insert in lieu thereof "SEC. 304".
On page 44, line 23, strike out "SEC. 405" and insert in lieu thereof "SEC. 305".
On page 45, line 1, strike out "SEC. 406" and insert in lieu thereof "SEC. 306".
On page 45, line 3, strike out "SEC. 407" and insert in lieu thereof "SEC. 307".
On page 45, line 14, strike out "SEC. 408" and insert in lieu thereof "SEC. 308".
On page 46, line 7, strike out "SEC. 409" and insert in lieu thereof "SEC. 309".
On page 46, line 16, strike out "SEC. 410" and insert in lieu thereof "SEC. 310".
On page 46, line 21, strike out "SEC. 411" and insert in lieu thereof "SEC. 311".
On page 47, line 3, strike out "SEC. 412" and insert in lieu thereof "SEC. 312".
On page 47, line 5, strike out "SEC. 413" and insert in lieu thereof "SEC. 313".

Mr. GRIFFIN. Mr. President, very simply this amendment would strike title I of the pending bill, S. 976. It would leave intact the other three titles of the bill.

Title I directs the Secretary of Transportation to promulgate and impose upon the automobile industry a new layer of regulations, a new set of standards, which are referred to in title I as "Property Loss Reduction Standards."

It should be clearly understood that the bill now before the Senate has nothing whatsoever to do with human safety or pollution. Those concerns were dealt with in legislation which Congress has previously enacted and with respect to which regulations already have been promulgated.

It should be understood that this bill is concerned only with property values.

Title I of this bill, in my view, represents mischievous meddling with the free market system; it carries with it very serious implications because, if the Federal Government is to go so far as to regulate the design and manufacture of automobiles purely for the purpose of trying to affect so-called property loss and property value, then I wonder to what extent, as a logical result of such precedent, the Federal Government would eventually go in regulating the design and manufacture of other major consumer products.

By expanding in this way the scope of regulation of the automobile industry, which is almost regulated to death already, it seems to me that we would be moving toward a philosophy which might be expressed by reference to a statement once made by Henry Ford, when he said that a person could choose any color of Model-T Ford he wanted, so long as it was black.

Color is about the only part of an automobile which would not be covered or regulated by this bill. Among other serious problems with title I, the inevitable effect of setting so-called property damage standards as contemplated by the bill would be to limit severely consumer choice. For example, unless the Secretary of Transportation, through his discretion, were to grant an exemption, and it is not altogether clear whether it would cover such an exemption, this bill would prohibit the building of a sports car. This bill could result in the elimination of the manufacture and sale of compacts, of economy size cars.

Obviously, the difference in weight and mass among various makes and models of cars is an important factor in the amount of property damage lost which results from an accident on the highway.

I am sure those advocating this bill will rush to say that is not intended or contemplated by setting these standards, but I suggest it is a logical result and could happen through the bureaucracy under the vague purposes which are indicated in this bill.

Too often in the past the Federal Government made promises far beyond its capability of fulfillment. I suggest this bill is another example of creating illusory expectations. I think the customer is only being deceived if he is led to believe that the era of the undamageable car is around the corner and if he expects the bill really to reduce costs.

This legislation is billed as a "cost savings act." A more apt title would be "The Costly Automobile Act." I do not think anyone would deny that the imposition of these Federal standards which are contemplated by this bill is going to increase the cost of new automobiles. Because of the standards that have been set with regard to safety, the cost of new automobiles has been increased. Because of the imposition of regulations with respect to air pollution, the cost of new automobiles has been increased. Now, we are imposing a third layer of standards which has nothing to do with safety or pollution, but compliance with them would increase the cost of new automobiles.

The argument on the other side is, "Oh, yes, but by doing this we are going to save the consumer money because there will be less damage to his car if he gets involved in an accident and, therefore, the insurance premiums will go down."

I do not know. Maybe that is right. Maybe the cost of insurance in some way or another will be affected and it will go down. But I think at this point people want to stop and think: Are they going to save more on the cost of insurance premiums than they are going to lose when the cost of new cars goes up in order to comply with these so-called property damage loss standards which will have nothing to do with safety or pollution.

When Congress passed the 1966 Safety Act we specifically cautioned against involving the Federal Government in the design and styling of automobiles. The report of the House Interstate and Foreign Commerce Committee stated:

> The emphasis of this legislation should be on the protection of persons rather than the protection of property.

This bill does not relate to the protection of persons; it only relates to the protection of property.

Another part of the report stated that "The Secretary would not become directly involved in automobile design."

As the cosponsor indicated in 1966 that was sound, and it is even more so today. At that time the automobile industry was not faced with the multitude of existing standards. Today Federal regulation extends to pollution and in the near future it is likely to extend to noise control. In the area of safety, pollution, and noise we can all generally recognize that, although it is inconvenient and costly for the industry, there are overriding public interests that need to be taken into account and given consideration. But is there such an overriding public interest in connection with this legislation? That is the question before the Senate.

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

Mr. GRIFFIN. I am glad to yield to the Senator from Nebraska.

Mr. CURTIS. How much additional Government financing is going to be required under the four titles of the bill?

Mr. GRIFFIN. It is my understanding that the authorization provides for $25 million over a 3-year period. I have no idea whether that would be adequate. I would say to the Senator from Nebraska that the Secretary of Transportation and the Director of Automobile Safety, the National Safety Administration, which would have to administer the bill, do not want this bill. They are not at all convinced it is feasible to set the standards this bill would require them to set. It would involve a good deal of research and study to try to figure out how they could set such standards. It is altogether possible that the $25 million authorized here would not be nearly enough.

Mr. CURTIS. How many cars change hands every year?

Mr. GRIFFIN. I think this year there is an expectation of a 10-million car market. They expect to sell somewhere in the neighborhood of 10 million cars.

Mr. CURTIS. And they are going to enforce this with $25 million in 3 years?

Mr. GRIFFIN. That is the provision in the bill.

Mr. CURTIS. They have a provision here to protect the consumer from having the odometer reading—I thought it was speedometer, but it is odometer—changed, so it cannot be disconnected to defraud purchasers. That would be $2.50 a car because if there are 10 million cars sold, there will be that many traded in. I do not know whether they could inspect them for $2.50 or not.

Mr. GRIFFIN. I am going to have to come to the defense of my senior colleague and say that the $25 million to which I referred would deal only with title I. The provision about the speedometers is in another title. There are four titles to the bill. My pending amendment deals only with title I, which requires the promulgation of these so-called property law standards.

Mr. CURTIS. I understand that.

Mr. GRIFFIN. How much it would cost to enforce that particular provision, I cannot tell the Senator. I do not know.

Mr. CURTIS. But they have provided $25 million to enforce all four sections?

Mr. GRIFFIN. I am told by the staff that the $25 million relates only to title I; $2 million with respect to title II; $50 million with respect to title III; and about half a milion dollars with respect

to the title the Senator from Nebraska is referring to.

Mr. CURTIS. In all fairness, I want to state that this is a beginning program. It is to set a course.

Mr. GRIFFIN. That is absolutely correct.

Mr. CURTIS. Is there any relation between protecting consumers from having their speedometers changed and safety?

Mr. GRIFFIN. Not a bit.

Mr. CURTIS. I would think it would be quite remote.

It seems to me one of the issues the Congress must decide is whether or not we are going to take over and run from Washington every human endeavor. I represent a rural State. It seems that one of my biggest jobs is fighting the Federal Government to keep it from closing up all the rural communities. It does not make much difference what the business activity is, the Federal Government is harassing it and policing it and inspecting it. Take, for instance, Medicare. I think it was passed with the idea of helping individuals in retirement to carry the financial load of their illnesses. What they are doing is having Federal regulation and almost licensing of hospitals and doctors.

I want to do what is properly within the jurisdiction of the Federal Government to do in the field of safety, but I know that I do not want to turn the policing of every transaction and every act in every type of business and the design of every vehicle over to the Federal Government, because the history of the bureaus in Washington is that they are behind the times. They do not have as much information as we people have. They are behind the progress made by private enterprise. They are rigid and inflexible and very costly and oftentimes serve no useful purpose.

Mr. GRIFFIN. I appreciate the contribution made by the distinguished Senator from Nebraska.

Mr. CURTIS. Do I understand correctly that the Department of Transportation does not want this bill?

Mr. GRIFFIN. That is correct.

Mr. CURTIS. The whole bill?

Mr. GRIFFIN. Title I. It is not opposed to the rest of the bill, as I understand.

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

Mr. GRIFFIN. I am glad to yield to the ranking Republican member of the committee.

Mr. COTTON. When the Senator from Michigan has concluded his remarks, I intend to take just a very few minutes. However, in answering the question of the distinguished Senator from Nebraska, let me say it so happened that the initial committee hearing at which the representative of the Department of Transportation testified was held on the 28th day of May. The Senator will recall that this was the beginning of the Memorial Day recess, so that only the distinguished Senator from Indiana (Mr. HARTKE), who had been asked to preside, and the Senator from New Hampshire were able to be present.

I shall put into the RECORD some of the dialog which took place at that hearing and some questions that I asked Mr. Douglas Toms, who now is the Administrator of the National Highway Traffic Safety Administration, concerning the mission of his Department toward automobile safety and the safety of human life and limb. I think when I get the opportunity to put that colloquy into the RECORD, the Senator from Nebraska will readily understand, or at least will readily believe, the very cogent argument: First, that they do not want it; second, that they are not equipped for it; third, that it would take a lot of money and a lot of time to get equipped for it; and fourth, it would lead them so far into the field of economic regulation for the reduction of damage to the automobile that it might detract from their continuous and very necessary and very vital responsibilities of regulation for human safety and the reduction of danger to life.

Mr. CURTIS. I thank the Senator. Do the remarks the Senator has just made pertain to the bill as a whole or to one particular section?

Mr. COTTON. I am talking about title I.

The question is one of priority. Before we have conquered or even started to control, much less gained complete control of, the automobile design and automobile structure from the standpoint of human safety, to then start the DOT and everybody else on a crusade to deal with property damage, the Senator from New Hampshire feels is crowding the mortars. And, it is going to detract from the efficiency of the whole program.

In a few minutes I shall give the chapter and verse of what took place in that committee hearing, but I just want to add one final observation. It has been my observation—and I hope I am not getting so cynical that my viewpoint is distorted—that in our committee the term "consumer" has been a magic word for several years. The committee is all on a crusade, and so is the Congress.

I notice, by the way, that Mr. Nader has sort of forsaken us. He said he is starting on a thorough investigation of Congress.

But everything is for the consumer. There is one thing that I think the consumer is interested in but which we often forget to consider as the final factor. We do not want him sold hazardous substances, and we passed a fine bill on that. We do not want him defrauded, and we passed measures to protect him from that.

We have done everything to try to protect the consumer, both from being defrauded and from being injured. But the one thing that we never seem to think about is the one element the consumer is most interested in, which is price.

Mr. CURTIS. That is what I was going to ask. Has the Federal Government done anything to increase prices to the consumer?

Mr. COTTON. Yes. Some bills the Federal Government has passed will increase prices somewhat, but in general it was well worth it. If we increased prices somewhat by restrictions, careful supervision, and necessary requirements on the manufacturer and the distributor, it was worth it.

But, there comes a point where you must draw the line. There comes a point where the good that is accomplished for the consumer becomes small in comparison with what it takes out of his pocketbook every time that he makes a purchase. It is bound to increase prices to him, and decrease his tolerance of Federal regulation.

Mr. CURTIS. The point I am trying to make is, how do we know that the Government, whether it be by direct action of Congress or through a Government bureau, knows the right answer on some detail in reference to safety?

I have been told, for example, that there are those who advocate that the Government, in effect ultimately provide for compulsory installation of certain seat bags, and one thing and another, in a car, and at the same time doing away with seat belts.

That, of course, is not in this bill, but it does raise the question, are we going to trust the welfare of the country to someone in a bureau?

Regardless of the merits of an air bag, I am not too sure that we ought to abolish seat belts. It seems to me that they are of tremendous protection to children, in many instances in traveling that are far afield from a collision type of thing.

Mr. GRIFFIN. Mr. President, would the Senator from Nebraska let me put into the RECORD at this point some specific figures going to the matter of increases in cost resulting from the regulation we have already enacted?

For pollution control alone, to clean up the air insofar as automobiles are concerned, the Environmental Protection Agency itself has estimated that car prices will increase by $223 per car by 1975.

As far as the safety standards are concerned, car prices have gone up already, on the average, $84.

The Department of Transportation estimates that the new bumper standards will cost an additional $119.

One manufacturer testified before the committee that car prices would rise from $450 to $600 by 1975 because of the air pollution and safety standards promulgated under legislation already enacted by Congress.

In terms of the total cost to consumers, based on an annual sales volume of 10 million cars a year, the increase in cost to consumers would be $4.5 billion to $6 billion. That is before we enact this bill. The cost of complying with these standards, whatever that may be, will be on top of it.

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

Mr. GRIFFIN. I am glad to yield to the Senator from Utah.

Mr. MOSS. The Senator from Michigan was quoting figures on the increase in the cost of automobiles, and what it is attributable to. I just wanted to call attention to a letter sent by the Secretary of Transportation to the chairman of the Committee on Commerce. It is printed in the committee report on this bill, at page 32. One sentence to which I would like to call particular attention is this:

As the enclosed table shows, the total gross average price increase for model year pas-

senger cars 1968 through 1971, inclusive, was $524.00. Three-fourths of that increase was due to pure price increases. Only $81.50, or less than one-sixth of the total price increase, was attributable to changes required to meet safety standards.

So I think we must be careful in saying that the prices of cars going up stems entirely from these safety measures that have been enacted to date and those which we are considering in the pending measure. Actually, cars have gone up in price considerably, but, as the Secretary points out, only one-sixth of that total increase in price came from safety requirements established for car manufacturers.

Mr. GRIFFIN. I appreciate the comments of the distinguished Senator from Utah, but let me make it clear that the figures I read did not refer to increases in car prices in general. I accept the figures that the Senator from Utah has pointed out, but in a sense we are comparing apples and oranges, because I was talking about how much increase there would be in the price of a new car attributable to pollution and safety regulations by 1975, and the figures that the Senator was reading related to the increase by 1971. He is absolutely correct; the price of cars has gone up in addition to the built-in increases that are required by our regulations. I certainly would not argue that point. But I am only talking about that part of the increase in costs which is directly related to these regulations.

Even though they are expensive, even though it does cost the consumer a considerable amount of additional money to try to have a safer car and a pollution-free car, I think it has already been pointed out that most of us, and most consumers, I think, are willing to pay that extra price. The question now before the Senate is, do they want to pay an even higher price to enforce a set of standards that have nothing to do with pollution or safety, that are supposedly going to reduce the damageability of the car, and, in general, to increase the prices of new cars still further?

Mr. President, an important factor bearing on cost is the technical feasibility of setting standards that would, in fact, reduce the damageability of cars. In his testimony before the committee, the Administrator of the National Highway and Traffic Safety Administration, Douglas Toms, said:

> Specific applications of present technology are almost non-existent in this area, as compared to the situation that existed in safety in 1966. The 1966 Act was preceded by 20 years of activity by the Society of Automotive Engineers, General Services Administration, and others.

In this regard, it is interesting to note that of all the testimony presented to the committee in support of requiring so-called property damage standards, the only specific suggestion which was offered related to the improvement of bumpers. If the only feasible property damage standards are those concerning bumpers and related systems, then there is no need for title I, because bumper standards have already been set by the National Highway and Traffic Safety Administration, under the authority of which Congress provided for the safety legislation which is already on the books.

Although the Federal bumper standards were not promulgated from the standpoint of property damage savings, Administrator Toms indicated in his testimony that:

> From a practical standpoint, it is impossible to design a car to meet our safety requirements without also protecting the car from significant property damage.

Moreover, bumper design accounts for a large part of the property damage costs to the public arising out of motor vehicle accidents. An estimated 25 percent of all costs associated with automobile accident repairs is accounted for alone by collisions of 5 miles per hour or under. This is the zone most susceptible to corrective action. Nearly 70 percent of all damage in such accidents is sustained in front or rear impacts covered by the bumper standards.

After all the extensive crash testing undertaken by the insurance industry's safety institute, it would seem logical to ask if the industry has developed a premium rating system which reflects differences in repair costs.

The answer is that no such system exists, even on a limited basis, with respect to bumpers. Only one company has offered rate reductions for cars meeting 1973 DOT bumper standards.

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

Mr. GRIFFIN. Mr. President, how much time do I have on the bill?

The PRESIDING OFFICER. The Senator has 55 minutes remaining on the bill.

Mr. GRIFFIN. I yield myself 10 additional minutes on the bill.

Even in this instance, the reductions will apply to collision coverage only and will not extend to mandatory third-party liability coverage.

It would make much more sense to wait and see what benefits flow from implementation of the Federal bumper standards before any further standards are set.

Of course, it is argued that the bill would require the Secretary of Transportation to weigh the costs involved against the benefits to consumers from insurance rate reductions and other savings before any property loss reduction standards could be promulgated. But even if the Secretary does find a favorable cost-benefit ratio, the added costs, passed along in the form of price increases, will affect the consumer and the industry immediately. The benefits, if any, will be spread over the life of the vehicle.

I also have serious problems with the types of benefits which the Secretary must take into consideration. Section 103(b) requires that the costs of any standard must be reasonable when compared to the benefits attainable, such as savings in terms of consumer time and inconvenience. How is the Secretary supposed to measure this nebulous concept of inconvenience? Such a vague criterion only provides an overzealous safety administrator with a license to impose unreasonable standards.

As I have previously indicated if the bill does no more than what the Secretary can already do under the Safety Act, in terms of bumper standards, then title I is superfluous.

Unfortunately, the scope of title I is much broader. For instance, the term "motor vehicle accident" includes accidents "arising out of the maintenance of a motor vehicle." Apparently, the Secretary of Transportation is supposed to require manufacturers to design cars which would be damage safe from the servicing of incompetent mechanics.

Furthermore, the Secretary can set standards not only for the purpose of increasing the resistance of vehicles to damage but also for the purpose of reducing the cost of cars that are damaged in accidents. This latter authority obviously is intended to go beyond the "no damage" bumper standards that have been touted.

Mr. President, when we discuss the cost and technical feasibility of setting property damage standards we cannot ignore safety considerations. The problem of compatibility between safety and damage standards cannot be solved simply by writing in the bill that damageability standards shall not conflict with safety standards.

Clearly it would not serve the public interest to mandate that the Department of Transportation start requiring cost reduction standards which actually increase safety hazards. In this regard it is worth noting the comment of Administrator Toms during the committee hearings that:

> There are many cars on the road today that have excellent sheet metal energy absorbing systems that will permit a lot of property damage but also provide excellent safety for the occupants.

Before property loss reduction standards are required, we need to know a great deal more about the interrelationship between safety and property damage.

The principal alternative to more standards is better consumer information so that the auto buyer can intelligently select the car which is least prone to damage in the event of an accident. In turn, this information should spur competition among the auto manufacturers to improve car design for economic reasons.

In fact S. 976 does provide for the development of meaningful consumer information with respect to damageability, occupant protection, and ease of repair. But it is interesting to note that although title II authorizes a 2-year study for the purpose of developing such information, title I requires the Secretary to establish damageability standards. One might reasonably come to the conclusion that standards should not be imposed, at least, until it is feasible to assess the damage susceptibility of various makes and models of cars and develop some kind of index on repair costs.

Of course, there is the oft-repeated argument that consumer information is ineffective since the auto industry is not responsive to the interests and demands of the public. If that is true, then how does one account for Ford Motor Co.'s

urging the Department of Transportation to set a better bumper standard than had been proposed by DOT? Also, what prompted the installation of bumpers on 1972 Saab cars which meet DOT standards for 1973 model cars? Certainly the action by Saab would appear to be directly related to the proposed reduction in collision insurance rates by Allstate for cars having "no damage" bumpers in low-speed collisions.

What other reason except the marketplace can account for the death of the Corvair or the frequent recall and repair campaigns of the auto companies which, incidentally, are not mandated by Federal law?

Not surprisingly, recognition is given in the committee report to the fact that more Federal standards are not the panacea for reducing motoring costs. Let me read from a portion of the report:

> There is also a need to encourage automobile manufacturers to voluntarily construct safer, less fragile, and easier to repair vehicles. Government regulation alone is not sufficient because much of the technology for innovation is in the control of the automobile industry, not the government. One way of promoting competition is to ensure informed purchasing decisions by consumers. By providing consumers with useful information about the crashworthiness, damageability, or repairability of vehicles *prior to the time* of *purchase*, consumers should be able to make more informed purchasing decisions. More informed purchasing decisions would encourage the selection of motor vehicles with the best safety, damageability, and repairability features. And this selection should encourage automobile manufacturers to compete with one another to build automobiles that rated high in these areas.

My amendment would not affect this consumer information program. It would leave title II untouched. There is a need for better information so the consumer can make more informed purchasing decisions. Such course holds forth a greater premise of reducing costs than does the course contemplated in title I.

It is somewhat ironic that one hears today on the one hand, severe complaints that Federal regulation is ruining industries such as the railroads, while, on the other hand, vigorous efforts are being made by some of these same critics to overregulate the automobile and other industries.

I would hope that past experience would indicate that the Federal Government cannot legislate utopia. Probably the most direct benefit from this bill will come from the fact that it will create additional jobs. It seems to me that there are much better ways to increase employment.

Mr. President, we will not be against the consumer or for the industry by eliminating title I. It is easy to pin all the blame on the manufacturers. However, the biggest problem with high repair costs due to shoddy servicing and repair by untrained mechanics. Similarly the charging of customers for unnecessary repairs is a major factor in the high cost of owning an automobile today. Extensive documentation of these problems was accumulated during the hearings before the Senate Antitrust Subcommittee a couple of years ago.

According to the committee report those hearings provide in large part the basis for this legislation. I believe the wrong approach has been taken, and I hope the Senate will concur.

Mr. President, I think that this bill, which is being presented to Congress under the title and under the concept that it is to protect or help the consumer, is subject to a great deal of question on that ground, as to what alternative open to the Senate today, specifically with reference to the pending amendment to strike title I, will help the consumer the more.

It is my sincerely held belief that we will not only help the consumer more by striking title I, but also, that we will be recognizing that the automobile industry has been regulated just about enough by Congress so far as reason and sanity are concerned. This is an industry that is in some trouble, in terms of meeting foreign competition. The future of the automobile industry is not altogether bright, and it is one of the reasons, of course, why Congress is considering at this time the repeal of the 7-percent automobile excise tax.

I would hope, in the interest of the jobs of automobile workers as well as the consumer, that the Senate would support this amendment and strike title I from the the bill.

Mr. President, I am delighted to yield now to the distinguished Senator from New Hampshire such time as he may require under the bill, reserving any other time under the bill.

Mr. COTTON. I thank the Senator from Michigan (Mr. GRIFFIN).

Mr. President, first, I want to commend my colleague, the distinguished Senator from Michigan (Mr. GRIFFIN), for the work he has put into this bill. Both Senators from Michigan have devoted a good deal of attention to it, and that is not unnatural in view of the involvement of their great State in the automotive industry.

I also want to commend the Senator from Michigan for—and invite the attention of the Senate to—his very well reasoned and cogent individual views set forth in the committee report—No. 92–413—accompanying this bill.

I heartily endorse the amendment offered by the Senator from Michigan to strike title I. To clarify a point that may not be clear to some Senators, it should be emphasized that this whole bill is not an automobile safety bill. I think that when the general public thinks of safety, they think of the safety of human beings. Certain sections of this bill are devoted to consumer information, consumer education, and consumer values. It is a property bill rather than a bill that involves the life and limb of a human being. But, title I, of course, is completely a matter of causing the construction of automobiles to be in such a manner that they will be less susceptible to property damage, without reference to the dangers attendant on human life.

Therefore, Mr. President, I share the concern expressed by the distinguished junior Senator from Michigan with respect to the provisions of title I of S. 976 requiring the Secretary of Transportation to establish property loss reduction standards for passenger motor vehicles. Quite frankly, the Secretary of Transportation opposes S. 976, especially the provisions of title I, and he is justified, in my opinion, in opposing it.

Title I proposes to set us on another course in an uncharted sea, all in the name of protecting the American consumer. I am quite in accord with protecting the consumer when it comes to the matter of a demonstrated need for regulatory authority with respect to safety, and I have supported in the subcommittee, in the committee, and in the Senate each measure that our committee has reported that deals with the safety of the public.

However, we are not here dealing with safety. On the contrary, what we are dealing with is economic loss.

Perhaps I am uniquely aware of the distinction drawn here. As I mentioned earlier today, the Administrator of the National Highway Traffic Safety Administration, the Honorable Douglas W. Toms, who for the last 2 years has been the official of the Department of Transportation who has been directing research and establishing criteria dealing with safety of design and construction of automobiles, appeared before the Committee on Commerce. When Mr. Toms appeared before the committee on May 28, it was the first day of the Memorial Day recess, so quite naturally, most Senators were out of town. The distinguished Senator from Indiana (Mr. HARTKE) remained in town, I think at the request of the chairman, and presided over the committee. I also remained in town, as the ranking minority member, because that is one of the duties that fall on one in that position. Therefore, the Senator from Indiana and the Senator from New Hampshire were the only Senators actually present at that rather interesting and illuminating hearing.

I questioned Mr. Toms at considerable length in regard to his opposition and the opposition of the Department of Transportation. Mr. Toms categorically denied that the Department of Transportation possessed the requisite design capabilities at this time to carry out the provisions of title I, and he went on to note the following:

> We feel we should not set property damage standards. We should make damage susceptibility information available to the consumer and attempt to induce the marketplace to bring about these changes.

The Senator from New Hampshire then pursued this particular point with Mr. Toms, and the following colloquy took place:

> Senator COTTON. And you consider your task is to find a reasonable posture which insures every practical step that can be taken to make an automobile safe, but you want to keep out of the field of trying to tell the automobile manufacturers how to design, how to plan, and how to construct their automobiles?
>
> Mr. TOMS. That is correct.
>
> Senator COTTON. Is that a fair statement?
>
> Mr. TOMS. That is a fair statement.
>
> Senator COTTON. Do you consider the bill before us goes further than that, placing you in the posture of having the Congress dictate to the automobile manufacturer the

construction and to a certain extent the design of automobiles?

Mr. TOMS. That is correct.

Senator COTTON. Also, do you take into consideration the facts that in our efforts to care for the interest of the consumer, that what the consumer has to pay for automobiles also has to be considered to a reasonable extent?

Mr. TOMS. Very much so. We are very concerned about costs.

Senator COTTON. In other words, is your objective to insist on every practical and effective safeguard in automobiles, but not to go into unrelated detail which could compel the consumer to pay a substantial extra sum?

Mr. TOMS. That is correct. We feel that it is proper for us to deal in the fields of health and safety. But we are not so sure that we should deal in purely economic areas.

Mr. President, title I of S. 976 is appropriately characterized by the distinguished junior Senator from Michigan as an "overdose of regulation." Perhaps this can best be summarized by inserting at this point in my remarks a post pertinent editorial entitled "Consumer Hysteria" which appeared in the Wall Street Journal of October 26, 1971 which, quoting the distinguished Chicago University Prof. George Stigler, observed that—

It is of regulation that the consumer must beware.

Certainly the regulation proposed in title I of S. 976 is of such a character that the consumer should be very wary of it.

Mr. President, I ask unanimous consent to have the editorial printed in the RECORD.

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

CONSUMER HYSTERIA

The Consumer Protection Agency legislation recently approved by the House may well be toughened in the Senate. If so, businessmen can expect still more harassment than they already get—and the consumer, you may be sure, will get precious little protection that means anything.

After all, there are even now literally hundreds of consumer-related undertakings in the federal government; evidently the professional consumerists are not satisfied with them. As the distinguished Chicago University Professor George Stigler says in this connection, "utter disillusionment with past regulation leads to a demand for better regulation."

Writing in a publication of the American Enterprise Institute, Mr. Stigler has some other memorable comments that apply to the whole current consumer hysteria:

"We are now going through a new period of salvation by public reform, similar in scale and in the comparative roles assigned to emotion and to knowledge to the muckraking period preceding World War I. . . . In both periods the intellectual quality of the reform literature is, on all except its very best pages, rankly deplorable. Allegations are facts, villainy is ubiquitous, costs of reforms are not the rational prices which keep a sensible society from going overboard in one direction. . . .

"The superiority of the traditional defenses of the individual—reliance upon his own efforts and the power of competition—lies precisely in the characteristics which distinguish them from public regulation. Each of the traditional defenses is available and working at all times—self-interest and competition are never passing fads. . . . It is of regulation that the consumer must beware."

Well said, we think, and eminently sensible. But then, when zealotry rises, in and out of Congress, reason must needs flee the scene.

Mr. COTTON. Mr. President, in conclusion, in order to avoid being repetitious, it was with a great deal of devotion, dedication, and zeal that the Commerce Committee—under the leadership of its very able chairman, my friend the distinguished Senator from Washington (Mr. MAGNUSON), and under the leadership of such dedicated men as the distinguished Senator from Michigan (Mr. HART) and the distinguished Senator from Utah (Mr. Moss), and other Senators—has been fighting a battle for legitimate and reasonable protection for the American consumer.

I want to compliment the chairman of my committee and express the pride that I, as a member of the committee, take in the record the committee has established during the past two Congresses and the first session of this Congress. It is a record of trying to protect our people from injury, from buying hazardous substances without warning, to compel truth in packaging, and to protect the consumer from fraud.

These bills, in the main, have, I think, been well justified, very constructive, and seem to be working effectively. The trouble is, it is like the old lady that was given the medicine by the doctors. She thought that if she took two pills every hour instead of one pill every hour she would recover twice as quickly. We always reach the point, when we leave the field of fighting for the safety of the consumer, where in our sense of eagerness we reach out into fields that not only are costly to the Government and not only lead to undue regulation, but also are economically burdensome to the consumer.

Now, there is one thing we should remember. In my own case, Mrs. Cotton happens to be in very poor health because of a heart condition and for the past 2 years, both in New Hampshire and in Washington, D.C., I have become the shopper. It has become my duty at least once a week to go to the supermarket and buy the groceries.

Speaking as a member of the Commerce Committee—and of course I do not suggest that ill health befall any of the wives of my colleagues—I wish that every single Member of the Senate had to tramp to the supermarket and do the family shopping once a week for a period of time.

I can assure all Senators that it is an eye-opener. For the life of me, from the experience I have had in the past 2 years, I do not know how a family with seven children and the head of the family making only a modest income can possibly live in the manner we have always believed that most of the people in this great producing and prosperous country should live today.

Of course, in my case, it may be that because of what I see in the grocery store I buy more than I should. But, I find that, in taking care of a family of two, it is very easy to walk out of the supermarket after paying a check for $22, $23, $24, or $25 for a week's groceries.

It has convinced me that we had better remember one thing that is almost equally as vital to the consumer and that is the importance, in my humble judgment, of price and I fear we are now marching down the road where we are putting up prices for the consumer. That is no favor to the consumer.

This bill, S. 976, came out of committee with some objections but without a vote against it. The Senator from Michigan said he was going to offer the pending amendment and I was glad that he did offer it. If it is adopted, then I think the bill will be palatable. But, let no Senator feel that if he should vote against the bill he can be accused of voting against automobile safety. With the exception of title I, it is a bill that may be helpful. Yet, title I puts a duty on an organization downtown—namely, Mr. Toms' division of the Department of Transportation—to go into research on economic property loss reduction while they are not finished with safety. They are still trying to find out whether seat belts are best, whether straps over the shoulders or air bags will work best when a car stops suddenly. All these matters are very complex.

For example, I happen to own a car that has headrests on it and they cannot be taken off. Go to a garage and they will not take them off because it is against the law. Yet, believe me, next door to my home in Lebanon lives a family with small children who, naturally, are always playing about when I get in my car to back out of the garage.

I find there is absolutely no view out of my rearview window because of those doggone head rests. As a result, I frequently have gotten out of the car, and taken a second look simply to make sure that no child had run into my driveway before backing out of my garage to avoid running over a child.

My point is that the Department of Transportation is still struggling to iron out and determine proper safety criteria. These are the essential safeguards in the construction and the design of automobiles which are worth what we pay for the matter of safeguarding human beings.

If the amendment of the Senator from Michigan should fail, we must be aware that in title I, we are sending a directive to the Department of Transportation: "Either put on some more people or slow up on your endeavors for safety and get busy in the construction of the kind of cars that will be less susceptible to property damage."

For that reason, I can accept the bill if the very practical amendment of the Senator from Michigan is adopted and title I is stricken. However, I find it very hard to accept the bill so long as title I remains, because I think it is not only costly but will also delay and obstruct what we are doing in the field of safety and pollution which is so essential in the future manufacture of automobiles.

Mr. GRIFFIN. Mr. President, I thank the distinguished ranking minority member of the committee for his excellent analysis and contribution.

Let me add to the point he made toward the conclusion of his remarks when he mentioned that the Department of Transportation would either have to let

up in its effort to protect human safety or would have to add a lot of additional personnel to go into this field. However, beyond that I think it should be noted that there is some conflict between the objective of reducing property damage and the objective of protecting human safety in a car. It is altogether possible—and testimony to this effect is in the RECORD—that we can design and build an automobile that will result in less property damage during an accident, but in the process a person in the automobile might be killed.

These objectives can work against each other. On the other side of the fence is the fact that a car that crumbles to an extent and absorbs some of the energy of the impact can provide some protection to the human being in the car in the event of an accident.

I know that there is vague language in the bill that dishes the job out to the Secretary of Transportation to reconcile these competing or conflicting objectives, but that will not be easy.

Mr. President, I yield now to the distinguished Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLOTT. Mr. President, I thank the Senator from Michigan very much.

Mr. President, my constituents have written me complaining of increasing automobile insurance rates as well as the escalating costs of automobile repair. It is to this concern that the Committee on Commerce addressed itself and, as a result, we have before us S. 976.

Testimony before the committee indicated that a great portion of damage to vehicles could be eliminated if they had been designed to withstand low-speed collisions without sustaining serious damage. In 1970, it is estimated that Americans lost more than $5.5 billion as a result of vehicle damages resulting from automobile accidents. This figure does not include the costs to the American public in terms of loss of life and limb.

Our citizenry is crying for insurance relief to ease the burden of automobile insurance premiums that have been rising so drastically in recent years. Very possibly, the $7.9 billion in automobile insurance premiums that were paid last year could, in the future, be reduced if automobiles were redesigned with maximum consideration being given to minimizing damage sustained during a collision.

My main concern and reservation is that we must be vigilant not to impose regulations that would severaly inflate the purchase price of automobiles. It is true that section 103(b)(1) of the bill requires the Secretary of Transportation to undertake an extensive cost-benefit analysis to assure that the benefits accruing to the public over the life of the vehicle outweigh the costs imposed upon the public as a result of the standards, but I am leary of granting this additional responsibility to the bureaucracy at this time. Because the testimony before the committee indicates that title I goes too far, as Senator COTTON and Senator GRIFFIN have stated, I must support the junior Senator from Michigan's amendment to strike title I.

Mr. President, I would like to address two questions to the distinguished floor manager of this bill relating to title III. Title III establishes motor vehicle "diagnostic inspection demonstration projects." My first question is:

To what extent, if any, does this title duplicate current and on-going State inspection programs?

Mr. MAGNUSON. Mr. President, if I may, I will refer the question to the Senator from Michigan who is very familiar with all of the details and can answer the questions completely to the satisfaction, I am sure, of the Senator from Colorado.

Mr. ALLOTT. He will be a genius if he does.

Mr. HART. Mr. President, I doubt if I could do that even if I had heard the question. I did not hear the question however.

Mr. ALLOTT. To what extent, if any, does title III duplicate current and on-going State inspection programs?

Mr. HART. The intention of title III—and this title, I think, has been cleared and has the unanimous consent of the committee members—is not intended to duplicate any State service. It is intended to offer—I believe to up to 10 States—the opportunity, with very substantial Federal funding, to develop very advanced diagnostic testing procedures that we believe are now available, but have not been fully utilized in any State inspection program.

If we were to add these funds to the existing State inspection systems, I would suggest it would not constitute the kind of duplication the Senator from Colorado inferred.

Mr. ALLOTT. Mr. President, as the Senator probably knows, my State has had, for perhaps 15 or more years, a requirement that each vehicle be inspected twice annually. They have to put a certain colored sticker on the windshield to show that the car has been inspected.

I will not maintain that all of those cars are perfect any more than I would maintain that every mechanic in every garage or filling station is a topflight mechanic.

Many small businessmen in my State are concerned that this legislation might, in some way, unfairly compete with their present involvement in motor vehicle inspection. I am certain that the committee has addressed itself to this concern, and I would certainly like to get a clear statement, if I could, as to how far the committee envisions that the activities under title III would displace the present State inspection system.

Mr. HART. It is the committee's intention that nothing in the pending bill would put any individual or garage or service station that is in the inspection or repair field out of business.

It would not displace any existing State inspection program or requirement. What we do hope to achieve by this from the 10 or less pilot projects that are undertaken by several States is partly to understand what is available for future use in State or federally supported inspection programs. I think everyone agrees that even those States that most effectively perform an annual or semiannual inspection now are operating far below the potential with respect to repair and safety that we believe attainable. We hope to understand how to better use the things we believe diagnostic systems now could provide. What we do when we get to the results of those 10 pilot projects may or may not affect the existing State systems.

Mr. ALLOTT. I want to make it clear that I have no objection to having inspections. We have very complicated and sometimes almost exotic systems available now. I think they are available in almost every State of the Union. I know they are available in my State for the inspection of cars. I can imagine that we would come to a point where the investment of $100,000 or $200,000 might preclude many inspectors we presently have in the State from staying in the inspection business.

I thank the Senator for his answer.

Title II of this bill, among other things, authorizes and directs the Secretary of Transportation to conduct a comprehensive study and investigate methods of determining certain characteristics of passenger motor vehicles such as, the degree of occupant protection provided by any such vehicle in any motor vehicle accident. After this investigation, the Secretary is then required to make specific recommendations for further development of existing methods or for the development of new methods.

Mr. President, the thrust of my inquiry today relates to school bus safety. I am certain the Senate is aware of the tragic accident that took place recently in my State near Gunnison, Colo., in which nine passengers of a school bus were killed. Although the Department of Transportation's National Highway Traffic Safety Administration has been in the process of formulating rules and regulations relating to school bus safety for a number of years, most of these standards have yet to be finalized. Standard 17 which relates to the operation of schoolbuses will bring much uniformity to the area of school bus operation as well as upgrade operator and maintenance personnel. Standard 17 also deals with the problems of overcrowding and other "route safety" problems. In addition, regulations are being finalized which will deal with the construction of school buses; in my layman's judgment, a highlight of these requirements will be the requirement of high-strength padded seats to protect the occupant during a crash situation.

Mr. President, the question I would like to put to the distinguished floor manager of this bill is whether the Secretary of Transportation will be required to specifically concern himself with the publishing of information on school bus safety. In my judgment, information dissemination to the parents and taxpayers of local communities is essential in that public pressure can be brought to bear on school district officials to up-grade the status of existing schoolbus fleets.

Mr. HART. The Senator from Colorado properly reminds us of the very broad concern that was evident following each of those accidents and whether we adequately safeguard children in schoolbuses. In reply to the Senator's inquiry, the definition of a passenger motor

vehicle which applies to title II is found in title I, in section 102. It is clear that the Secretary's analysis called for in title II includes an analysis with respect to the schoolbuses and not merely the passenger cars. The information that will be developed as a result of the study that is called for in title II will be information that will be available publicly.

One cannot fairly anticipate what will be said with respect to schoolbus safety, what suggestions, standards and requirements will be recommended by the Secretary in his report, but clearly we can reasonably antipicate that compliance with title II will give us data with respect to schoolbus crash worthiness, information that none of us have now and all of us welcome the opportunity to get through this title.

Mr. ALLOTT. I thank the Senator very much. My concern here, of course, is to clarify and amplify the legislative history on this subject. In the 1966 acts, under which present regulations are being promulgated, I can find no reference to schoolbuses in the legislative history. I think the definition the Senator referred to in title I would include schoolbuses, but we want to make sure it does.

I want to make sure also it is understood that part of this would include dissemination of information. Publication of a regulation in the Federal Register is not read by parents of millions of children whose children have to travel on schoolbuses.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. There are 23 minutes remaining.

Mr. ALLOTT. I mean of my time. I was yielded 10 minutes.

Mr. GRIFFIN. I do not believe I limited the time.

Mr. ALLOTT. I would like to have 3 to 5 minutes, if I may.

Mr. GRIFFIN. I yield to the Senator from Colorado.

Mr. ALLOTT. While we are debating the matter of public safety, I feel I must at this time express my deep concern about a subject that has been raised in the rulemaking process. I have not had time to study this in the detail I would prefer, I only know the bare outlines of the issue. However, I am very much concerned about promulgation of present regulations mandating the installation of air bags in cars. I believe I can speak from at least a minimum of knowledge, since for 25 years I drove not less than 35,000 to 45,000 miles a year. I must say that many things occur to me.

I undestand, first of all, that if the air bags are installed, out will go the regulations for belts. Mr. President, you cannot keep people from not fastening their belts, but it only takes one accident involving a family or a close friend to convince a person that a belt is a good thing to fasten.

Mr. President, if you have small children in the car and you put on the brakes suddenly, you are going to end up with a bunch of teeth spread all over the front seat of the car and there is no way to avoid that. It has happened to thousands of people. There have been bumped heads, blackened eyes, as the result of this situation. The installation of air bags would not remedy that situation. Secondly, I would be absolutely fearful of climbing into a car that had such a bag in it.

In my judgment, there is no possible means, on a mass production basis, by which the operation can be made so sure that, as one goes down the highway, this air bag will not pop. There is no way, either, of predicting what the driver's reaction is going to be if such a thing occurred. I can foresee them popping all over our streets as we go up and down and touch fenders and bump other parts of a car, and so forth. I think we will see that.

But the thing I am absolutely fearful of is that we have fallen into some kind of mass hysteria about the efficacy of the air bag. I would rather trust my life, any day, anywhere, to a seatbelt. In talking to Senators on the floor—I have this morning spoken casually to many Senators about this matter—I find their reaction to be the same—that they would rather trust a seatbelt. I have not yet come in contact with one Senator, with whom I have spoken privately, who is not extremely fearful of the air bag situation.

I do hope that before we get frozen into this monstrous program, which is going to be very expensive, that not only the Department of Transportation but also the Commerce Committee will reinvestigate this matter and go into it.

There are 55,000 people killed each year in highway accidents. A lot of this is caused by drunks. Air bags will not take care of the drunks. But there is no need to add to the present total of 55,000 people by accidents any fatalities which result from a sudden explosion of air in a bag and being locked up and blinded, as far as the road is concerned, being shocked, even though temporarily, lasting just a second.

I simply believe, and I want to express on the floor of the Senate, that this is potentially one of the most dangerous steps that we have contemplated taking in the name of safety. We must seek more knowledge on this subject.

I appreciate the Senators' yielding me this time. I wanted to put myself on record now as to how I feel about this matter, because I feel we may be making a horrible mistake.

I thank both Senators from Michigan for yielding.

Mr. GRIFFIN. I thank the Senator.

Mr. President, the colloquy between the Senator from Colorado and the Senator from Michigan has pointed to a technical matter which I would like to clarify for the RECORD at this time.

Section 102 in title 1 contains certain definitions, and it states that for the purpose of this title, the definitions are then provided, so that the definitions in section 102, title 1, are applicable only to that title, and not to the other titles in the bill, except the definition of "passenger motor vehicle," which is incorporated, by reference, in title 2.

I would like to make it clear just for the record that in the event my amendment to strike title 1 should prevail, I would then have a technical amendment to title 2 to incorporate that same definition with respect to passenger motor vehicle.

Mr. MAGNUSON. Mr. President, I shall be very brief.

I, first of all, want to acknowledge the very generous remarks by the Senator from New Hampshire about the committee. I modestly accept the statement, on behalf of the Commerce Committee, that we have passed a great number of consumer bills.

I always find, that when considering consumer bills—and they run the gauntlet from truth in packaging to auto safety bills—we in the committee try to be as practical as possible. There is a sensitive line between what we think should be done, and what can be done. We must consider what the effect on industry will be, what the effect on consumers will be, and the costs to each in order to arrive at a formula that will be a practical one, without going to any extremes one way or another. The result has been that we have put on the statute books scores of consumer bills. This is another important one.

There is some argument about the practicality of some of the sections of the bill. But, Mr. President, we have to make a beginning. When 50,000 persons are killed on the highways every year and one quarter of a million persons are maimed for life or cannot adjust themselves back into society and when $5.5 billion of property damage occurs each year, we know we have to make some beginning.

We made a beginning in auto safety in the original automobile safety bill. I think the results have been good even though there were some arguments about the practicalities when we debated that bill.

As I understand the junior Senator from Michigan (Mr. GRIFFIN) in arguing for his amendment, he thinks that title I of S. 976 would impose another layer of costly regulation on the automobile industry. Anything that is done to advance automobile safety or to advance consumer protection is going to be costly to somebody. It is bound to be. But we have to weigh and balance what is best for all.

It may be that there will be some cost to the automobile industry. I doubt it very much.

I want to just respond briefly to the argument that a costly layer of regulation will be imposed. Section 103(b)(1) expressly states that no property loss reduction standards will be set unless there is a reasonable relationship between the cost imposed upon the public for meeting such standards and the benefits resulting to the public when such standards are met. In other words, the legislation itself guarantees that the regulations will not be costly. The bill specifically provides that only regulations saving consumers money can be required.

The Department of Transportation and the automobile insurance industry—and these are accurate estimates—estimate that the 5-mile-per-hour/no-damage standard could, for instance, save consumers approximately $1 billion per year by preventing damage to cars in-

volved in low-impact collisions. Yearly property damage losses amount to $5.5 billion. Property loss reduction standards could do much to reduce such needless loss.

That is the objective of the bill.

There will always be someone who objects to certain provisions. A bill cannot be drawn which is satisfactory to everybody. But I maintain that this is a good goal, a step in the right direction, which I am certain is the desire of the American automobile manufacturers, as well as the American public. All want safer automobiles to prevent needless slaughter on the highways and autos less susceptible to damage to prevent needless cost to the American public.

This is the purpose of the bill. You cannot write a bill of this length without having some sections where someone might make even a fairly plausible argument as to the practicability of doing it. But I do not think this is going to bother anyone. I think we are going to get information, and a lot of information, that we need for safer cars.

There are many other parts of the bill that are very good. No one objects to those. Inspection and certification is always a practical problem in States. In my own State, we have a law that provides that the automobiles must be inspected. Some States do, and some do not. In my State we have a sort of "in-between" situation: the legislature never provided any money to do the job, although the inspection law exists.

Although this bill may involve some difficulty, we have to make a move in the right direction. I think that is what this bill does.

I would not say that anyone who decided not to vote for this bill was voting against automobile safety. That is not true at all. He is probably voting that way because he may think there are some provisions that place an undue burden on the automobile industry. I do not think there are. I think they will accept it, as they have accepted other automobile bills.

This is, after all, similar to the auto safety debate. I remember when we first introduced the basic auto safety bill. We heard the same arguments then, but now we are all living with it, and I think we have had some good results.

Now that the Senator from New Hampshire (Mr. COTTON) has returned, I want to thank him for his comments about the fine work we are all doing for the consumer in the Committee on Commerce. I say to the Senator that this measure represents another notch toward giving the American consumer not only utility but safety in the things manufactured for his use.

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

Mr. MAGNUSON. I yield.

Mr. COTTON. I say to the Senator from Washington, I meant every word of it. But, I think he already has enough notches in the handle of his pistol.

Mr. MAGNUSON. Well, there is always something to be done in that committee. But there comes a time to do it.

I agree with my friend from New Hampshire; we have a lot of good cussumer bills on the books that we have to take a look at to see how they are being enforced and administered, and whether the intent of the law and the intent of Congress is being fulfilled.

I think this is one bill that everyone will live with, and we will be making a great step forward in the whole realm of automotive safety. I hope some day I can say there are not 50,000 people killed and a quarter of a million maimed each year on our highways or $5.5 billion in property loss each year.

I think this is an opportune moment to observe, Mr. President, that one thing that bothers every American home—and which is related to this measure—is automobile insurance; and I might say that one more notch we hope to put in the handle is no-fault insurance. We are working on that.

The PRESIDING OFFICER. Who yields time?

Mr. HART. Mr. President, I yield the Senator from Utah such time as he may require.

Mr. MOSS. Just 2 or 3 minutes.

Mr. President, I reiterate what the Chairman has said about the concern we all have with increasing costs. Certainly none of us want to appreciably increase the cost of automobiles; and, in fact, the objective of this bill is to try to bring down the costs of automobile damage and repair, as well as to increase the safety factor to be provided for the occupants.

I just wanted to cite a couple of figures that bring this into perspective. Of course, our automobile industry is so large that costs spread out over all of the portions of the industry necessarily amount to a lot of money, and therefore, we have to bring things into relationship.

I would point out, for those who fear that title I is going to be too costly, that each year the automobile makers change models, and they spend considerable sums of money simply on style changes. During the years 1965 through 1969, the big four manufacturers spent $6.907 billion amortizing special tools and equipment associated with these annual model changes. In 1969 that cost was $1.5 billion.

So the question that occurs to me is: Why, in lieu of extensive style changes, could not some of that money be spent in making our vehicles less fragile and more compatible with the environment? If that were done, if that money could be directed to making a safer, more durable automobile, and one that would not offend our environment, then indeed we could be saving money as well as lives, rather than have it expended in what is simply a competition for style change, seeking additional markets. I think one of the things we could expect to be promoted by this bill, and especially from title I, is quality competition as opposed to "style" competition.

Mr. HART. Mr. President, I appreciate the comments made by both the Senator from Utah and the Senator from Washington, the chairman of the committee.

Mr. President, I hope very much that the amendment offered by my colleague from Michigan will not be agreed to. In sum, I think that this title offers perhaps the greatest hope of dollars and cents benefits to the consumer of any feature of the bill. I disagree, of course, that it will produce only black model T's. I disagree that Government inspectors will be designing the cars. I disagree that any requirement can be imposed which does not have a cost-benefit ratio in favor of the consumer.

In short, I think that the title represents a prudent recommendation from the committee, which can achieve very substantial dollar savings for the American automobile purchaser, and, if that is true, in the long run very real benefits to the automobile manufacturer.

There are safety aspects, but I submit that the emphasis of this bill is on economics and saving money. When you realize the billions of dollars that are involved in the repair of the American car, a significant reduction in such repair could save us as much money as we sometimes spend around here on new weapons systems.

This is money that we can deliver to the American consumer, and I hope we shall, by rejecting the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. HART. Mr. President, I am ready to yield back the remainder of my time.

Mr. COTTON. I yield back the remainder of the time on this side.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COTTON. Is the question before the Senate on agreeing to the amendment of the junior Senator from Michigan?

The PRESIDING OFFICER. The Senator is correct.

All remaining time has been yielded back. The question is on agreeing to the amendment of the Senator from Michigan (Mr. GRIFFIN). 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 Arkansas (Mr. FULBRIGHT), the Senator from Indiana (Mr. HARTKE), the Senator from Hawaii (Mr. INOUYE), the Senator from North Carolina (Mr. JORDAN), and the Senator from West Virginia (Mr. RANDOLPH) are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia (Mr. RANDOLPH) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Ohio (Mr. TAFT) is necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The result was announced—yeas 29, nays 64, as follows:

[No. 291 Leg.]

YEAS—29

Aiken	Curtis	Packwood
Allott	Dominick	Saxbe
Baker	Fannin	Scott
Beall	Goldwater	Smith
Bennett	Griffin	Stafford
Brock	Gurney	Thurmond
Buckley	Hansen	Tower
Byrd, Va.	Hruska	Weicker
Cook	Jordan, Idaho	Young
Cotton	Miller	

NAYS—64

Allen	Brooke	Cooper
Anderson	Burdick	Cranston
Bayh	Byrd, W. Va.	Dole
Bellmon	Cannon	Eagleton
Bentsen	Case	Eastland
Bible	Chiles	Ellender
Boggs	Church	Ervin

Fong	Mathias	Proxmire
Gambrell	McClellan	Ribicoff
Gravel	McGee	Roth
Harris	McGovern	Schweiker
Hart	McIntyre	Sparkman
Hatfield	Metcalf	Spong
Hollings	Mondale	Stennis
Hughes	Montoya	Stevens
Humphrey	Moss	Stevenson
Jackson	Muskie	Symington
Javits	Nelson	Talmadge
Kennedy	Pastore	Tunney
Long	Pearson	Williams
Magnuson	Pell	
Mansfield	Percy	

NOT VOTING—7

Fulbright	Jordan, N.C.	Taft
Hartke	Mundt	
Inouye	Randolph	

So Mr. GRIFFIN's amendment was rejected.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MAGNUSON. Mr. President, the Senator from New Hampshire wishes to speak for a moment or two and I think that we will then be prepared to yield back the remainder of our time and have a vote on final passage.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. COTTON. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 1 minute.

Mr. COTTON. Mr. President, I want first to congratulate again the chairman and the members of the Commerce Committee who worked so hard and did a good job on the bill. I did so during the debate on the amendment, but very few Senators were present at that time.

I trust that the bill will work effectively. However, with all due respect to my honored associates on the committee, in view of the failure of the Griffin amendment, which I think was vitally necessary to safeguard the bill, I will be compelled to vote against the bill.

I am not suggesting that anyone else do so. However, I want to explain my position on this bill. S. 976.

Mr. HART. Mr. President, I send to the desk several technical amendments. I ask unanimous consent that the reading of the amendments be dispensed with, and that they be considered and agreed to en bloc.

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

The amendments, agreed to en bloc, are as follows:

Page 21, line 13 strike "which is" and insert in lieu thereof "in which it is".

Page 22, line 17 strike "established" and insert in lieu thereof "establish".

Page 24, lines 6 and 7 strike "paragraph (1) of this subsection," and insert in lieu thereof "subsection (a) of this section,".

Page 26, line 4 strike "Compliance Certification" and insert in lieu thereof "Inspection and Certification".

Page 27, line 13 insert "such" immediately after "on" and insert "issued" immediately after "regulations".

Page 29 line 21 strike "or insurer".

Page 29 line 25 strike "or insurer".

Page 30 line 23 strike "health," and insert in lieu thereof "health and".

Page 31 line 19 strike "this fiscal year" and insert in lieu thereof "the fiscal year in which it is enacted".

Page 38 line 19 insert "subsections (a) and (b) of" immediately after "to".

Page 38 line 21 strike "(e)" and insert in lieu thereof "(f)".

Page 39 line 5 strike "(f)" and insert in lieu thereof "(e)" and reorder the paragraphs accordingly.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 976) was ordered to be engrossed for a third reading and was read the third time.

Mr. MOSS. Mr. President, permit me to address myself to the other important provisions of this bill dealing with auto repairs.

During the Senate Antitrust and Monopoly Subcommittee investigation and the warranty hearings—which were the foundation for this bill before us today—we received more than 8,000 letters of despair from auto owners.

By one formula, that number equates to more than 8 million unhappy car owners. TV people say—response from a national exposure equals 1,000 points of view. Frankly, after having been cornered by so many consumers to listen to their tales of woe each time this subject comes up, I suspect the number is much higher. The truth is, I have never met a person who has owned a car who has not had some unhappy experience in trying to keep it running or getting it repaired when it would not.

The system of auto diagnostic centers which would grow out of the pilot projects provided in title III would help prevent auto repair problems in three ways:

One. Cars—new and used—would be inspected before the new owner took possession. Currently 32 million Americans yearly buy cars for which they have no way of gaging the condition. Kicking the tires and slamming the doors does not do much to tell a consumer if a car is safe for the road. And this is as realistic a question to ask for the 10 million new cars sold yearly as for the 22 million used ones.

A study presented to the Antitrust Subcommittee by the Automobile Club of Missouri indicated that 43 percent of new vehicles driven less than 500 miles had safety-related defects. For cars 5 years old the defect rate increased to 92 percent.

To be considered "serious" in that study, a defect must either reduce visibility, prevent warning of the driver's intentions, markedly reduce control over the vehicle or increase the risk of fire or carbon monoxide.

Pilot project diagnostic centers provided for by 1975 in this bill would relieve that concern for consumers in the five to 10 areas they operate. And, hopefully, these projects would point the best way to give the same assurance to consumers nationwide.

Second. Additional accidents would be prevented by the periodic motor vehicle inspections of autos which would be required in all pilot areas.

Third. The diagnostic centers would prevent accidents under the requirement that any repair work involving safety-related devices on a car must be checked out by the centers. This would assure that no incompetence or flimflamming on the part of the garage doing the work had put an unsafe car back on the road.

These three steps toward prevention of accidents obviously would save consumers not only dollars—in insurance premiums and deductibles—but would greatly relieve the frustration involved in having a car laid up.

Mr. President, a great deal of work, time, and thought has gone into bringing this bill before the Senate today. The problems it seeks to cure are complex and important. But I feel that the Commerce Committee—and particularly its chairman—is to be commended for producing a bill that will live up to its advanced publicity.

I urge its enactment.

Mr. President, I commend the chairman of the committee and the author of the bill, the Senator from Michigan (Mr. HART), for the great work they have done in this matter.

Mr. RIBICOFF. Mr. President, I am a cosponsor of S. 976, the Motor Vehicle Information and Cost Savings Act. I urge the Senate to pass this very important piece of legislation today.

The bill is designed to achieve four important and related objectives: First, the production of motor vehicles which are more resistant to damage and less expensive to repair; second, the encouragement of competition among manufacturers to produce motor vehicles which are safer, more resistant to damage, and easier to repair; third, the establishment of motor vehicle diagnostic inspection projects; and fourth, the creation of a national policy against fraudulent tampering with motor vehicle odometers.

I would like to focus on one of these objectives—the establishment of motor vehicle diagnostic inspection projects. Last spring I offered an amendment to S. 976 to include an emission inspection as part of the diagnostic safety inspection which the bill would have required for all motor vehicles.

However, the committee believed that additional information on how such a program would operate was needed. Accordingly, the bill directs the Secretary of Transportation to establish State diagnostic safety and emission inspection demonstration projects between 1973 and 1975.

I believe that the committee has adopted a responsible approach by approving this demonstration program. I hope that it will use the experience and data obtained from these demonstration projects to recommend appropriate new legislation in this area.

The bill will help the Congress to develop a sound national policy for effective safety and inspection for motor vehicles. The long-term goal is safer automobiles, reduced maintenance and repair costs to the owners, and cleaner air for us all.

The bill is also a significant step toward the achievement of meaningful consumer protection, information, choice, health, and safety in the marketplace.

I want to pay tribute to the energetic efforts of the Committee on Commerce, Senator MAGNUSON, its extremely able

chairman, and Senator HART, chairman of the Subcommittee on Antitrust and Monopoly, for reporting this legislation.

I hope the Senate will give its approval to this reasonable, comprehensive, and farsighted bill.

Mr. MAGNUSON. Mr. President, I yield back the remainder of my time.

Mr. COTTON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time, having expired, the question is, Shall the bill pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Indiana (Mr. HARTKE), the Senator from Hawaii (Mr. INOUYE), the Senator from North Carolina (Mr. JORDAN), and the Senator from West Virginia (Mr. RANDOLPH), are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia (Mr. RANDOLPH) woud vote "yea."

Mr. GRIFFIN. I announce that the Senator from Ohio (Mr. TAFT) is necessarily absent, and, if present and voting, would vote "yea."

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The result was announced—yeas 89, nays 4, as follows:

[No. 292 Leg.]

YEAS—89

Aiken	Fannin	Moss
Allen	Fong	Muskie
Allott	Gambrell	Nelson
Anderson	Goldwater	Packwood
Baker	Gravel	Pastore
Bayh	Gurney	Pearson
Beall	Hansen	Pell
Bellmon	Harris	Percy
Bennett	Hart	Proxmire
Bentsen	Hatfield	Ribicoff
Bible	Hollings	Roth
Boggs	Hruska	Saxbe
Brock	Hughes	Schweiker
Brooke	Humphrey	Scott
Burdick	Jackson	Smith
Byrd, Va.	Javits	Sparkman
Byrd, W. Va.	Jordan, Idaho	Spong
Cannon	Kennedy	Stafford
Case	Long	Stennis
Chiles	Magnuson	Stevens
Church	Mansfield	Stevenson
Cook	Mathias	Symington
Cooper	McClellan	Talmadge
Cranston	McGee	Thurmond
Curtis	McGovern	Tower
Dole	McIntyre	Tunney
Eagleton	Metcalf	Weicker
Eastland	Miller	Williams
Ellender	Mondale	Young
Ervin	Montoya	

NAYS—4

Buckley	Dominick	Griffin
Cotton		

NOT VOTING—7

Fulbright	Jordan, N.C.	Taft
Hartke	Mundt	
Inouye	Randolph	

So the bill (S. 976) was passed, as follows:

S. 976

An act 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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Motor Vehicle Information and Cost Savings Act".

TITLE I—PROPERTY LOSS REDUCTION

FINDINGS AND PURPOSE

SEC. 101. (a) The Congress finds that it is necessary to reduce the economic loss resulting from damage to motor vehicles involved in motor vehicle accidents.

(b) It is the purpose of this title to reduce the extent of such economic losses by providing for the promulgation and enforcement of property loss reduction standards.

DEFINITIONS

SEC. 102. For the purpose of this title—

(1) "passenger motor vehicle" means any motor vehicle manufactured primarily for the transportation of its operator and passengers on the public streets, roads, and highways, and includes passenger motor vehicle equipment;

(2) "property loss reduction" means the reduction of loss suffered by the public as a result of damage to passenger motor vehicles involved in motor vehicle accidents;

(3) "property loss reduction standard" means a minimum performance standard established under this title for the purpose of increasing the resistance of passenger motor vehicles to damage resulting from motor vehicle accidents or for the purpose of reducing the cost of repairing such vehicles damaged as a result of such accidents;

(4) "make" when used in describing a passenger motor vehicle means the trade name of the manufacturer of that vehicle;

(5) "manufacturer" means any person engaged in the manufacturing or assembling of motor vehicles or motor vehicle equipment, including any person importing motor vehicles or motor vehicle equipment for resale;

(6) "model" when used in describing a passenger motor vehicle means the size, style, and type of any make of motor vehicle;

(7) "motor vehicle accident" means an accident arising out of the operation, maintenance, or use of a motor vehicle; and

(8) "Secretary" means the Secretary of Transportation.

SETTING OF STANDARDS

SEC. 103. (a) The Secretary shall promulgate property loss reduction standards for passenger motor vehicles manufactured in the United States or imported into the United States for sale, resale, or introduction into intertsate commerce, except passenger motor vehicles intended solely for export and so labeled or tagged on the vehicle itself and on the outside of the container, if any, in which it is exported.

(b) Such standards shall—

(1) require levels of property loss reduction performance which can be attained at costs which are reasonable when compared with benefits attainable with the implementation of such standard, including but not limited to anticipated insurance cost reductions, savings realized because deductible payments on collision coverage would be reduced, and savings in terms of consumer time and inconvenience; and

(2) not conflict with motor vehicle safety standards promulgated under title I of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1390 et seq.)

(c) In promulgating any standard the Secretary may, for good cause shown, exempt any make, model, or class of passenger motor vehicle manufactured for a special use, including occasional off-road operation, if such standard would unreasonably interfere with the special use of such passenger motor vehicle.

(d) The Secretary shall establish the effective date of any property loss reduction standard when finally promulgating the standard, and such standard shall apply only to passenger motor vehicles manufactured on or after such effective date. Such effective date shall not be later than eighteen months after final promulgation of the standard unless the Secretary presents to Congress and publishes a detailed explanation of the reasons for such later effective date. In no event shall the Secretary establish an effective date sooner than July 1, 1973.

(e)(1) All rules establishing, amending, or revoking a property loss reduction standard under this title shall be issued pursuant to section 553 of title 5 of the United States Code.

(2) The Secretary may conduct a hearing in accordance with such conditions or limitations as he may make applicable thereto, for the purpose of resolving any issue of fact material to the establishing, amending, or revoking of a property loss reduction standard.

JUDICIAL REVIEW

SEC. 104. (a) Any person who may be adversely affected by any standard established under section 103 of this title when it is effective may at any time prior to sixty days after such order is issued file a petition with the United States Court of Appeals for the District of Columbia, or any circuit wherein such person resides or has his principal place of business, for judicial review of such standard. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or his delegate. The Secretary thereupon shall file in the court the record of the proceedings on which the Secretary based his order, as provided in section 2112 of title 28, United States Code.

(b) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Secretary, and to be adduced upon the hearing, in such manner and upon such terms and conditions as to the court may seem proper. The Secretary may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings, and his recommendation, if any, for the modification or setting aside of his original standard, with the return of such additional evidence.

(c) Upon the filing of the petition referred to in subsection (a) of this section, the court shall have jurisdiction to review the standard in accordance with chapter 7 of title 5, United States Code, and to grant appropriate relief as provided in such chapter.

(d) The judgment of the court affirming or setting aside, in whole or in part, any such standard of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(e) Any action instituted under this subsection shall survive, notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office.

(f) The remedies provided for in this subsection shall be in addition to and not in lieu of any other remedies provided by law.

POWERS OF SECRETARY

SEC. 105. (a) The Secretary may conduct informational hearings anywhere in the United States or otherwise secure data and expressions of opinions pertinent to his duties under this title. He shall publish notice of any proposed hearing in the Federal Register and shall afford a reasonable opportunity for interested persons to present rele-

vant views and data. In connection therewith the Secretary is authorized—

(1) to require, by special or general orders, corporations, firms, and individuals engaged in the manufacture, insurance, aftermarket modification, or repair of passenger motor vehicles or passenger motor vehicle equipment to submit in writing such reports and answers to such questions relating to property loss reduction technology, costs, and feasibility, and relating to motor vehicle physical damage insurance premium costs and claims data as the Secretary may require and make such information publicly available in accordance with section 109 of this title;

(2) to administer oaths;

(3) to pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

(b) The Secretary is authorized to request from any department, agency, or independent instrumentality of the Government any information he deems necessary to carry out his functions under this title and each such department, agency, or independent instrumentality is authorized to cooperate with the Secretary and, to the extent permitted by law, to furnish such information to him upon request.

(c) The Secretary shall conduct such research as is necessary for him to carry out his functions under this title.

INSPECTION AND CERTIFICATION

SEC. 106. (a) Every manufacturer of passenger motor vehicles shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this title and property loss reduction standards prescribed pursuant to this title and shall, upon request of an officer or employee duly designated by the Secretary, permit such officer or employee to inspect appropriate books, papers, records, and documents relevant to determining whether such manufacturer has acted or is acting in compliance with this title and passenger motor vehicle property loss reduction standards prescribed pursuant to this title.

(b) For purposes of enforcement of this title, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (1) to enter, at reasonable time, any factory, warehouse, or establishment in which passenger motor vehicles are manufactured, or held for introduction into interstate commerce or are held for sale after such introduction; and (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, or establishment. Each such inspection shall be commenced and completed with reasonable promptness.

(c) Every manufacturer or distributor of a passenger motor vehicle shall furnish to the distributor or dealer at the time of delivery of such vehicle or equipment by such manufacturer or distributor the certification that each such vehicle conforms to all applicable property loss reduction standards.

(d)(1) The Secretary may obtain from any manufacturer at no cost a reasonable number of production passenger motor vehicles for the purpose of conducting compliance tests on such vehicles in accordance with regulations issued pursuant to section 553 of title 5 of the United States Code.

(2) Upon completion of such compliance testing, the Secretary shall return the passenger motor vehicle to the manufacturer from whom he obtained it, and such manufacturer, in any subsequent sale or lease of such vehicle, shall disclose that it has been subjected to compliance testing and shall indicate the extent of damage, if any, prior to repair.

ENFORCEMENT AND PENALTIES

SEC. 107.(a) The district courts of the United States shall have jurisdiction to restrain violations of this title in an action by the Attorney General or by the Secretary by any of its attorneys designated by him for such purpose. Upon a proper showing, and after notice to the defendant, a temporary restraining order or preliminary injunction may be granted without bond under the same conditions and principles as injunctive relief against conduct or threatened conduct that will cause loss or damage granted it by courts of equity: *Provided, however,* That if a complaint is not filed within such period as may be specified by the court after the issuance of the restraining order or preliminary injunction, the order or injunction may, upon motion, be dissolved. Whenever it appears to the court that the ends of justice require that other persons should be parties in the action, the court may cause them to be summoned whether or not they reside in the district in which the court is held, and to the end process may be served in any district.

(b) Any person who knowingly manufactures and distributes for sale a passenger motor vehicle which violates a property loss reduction standard applicable to that vehicle may be imprisoned for not more than one year or fined not more than $5,000, or both.

(c) Any person who manufactures and distributes for sale a passenger motor vehicle which violates any such standard may be assessed a civil penalty of not to exceed $1,000 for each violation. Any such penalty shall be paid to the Secretary and may be recovered in a civil action in the name of the United States by the Attorney General or the Secretary, acting through any of his attorneys designated by him for that purpose, in the United States district court for the district where that person has its principal office.

(d) Any person who violates the regulations of the Secretary relating to certification may be assessed a civil penalty of not to exceed $1,000 for each such violation. Any such penalty shall be paid to the Secretary and may be recovered in a civil action in the name of the United States by the Attorney General or the Secretary, acting through any of his attorneys designated by him for that purpose, in the United States district court for the district where that person has its principal office.

CIVIL ACTION

SEC. 108. (a) Any owner of a passenger motor vehicle who sustains any economic loss as a result of a motor vehicle accident because of such vehicle's noncompliance with any applicable property loss reduction standard may bring a civil action against the manufacturer of that vehicle in the United States District Court for the District of Columbia, or in the district court in which that owner resides, to recover the amount of that loss, and in the case of any such successful action to recover that amount, costs and attorneys' fees (based upon actual time expended) shall be awarded to that owner.

(b) Any such action shall be brought within three years of the date of the loss.

PUBLIC ACCESS TO INFORMATION

SEC. 109. (a) Copies of any communications, documents, reports, or other information sent or received by the Secretary in connection with his duties under this title shall be made available to any member of the public, upon request, at cost.

(b) In carrying out the provisions of this section, the Secretary shall not disclose any information which contains or might reveal a trade secret referred to in section 1905 of title 18 of the United States Code, and is otherwise unavailable to the public, except that such information may be disclosed:

(1) to other governmental officials if necessary to carry out the purposes of this Act;

(2) to duly authorized committees of Congress;

(3) in any judicial proceedings if ordered by a court;

(4) if relevant in any proceedings under this Act;

(5) to other officers and officials concerned with carrying out this Act; and

(6) to the public if necessary to protect their health and safety.

EFFECT ON STATE LAWS

SEC. 110. (a) No State or political subdivision thereof shall have any authority to establish or continue in effect with respect to any passenger motor vehicle offered for sale to the public any property loss reduction standard which is not identical to a Federal property loss reduction standard.

(b) The Secretary may, after notice and opportunity for public hearing, upon application of any State prescribe standards limited to such State, which are more stringent than the nationally applicable Federal standards prescribed pursuant to section 103, if he finds that such State requires such standards to meet conditions peculiar to that State. The standards prescribed hereunder shall be regarded as if prescribed pursuant to section 103, with respect to new passenger motor vehicles manufactured for sale, sold or offered for such sale in, or introduced or delivered for introduction into such State.

AUTHORIZATION

SEC. 111. There is authorized to be appropriated to carry out this title for the fiscal years in which it is enacted $5,000,000 and for the following two fiscal years $10,000,000 each year.

REPORTS

SEC. 112. The Secretary shall report to the Congress and to the President not later than March 31 of each year on the progress in carrying out the purposes of this title. Each such report shall contain a statement of the cost savings that have resulted from the administration of this title, and include such recommendations for further legislative or other action as the Secretary determines may be appropriate.

TITLE II—AUTOMOBILE CONSUMER INFORMATION STUDY

SEC. 201. (a) The Secretary of Transportation (hereafter in this title referred to as the "Secretary") is authorized and directed to conduct a comprehensive study and investigation of the methods for determining the following characteristics of passenger motor vehicles (as defined in section 102(1) of this Act):

(1) the susceptibility of such vehicles to damage as a result of motor vehicle accidents;

(2) the degree of occupant protection provided by such vehicles in any motor vehicle accident; and

(3) the characteristics of such vehicles with respect to the ease of diagnosis and repair of mechanical and electrical systems which fail during use or which are damaged in motor vehicle accidents.

(b) After reviewing the methods for determining the characteristics enumerated in subsection (a), the Secretary shall make specific recommendations for the further development of existing methods or for the development of new methods.

(c) The Secretary shall also recommend specific ways in which existing information and information to be developed relating to the characteristics of passenger motor ve-

hicles or information relating to vehicle operating costs dependent upon those characteristics can be communicated to consumers so as to be of benefit in their passenger motor vehicle purchasing decisions, including information obtained pursuant to section 205 of this title.

(d) The Secretary shall submit to the President and to the Congress interim reports from time to time and a final report not later than twenty-four months after enactment of this Act. Such final report shall contain a detailed statement of findings, conclusions, and recommendations of the Secretary, and may propose such legislation or other action as the Secretary considers necessary to carry out his recommendations.

ADMINISTRATIVE POWERS

SEC. 202. In order to carry out his functions under this title the Secretary is authorized to—

(1) appoint and fix the compensation of such employees as he deems necessary without regard to the provisions of title 5, United States Code, governing appointment in the competitive service and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, but at rates for individuals not to exceed $100 per diem;

(3) enter into contracts with corporations, business firms, institutions, and individuals for the conduct of research and surveys and the preparation of reports; and

(4) appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive services, such advisory committees, representative of the divergent interests involved, as he deems appropriate for the purpose of consultation with and advice to the Secretary.

Members of advisory committees appointed under paragraph (4) of this section, other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Secretary, may be compensated at rates to be fixed by the Secretary but not exceeding $100 per day, and while away from home or regular place of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently. Members of such advisory committees shall, for the purposes of chapter 11, title 18, United States Code, be deemed to be special Government employees.

COOPERATION OF FEDERAL AGENCIES

SEC. 203. (a) The Secretary is authorized to request from any department, agency, or independent instrumentality of the Government any information he deems necessary to carry out his functions under this joint resolution; and each such department, agency, or independent instrumentality is authorized and directed to cooperate with the Secretary and to furnish such information to the Department of Transportation upon request made by the Secretary.

(b) The head of any Federal department, agency, or independent instrumentality is authorized to detail, on a reimbursable basis, any personnel of such department, agency, or independent instrumentality to assist in carrying out the duties of the Secretary under this joint resolution.

HEARINGS AND PRODUCTION OF DOCUMENTARY EVIDENCE

SEC. 204. (a) For the purpose of carrying out the provisions of this title, the Secretary, or on the authorization of the Secretary, any officer or employee of the Department of Transportation may hold such hearings, take such testimony, sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, papers, correspondence, memorandums, contracts, agreements, or other records as the Secretary, or such officer or employee, deems advisable.

(b) In order to carry out the provisions of this title, the Secretary or his duly authorized agent shall at all reasonable times have access to, and for the purposes of examination the right to copy, any documentary evidence of any corporation, business firm, institution, or individual having materials or information relevant to the study authorized by this joint resolution.

(c) The Secretary is authorized to require, by general or special orders, any corporation, business firm, or individual or any class of such corporation, firms, or individuals to file, in such form as the Secretary may prescribe, reports or answers in writing to specific questions relating to the study authorized by this joint resolution. Such reports and answers shall be made under oath or otherwise and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe.

(d) Any of the district courts of the United States within the jurisdiction of which an inquiry is carried on may, in the case of contumacy or refusal to obey a subpena or order of the Secretary or such officer or employee issued under subsection (a) or subsection (c) of this section, issue an order requiring compliance therewith; and asy failure to obey such order of the court may be punished by such court as a contempt thereof.

(e) Witnesses summoned pursuant to this section shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

(f) Any information which is reported to or otherwise obtained by the Secretary or such officer or employee under this section and which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall not be disclosed except to other officers or employees of the Federal Government for their use in carrying out this title. Nothing in the preceding sentence shall authorize the withholding of information by the Secretary (or any officer or employee under his control) from the duly authorized committees of the Congress.

INSURANCE INFORMATION

SEC. 205. (a) Insurers of passenger cars, or their designated agents, shall, upon request by the Secretary, make such reports and furnish such information as the Secretary may reasonably require to enable him to carry out the purposes of this title.

(b) Such reports and information may include, but not be limited to—

(1) accident claim data relating to the type and extent of physical damage and the cost of remedying the damage according to make, model, and model year of passenger car.

(2) accident claim data relating to the type and extent of personal injury according to make, model, and model year of passenger car.

(c) In determining the reports and information to be furnished pursuant to subsections (a) and (b) of this section, the Secretary shall—

(1) consider the cost of preparing and furnishing such reports and information;

(2) consider the extent to which such reports and information will contribute to carrying out the purposes of this title; and

(3) consult with such State insurance regulatory agencies and other agencies and associations, both public and private, as he deems appropriate.

(d) The Secretary shall, to the extent possible, obtain such reports and information from the insurers of passenger cars on a voluntary basis.

(e) Every insurer of passenger cars, or its designated agent, shall, upon request by the Secretary, furnish him with a description of the extent to which the insurance rates or premiums charged by the insured for passenger cars are affected by the damage susceptibility and crash-worthiness of the various makes and models of passenger cars.

(f) The Secretary shall not, in disseminating any information received pursuant to this section, disclose the name of, or other identifying information about, any person who may be an insured, a claimant, a passenger, or owner, a driver, an injured person, a witness, or otherwise involved in any motor vehicle crash or collision, unless the Secretary has the consent of the persons so named or otherwise identified.

(g) The information required by this section shall be furnished at such times and in such manner as the Secretary shall prescribe by regulation or otherwise.

TERMINATION

SEC. 206. The authority of the Secretary under this title shall terminate ninety days after the submission of his final report as provided for in section 201(d) of this title.

APPROPRIATIONS AUTHORIZED

SEC. 207. There are hereby authorized to be appropriated, without fiscal year limitation, such sums, not to exceed $2,000,000, as may be necessary to carry out the provisions of this title.

TITLE III—DIAGNOSTIC INSPECTION DEMONSTRATION PROJECTS

POWERS AND DUTIES

SEC. 301. (a) The Secretary of Transportation is required to establish motor vehicle diagnostic inspection demonstration projects to be in being not later than December 31, 1973, for completion not later than December 31, 1975.

(b) To carry out the program required by this title, the Secretary shall—

(1) make grants and furnish technical assistance to States; and

(2) consult with the Administrator of the Environmenal Protection Agency.

(c) It is the intent of the Congress that—

(1) not fewer than five nor more than ten projects be undertaken;

(2) that such projects may be performed by either public or private organizations but not for profit from diagnostic inspection services; and

(3) that 50 per centum of such projects ought to provide diagnostic inspection services without providing repair services.

ELIGIBILITY AND CRITERIA

SEC. 302. (a) A State may be eligible for grants or other assistance under this title if the Secretary determines on the basis of an application by such State that such State will undertake a motor vehicle diagnostic inspection demonstration project which meets the requirements of subsection (b) of this section.

(b) (1) A motor vehicle diagnostic inspection demonstration project shall be designed, established, and operated to conduct periodic safety inspections pursuant to criteria established by the Secretary by regulation and emission inspections pursuant to criteria established by the Secretary by regulation in consultation with the Administrator of the Environmental Protection Agency.

(2) Such project shall require an addi-

tional inspection of any motor vehicle subject to the demonstration as determined by the Secretary whenever—

(A) the title to such motor vehicle is transferred to another person unless the transfer is for the purpose of resale; and

(B) such motor vehicle sustains substantial damage to any safety-related or emission-related system or subsystem, as prescribed by the Secretary.

(3) Such inspections shall be conducted so as to provide specific technical diagnoses of each motor vehicle inspected in order to facilitate correction of any component failing inspection.

(4) A demonstration project shall provide for reinspection of vehicles which initially fail to meet the safety and emission standards established for the project after repair.

(5) Each project shall provide to the Secretary information and data relating to the costs and benefits of such projects, including information and data relating to vehicle-in-use standards, vehicle designs which facilitate or hinder inspection and repair, the standardization of diagnostic systems and test equipment, the capability of the motor vehicle repair industry to correct diagnosed deficiencies or malfunctions and the costs of such repairs, the relative costs and benefits of the project, the efficiency of facility designs employed, recommendations as to feasible reject levels which may be employed in any such project, and such other information and data as the Secretary may require.

APPLICATIONS AND ASSISTANCE

SEC. 303. (a) A grant or other assistance under this title may be obtained upon an application by a State at such time, in such manner, and containing such information as the Secretary prescribes.

(b) Upon the approval of any such application, the Secretary may make a grant to the State to pay an amount each year up to 90 per centum of the costs of establishing and operating its project. Any equipment purchased with Federal funds may be retained by a State for its inspection activities following the demonstration project with the approval of the Secretary. Payments under this subsection may be made in advance, in installments, or by way of reimbursement.

AUTHORIZATION

SEC. 304. There is authorized to be appropriated to carry out this title for each fiscal year such sums as the Congress deems necessary not to exceed $50,000,000 per year.

TITLE IV—ODOMETER REQUIREMENTS

SEC. 401. The Congress hereby finds that purchasers, when buying motor vehicles, rely heavily on the odometer reading as an index of the condition and value of such vehicle; that purchasers are entitled to rely on the odometer reading as an accurate reflection of the mileage actually traveled by the vehicle; that an accurate indication of the mileage traveled by a motor vehicle assists the purchaser in determining its safety and reliability; and that motor vehicles move in the current of interstate and foreign commerce or affect such commerce. It is therefore the purpose of this title to prohibit tampering with odometers on motor vehicles and to establish certain safeguards for the protection of purchasers with respect to the sale of motor vehicles having altered or reset odometers.

SEC. 402. As used in this title—

(1) "motor vehicle" means any vehicle driven or drawn by mechanical power for use on the public streets, roads, and highways;

(2) "odometer" means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation;

(3) "repair and replacement" means to restore to a sound working condition by replacing the odometer or any part thereof or by correcting what is inoperative;

(4) "transfer" means to change ownership by purchase, gift, bequest, or any other means.

SEC. 403. It is unlawful for any person to advertise for sale, to sell, to use, or to install or to have installed, any device which causes the odometer to register any mileage other than the true mileage driven. For the purpose of this section the true mileage driven is that mileage driven by the vehicle as registered by the odometer within the manufacturer's designed tolerance.

SEC. 404. It is unlawful for any person or his agent to disconnect, reset, or alter the odometer of any motor vehicle with the intent to reduce the number of miles indicated thereon.

SEC. 405. It is unlawful for any person with the intent to defraud to operate a motor vehicle on any street or highway knowing that the odometer of such vehicle is disconnected or nonfunctional.

SEC. 406. No person shall conspire with any other person to evade the intent and purpose of this title.

SEC. 407. Nothing in this title shall prevent the service, repair, or replacement of an odometer, provided the mileage indicated thereon remains the same as before the service, repair, or replacement. Where the odometer is incapable of registering the same mileage as before said service, repair, or replacement, the odometer shall be adjusted to read zero and a notice in writing shall be attached to the left door frame of the vehicle by the owner or his agent specifying the mileage prior to repair or replacement of the odometer and the date on which it was repaired or replaced. Any removal or alteration of such notice so affixed shall be unlawful.

SEC. 408. It shall be unlawful for any person to transfer ownership of a motor vehicle unless such person—

(1) enters on a form prescribed by the Secretary of Transportation or as prescribed by State law the mileage said motor vehicle has been operated. Said form as completed shall then be attached to the instrument evidencing transfer of ownership; or

(2) enters upon such form "true mileage unknown" in the event that the odometer reading is known to such person to be less than such motor vehicle has actually traveled; or

(3) enter the total cumulative mileage on the form in the event that it is known that the mileage indicated on the odometer is beyond its designated mechanical limits.

It shall be a violation of this title for any person knowingly to give a false statement to a transferee under the provisions of this section.

SEC. 409. Any person who, with intent to defraud, violates any requirement imposed under this title shall be liable in an amount equal to the sum of—

(1) three times the amount of actual damages sustained or $1,500, whichever is the greater; and

(2) in the case of any successful action to enforce the foregoing liability, the costs of action together with a reasonable attorney's fee as determined by the court.

SEC. 410. An action to enforce any liability created under this title may be brought in any appropriate United States district court without regard to the amount in controversy, or in any other court of competent jurisdiction within two years from the date on which the liability arises.

SEC. 411. This title does not annul, alter, affect, or exempt any person subject to the provisions of this title from complying with the laws of any State with respect to the disconnecting, altering, or tampering with odometers with the intent to defraud, except to the extent that those laws are inconsistent with any provision of this title, and then only to the extent of the inconsistency.

SEC. 412. This title shall take effect ninety calendar days following the date of enactment of this Act.

SEC. 413. One year after the date of enactment of this Act, the Secretary shall report to the Congress and to the President on the extent to which the reliability of odometers can be improved, on the technical feasibility of producing odometers which are tamper proof, and on the Secretary's plans and recommendations for future action.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, November 3, 1971, he presented to the President of the United States the enrolled bill (S. 26) to revise the boundaries of the Canyonlands National Park in the State of Utah.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 29) to establish the Capitol Reef National Park in the State of Utah, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. TAYLOR, Mr. UDALL, Mr. SAYLOR, and Mr. LLOYD were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendment to the bill (S. 1116) to require the protection, management, and control of wild free-roaming horses and burros on public lands, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BARING, Mr. JOHNSON of California, Mr. MELCHER, Mr. SAYLOR, and Mr. KYL were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 10367) to provide for the settlement of certain land claims of Alaska Natives, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. HALEY, Mr. EDMONDSON, Mr. UDALL, Mr. MEEDS, Mr. BEGICH, Mr. SAYLOR, Mr. KYL, Mr. STEIGER of Arizona, and Mr. CAMP were appointed managers on the part of the House at the conference.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be an additional period at this time for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 3 minutes.

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

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXTENSION OF FEDERAL WATER POLLUTION CONTROL ACT

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on the Federal Water Pollution Control Act.

The Presiding Officer laid before the Senate a bill (H.R. 11423) to extend the Federal Water Pollution Control Act until January 31, 1972.

The PRESIDING OFFICER. Without objection, the bill will be considered as having been read twice by its title.

Mr. BYRD of West Virginia. Mr. President, I send to the desk an amendment in the nature of a substitute, and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

Strike all after the enacting clause and insert the following:

SEC. 1. The second sentence of section 5(n) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq), is amended to read as follows: "There is authorized to be appropriated not to exceed $14,000,000 for the period ending November 30, 1971, in addition to funds made available under Public Law 92-50."

SEC. 2. The funds authorized to be appropriated in section 6(e) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq) for the fiscal year ending June 30, 1971, shall remain available until November 30, 1971.

SEC. 3. Section 7(a) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq) is amended by striking "and for the four-month period ending October 31, 1971, $4,000,000." and inserting in lieu thereof "and for the five-month period ending November 30, 1971, $5,500,000."

SEC. 4. The second sentence of section 8 (d) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq) is amended by striking $650,000,000 for the four-month period ending October 31, 1971." and inserting in lieu thereof "$800,000,000 for the four-month period ending November 30, 1971."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, before we act on the amendment, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BYRD of West Virginia, Mr. President, in explanation of the action which is being taken with respect to the 1-month extension of the Federal Water Pollution Control Act, I am authorized by the distinguished chairman of the Committee on Public Works, my senior colleague from West Virginia (Mr. RANDOLPH), and the committee, to state as follows:

Authorizations contained in the Federal Water Pollution Control Act, as amended earlier this year, expired on October 31, 1971. Since the House Committee on Public Works has not concluded markup on legislation similar to S. 2770, which would extend these authorizations, final action on a major revision cannot be taken until later in November. However, it is vital that this program not be extended in unamended form longer than absolutely necessary, so that the major revisions of policy and authority contemplated for the water pollution program under S. 2770 and comparable House legislation can take effect as soon as possible. In order to allow time for the Congress to complete action and preserve the continuity of water pollution control programs, this bill would extend expiring authorizations until November 30, 1971.

Funds authorized for research, investigations, training, and information under section 5 of the Federal Water Pollution Control Act would be increased by $7 million for the period of the extension, in addition to funds made available by earlier extensions.

Funds authorized for research and development under section 6 of the Federal Water Pollution Control Act for fiscal year ending June 30, 1971, would remain available until November 30, 1971.

Grants for State water pollution control programs under section 7 would be authorized at $5.5 million for a 5-month period, an increase of $1,500,000 over the earlier extension through October.

Construction grants under section 8 would be authorized at $800 million for the 5-month period ending November 30, 1971, including an additional $150 million for the added month. An extra month should allow ample time for the Congress to complete its task of extending water pollution legislation.

Mr. President, the very distinguished ranking minority member of the committee, the senior Senator from Kentucky (Mr. COOPER) is in the Chamber, and I would ask him if he has any objection to the passage of this measure today, and also to offer any comments in regard thereto that he may wish to state.

Mr. COOPER. I thank the Senator. The Senator from West Virginia has given a very correct description of the purpose of the amendment.

The authority under the Federal Water Pollution Control Act expired on October 31. It is necessary to continue the authority in order to continue the water pollution control program of the Environmental Protection Agency. The House of Representatives proposed a 90-day extension.

After discussion by the members of our committee, and particularly the chairman, the distinguished Senator from West Virginia (Mr. RANDOLPH), the chairman of the subcommittee (Mr. MUSKIE), and the ranking member of the subcommittee (Mr. BOGGS), we all agreed that 30 days was a more appropriate length of time.

We hope that within that 30 days, the bill, S. 2770, which was passed by the Senate yesterday, may be acted upon by the House of Representatives, and that the final bill will be passed by Congress within the next 30 days. If not, then, of course, we will have to ask for additional time. But we thought that by limiting the time, there would be an incentive to proceed to final action on the bill which was passed yesterday by the Senate by a unanimous vote, 86 to 0.

This amendment is supported, as I have stated, by the chairman of the committee, by the chairman of the subcommittee, by the ranking member of the subcommittee, and by me as ranking minority member of the committee.

It was my understanding that the Senator from New York (Mr. JAVITS) had an interest in this extension. We have been informed that he agrees to the amendment. I may say that the problem which concerned him was the question of reimbursement not being affected by this amendment in any way.

The bill the Senate passed yesterday will provide, in more generous terms, prefinancing and reimbursement for those States and communities which have proceeded with the construction of waste treatment facilities.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 11423) was passed.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, how much time remains under the period for the transaction of routine morning business?

The PRESIDING OFFICER. Ten minutes.

Mr. BYRD of West Virginia. I thank the distinguished Presiding Officer.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the period for the transaction of routine morning business—with the usual 3-minute proviso—be extended throughout the remainder of the afternoon.

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

RECESS

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess subject to the call of the Chair, with the understanding that the recess not extend beyond 4:30 p.m. today.

The motion was agreed to; and (at 3:56 p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 3:58 p.m. when called to order by the Presiding Officer (Mr. BROCK).

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair recognize the distinguished Senator from Wyoming (Mr. MCGEE).

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

VISIT TO THE SENATE BY PRIME MINISTER, THE MINISTER OF FOREIGN AFFAIRS, AND THE MINISTER OF FINANCE OF THE REPUBLIC OF GHANA

Mr. MCGEE. Mr. President, I should like to introduce to the Senate some friends of ours who have just arrived in this country; namely, the Prime Minister of Ghana, Mr. Kofi A. Busia; the Minister of Foreign Affairs, Mr. William Eugene Amaoko Ofori-Atta; the Minister of Finance, Mr. Joseph H. Mensah.

With them is the man who is accompanying them around the city, and who knows his way around expertly, the Ambassador from Ghana to the United States, Mr. Ebenezer Moses Debrah, a friend of many Senators.

Let me remind my colleagues that the Government of Ghana, under Dr. Busia, has demonstrated a deep sense of responsibility as it seeks in its own development to acquire the attributes of independence which will make it a viable part of the world. The programs the United States has participated in, in the infrastructure building of Ghana, have been responsibly lived up to by the government there, and it stands as one of the strong points, one of the constructive chapters in American efforts to assist others to help themselves.

Mr. President, it is doubly appropriate that our friends from Ghana be here today in the midst of our ruckus over economic assistance, foreign aid, and all the attendant matters which are besieging us this week. I say that because we have here one of the true success stories of the joint participation of an emerging independent nation in another part of the world and our country in its efforts to assist in that emergence.

So personally, I want to extend a welcome to our guests and to ask unanimous consent that their biographies be made a part of the RECORD of this session of the Senate.

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

GHANA

KOFI A. BUSIA, PRIME MINISTER

Born July 11, 1913, Busia attended missionary schools and taught school briefly before receiving a B.A. from London University. Returned to the Gold Coast in 1942 and became a leading African in the civil service. He acquired a doctorate in sociology at Oxford in 1947 and became head of the Department of Sociology at University College in Ghana.

He demonstrated increasing political interest and in 1951 entered the newly-formed Assembly. He founded the Ghana Congress Party and later became the leader of the United Party, a merger of opposition parties. After independence in March 1957, the Government took actions against the United Party and Busia left Ghana in 1959. Busia remained in exile, opposing Nkrumah, until the latter's overthrow in February, 1966. While in exile, he taught at Leiden University in the Netherlands, universities in England and Mexico, and Northwestern University (1954).

Upon his return to Ghana, Busia assumed informal leadership of his old United Party colleagues, and in 1967 became head of the Center for Civic Education, a government center helping educate citizens in civic rights and duties. In May 1969, he founded the Progress Party and in October 1969 became Prime Minister after the Party surprisingly swept 105 of the 140 National Assembly seats in the late summer elections.

Under his direction, Ghana has maintained an official policy of nonalignment, but has been increasingly friendly to the United States. Busia has emphasized internal development rather than foreign activities in his foreign policy. He visited the United States and met with President Nixon in October 1969. He also attended the White House State Dinner, October 24, 1970.

Dr. Busia is married and has four children, all of whom are in school in Britain. His English is excellent.

WILLIAM EUGENE AMAOKO OFORI-ATTA, MINISTER OF FOREIGN AFFAIRS

"Uncle Willie," as he is known to most Ghanaians, is one of Ghana's senior statesmen, and one of Ghana's most prominent and respected political figures.

Born October 10, 1910, he is the son of Nana Sir Ofori-Atta, one of Ghana's great Paramount Chiefs and the first Gold Coast African to be knighted. A nephew of the late J. B. Danquah, he was one of the founders of the United Gold Coast Convention in 1947. Detained by the colonial government (along with Danquah, Nkrumah, and others), he consistently opposed Nkrumah after Nkrumah broke with the UGCC in the 1950's, and spent considerable time in detention in the 1960's before being freed after the military coup of February 1966. He was one of the most important members of the constitutional commission which drafted the constitution of 1969.

William Ofori-Atta was one of the founders of Prime Minister Busia's United Party, which later became the present ruling Progress Party. He was named Minister of Education in September 1969, after a three-year term as Chairman of Ghana's Cocoa Marketing Board. In February 1971, he was named Minister of Foreign Affairs.

A graduate of Queen's College in 1938 with a degree in Economics, he was called to the bar in 1958 after reading law in England. He is married and a devout Christian who preaches locally on occasion. His English is excellent.

JOSEPH H. MENSAH, MINISTER OF FINANCE

Mr. Mensah was born October 31, 1928 in the western region of Ghana. He is of Ewe tribal origin.

After completing his schooling with a Master of Science degree at the London School of Economics, he entered government service in 1961. He was Executive Secretary of the Ghana National Planning Commission in 1963, and in 1964 was appointed head of the Planning Commission with the rank of Principal Secretary. He then served as assistant to Robert Gardiner, Executive Director of the Economic Commission for Africa. In April 1969 he was appointed Commissioner of Finance by the National Liberation Council of Ghana. In September 1969 he was appointed Minister of Finance and Economic Planning in the new Busia Cabinet. He accompanied Prime Minister Busia to Washington in 1969.

Mr. Mensah is married and has three daughters and one son. He speaks excellent English and three Ghanaian languages.

Mr. Mensah is an economic technician rather than a politician and his outlook and manner reflect this fact. He is the Prime Minister's major economic advisor and as such has been the key figure in determining the basic economic policies of the Busia government.

Mr. MCGEE. Now, Mr. President, I call upon the distinguished ranking minority member of the Committee on Foreign Relations, the Senator from Vermont (Mr. AIKEN), to say a word of welcome to our distinguished visitors.

Mr. AIKEN. Mr. President, in order to show how nonpartisan we are in this country so far as Ghana is concerned, I am delighted to join the distinguished Senator from Wyoming (Mr. MCGEE) in welcoming our friends from Ghana to the Senate Chamber.

I am sorry, in a way, that this is not a busy time with us, but in another way they probably will get a better impression by visiting us now than they would, some days, when we are a little busier.

We have with us not only the distinguished Prime Minister of Ghana but also the friendly Ambassador from Ghana to the United States, the Minister of Foreign Affairs, and the Minister of Finance, who, perhaps, if he could stay long enough, could give us some views as to how to handle our finances a little better than we do——

Mr. MCGEE. Not to mention our foreign affairs.

Mr. AIKEN. Yes; not to mention our foreign affairs.

I am very happy that Ghana is one of the countries which I believe came into the United Nations in the 1950's. Ghana has shown great progress in its development.

We are very happy to welcome our guests to this Chamber today.

Mr. MCGEE. Mr. President, if our friends from Ghana will stand, I ask unanimous consent that the Senate stand in recess for 5 minutes in order that we may greet them.

[Applause, Senators rising.]

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

RECESS

Thereupon, at 4:02 p.m. the Senate took a recess until 4:07 p.m.

During the recess, the distinguished

guests from Ghana were greeted by Members of the Senate.

On expiration of the recess, the Senate reassembled and was called to order by the Presiding Officer (Mr. BROCK).

THE FISCAL STATE OF THE UNITED STATES

Mr. BYRD of Virginia. Mr. President, I want to again call to the attention of the Senate the Government's financial situation.

During the fiscal year which ended this past June, the Government ran a Federal funds deficit of $30 billion. For the current fiscal year the best estimates are that the Federal funds deficit will be $35 billion.

Mr. President, I submit our Government is in a very desperate situation finanically. I do not see how we will control inflation until we are first able to control the smashing Government deficits. Deficit financing is, in my judgment, a major cause of inflation.

I applaud President Nixon's speech of August 15. I think it was necessary that he focus the attention of the Nation on the inflationary spiral. I support his imposition of a 10-percent surcharge on imports. I hope that will be only temporary, however. I have supported the imposition of the wage-price freeze. There again, I would be hopeful that would be temporary.

Mr. President, I submit that we are not going to get inflation under control merely by asking for sacrifices on the part of the private sector and on the part of the individual citizens. If we are going to get inflation under control, the Government itself must put its own financial house in order.

Mr. President, this is not being done. For that reason I have considerable doubts that the inflationary spiral will be reduced any time soon.

ORDER FOR ADJOURNMENT UNTIL 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 12 o'clock meridian tomorrow.

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. 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.

ORDER FOR ADJOURNMENT FROM TOMORROW TO FRIDAY, NOVEMBER 5, 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 10 o'clock Friday morning.

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

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

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

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

ORDER FOR OREGON DUNES NATIONAL RECREATIONAL AREA BILL TO BE LAID BEFORE SENATE TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on tomorrow, at the conclusion of the routine morning business, the Chair lay before the Senate S. 1977, a bill to establish the Oregon Dunes National Recreation Area in the State of Oregon, and for other purposes.

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

ORDER FOR THE RECOGNITION OF SENATOR BYRD OF VIRGINIA AND FOR A PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS ON FRIDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Friday, after the two leaders have been recognized, the Chair recognize the distinguished Senator from Virginia (Mr. BYRD) for not to exceed 15 minutes, following which there be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 3 minutes.

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, which will be the final quorum call of the day.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 12 o'clock noon. After the two leaders have been recognized under the standing order, there will be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 3 minutes.

At the conclusion of the routine morning business, the Senate will proceed to the consideration of S. 1977, a bill to establish the Oregon Dunes National Recreation Area in the State of Oregon, and for other purposes, following which the Senate will proceed to the consideration of—but not necessarily in this order—S. 2781, a bill to amend section 404(g) of the National Housing Act; and H.R. 5060, a bill to amend the Fish and Wildlife Act of 1956, to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft.

ADJOURNMENT

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 12 o'clock meridian tomorrow.

The motion was agreed to; and (at 4 o'clock and 19 minutes p.m.) the Senate adjourned until tomorrow, Thursday, November 4, 1971, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate November 3, 1971:

U.S. CIRCUIT COURT

Alfred T. Goodwin, of Oregon, to be a U.S. circuit judge for the ninth circuit, vice John F. Kilkenny, retired.

ACTION

Nicholas W. Craw, of the District of Columbia, to be an Associate Director of Action; new position.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 3, 1971:

SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

William D. Eberle, of Connecticut, to be Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

DIPLOMATIC AND FOREIGN SERVICE

Fred J. Russell, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

Richard W. Murphy, of Virginia, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Mauritania.

Donald B. Easum, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Upper Volta.

The following-named Foreign Service officers for promotion from class 1 to the class of career minister:

L. Dean Brown, of the District of Columbia.
Nathaniel Davis, of New Jersey.
Hermann F. Eilts, of Pennsylvania.
Joseph A. Greenwald, of Illinois.
Philip C. Habib, of California.
Joseph J. Jova, of Florida.
Sheldon B. Vance, of Minnesota.

The following-named Foreign Service information officers for promotion from class 1 to the class of career minister for information:

Burnett F. Anderson, of New Jersey.
Miss Barbara M. White, of Illinois.