

SUMMARY OF FEDERAL EMPLOYEES
LEGISLATION IN 1971**HON. LEE H. HAMILTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 16, 1971

Mr. HAMILTON. Mr. Speaker, several steps were taken in the first session of the 92d Congress to help Federal workers.

Foremost among them was the approval of a Federal pay raise effective January 1, 1972, over the President's objections. The raise could be as much as 5.5 percent.

The House has also passed a bill, now pending in the Senate, to provide equitable rates of pay for prevailing rate employees and payment of shift differentials on a percentage basis.

The House Post Office and Civil Service Committee has continued to study the operations of the new Postal Service. Actions reviewed included the sale of postal bonds, the awarding of a job evaluation contract, and the so-called gag rule on employee contacts with Congressmen.

The committee is working on several other matters of importance to Federal employees, including measures to:

First. Permit immediate retirement when the sum of years of service and age totals at least 80;

Second. Gradually increase the Government contribution to the cost of employees' health insurance to 75 percent; and

Third. Protect employees from invasions of privacy by Federal officials.

I am hopeful that the Congress will complete action on these measures in 1972.

SUMMARY OF LABOR LEGISLATION
IN 1971**HON. LEE H. HAMILTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 16, 1971

Mr. HAMILTON. Mr. Speaker, the first session of the 92d Congress took several steps to meet its obligation to labor.

Legislation was enacted to:

First, extend presidential authority to stabilize the economy and control inflation. The bill includes a provision assuring retroactive pay in most cases.

Second, provide for emergency unemployment compensation in times of high unemployment.

Third, repeal the 7-percent auto excise tax and reduce personal income tax liabilities.

Fourth, increase the supply of health manpower and medical training facilities.

Final congressional action is expected early next year on the first bill in 46 years to regulate campaign spending for Federal offices.

Several other measures have passed the House and hopefully will be approved by the Senate in 1972, including bills to:

First, reform the entire Federal welfare system and institute national eligibility standards for public assistance.

Second, create an independent Consumer Protection Agency to guard consumer interests in proceedings before Federal agencies.

Third, strengthen the Equal Employment Opportunities Commission.

I am also hopeful that the Congress will complete action in 1972 on measures to establish national health insurance and no-fault auto insurance plans, and increase the minimum wage level.

THE RETIREMENT OF CURTIS A.
CHRISTIANSON**HON. JOHN J. RHODES**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 10, 1971

Mr. RHODES. Mr. Speaker, we will miss Chris Christianson when he retires at the end of this session. He has been a loyal and able fellow worker in the House since 1946, and it will be hard to get along without him. We owe him a tremendous vote of thanks for the service he has given to all of us as one of the best tally clerks ever, and we can say to him in all sincerity "thank you for a job well done." May only the best come to him in the days ahead, and may his retirement bring him only enjoyment and happiness.

SENATE—Friday, December 17, 1971

The Senate met at 9 a.m. and was called to order by the Acting President pro tempore (Mr. METCALF).

PRAYER

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

Rule over this body, O Lord, for the welfare of the Nation, the advancement of Thy kingdom, and the coming of the age of peace.

We pray in the name of Him whose birth we celebrate. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, December 16, 1971, be dispensed with.

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

AUTHORIZATION FOR INSERTIONS
IN THE RECORD FOLLOWING AD-
JOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senators may be permitted to make insertions in the Rec-

ord following the adjournment of Congress until the last edition authorized by the Joint Committee on Printing is published; but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of Congress. I wish to advise that the time for filing information to be included in the RECORD will be up to January 11, 1972.

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

PRINTING OF COMMITTEE
ACTIVITY REPORTS

Mr. MANSFIELD. Mr. President, with reference to the printing of committee activity reports for the first session, I state, on behalf of the chairman of the Joint Committee on Printing, that the joint committee has very properly ruled that the printing of such reports, both as committee prints and in the RECORD, is duplication, the cost of which cannot be justified.

It is requested that committee chairmen decide whether they wish these reports printed as committee prints or in the RECORD, since the Government Printing Office will be directed not to print them both ways.

TRIBUTE TO SENATOR SCOTT

Mr. MANSFIELD. Mr. President, in the Philadelphia Bulletin of December 16, 1971, there is a most interesting and worthwhile commentary written by Mr. Robert Roth entitled "Resurgence of Senator Scott Goes Unnoticed."

As I read the article, I find a great deal of merit in Mr. Roth's commentary but, may I say, Mr. President, so far as the Senate is concerned, the distinguished minority leader has not gone unnoticed. He has made many contributions. He has worn two hats, one as the Senator from Pennsylvania, which is the most important, and the second, as Republican leader of the Senate, which is also important. But anyone who wears those two hats, on either side, has a job which is more difficult than many people comprehend.

Thus, I am happy to say that this article does credit to a man who has done much for his country, for his State, and for the Senate.

I can think of no better man to serve opposite, in the joint leadership of the Senate, than I can the distinguished Senator from Pennsylvania, who has my affection, my respect, and my admiration. His word is his bond and our relation-

ship could not be better I am happy to state publicly.

Mr. President, I ask unanimous consent to have the article printed in the RECORD.

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

ROBERT ROTH: HE SHOULD GET "COMEBACK AWARD"—RESURGENCE OF SENATOR SCOTT GOES UNNOTICED

WASHINGTON.—Inner Washington is much intrigued these days by the rehabilitation of Senate Minority Leader Hugh Scott of Philadelphia. It is not the sort of thing that makes news headlines but those who keep track of things around here are very much aware of it.

Two years ago at this time most of those who pride themselves on knowing what's what wouldn't have bet a plugged nickel on the survival of Senator Scott as a major political figure.

Scott was in the White House dog house. He had offended by voting against confirmation of Judge Clement Haynsworth for the Supreme Court and by pursuing generally a line more liberal than was then acceptable at the other end of Pennsylvania avenue.

WORE TWO HATS

About to enter a tough fight for reelection, he seemed to have fallen between two stools trying to serve both a conservative Administration as spokesman and a liberal constituency as senator, and succeeding in neither.

To cap it all, Senator Robert Dole of Kansas, a knock-'em, sock-'em, down-the-line Agnew-type Republican conservative, was about to be chosen by President Nixon as Republican national chairman, in total disregard of the vigorous protest of Scott.

Everyone knew, or thought he knew, what that meant, Dole would become the White House spokesman in the Senate, carrying the ball which Scott had fumbled. As for Scott, he would have to accept second rank in fact if not in name, or resign his post as minority leader.

He did neither. He did what he had always done when the odds against him were long. He dug in, he fought back. He called up his reserves of political know-how, which included every trick in the book.

ALWAYS A FIGHTER

Those who wrote Scott off overlooked his political history. Scott has never had an easy time of it. He has never had what the politicians call a stable constituency; that is, one in which the political patterns were readily predictable. He had five terms in the House, representing a district which was predominately WASP Republican when he was first elected and which changed during his incumbency into a politically and racially mixed area.

Scott's races for the Senate were all up hill. The first was in 1958, a bad year for Republican candidates. The Democrats gained 15 Senate seats that year, but Scott kept his. His second try was in an even worse—for the GOP—year. That was 1964, the year of the Lyndon Johnson landslide. President Johnson carried Pennsylvania by nearly 1.5 million votes. Scott overcame that handicap and won the state himself by 50,000. Six years later, again bucking a Democratic tide which elected a Democratic governor in his own state, Scott won again.

OUT OF THE SHADOWS

Since then the White House has changed course, embracing new economic and foreign policy doctrine. Scott, easily reelected as minority leader, emerged from the shadows and took the center of the Senate stage. It began to dawn on the more acute observers that he had the White House ear and had become its spokesman in fact as well as name.

The White House began coming out on top

in some of the legislative contests in which formerly it had fared badly. This was particularly noticeable in the case of the Democratic proposal for a tax check-off to finance the campaign expenses of political parties.

Scott put the Democrats on the defensive by denouncing this as a barefaced political grab by the opposition party. He urged the President to announce he would veto the measure if it stayed in the tax bill to which it had been attached.

HIS ADVICE FOLLOWED

Scott's advice was followed, the Democrats were routed and the proposal was killed for all practical purposes.

This was only one example, the latest, of Scott's phoenix-like rise from what were supposed to be his ashes. In the meantime, it has not gone unnoticed that Dole is in obscurity, ignored by the news media and, to all appearances by the White House.

Nor has it gone unnoticed that in recent months the White House has scored a number of spectacular successes on Capitol Hill. No one, least of all Scott, believes or would claim that this is in any way connected with the Scott resurgence. But no one, least of all Scott, would deny that it is an interesting coincidence!

Mr. SCOTT. Mr. President, I express my thanks to the distinguished majority leader. I also express my relief that the photograph which accompanies the article will not appear in the RECORD.

Let me make the point that during this arduous and difficult session, in fact during the entire time I have had the honor to hold an office in my party, the greatest joy possible has come from my association with the distinguished majority leader. We have never had a word of misunderstanding. We have never had a word in writing. Every undertaking or agreement we have ever proposed has been made with what may seem to be casualness to an outsider but is of the kind which persons who are friends and trusted associates and colleagues do summarily make with each other.

It has been an honor and a great privilege to have the opportunity to work with the distinguished majority leader. He and I both do our level best to keep politics to a minimum. Recognizing that it has its due place, both of us know that occasionally we open up the door and let the little dog of politics in, but after a while we shoo him back into his kennel and get on with the much greater business of working together for the good of the Nation.

I want to thank the distinguished majority leader for his kind remarks.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under rule VII, the Chair calls for the presentation of petitions and memorials.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, not to exceed 15 minutes, with statements therein limited to 3 minutes.

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

QUORUM CALL

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

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

CHANGE OF TIME FOR VOTING ON CLOTURE MOTION TODAY

Mr. MANSFIELD. Mr. President, I am about to make an unusual request. I hope that the Chair and the Senate will understand.

I ask unanimous consent that the vote on the cloture motion, if there is to be a vote on the cloture motion, occur beginning at the hour of 2 p.m. rather than 11 a.m. as the Senate previously agreed.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none and it is so ordered.

Mr. HRUSKA. Mr. President, may I ask how widely this request has been known to the membership and whether there is an agreement with—

Mr. MANSFIELD. No. I discussed it with the leadership because I would anticipate, if things work as they may work out, that we would get the foreign aid authorization bill as soon as possible, and if that passes, then the continuing resolution, and immediately thereafter to withdraw the cloture motion.

Mr. GRIFFIN. Mr. President, reserving the right to object—

Mr. MANSFIELD. The request has already been granted.

Mr. GRIFFIN. It might be of interest that the majority leader intends to ask for unanimous consent to vote at 11 a.m. on the conference report, so that those who are coming back who are expecting to vote at 11 a.m. will have the opportunity to vote on the conference report.

Mr. HRUSKA. It is that time in which the Senator from Nebraska was interested, because many of our colleagues have made travel plans for later in the afternoon, and if there is to be a vote at 2 p.m. it may interfere with their plans.

Mr. MANSFIELD. That is true, but I think this is in the best interests of the Senate; also, we have a little leeway here, and we will do our best to get them out; but, also, that will be the decision of the Senate.

Mr. SCOTT. Mr. President, if we vote at 11 a.m., if it works out that way, we want to vote at that time. As I understand it, many of our colleagues have come from long distances and we would not want to disappoint them. We want them to have an opportunity to vote on something.

Mr. MANSFIELD. After consultation with the chief of staff of the Committee on Foreign Relations and, I am sure, with the approval of the distinguished senior Senator from Vermont (Mr. AIKEN), the ranking Republican member of the committee, but subject to his approval, and I understand this meets

with the approval of the distinguished chairman of the committee, I ask unanimous consent that the vote on the foreign aid resolution occur at the end of 11 a.m.

Mr. JAVITS. Reserving the right to object, let us understand what we are doing, because I am here to propose amendments to something, and I want to know where we are. The measure the distinguished majority leader speaks of now is the conference report on the foreign aid bill, is that not correct?

Mr. MANSFIELD. That is correct.

Mr. JAVITS. I thank my colleague.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. GRIFFIN. Mr. President, I ask for the yeas and nays on the conference report.

The ACTING PRESIDENT pro tempore. That is not in order at the present time.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that it be in order at this time to order the yeas and nays on the conference report on the foreign aid authorization bill.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

PRIVILEGE OF THE FLOOR

Mr. CRANSTON. Mr. President, I ask unanimous consent that during consideration of the conference report and the continuing resolution, two members of my staff, Mr. Tom Halstad and Murray Flanders, be permitted the privilege of the floor.

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

Mr. JAVITS. Mr. President, I make the same request for Kenton Guenther and Charles Warren.

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

Mr. SCOTT. Mr. President, I make that same request for Hannah McCornack of my office.

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

MESSAGE FROM THE HOUSE

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

S. 2878. An act to amend the District of Columbia Election Act, and for other purposes;

H.R. 10367. An act to provide for the settlement of certain land claims of Alaska Natives, and for other purposes; and

H.R. 11932. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1972, and for other purposes.

The ACTING PRESIDENT pro tempore (Mr. METCALF) subsequently signed the enrolled bills.

QUORUM CALL

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

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

ORDER FOR S. 2515, EQUAL EMPLOYMENT OPPORTUNITIES BILL TO BE PENDING BUSINESS ON JANUARY 18, 1972

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns, its pending business be Calendar No. 412, S. 2515, a bill to further promote equal employment opportunities for American workers.

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

Mr. MANSFIELD. That will be the pending business when we come back on January 18—if we leave before January 18.

QUORUM CALL

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

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

LEGISLATIVE PROGRAM FOR SECOND SESSION, 92D CONGRESS

Mr. MANSFIELD. Mr. President, so that the Senate will have some indication as to what confronts us in the next session, I would like to make a brief statement at this time which will be read, I hope, by all Members in the RECORD of today's proceedings, which will appear tomorrow.

With some trepidation I must announce that the legislative logjam that has marked the concluding weeks of the first session of the 92d Congress will mark as well the beginning weeks of the second session.

While the Senate's record has been significant, there remain in this Congress a number of subjects of major importance that must be addressed before the 92d Congress adjourns.

Top on the list are the equal employment opportunity amendments which have been on the Senate Calendar awaiting action since last October 28. It is the intention of the joint leadership to bring this measure before the Senate as its first order of business in the new session. For that purpose S. 2515 has been made the unfinished business.

There will be a number of major items thereafter that will be ready for early consideration. On some, time limitations agreements have already been obtained. The others will be considered on the

basis of proceeding until disposed of on the merits. They include voter registration, S. 2574; higher education, S. 659; the equal rights amendment; and welfare and social security, H.R. 1. All of these items are extremely important. All, hopefully, will be disposed of as soon as possible.

Mr. President, I will read the list of these items together with pertinent agreements and announcements that have appeared in connection therewith.

First, S. 2515, equal employment opportunities, the pending business on return for second session, January 18, 1972.

Second, Higher education, S. 659. Time limit of 6 hours, 2 hours on each amendment thereto, and one-half hour on amendments in the second degree; provided that 3 days' notice be given prior to the consideration of S. 659—RECORD, November 24, S19657.

Third, Equal rights amendment, expected to be reported by February 1, as indicated by Senator ERVIN—RECORD of October 19, S16536;

I believe if it goes over, it will be reported by the 1st of February. I do not believe, with the other press of business, we could possibly do it sooner.

Fourth, Welfare, social security, H.R. 1, expected to be reported by March 1 as indicated by Senator LONG—RECORD, November 17, S18872;

I said to the majority leader earlier today and I said earlier in discussion with him and with other members of the committee prior to that time that it is my hope we can bring the bill out by March 1. It may be that we could have it out here by February 15. That may depend on what schedule the Senate pursues.

Fifth, Voter registration, S. 2574.

ESTABLISHMENT AND MAINTENANCE OF RESERVE SUPPLIES OF FARM COMMODITIES

Mr. President, in addition to the items which I have listed as being in line for consideration next year, I wish, on behalf of the distinguished Presiding Officer, the Senator from Montana (Mr. METCALF), and myself, to express the hope that H.R. 1163, a bill to authorize the establishment and maintenance of reserve supplies of farm commodities, will be taken up by the full Committee on Agriculture and Forestry as soon as possible and be reported and placed on the calendar.

It is my understanding that this measure was considered by the appropriate agriculture subcommittee under the chairmanship of the distinguished Senator from North Carolina (Mr. JORDAN) and was reported out of the committee by, I believe, a vote of 9 to 1 or 9 to 0. I do not recall the exact vote. However, because of the lateness of the session, it was evidently impossible for the full committee to meet, and in order to keep the record clear and to clear up any misunderstandings about this bill, I would point out it is not now on the calendar. It has not been before the full Committee on Agriculture and Forestry. It will not be eligible for consideration in the Senate until it is reported by the committee and placed on the Calendar. I want to state, on behalf of the two Senators from Montana (Mr. METCALF and Mr. MANSFIELD), who cosponsored the

bill in the Senate, our hope that it will be given expeditious consideration as soon as possible.

Mr. President, what this proposed schedule indicates is that Members should get a good rest when we adjourn this year because next year being a political year and being also a very difficult legislative year will require that Senators come back in the best of health and, hopefully, in the best of spirits.

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

The ACTING PRESIDENT pro tempore. Will the Senator first permit the Chair to complete morning business?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the period for the transaction of routine morning business be continued for another 15 minutes.

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

Mr. JAVITS. Mr. President, I notice that the first item on the Executive Calendar, which has been there for months, is the treaty respecting genocide. I would greatly appreciate hearing from the majority leader as to his disposition on that measure.

Mr. MANSFIELD. The Senator has pressed me nearly every day for the last 5 or 6 months about this measure. Unfortunately, a propitious time, in my opinion, has not arisen at which to consider that most important treaty—a treaty which the distinguished Senator from New York had so much to do with in getting out the report of the Committee on Foreign Relations, and in which the distinguished Senator from Wisconsin (Mr. PROXMIRE) has shown such an intensive interest over the past 3 years to my knowledge, if not longer.

If the Senator would allow me at this time not to make a definitive statement of commitment, I would be glad to discuss this matter with him when we come back next year and see then what the prospects are.

Mr. JAVITS. May I ask the majority leader quite frankly whether it would make a difference to him in his evaluation of the situation if there began to be evidence of greater active interest on the part of Senators in regard to this matter.

Mr. MANSFIELD. Yes, I am interested in sufficient numbers. The Senator understands what I have in mind.

Mr. JAVITS. I thank the Senator. The Senator from Montana yields to no one in his sense of humility and I think it would be unfair to him if the RECORD did not indicate some personal appraisal of the situation. I understand it well.

I think it is the desire of the Senator from Wisconsin (Mr. PROXMIRE) and me, and I might add the Senator from Idaho (Mr. CHURCH) who chaired a special subcommittee on this subject, to convince the majority leader that the time has come to deal with this long-deferred matter in the Senate. I do not say that with a desire of being forensic, but to convince him that the time has come.

Mr. MANSFIELD. I appreciate the comments of the Senator from New York.

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

Mr. MANSFIELD. I yield.

Mr. PROXMIRE. Mr. President, I wish to add a brief comment. I thank my good friend for raising this issue. It is something that has been badly neglected. There is not a single proposal before the Senate that has been before the Senate this long. The majority leader a few minutes ago referred to one issue that has been before the Senate since October 28, but this genocide matter has been pending before the Senate for 20 years. It is a matter that every President supported. President Nixon is very much in favor of this measure as were Presidents Johnson, Kennedy, Eisenhower, and Truman; all of our Presidents have been for it.

There is no question that the United States took the principal initiative more than 20 years ago in the United Nations for the genocide treaty. This is something the Senate itself can accomplish. We do not have to wait for the other body. It is something entirely up to us. I hope at long, long last this terrible crime, the worst conceivable crime, can be handled by the Senate in a treaty which has been given very great consideration and which has overwhelming support. Many organizations have testified in favor of it. As the Senator from New York said so well, it is so pertinent and should be on our minds now.

People say that genocide took place years ago and will not happen again. In the last few weeks we saw genocide take place in Pakistan on a tragic scale. So I would hope that this treaty, for which the Senator from New York has fought, as I have, will, at long last, come before the Senate for a vote.

Mr. JAVITS. I may say that the Senator from Montana has told us how to do it—to wit, get enough incentive for action. I take that as a mandate. I shall join, feeling that we are engaged in a great debt of honor to the Senator from Wisconsin, in trying to bring this about. I think our job is very clear. I think the majority leader has been very fair today. It is up to us to show him that the time has come to have it brought up, and I think we will do it.

Mr. PROXMIRE. I thank the Senator from New York. This is an excellent proposal. We can get together, showing what kind of proposal we can agree on so we can show that to the Senator from Montana.

Mr. JAVITS. I think the objections are ill founded and limited in their view, but they are objections, and it is up to us to show that the time has come to make a decision.

Mr. PROXMIRE. As the Senator knows, for almost 3 years I have spoken on the subject every day the Senate has been in session.

Mr. JAVITS. I know, and the Senator is entitled to the thanks not only of this country, but of the world, and I think he will receive them. I know the treaty will be ratified because he proposes, as I do, to do what the majority leader suggests we should do.

The ACTING PRESIDENT pro tempore. The time has expired.

EXTENSION OF PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time for morning business be extended for an additional 15 minutes.

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

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

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

THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 560, 561, 562, and 563, all of which have been cleared.

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

AUTHORIZATION FOR PRINTING OF ADDITIONAL COPIES OF "WAR POWERS LEGISLATION"

The concurrent resolution (S. Con. Res. 54) to print additional copies of hearings on "War Powers Legislation" was considered and agreed to, as follows:

S. CON. RES. 54

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Foreign Relations five thousand additional copies of the hearings entitled "War Powers Legislation" held before the Senate Committee on Foreign Relations.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-586), explaining the purposes of the measure.

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

Senate Concurrent Resolution 54 would authorize the printing for the use of the Senate Committee on Foreign Relations of 5,000 additional copies of its hearings entitled "War Powers Legislation."

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate	
5,000 additional copies, at \$1.957 per thousand	\$9,785

AUTHORIZATION FOR PRINTING ADDITIONAL COPIES OF "A PRIMER ON MONEY"

The concurrent resolution (H. Con. Res. 439) to provide for the printing of 50,000 additional copies of the subcommittee print of the Subcommittee on Domestic Finance of the House Committee on Banking and Currency, entitled "A Primer on Money," was considered and agreed to.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from

the report (No. 92-587), explaining the purposes of the measure.

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

House Concurrent Resolution 439 would authorize the printing for the use of the House Committee on Banking and Currency of 50,000 additional copies of the Subcommittee Print of the Subcommittee on Domestic Finance, 88th Congress, second session, entitled "A Primer on Money."

The printing-cost estimate, supplied by the Public Printer, is as follows:

<i>Printing-cost estimate</i>	
Back to press, first 1,000 copies....	\$1, 285. 28
49,000 additional copies, at \$200.50 per thousand	9, 824. 50
Total estimated cost, H. Con. Res. 439.....	
	11, 109. 78

AUTHORIZATION FOR PRINTING "THE JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS: PURPOSE, LEGISLATIVE HISTORY, JURISDICTION, AND RULES" AS A HOUSE DOCUMENT

The concurrent resolution (House Concurrent Resolution 441) authorizing the printing of "The Joint Committee on Congressional Operations: Purpose, Legislative History, Jurisdiction, and Rules" as a House document, and for other purposes, was considered and agreed to.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-588), explaining the purposes of the measure.

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

House Concurrent Resolution 441 would provide (1) that a compilation of materials entitled "The Joint Committee on Congressional Operations: Purpose, Legislative History, Jurisdiction, and Rules" be printed, with illustrations and with a suitable cover approved by the Joint Committee on Printing, as a House document; and (2) that there be printed 2,500 additional copies of such a document for the use of the Joint Committee on Congressional Operations.

<i>Printing-cost estimate</i>	
To print as a document (1,500 copies)	\$2, 160. 51
2,500 additional copies, at \$88.80 per thousand.....	222. 00
Total estimated cost, H. Con. Res. 441.....	
	2, 382. 51

AUTHORIZATION FOR PRINTING AS A HOUSE DOCUMENT A COMPILATION OF THE EULOGIES ON THE LATE JUSTICE HUGO L. BLACK

The concurrent resolution (H. Con. Res. 469) to provide for the printing as a House document a compilation of the eulogies on the late Justice Hugo L. Black was considered and agreed to.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-589), explaining the purposes of the measure.

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

House Concurrent Resolution 469 would provide (1) that a compilation containing the eulogies of the late Justice Hugo L. Black delivered in the Congress, and such other materials as may be deemed appropriate, be printed with illustrations as a House document; and (2) that there be printed and bound, as directed by the Joint Committee on Printing, 5,500 additional copies of such document, of which 4,350 copies would be for the use of the House of Representatives, 1,000 copies would be for the use of the Senate, and 150 copies would be for the use of the widow of the late Justice Hugo L. Black, Mrs. Elizabeth Seay Black. The additional copies of such document would be prorated to Members of the House of Representatives and the Senate for a period of 60 days, after which the unused balances would be distributed by the respective House and Senate document rooms.

The printing-cost estimate, supplied by the Public Printer, is as follows:

<i>Printing-cost estimate</i>	
To print as a document (1,500 copies)	\$4, 662
5,500 additional copies, at \$1,244 per thousand	6, 842
Total estimated cost, H. Con. Res. 469.....	
	11, 504

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS ON JANUARY 17, 1972

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that Senate committees may be authorized to file reports on January 17, 1972.

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Improvements Needed in Establishing Requirements for, and Use of, Medical Professional Personnel in the Military Services," Department of Defense, dated December 16, 1971 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Examination of Financial Statements of Federal Prison Industries, Inc., Fiscal Year 1971," Department of Justice, dated December 14, 1971 (with an accompanying report); to the Committee on Government Operations.

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. SCHWEIKER:

S. 3030. A bill for the relief of Roy Raffek Mohammed. Referred to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 3031. A bill for the relief of the South-eastern University of the Young Men's Christian Association of the District of Columbia. Referred to the Committee on the Judiciary.

By Mr. JORDAN of North Carolina (by request):

S. 3032. A bill to amend section 305 of title 44 of the United States Code relating to certain employment at the Government Printing Office, and for other purposes. Referred to the Committee on Rules and Administration.

By Mr. MANSFIELD and Mr. SCOTT:

S.J. Res. 186. A joint resolution setting the date for the convening of the second session of the 92d Congress. Read the third time and passed.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that today, December 17, 1971, he presented to the President of the United States the enrolled bill (S. 2878) to amend the District of Columbia Election Act, and for other purposes.

ENROLLED BILLS SIGNED

The ACTING PRESIDENT pro tempore (Mr. METCALF) signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H.R. 3304. An act to amend the Fishermen's Protective Act of 1967 to enhance the effectiveness of international fishery conservation programs; and

H.R. 5419. An act for the relief of Corbie F. Cochran.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 2083

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

S. 2734

At the request of Mr. SCHWEIKER, the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2734, a bill to amend the Fair Packaging and Labeling Act to provide for the establishment of national standards for nutritional labeling of food commodities.

S. 2738

Mr. HUGHES. Mr. President, I ask unanimous consent that the Senator from Michigan (Mr. GRIFFIN) be added

as a cosponsor of S. 2738, a bill to amend titles 10 and 37, United States Code, to provide for equality of treatment for military personnel in the application of dependency criteria.

Mr. President, during the past few days I have added 15 cosponsors to S. 2738, and I ask unanimous consent that all of their names be added to the bill when it is next printed.

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

S. 2829

At the request of Mr. BAYH, the Senator from New Mexico (Mr. MONTOYA) was added as a cosponsor of S. 2829, a bill to strengthen interstate reporting and interstate services for parents of runaway children; to conduct research on the size of the runaway youth population; for the establishment, maintenance, and operation of temporary housing and counseling services for transient youth, and for other purposes.

S. 2890

At the request of Mr. MOSS, the Senator from Minnesota (Mr. HUMPHREY) was added as a cosponsor of S. 2890, the "Federal Employee Transition Act of 1971".

S. 2938

At the request of Mr. PEARSON (for Mr. DOLE) the Senator from Iowa (Mr. MILLER) was added as a cosponsor of S. 2938, amending the Rail Passenger Service Act of 1970 to provide free or reduced-rate transportation for certain railroad employees and their eligible dependents.

S. 2944

At the request of Mr. BUCKLEY, the Senator from Arkansas (Mr. McCLELLAN) was added as a cosponsor of S. 2944, a bill to amend section 112 of the Internal Revenue Code of 1954 to exclude from gross income the entire amount of the compensation of members of the Armed Forces of the United States and of civilian employees who are prisoners of war, missing in action, or in a detained status during the Vietnam conflict.

S. 3010

At the request of Mr. NELSON, the Senator from Indiana (Mr. BAYH), and the Senator from California (Mr. TUNNEY) were added as cosponsors of S. 3010, a bill to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes.

S. 3022

At the request of Mr. BAYH, the Senator from New Hampshire (Mr. McINTYRE) was added as a cosponsor of S. 3022, a bill to provide for the issuance of \$2 bills bearing the portrait of Susan B. Anthony.

SENATE JOINT RESOLUTION 169

At the request of Mr. BYRD of West Virginia (for Mr. HOLLINGS) the Senator from North Dakota (Mr. BURDICK), and the Senator from Utah (Mr. MOSS) were added as cosponsors of Senate Joint Resolution 169, to pay tribute to law enforcement officers of this country on Law Day, May 1, 1972.

SENATE JOINT RESOLUTION 170

At the request of Mr. BAYH, the Senator from Oklahoma (Mr. HARRIS), the

Senator from Michigan (Mr. HART), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Montana (Mr. MANSFIELD), the Senator from South Dakota (Mr. McGOVERN), the Senator from Montana (Mr. METCALF), the Senator from Utah (Mr. MOSS), the Senator from Illinois (Mr. STEVENSON), and the Senator from Ohio (Mr. TAFT), were added as cosponsors of Senate Joint Resolution 170, a proposed amendment to the Constitution which would lower the age requirements for service in both Houses of Congress.

SENATE RESOLUTION 221—SUBMISSION OF A RESOLUTION RELATING TO THE CRISIS IN NORTHERN IRELAND

(Referred to the Committee on Foreign Relations.)

Mr. BUCKLEY. Mr. President, I submit, for proper referral, a resolution concerning the situation in North Ireland. There exists in the United States, and rightly so, great sympathy for the plight of the Catholic minority in Northern Ireland. As human beings who enjoy the blessings of freedom, Americans have a legitimate concern over injustice, oppression and discrimination practiced against any people anywhere in the world; and they have the right and the duty to give expression to that concern through peaceful means. In this manner, they can hope to effect decisions overseas because no country in the Western World can afford to ignore American public opinion.

It appears that the authorities in Ulster may now be prepared to redress the ancient wrongs visited upon the Catholic minority in Northern Ireland. Certain constitutional changes have recently been proposed in Northern Ireland which although long overdue, represent an important step in the right direction although they fall far short of the goal of a reunified Ireland. Government contracts with private firms are henceforward to include antidiscrimination clauses; and a crash urban renewal program is to be launched in Belfast. In addition, the Prime Minister of Northern Ireland has indicated that there are conditions under which he would favorably consider reunification.

In Britain, there are most encouraging signs on the horizon that the realization that reunification of all 32 counties of Ireland is the ultimate solution to the situation in North Ireland. Former Prime Minister Harold Wilson, under whose auspices as Prime Minister the dreaded "B-Special Constabulary" flourished, has announced his support for the principle of reunification. Recent polls of public opinion in England indicate that there is majority support for the removal of British troops from Northern Ireland. Indeed, it is in the interests of an early settlement that British military forces in Northern Ireland be withdrawn at the earliest opportunity consistent with the interests of avoiding the bloodshed which could result from unrestrained conflict between extremist groups on both sides of the Irish question.

While I strongly believe that the reuni-

fication of Ireland presents the only means of restoring conditions for full justice and domestic tranquillity for all the inhabitants of Ireland, I do not feel that it would foster the cause of peace or reunification for the United States to take an official position on the matter. Any declaration by this country or by Congress in favor of reunification would be viewed by the British as a direct intervention in their affairs, and would without doubt give rise to the same resistance and stiffening of attitudes which we would experience should the British attempt to interfere in a dispute involving, for example, Puerto Rico. On the other hand, if the present increase in a resort to violence by both sides in Northern Ireland is allowed to continue, the only result can be a hardening of the lines at a time when so many in positions of responsibility in England have finally come to the understanding that reunification must be achieved if peace and justice are to be restored to Northern Ireland.

In my judgment, the most effective manner in which the United States can help restore conditions in which negotiations leading toward reunification can take place is by offering its good offices in arranging for the withdrawal of British troops and in bringing both parties together at a negotiating table.

The close friendship of the United States to both Ireland and England provides this country with a great opportunity to assist in this manner in the peaceful resolution of the dispute in Northern Ireland without the kind of intervention which would be counterproductive.

To this end, Mr. President, I am submitting the following resolution, which petitions the President of the United States to make such offices available for this purpose:

Whereas the Irish people of the six county area known as Northern Ireland have been denied fundamental civil rights, and

Whereas the increasing tempo of violence poses a grave threat to the interests of individual liberty, justice, and the peace of the region, and

Whereas it is in the best interests of all parties concerned that the Northern Ireland question be resolved peacefully be it

Resolved that it is the sense of the Senate that the President make available the good offices of the United States to effect a peaceful resolution of the dispute in Northern Ireland.

ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION 51

At the request of Mr. BUCKLEY, the Senator from Utah (Mr. BENNETT), the Senator from Kansas (Mr. DOLE), the Senator from Colorado (Mr. DOMINICK), the Senator from Wyoming (Mr. HANSEN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Maryland (Mr. MATHIAS), the Senator from Utah (Mr. MOSS), the Senator from Oregon (Mr. PACKWOOD), the Senator from Illinois (Mr. PERCY), the Senator from Texas (Mr. TOWER), and the Senator from California (Mr. TUNNEY) were added as cosponsors of Senate Concurrent Resolution 51, a concurrent resolution expressing the sense of Congress with respect to placing before the United Nations General Assembly the issue of

the dual right of all persons to emigrate from and also return to one's country.

SENATE CONCURRENT RESOLUTION 53

At the request of Mr. WILLIAMS, the Senator from Michigan (Mr. HART) and the Senator from Indiana (Mr. HARTKE) were added as cosponsors of Senate Concurrent Resolution 53, a concurrent resolution relating to the international economic and social consequences of environmental standards and regulations.

EDUCATION ACT AMENDMENTS OF 1971—AMENDMENTS

AMENDMENTS NOS. 795 AND 796

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

Mr. BAYH. Mr. President, I submit two amendments to the bill (S. 659) to amend and extend the Higher Education Act of 1965 and other acts dealing with higher education; and I ask unanimous consent that they be printed at this point in the RECORD.

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

AMENDMENT No. 795

At the appropriate place in the bill, insert the following new title:

"TITLE X—THE PROHIBITION OF SEX DISCRIMINATION

"SEC. 1001. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance, except that this subsection shall not apply—

"(1) to the undergraduate admissions policy of any institution of higher education,

"(2) in regard to admissions, for one year from the date of enactment, nor for six years thereafter in the case of an educational institution which has begun the process of changing from being an institution which admits only students of one sex to being an institution which admits students of both sexes, but only if it is carrying out a plan for such change which is approved by the Commissioner of Education, or

"(3) to an educational institution which is controlled by a religious organization and where the application of this subsection would not be consistent with the religious tenets of such organization."

SEC. 1002. Each Federal department and agency which is empowered to extend Federal financial assistance to any education program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 1001 with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President. Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipi-

ent as to whom such a finding has been made and, shall be limited in its effect to the particular program, or part thereof, in which such noncompliance has been so found, or (2) by any other means authorized by law: *Provided, however*, That no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means. In the case of any action terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this section, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until thirty days have elapsed after the filing of such report.

SEC. 1003. Any department or agency action taken pursuant to section 1002 shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 1002, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with chapter 7 of title 5, United States Code, and such action shall not be deemed committed to unreviewable agency discretion within the meaning of section 701 of that title.

SEC. 1004. Nothing contained in this title shall be construed to authorize action under this title by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where a primary objective of the Federal financial assistance is to provide employment.

SEC. 1005. Nothing in this title shall add to or detract from any existing authority with respect to any program or activity under which Federal financial assistance is extended by way of a contract of insurance or guaranty.

SEC. 1006. (a) Clause (1) of section 701(b) of that Civil Rights Act of 1964 is amended by inserting after "thereof" the following: "(except with respect to employees of a State, or a political subdivision thereof, employed in an educational institution)".

(b) Section 702 of title VII of the Civil Rights Act of 1964 is amended by the insertion of a period after "religious activities" and the deletion of the remainder of the sentence.

SEC. 1007. Paragraph (1) of subsection (a) of section 104 of the Civil Rights Act of 1957 (42 U.S.C. 1975c(a)) is amended by inserting immediately after "religion," the following: "sex," and paragraphs (2), (3), and (4) of subsection (a) of such section 104 are each amended by inserting immediately after "religion" the following: ", sex".

SEC. 1008. Section 13(a) of the Fair Labor Standards Act of 1938 is amended by the insertion after the words "the provisions of sections 6" of the following: "(except section 6(d) in the case of paragraph (1))."

SEC. 1009. (a) Subsection (1) of section 3(r) of the Fair Labor Standards Act of 1938 is amended by the deletion of the words "an elementary or secondary school" and the insertion of the words "a pre-school, elementary or secondary school".

(b) Section 3(s) (4) of such Act is amended by deleting "an elementary or secondary school" and inserting "a pre-school, elementary or secondary school".

AMENDMENT No. 796

At the appropriate place in the bill, insert the following new title:

"TITLE X—THE PROHIBITION OF SEX DISCRIMINATION

"SEC. 1001. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance, except that this subsection shall not apply—

"(1) in regard to admissions to an undergraduate educational institution in which more than 90% of the students are of the same sex,

"(2) in regard to admissions, for one year from the date of enactment, nor for six years thereafter in the case of an educational institution which has begun the process of changing from being an institution which admits only students of one sex to being an institution which admits students of both sexes, but only if it is carrying out a plan for such change which is approved by the Commissioner of Education, or

"(3) to an educational institution which is controlled by a religious organization and where the application of this subsection would not be consistent with the religious tenets of such organization."

SEC. 1002. Each Federal department and agency who is empowered to extend Federal financial assistance to any education program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 1001 with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President. Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made and, shall be limited in its effect to the particular program, or part thereof, in which such non-compliance has been so found, or (2) by any other means authorized by law: *Provided, however*, That no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means. In the case of any action terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this section, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program of activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until thirty days have elapsed after the filing of such report.

SEC. 1003. Any department or agency action taken pursuant to section 1002 shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to com-

ply with any requirement imposed pursuant to section 1002, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with chapter 7 of title 5, United States Code, and such action shall not be deemed committed to unreviewable agency discretion within the meaning of section 701 of that title.

SEC. 1004. Nothing contained in this title shall be construed to authorize action under this title by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where a primary objective of the Federal financial assistance is to provide employment.

SEC. 1005. Nothing in this title shall add to or detract from any existing authority with respect to any program or activity under which Federal financial assistance is extended by way of a contract of insurance or guaranty.

SEC. 1006. (a) Clause (1) of section 701(b) of the Civil Rights Act of 1964 is amended by inserting after "thereof" the following: "(except with respect to employees of a State, or a political subdivision thereof, employed in an educational institution)".

(b) Section 702 of title VII of the Civil Rights Act of 1964 is amended by the insertion of a period after "religious activities" and the deletion of the remainder of the sentence.

SEC. 1007. Paragraph (1) of subsection (a) of section 104 of the Civil Rights Act of 1957 (42 U.S.C. 1975c(a)) is amended by inserting immediately after "religion," the following: "sex," and paragraphs (2), (3), and (4) of subsection (a) of such section 104 are each amended by inserting immediately after "religion" the following: "sex".

SEC. 1008. Section 13(a) of the Fair Labor Standards Act of 1938 is amended by the insertion after the words "the provisions of sections 6" of the following: "(except section 6(d) in the case of paragraph (1))."

SEC. 1009. (a) Subsection (1) of section 3(r) of the Fair Labor Standards Act of 1938 is amended by the deletion of the words "an elementary or secondary school" and the insertion of the words "a pre-school, elementary or secondary school".

(b) Section 3(s) (4) of such Act is amended by deleting "an elementary or secondary school" and inserting "a pre-school, elementary or secondary school".

ADDITIONAL STATEMENTS

SUPPORT FOR FORMER SENATOR WILLIAMS

Mr. BOGGS. Mr. President, yesterday my distinguished colleague (Mr. ROTH) discussed at length the unwarranted and embarrassing attack that was made on the integrity of former Senator John J. Williams in a report by associates of Ralph Nader. He also submitted documentation for the RECORD.

I was necessarily absent during that discussion on the Senate floor, but I wish to associate myself fully with the views expressed by Senator ROTH and other Senators. The allegations against Senator Williams were based on innuendo and a complete disregard for the truth.

The record clearly demonstrates that the 1964 tax amendment in question benefited a good many Americans. It was submitted to and approved by a considerable majority of the Senate Committee on Finance. In no way, shape, or form was it a private bill for the benefit of a few Delawareans.

No one who has known Senator Williams, as I have had the great honor to know him, could believe for a minute that he would be a party to any activity that failed to meet the highest standards of honesty and integrity.

PLANS FOR THE BICENTENNIAL

Mr. PASTORE. Mr. President, the American Revolution Bicentennial Commission met here in Washington on December 10 in an effort to expedite the formulation and implementation of plans to celebrate our 200th birthday.

As one of the Senate members of this Commission, I ask unanimous consent to have printed in the RECORD a letter of December 16 which I received from the Chairman of the American Revolution Bicentennial Commission, Mr. David J. Mahoney, who outlines the progress made at this meeting and the contents of the five major resolutions which the Commission adopted.

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

AMERICAN REVOLUTION BICENTENNIAL COMMISSION, Washington, D.C., December 16, 1971.

HON. JOHN O. PASTORE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PASTORE: The American Revolution Bicentennial Commission meeting in Washington, D.C., on December 10, 1971, was productive.

Five major resolutions were passed to accomplish the following:

The Mount Rushmore National Memorial was officially recognized as a National Bicentennial site; the City of Niagara Falls, New York, because of its impressive improvement program, was officially recognized as a Bicentennial City under the multi-city concept; and, the Denver Winter Olympics program was officially recognized as a part of the National Bicentennial observance. All three of these were awarded use of the official symbol.

The State of Iowa was encouraged to develop into an action plan its concept for a World Food Exposition with a theme title, "Food for Freedom", under a premise that the free exchange of food production information would promote world peace; and the State of Michigan was encouraged to develop into an action plan its concept for developing, as a Bicentennial project, solutions to the Urban Transportation problem. Both of these States were promised that the ARBC would give full and expeditious consideration to their action plans when received.

Another significant agenda item was a National Medical Association request that its proposed program for a multi-level attack on the Sickle Cell Anemia disease be recognized as a Bicentennial activity in the national program. The Commission was favorably disposed towards this request, but considered it should be more completely coordinated with other Government and private efforts in this area before final action was taken. It is expected that this will be accomplished prior to the next Commission meeting.

Mr. Vincent DeForest, Chairman of the Afro-American Bicentennial Corporation, made a presentation in which he explained the desire of his nonprofit organization to develop and implement projects for the Bicentennial which will express the desires and meet the needs of Black Americans in line with the principles and ideals of the American Revolution. His presentation was well received and he was assured that the Com-

mission is in full accord with his desires and will look forward to working with him in an effort to achieve his goals and objectives.

Deputy Mayor Graham Watt of Washington, D.C., outlined plans for the Bicentennial observance in the Nation's Capital and the Commission discussed the ARBC role in Washington Bicentennial activities.

Encouraging progress reports by the Chairman of the Commission's Heritage, Open House, Horizons, and Communications Committees and their Advisory Panels rounded out the agenda.

It was a good meeting. A sense of movement prevailed and it was apparent that the dedication and enthusiasm of the Commission Members was reinforced by the positive and substantive actions which came out of the sessions.

We continue to be grateful for the support you have consistently given to our efforts and we are confident that the goals and objectives which have been set will be achieved.

Sincerely,

DAVID J. MAHONEY, Chairman.

SCHWEIKER ACT SAVINGS FOR FISCAL 1971

Mr. SCOTT. Mr. President, Senator RICHARD S. SCHWEIKER, my colleague from Pennsylvania, as a Representative in 1965 introduced a bill to provide cash awards for cost-cutting suggestions, inventions, and scientific achievements made by military personnel.

Called the Schweiker Act, it has saved the Federal Government \$117 million in fiscal year 1971 alone and raises to \$555 million the tangible benefits realized since the law went into effect 6 years ago. Cash awards totaling \$1.9 million have been given to members of the armed services during the past fiscal year and a total of \$6.3 million since the bill went into effect.

Mr. President, this outstanding program aims at personalizing the armed services and rewards those who contribute substantially to the efficiency of operations. Basically it rewards ingenuity, but the big plus is that it saves the taxpayers' money. This is an unbeatable combination and praise should go to the originator, Senator SCHWEIKER.

Mr. President, I ask unanimous consent that the news release of December 14 from Senator SCHWEIKER be printed in the RECORD.

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

SCHWEIKER ACT SAVINGS ANNOUNCED FOR FISCAL 1971

WASHINGTON, December 14.—The 1965 "Schweiker Act" to provide cash awards for cost-cutting suggestions, inventions and scientific achievements made by military personnel saved the federal government \$117 million in fiscal year 1971, Senator Richard S. Schweiker (R-Pa.) announced today.

Schweiker referred to a White House message sent last week to Congress which reported on the cash awards program, which Schweiker introduced as a Congressman in 1965.

"This raises to \$555 million the tangible benefits realized since the law went into effect 6 years ago," Schweiker said.

Schweiker reported that \$1.9 million in cash awards went to members of the armed services during the past fiscal year. "That is a small price to pay, considering the savings," he said. "The benefits of this program are greater than the dollars saved. An incentive and a vehicle have been provided

for suggestions which effect economies and increase efficiency. It is a good program, a sound and wise investment."

Since 1965, the federal government has given \$6.3 million in cash awards. The awards are based on the amount saved.

Schweiker said, "I am pleased that my bill has proven to be so successful. Our military personnel are rewarded for their ingenuity, and millions of dollars of tax payers' money are being saved each year."

NURSING HOMES: OVERCROWDED AND IMPROPERLY USED

Mr. CHURCH. Mr. President, as chairman of the Senate Special Committee on Aging, I am deeply concerned about the fact that our nursing homes are today overcrowded and improperly used in many instances. A recent report of our committee—"Alternatives to Nursing Home Care: A Proposal"—is addressed to this problem. This report was prepared for the committee by staff specialists at the Levinson Gerontological Policy Institute of Brandeis University.

In the preface to the committee's report, I join with Senator FRANK E. MOSS, chairman of the Subcommittee on Long-Term Care, in pointing out that far-reaching changes "are required to reverse or reduce present overdependence upon nursing homes and other institutions in which our elderly population is disproportionately represented." Senator MOSS and I go on to suggest that the primary effort in altering this situation should be directed toward enabling more of our elderly to remain at home in cases where this is appropriate and desirable.

An excellent editorial in the Idaho Statesman of November 30, 1971—entitled, "Too Many People in Nursing Homes"—cites the Committee on Aging report and discusses in a perceptive and intelligent fashion the need for suitable alternatives to nursing home care. As this editorial states:

Instead of just improving nursing homes, and building more of them, we ought to be getting people out of them—all but the minority who require the medical care nursing homes are intended to provide.

The cost of home services would be less than the cost of a nursing home bed. More important, millions of people could be spared the feeling of lonely abandonment they may experience in an institution.

Mr. President, I ask unanimous that the complete text of this editorial be printed in the RECORD.

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

TOO MANY PEOPLE IN NURSING HOMES

A Massachusetts study shows that most of the people in nursing homes in that state don't have to be there. Columnist Sylvia Porter says only 37 of every 100 really need full-time skilled nursing care.

The day after she reported these findings, Utah Sen. Frank Moss said there is evidence that half the nursing homes in the United States are substandard.

Criticism of nursing homes is nothing new. The suggestion that most of their residents would be happier and better off somewhere else isn't new, either.

But our society seems more inclined to continue putting people in nursing homes than to adopt policies intended to get them out.

The fault doesn't lie entirely with nursing home operators. It's financially easier for families to maintain an older person in a nursing home—because the state will help pay the bill. But the state won't help the same family maintain that person outside a nursing home.

So public policy helps push people into nursing homes. That is one reason that one elderly person out of 20 can be found there.

The Massachusetts study showed that 26 per cent needed only minimal supervised "living" while 23 could get along with occasional home visits by nurses. Another 14 of every 100 could get along without any special care.

It is cruel to force people who need not be there into nursing homes. It is cruel to leave families in a position that they see no financial alternative. (Some families, of course, simply find it more convenient.)

This unnecessary segregation of older people in institutions robs them of freedom, dignity and personal relationships. It deprives our society of the benefit of these people.

A current movie "Kotch" tells a touching story of an old man, threatened with retirement home segregation, who escapes to find a place for himself. He befriends another lonely outcast, a pregnant teen-ager, and helps her through a trying time.

Had the hero not enjoyed a modest financial reserve, the film might have ended with his admission to the retirement home.

Senator Moss is probably right about the desirability of improving the enforcement of nursing home standards. His legislation recognizes that this is not enough. It also provides for expansion of home health services to treat people in their own homes.

Instead of just improving nursing homes, and building more of them, we ought to be getting people out of them—all but the minority who require the medical care nursing homes are intended to provide.

The cost of home services would be less than the cost of a nursing home bed. More important, millions of people could be spared the feeling of lonely abandonment they may experience in an institution.

INVOLVEMENT IS A WAY OF LIFE WITH BILL BLACKBURN OF CASPER

Mr. HANSEN. Mr. President, a recent issue of Conoco's employee publication, NOW, carried a feature story about Bill Blackburn of Casper, Wyo. Bill is division manager of Conoco and, as the article says, is involved in many things and whatever he does, he does well.

One of his major concerns is, and for many years has been, the problem of pollution. He is no Johnny-come-lately nor is he one of the over-zealous environmentalist crusaders. Since his work as an engineer in Wyoming oil fields in the early 1950's, Bill has been an advocate of multiple uses of the land and its resources—the water, the grass as well as oil and gas. He halted the burning of waste oil in the field. "If there was enough to burn," he said, "there was enough to salvage, so the oil was run back through the treating system."

Bill is concerned with all areas of the the image the public has of the petroleum industry.

Bill Blackburn said:

I believe what people think of us is of paramount importance in our day-to-day business, he explains, we have been guilty in the past of talking to each other when we should be directing our message right at the general public.

Mr. President, I believe other Senators would be interested in the message Bill Blackburn is attempting to get across and how he is going about it and I ask unanimous consent that the article be printed in the RECORD.

I might add, Mr. President, that Bill's father, the late Frank Blackburn, was a dear friend of mine, as is Bill. Frank, who lived in Cody, was sheriff of Park County for many years, about 35, I believe, and his son Bill came by his dedication to duty and service to his company, community and country honestly.

Frank Blackburn up until shortly before he died—and he was past 90—swam more than two miles a day summer and winter. He was one of the most beloved law enforcement officers in all of Wyoming's history and the story of his life is still a legend in that area.

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

WITH BILL BLACKBURN OF CASPER—INVOLVEMENT IS A WAY OF LIFE

Bill Blackburn lifts his long legs off the desk, reaches for the telephone and presses a buzzer.

"Jackie, bring me a transcript of that testimony I gave in Cheyenne."

"That testimony," which secretary Jackie Bly places on Bill's desk a minute later, was made before the Wyoming Air Resources Council. The statement later became the guideline for the state's air and water pollution control authority.

It is also evidence that Bill Blackburn is an involved man—in his community and his industry, as well as in his job of running the sprawling Casper production division which stretches from the Canadian border to northern New Mexico.

But there is other proof. Bill recently received the American Petroleum Institute production division's Citation for Service for his work as district chairman last year and advisory committee chairman for 1971. He has served in the past as vice president of the Rocky Mountain Oil and Gas Association, representative for Conoco on the Wyoming Petroleum Council and chairman of the Chamber of Commerce's oil committee. The outstanding job he did in these posts earned him the title "Oil Man of the Year" several years ago.

Bill Blackburn's seemingly shy exterior covers the inner drive of a true activist. Involvement has been a personal creed with him most of his life.

"Even when I was working as an engineer in the Sussex field here in Wyoming in the early '50s, I was active with the American Petroleum Institute's oil information committee," Bill says. One of his chief concerns then, as now, was the problem of pollution. This interest intensified in 1953 when he became area foreman for the big Lance Creek field.

"I began then to encourage the men who worked for me to consider multiple uses of the land its resources—the water, the grass," he explains. That interest came naturally for a man who was born in Meteetse, a small town in the northwest corner of Wyoming.

Bill remembers the time in the Sussex area when he halted the burning of waste oil. "If there was enough to burn, there was enough to salvage, so the oil was run back through the treating system," he recalls.

As a division manager, Bill is in a position to carry his sense of responsibility to the land one step further. "I've always felt that if the head man doesn't get involved in these things, he can't expect any more of his employees," he points out. "He should set an example for others. Certainly every one of us

has a responsibility to do what we can to preserve our environment."

The word "image"—not just concerning pollution, but in all areas of operations—is one of the main reasons for Bill's involvement in industry affairs.

"I believe what people think of us is of paramount importance in our day-to-day business," he explains. "We have been gully in the past of talking to each other when we should be directing our message right at the general public."

What's more, Bill adds, "We've got to be straight-forward and honest."

"I've urged people for years to talk to the Kiwanis, Lions, Rotary, and present our side of the story. We need to create a feeling of security and honesty in the public's attitude toward us. We have suffered too long from the impression that we are "wheeler-dealers."

Bill also has recognized that reaching youth is an important key to restoring believability in the industry's achievements and goals. "We must convince young people of our sense of responsibility toward the social environment," he adds. "I'm afraid many of them have a limited perspective, and it is up to us to help them broaden it."

One way to do this, he is convinced, is by working with educators. Each summer the Casper production division participates in a seminar for teachers. Bill, Conoco supervisors and specialists from other companies talk to the 40 teachers who gather in Casper for a five-week course on the oil industry. Then they conduct a tour of the nearby Glenrock and Big Muddy fields. There the educators can see the results of Conoco's efforts to eliminate pollution in production operations.

Involvement for Bill Blackburn is not limited to industry affairs, even though they have priority. He is a member of the Rotary and Kiwanis clubs and is serving on the Region VIII Boy Scout council. He plans to continue his participation in the future. Bill's dedication to involvement won't let him turn down an assignment or, once accepted, do anything less than the best possible job.

REMEDY OF SAFETY-RELATED DEFECTS IN AUTOMOBILES

Mr. NELSON. Mr. President, at the request of the Senator from Minnesota (Mr. MONDALE), I ask unanimous consent to have printed in the RECORD a statement by him relating to the remedying of safety-related defects in automobiles, and also an editorial on the subject.

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

STATEMENT BY SENATOR MONDALE

On December 3, 1971, the Senator from Wisconsin (Mr. NELSON) and I introduced a bill to require auto manufacturers to remedy safety-related defects free of charge when the Department of Transportation determines that such defects exist.

In a December 11 editorial, the Washington Post discussed General Motor's handling of defective heaters in Corvairs and the recent GM recall of 6.7 million cars and trucks. The editorial concludes with a strong endorsement of our bill, noting that this measure will not stop shoddy craftsmanship—but that it will help the consumer "who is stuck with a real or potential lemon."

THE LATEST GM RECALL

Although 6.7 million Chevrolet cars and trucks are now being recalled by General Motors, the road to safety has not yet been cleared of a number of hazards. To begin with there is the major question of what the owners of these cars—1965-69 full size Chev-

rolets and Novas, 1967-69 Camaros and certain light trucks, all with V-8 engines—are supposed to do until late February when Chevrolet dealerships will have received the part to correct the potential failure of the engine mount. According to Ralph Nader's Public Interest Research Group, there is a serious safety issue involved; they report that at least six deaths and a dozen injuries have occurred in crashes resulting from engine mount failure. A Department of Transportation bulletin in October was helpful; owners were advised to be on the alert to the chance of failures and to have their Chevrolets inspected for possible trouble. If an owner doesn't go in for an inspection, however, and suddenly finds his car suffering what the DOT called a "partial or total loss of vehicle control," the driver is advised to shift into neutral—if possible—turn off the ignition, and apply the brakes. All this presumes that the average driver has the requisite quickness of mind.

Amazingly, GM is insisting that no safety-related defect is involved in this case. Aside from the disclosures of Ralph Nader—who deserves much of the credit for this recall, since he gathered many of the facts and pressured the DOT into action—the DOT said that "reports of engine mount failure, many of which involved loss of vehicle control, have been received from approximately 500 vehicle owners." GM is apparently making the recall due to what it calls "publicity" on this issue; "there is a great deal of misinformation and misunderstanding on the part of Chevrolet owners which we are anxious to eliminate as soon as possible." In other words, GM is recalling the cars less because they might be unsafe but because Ralph Nader and others are spreading rumors about them.

One problem with recalls—aside from the bother to the owner who must leave off his car at the garage, provided the mechanic will agree to work on it—is that the National Traffic and Motor Vehicle Safety Act of 1966 leaves it up to the manufacturer to decide whether or not it will pay for the correction. (In this recall, GM will bear the cost—an estimated \$33 million, at something less than \$5 per car.) Senators Mondale and Nelson have introduced legislation that would correct the loud rattle in this law; once the DOT says a recall is necessary, the manufacturers have no choice but to recall the vehicles and pay for the defects. Senator Mondale cited a recent and well known example in which he says a safety-related defect was found in 1961-1969 Corvairs. In this case, GM refused to bear the cost of repairs. These Corvairs, said Senator Mondale, "have been found to have defective heaters in danger of leaking carbon monoxide fumes. But because the cost of repair—about \$170—falls on the estimated 760,000 Corvair owners and not on (GM), this potentially dangerous defect will doubtless go unremedied in most instances." (Curiously, in this case, GM offered explicit cautionary advice to owners who have yet to have the correction made: "Should it be necessary to continue to drive your car before inspection and necessary repairs can be made, the heater should be shut off and a window rolled down." If the driver catches pneumonia, presumably that's his expense, too.) The Mondale-Nelson bill will not stop shoddy craftsmanship. But it will help the consumer somewhat when he is stuck with a real or a potential lemon.

RESIGNATION OF EUGENE S. COWEN, PRESIDENTIAL DEPUTY ASSISTANT FOR CONGRESSIONAL RELATIONS

Mr. SCOTT. Mr. President, the President has announced that his Deputy Assistant for Congressional Relations, Eugene S. Cowen, will resign on December 27 to join the American Broadcasting

Co. as vice president in the Washington office.

Gene has served ably and effectively as the President's chief liaison officer in the Senate. I will miss him.

This is, in fact, the second time I have lost the benefit of Gene's counsel. For 11 years before he joined the White House staff in 1969, he served first as my press secretary and then as my administrative assistant in the Senate.

Gene's service both to the administration and the Senate is well attested by the President in his letter accepting Gene's resignation. I ask unanimous consent that this letter be printed at the conclusion of my remarks.

I am sure I can speak for all Senators as well as for myself in wishing Gene well in his new position and in his future endeavors.

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

DECEMBER 16, 1971.

HON. EUGENE S. COWEN,
The White House,
Washington, D.C.

DEAR GENE: Your letter of December 7 has come to my attention, and it is with the deepest regret that I accept your resignation as Deputy Assistant to the President effective, as you have requested, on December 27, 1971.

As you know, I am immensely proud of the fine team we have here at the White House. While I fully understand your reason for returning to private life at this time, it is still with a very special sense of loss that I see you leave this team you have served so well. To me and to each and every one of our associates, you have given unreservedly of yourself for nearly two and one half years, earning our heartfelt thanks and admiration.

As Special Assistant and, later, as Deputy Assistant, you worked tirelessly on behalf of our legislative proposals, advocating with great persuasiveness and competence the measures you and I believe will enhance the well-being of every American. It comes as no surprise to learn that one of our largest communications networks would also want the benefit of your counsel, and I am pleased that you have been appointed to such a major position with the American Broadcasting Company. I am confident you will serve there with the same outstanding skill and devotion which have marked your superb performance as a key member of my staff. Needless to say, my gratitude and warmest good wishes go with you.

Sincerely,

RICHARD NIXON.

BANGLADESH: BIRTH OF A NATION

Mr. CHURCH. Mr. President, the new nation of Bangla Desh, pursuing its war for independence successfully, with the help of India, is coming into being. By all reports, its concept of government will be social democracy; the future of its economy is uncertain; however, according to one Western observer, "economically Bangladesh will be better off than it ever was as part of West Pakistan."

I ask unanimous consent that several recent newspaper accounts on the liberation of the important town of Jessore and the fall of Dacca, plus related articles, be printed in the RECORD.

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

[From the Washington Post, Dec. 9, 1971]

**HAPPY CROWDS WELCOME INDIAN
ARMY TO JESSORE**
(By Dennis Neeld)

JESSORE, EAST PAKISTAN, December 8.—Jubilant crowds poured into streets today to shout Bangla Desh slogans and cheer conquering Indian troops.

Out came the red, green and gold flags they had concealed in their homes and back into town came the womenfolk who had fled to villages deep in the paddy fields in fear of Pakistani soldiers.

The Indian army entered Jessore yesterday after a lightning thrust which splintered the Pakistani forces and put them to flight.

Tanks and armored personnel carriers thundered past rows of shabby rundown shops, most of them locked and shuttered.

Turbaned Sikhs and brown-faced little Gurkha riflemen mingled with the crowd as cheerleaders led them in their chant of "Joi Bangla!"—Long live Bengal!

For the survivors of Jessore, an independent Bangla Desh at last had become more than a cherished dream.

Out in the streets, too, were the Mukhti Bahini, nationalist guerrillas who have waged an eight-month war of sabotage and ambush against President Yahya Khan's army.

Modern automatic rifles, supplied by India, were slung over their shoulders, and in their secret camps in the woods and banana groves they had mortars and light machine guns.

They played a minor role in the battle of Jessore, but there was a swagger in their walk as they enjoyed the day of triumph.

Maj. Gen. Dalbir Singh, commander of the 9th Division which captured the town, said his troops entered almost unopposed.

The Rev. Antonio Alberton, a Roman Catholic missionary priest, said the Pakistanis fled Jessore in panic, loading their belongings and families in trucks and speeding off to the south.

Asked if he was cooperating with the local guerrillas, Gen. Singh replied: "The Mukhti Bahini listen to me. They shot two people in town and I told them they will not shoot anyone else. I told them they can do that sort of thing when they have their Bangla Desh."

All the way to the Indian border, 18 miles to the west, crowds turned out to greet the first party of foreign newsmen to visit Jessore since its capture.

For a few short weeks last spring, Jessore was in the hands of popular forces in revolt against Rawalpindi's rule. A fire engine with clanging bell met newsmen at the Petrapole border post then to race them to town. This time, the Indian army provided the transport.

Shattered villages scarred the route. On the railroad that once linked India and Pakistan a rusting signal stood at "stop." Lines of Pakistani bunkers and breastworks were abandoned in neglected fields. They had been given up without a fight.

Indian sappers carved out new tracks to avoid bridges blown up by the retreating Pakistanis.

A five-span concrete bridge at Jhingargacha was wrecked. A new bridge resting on rubber pontoons already had been flung across the river and Indian military traffic was rumbling across it.

[From the Washington Star, Dec. 16, 1971]

EAST PAKISTAN FALLS, INDIA TO HALT FIGHT

The Indian army triumphed on its eastern front today with the unconditional surrender of Pakistan's army in East Pakistan.

Then the Indian government ordered its troops on the western front to stop fighting tomorrow night in a unilateral cease-fire.

The Indian cabinet's decision to call a pause in the Kashmir area was made in the face of a declaration by Pakistan's president that he would carry on the war with India until the "occupied areas are taken back."

In announcing the Indian government's decision, an official spokesman said: "We have repeatedly declared that India has no territorial ambition.

"Now that Pakistan armed forces have surrendered in Bangla Desh, and Bangla Desh now is free, it is pointless in our view to continue the present conflict.

"Therefore in order to stop bloodshed and unnecessary loss of life, we have ordered our armed forces to cease firing everywhere on the western front, with effect from 2000 hours Indian standard time on Friday, Dec. 17, 1971."

"It is our earnest hope that there will be a corresponding immediate response from the government of Pakistan."

The time given is 8 p.m. local time, equivalent to 9:30 a.m. EST.

The eastern and western fronts are separated by about 1,000 miles, as are East and West Pakistan.

In the east, Indian soldiers marched victoriously into Dacca and Prime Minister Indira Gandhi told her people:

"Dacca is now the free capital of a free country."

It has been the provincial capital of the east wing of Pakistan.

Mrs. Gandhi declared refugees who had fled from East Pakistan to India were already returning to the area which India calls Bangla Desh, or Bengal nation.

The Pakistan president, Agha Mohammed Yahya Khan, apparently refusing to write off East Pakistan, broadcast his intention to put out, two weeks hence, a new constitution that he insisted would apply to "both the wings" of Pakistan.

Before New Delhi's announcement of its intention to cease fire in the west, an Indian spokesman had reported the biggest tank battle of the war as having taken place in that sector within the past 24 hours.

U.N. IGNORED

The cabinet's decision for the western cease-fire was immediately conveyed to Foreign Minister Swarn Singh, now at the United Nations.

Mrs. Gandhi had earlier brushed aside a U.N. General Assembly cease-fire appeal and had declared that India would "fight on until Bangla Desh is liberated." The announcement indicated she felt that her conditions for a cease-fire had been fulfilled.

Announcement of the eastern-front victory brought cheers in the New Delhi Parliament.

Mrs. Gandhi told parliament India's only aim in East Pakistan, which she referred to as Bangla Desh, was "to assist the people of Bangla Desh and the Mukti Bahini to end the reign of terror there." The Mukti Bahini are East Pakistan's fighters for independence.

STRICT ORDERS

She said the Indian armed forces and the Mukti Bahini are under strict orders to insure there are no reprisals "against the Pakistani army soldiers and the Razakars," the locally recruited home-guards branded as collaborators by the Mukti Bahini.

Mrs. Gandhi reported the Bengali refugees in India, estimated to total nearly 10 million, "have already started trekking back to their homeland."

"We also hope Sheik Mujibur Rahman will take his rightful place and lead the Bangla Desh people to peace, progress and prosperity," she added.

RAHMAN IN PRISON

Rahman, leader of the outlawed Awami League, has been in a West Pakistani prison since March 26 after his arrest in Dacca on charges of treason.

The prime minister said the triumph of the Indian armed forces and the Mukti Bahini "is not theirs alone, but for all nations who value the human spirit and recog-

nize it as a significant milestone in man's quest for liberty."

The Indian parliament erupted with cheers and desk pounding when Mrs. Gandhi read her one-minute statement, just as it did last week when she announced that India had recognized Bangla Desh.

Indian troops invaded East Pakistan on the night of Dec. 3-4 with the declared aim of helping the Mukti Bahini guerrillas establish an independent republic. Bangla Desh—the Bengali nation—is the rebel name for the eastern province.

Radio Pakistan said 54 civilians were killed and about 90 injured in an Indian air raid last night on Karachi, West Pakistan's major city. It said 32 civilians were killed in Lahore and 11 others died in other sections of West Pakistan in Indian air attacks.

The war, the third fought between the two countries since Britain divided the sub-continent in 1947, grew out of the civil war in East Pakistan that followed Yahya Khan's attempt to crush the independence movement in the province.

East Pakistanis have long complained of neglect by the central government in West Pakistan, which is dominated by Punjabis. The smaller, more populous East is predominantly Bengali, and its jute industry accounted for the major part of Pakistan's foreign exchange earnings. But West Pakistan got most of the benefits.

Last December, in Pakistan's first general elections in 23 years, the Awami League, a Bengali party promising greater autonomy for the East, won 167 of the 313 National Assembly seats. Yahya Khan accused the Awami leaders of fomenting secession and on March 25 unleashed his army. The leader of the league, Sheik Mujibur Rahman, was imprisoned and the troops carried out a reign of terror that drove an estimated 10 million refugees into India, imposing a crushing burden on a strained economy.

SECRET TRIAL HELD

India repeatedly called on Yahya to reach a political settlement with Sheik Mujib, but the president put the sheik on trial before a secret court, barred the Awamis from the assembly and outlawed the party. Pakistan charged that India was arming and training the Bengali resistance fighters.

Both countries moved their troops up to the borders and for several weeks engaged in minor skirmishes. Then on the night of Dec. 3-4, Indian troops moved in force into East Pakistan.

India had the upper hand both from a standpoint of numbers and geography. She was estimated to have more than a million men under arms compared to 392,000 for Pakistan and nearly 3-1 superiority in the air. And the 80,000 Pakistani troops in the East were cut off from the Western half of the country by 1,000 miles of Indian territory.

[From the Wall Street Journal,
Dec. 15, 1971]

**BIRTH OF A NATION: BENGALIS RULE PARTS OF
PAKISTAN IN POMP, TRYING CIRCUMSTANCES**

(By Peter R. Kann)

MUNSHIGANJ SUBDIVISION, EAST PAKISTAN.—As Indian forces intensify their pressure against East Pakistan, it appears certain that an independent Bengal Nation will emerge. Yesterday the battle for Dacca began, and some top civilian officials of the East Pakistani government resigned.

What would Bangla Desh, as the Bengalis call it, be like? It's impossible to tell for sure. But the Mukti Bahini, or liberation fighters, have taken control of much of rural East Pakistan as well as a lengthening list of larger towns. Thus, a recounting of a trip to one of these areas taken just before the general Indian-Pakistani war broke out may offer something of a microcosmic view of a

future Bangla Desh, its army, its administrators and its people.

The area chosen was Munshiganj Subdivision, a village 22 miles south of Dacca. The trip was taken in what is called a "country boat"—a 60-foot rivercraft of advanced age that chugs down one of the many broad and meandering branches of the Ganges. The boat trip takes about eight hours, for rivers don't flow 22 miles as the crow flies.

Such a visit tends to try one's tolerance for inflated rhetoric and exaggerated claims as well as for the lukewarm tea that is hospitably (but constantly and insistently) served to foreigners by every Bengali within walking distance of a tea leaf. There are large quantities of both naivete and overconfidence to be found among the Mukhtis. And much of what one sees and hears appears to be a false front: Bangla Desh flags hoisted for visitors and later tucked away, the orchestrated cheers and rehearsed military exercises. There are also signs of lack of forceful leadership as well as some indications of indiscipline.

TEA AND RHETORIC

Whatever their weaknesses, however, the Mukhtis were in control of Munshiganj Subdivision. A Bangla Desh civil administration was functioning, probably as efficiently as any other administration ever functioned here. Its local courts could be seen dealing with local land disputes, squabbles over trees and fishponds, and marital problems. Bangla Desh administrators were collecting revenue. The Mukhtis were armed and some of them trained. And there was no doubting the massive popular support they had from the local people.

Within minutes after arrival, our small party is having tea in a Bengali house, surrounded by generally friendly an uniformed vocal Bangla Desh partisans. The rhetoric is dramatic: Bengalis are born orators. Speaking of the Punjabis, West Pakistan's dominant ethnic group, a 60-year-old member of the local Bangla Desh civil administration says: "The Punjabi brutes have tortured our people as no other people have been tortured. A burning fire is in our hearts. How can we tolerate the brutes? All ways are now closed to them."

A young Mukhti says, "Last week we operated on (killed) 36 Punjabis." How many prisoners did the Mukhtis take? he is asked.

"None," he replies. "That's remarkable," a visitor says. "Remarkable and gallant," the old man interjects. He pulls up his shirt to display a black band tucked in the waist of his sarong. "When I find a Punjabi, I put my black band over his eyes and then I stab him."

Explains a young man with a Sten gun: "Before, we were soft-minded, but now we are cruel. We are making Bangla Desh a free nation on the map and Inshallah (God willing) we are succeeding." Another local leader explains that after the Pakistani army is defeated, it will be only a matter of time before Indian West Bengal is incorporated into a "Greater Bangla Desh." The Indian state of Assam will have to be added also, he says. What about Tripura, another Indian state bordering on East Pakistan? "Yes, that too."

TROUBLE WITH THE SCENARIO

It is a scenario that isn't completely improvable for the more distant future—and some of the Mukhtis' Indian sponsors privately worry about the loss of several Indian states to the new nation.

Piecing together an accurate history of events in this area isn't easy. But it appears that as in most parts of East Pakistan, the Bangla Desh flag was hoisted here briefly last March. In April and May the Pakistani army swept through this area but less devastatingly than in many other places. Most of the local Hindus, special targets of the Pakistani army, fled to India.

Some nearby villages apparently were razed, but we see none of these on this trip.

As the Pakistani army moved through the area, the villagers fled deeper and deeper into the countryside. When the army left, the villagers returned. There followed some months of a military and political vacuum. The presence of the West Pakistani government barely reached these villages in any form, but the Mukhtis themselves were a weak and largely covert presence. Within the past month, however, the Mukhtis filled the vacuum. This coincided with Indian pressure along the borders and also apparently with the return of better-armed and better-trained Mukhtis from Indian border training camps. Gradually a ring of Mukhti-controlled countryside has been closing in around Dacca. Munshiganj Subdivision is part of that ring.

On the second day of our trip, we get a better look at the Mukhtis. We are guided several miles downriver to another village and welcomed ashore with the fanfare of flags, cheers and even a Bangla Desh photographer in a natty woolen suit who stands on the riverbank to snap our pictures as we step ashore. A crowd of perhaps 500 villagers was assembled on two hours' notice, an official explains. "With two days' notice," he adds, "we could have gotten two million."

As a green, red and yellow Bangla Desh flag flutters from the tallest one-story building, the 500 "citizens of Bangla Desh" respond in well-cadenced chorus to a cheerleader's calls.

"Free our leader, Sheikh Mujib (who is imprisoned)," the cheerleader yells.

"Sheikh Mujib, Sheikh Mujib!" the crowd responds.

"My country, your country!" the leader screams.

Then, like 500 Ed McMahaons introducing Johnny Carson comes the crowd response: "Joi Bangla (Victory to Bengal)!"

Lined up nearby are 60 or so Mukhti Bahini. They are dressed in sarongs or loincloths and armed with a smorgasbord of weaponry: old Lee-Enfield .303 rifles, snub-barreled Sten gun, AK47 automatics, shotguns and grenades.

The guests are treated to a display of ambush tactics by the Mukhtis. The men crawl through some low underbrush, gripping their weapons, one man with a grenade between his teeth, while an officer with a brass whistle whistles directions. The Bangla Desh photographer photographs an ABC camera crew photographing the ambush display.

THE TALE OF BENGALI

The Mukhtis here seem to run the gamut from very professional to totally amateur. The professionals include a few former members of the regular Pakistani army and some veterans of paramilitary and police forces. The local unit commander was a sergeant in the regular army and tells his bitter story:

"In March the bastard Punjabi sepoys (soldiers) stopped saluting me. . . . Later, one of the bastard sepoys blowed me on the face with a gun. . . . The bastard sepoys struck my wife. . . . Later, I saw the bastard Punjabis forcibly rape young Bengali girls in the open field. . . . I escaped and determined to take my revenge at all costs and all circumstances. . . . Inshallah I have so far killed 40 Punjabi soldiers. . . . I take my revenge."

Most of the Mukhtis in the area seem to be students, and many appear to have made the trek to training camps just over the border in India and then to have infiltrated back here. The Bangla Desh officials don't admit that this is so; indeed, they deny any links with India. But several young Mukhtis proudly begin to relate their experiences in India before being hushed up by more politically attuned colleagues. And some of the Mukhtis carry Indian-made arms.

Many Mukhtis throughout East Pakistan probably aren't entirely pleased that the full-scale war between India and Pakistan is on. Presumably they would have won their independence with limited Indian help. But now,

if Bangla Desh is created, it may appear all too much an Indian-produced product.

While some of the Mukhtis in this village seem to have been well-trained at various camps, others probably have received no training at all. But every young man here calls himself a "freedom fighter." And most claim to have personally killed at least one Punjabi squad.

"We are all shaeed," one youth says. "That means men who die for the sake of their country," a buddy explains. "He killed more than 10 Punjabis," they say, pointing to a third youth. I scribble the number "10" in my notebook. "No, more than 10," says the first youth, genuinely offended. Weapons are handed almost reverently by the Mukhtis. "This is my very life and good friend," says a pudgy young soldier in dark glasses, caressing his vintage Lee-Enfield rifle.

In another village a court is in session. Ten mostly elderly members of a local Bangla Desh council sit behind a low wooden table and busy themselves scribbling notes on the cases they are hearing. This day the cases involve (1) a dispute over a 30-square-yard plot of land, (2) a marital squabble, (3) a quarrel between two fishermen over rights to a pond, (4) a creditor's demand for payment of a \$5 debt and (5) a dispute between two neighbors over who has the right to chop down a tree.

No cases are decided, and all are recessed for further hearings. But the court proceedings appear genuine and in their modest way impressive. These are the kinds of day-to-day issues that concern Bengali, or any other Asian, villagers, and Bangla Desh is dealing with them.

VOLUNTARY CONTRIBUTIONS

The council also handles revenue collection, encouraging "voluntary contributions" from the public for support of the war. The members of the council are a solidly bourgeois lot (two schoolteachers, two businessmen, a doctor and two "cultivators" among them)—the normal sort of respected elders of any small Asian community.

The council members say they were "elected" by local people, but it appears they were appointed by higher Bangla Desh echelons with the apparent approval of the local populace. In principle, at least, the local Mukhtis are under command of civil administrators. In practice, however, it seems that the Mukhtis report and respond to their own military chain of command.

In any case, both the Mukhtis and the administrators have regular contact with higher headquarters and thus with national Bangla Desh headquarters, still located in Indian West Bengal. An indication of the effectiveness of the lines of communication is that by the third day of our visit here, Bangla Desh radio, from its transmitters in India, was announcing our presence by name.

HOW MUCH COMMUNIST INFLUENCE?

In this area, there doesn't appear to be any Communist influence among the Mukhtis. In certain other areas, that isn't the case. Reports from reliable sources in the remoter southern sectors of East Pakistan say large areas already are under control of "Nazalite" Maoist guerrilla groups, some of them in temporary alliance with the Bangla Desh cause while others are at war with both the Pakisnoring foreigners. "Are you asleep?"

But the non-Communist Bangla Desh elements certainly outnumber the Communist ones. And in Sheikh Mujib, now a prisoner in West Pakistan, the "bourgeois" Bangla Desh have the sole Bengali national hero.

There are some exasperating, if not particularly significant, experiences with the Munshiganj Mukhtis. Although welcomed as "honored guests" by the local liberation forces, our group, sleeping on our boat, is subjected to constant liberation raids on our food supplies by conspicuously armed young Mukhtis. It is a small thing in a land where

one can legitimately ask why foreigners should eat better than the natives.

But foreigners certainly don't sleep better. Besides the food raids, there are post-midnight visits by Mukti who poke their heads through the boat's cabin windows and ask the snoring foreigners, "Are you asleep?"

[From the Baltimore (Md.) Sun,
Dec. 15, 1971]

BANGLA DESH LOOKS TOWARD ITS FUTURE

(By Robert T. Livernash)

UNITED NATIONS, N.Y.—While the United Nations is engaged in what is likely to be a fruitless debate on the conflict between India and Pakistan, it seems likely that in a matter of weeks the Bangla Desh leadership will be given the task of trying to salvage and invigorate what remains of their country.

They will be faced immediately with three problems:

1. The creation of an effective government.
2. The return of the refugees to East Pakistan.

3. The maintenance of internal stability, and the role the Indian Army should or should not play in East Pakistan.

The Bangla Desh representatives in New York (not, to be sure, representatives to the U.N.) are not entirely pleased with recent events. A Mukti Bahini victory unaided by India, they reason, would have clearly established the legitimacy of their government.

"Personally, I would have preferred guerrilla warfare rather than Indian invasion," says Sayyid Karim, a member of the Bangla Desh mission in New York. "Morale would have been better if liberation had come from our own efforts rather than those of another country. But we can show that our fighting has been important even though India has played a prominent role."

The Indian government has not gone out of its way to keep the Bangla Desh representatives informed, he reports.

"We were not informed of the invasion when it took place," he said. "Whether the Mukti Bahini were informed or not, we don't know."

A second worry is what to do with the Indian Army when it pitches its tents in Dacca. Will Indians be essential as a police force to maintain stability in the country?

"The Indian army is going to go back," said Karim. "I don't envisage them staying on as a police force. They know that whatever sympathy they have at present is because of the Bangla Desh movement."

"I think they will also be anxious to transfer as many troops as possible to the west when the fighting in Bangla Desh is over."

Without the Indian Army in residence, however, Mr. Karim concedes the possibility of indiscriminate killing.

"The Indian army is going to take prisoners and we think it is a great advantage to take prisoners," he said. "But the Mukti Bahini must follow the wishes of the populace, and they may not take prisoners."

The return of the refugees may prove to be a difficult problem for the new government. The refugees, more than half of whom are Hindus, will have to be persuaded—or perhaps forced—to return to what is now an overwhelmingly Muslim state.

"Bangla Desh is a secular state," says Mr. Karim, who adds, "But I see no problem in the refugees going back. If we can provide physical security and return their land, they will return."

Establishing an effective government will be much easier if the West Pakistanis release Sheik Mujibur Rahman, who has been imprisoned since the military repression last March. Of the four conditions set forth by Bangla Desh for talks with West Pakistan—the recognition of Bangla Desh, the release of Mujib, the withdrawal of all West Pakistani troops, and an agreement in principle

for compensation for damages—the first is non-negotiable and the second is very negotiable.

Without Mujib, a provisional government will be formed and will be led by Syed Nazrul Islam, the acting Bangla Desh president and long the number two man in Mujib's banned Awami League. A South Asian scholar at Columbia described him as "a lawyer, considered to be a sound intellectual, and very cool under fire."

The government's major task will be to rebuild the shattered economy of East Pakistan. That task has been multiplied in the past few days, since it has been reported that the Indian Navy and Air Force have been bombing Chittagong, the site of the country's major heavy industries.

It has been reported also that the steel mill and kerosene factory in Chittagong, both the only suppliers of those essential goods in the country, have been destroyed.

Some observers here feel that India may have done this not only because of military considerations but additionally in order to make East Pakistan completely dependent on India for these goods. Mr. Karim does not agree with this assessment.

"If the steel mill has been destroyed I would be upset, but I would not assume it was deliberate," he says. "So far as we know the Indian Army is going to take care not to damage the infrastructure."

"Economically Bangla Desh will be better off than it ever was as part of West Pakistan. About \$2.6 billion in revenues has been transferred from East to West since independence. That is at an end. And we should have a mutually profitable relationship with India, particularly in the jute and coal industries."

Karim foresees nothing of substance emerging from the General Assembly debates, and concedes that the Mukti Bahini would not obey a ceasefire.

"As to a peace-keeping force, India won't accept them on her border, and Pakistan doesn't control the border in Bangla Desh, so where can they go?"

With or without the United Nations, maintaining order in East Pakistan in the coming months is going to be a grave challenge for the Bangla Desh regime. When the euphoria of their liberation wanes, the people of East Pakistan will be faced with the grim prospect of being a citizen in the most desperately poor country in the world.

[From the Christian Science Monitor,
Dec. 13, 1971]

BANGLA DESH—BIRTH OF A NATION

(By Henry S. Hayward)

JESSORE, PAKISTAN.—Bangla Desh—the new Bengali nation in what has been up to now East Pakistan—is beginning to take shape as an operating entity.

The first steps of stirring this new nation into existence are fascinating to watch.

Looking beyond the present joyous liberation, one sees more serious aspects looming for India and Bangla Desh. Some see a painful day of reckoning ahead for the two as their motives begin to diverge.

As the new nation emerges, its common cause with India may begin to fray, no matter how hard leaders on both sides attempt to patch it.

The birth process is visible as Bangla Desh leaders begin to pay their first official public visits to their country, newly born out of the chaos and trouble that has marked East Pakistan for so long, and out of the war between India and Pakistan which is rapidly "liberating" the world's youngest people's republic.

Slow, awkward, controversial the emergence may be. But it also is being received with enthusiasm at the grass-roots level. Popular enthusiasm seemed evident enough in the shouts and intent faces of villagers at an impromptu town meeting held Satur-

day at Jhinkargacha in conquered territory, 10 miles west of Jessore. There, acting Bangla Desh President Syed Nazrul Islam and Prime Minister Tajuddin Ahmed paused at a little rotunda on the far side of town to give speeches while en route to their first official appearance at Jessore.

The emergence also can be seen in the more open appearances of Mukti Bahini freedom fighters. A jeepload of young armed Mukti guerrillas led an official caravan of cars along the 25-mile drive to Jessore. Close behind came an Indian Army military police jeep, perhaps as a reminder to those along the wayside that Indian forces also have had something to do with this liberation.

On every road and bypath one sees refugees trickling back from outlying villages, where they have been hiding, to larger towns and cities. Their appearance seems an informal vote of confidence that at least some stability will return to their disordered lives.

Whether that vote in the long run will prove to be for the present generation of Bangla Desh leaders remains unknown. It may even be only a tribute to the Indian Army's present military victories in this area.

Some expect the new nation's birth pangs may include the reopening of conflicts and rivalries between various East Bengali racial, political, and religious groups—or even between Bangla Desh and its Indian mentor.

But meanwhile, shops are reopening along the main roads with their carefully preserved hoards of basic living essentials. And workers in fields of rice, jute, and mustard once more are to be seen working far into the dusk hours.

QUESTION OF CONTROL

At political levels, however, the problem now is whether or not power in the Bengali independence movement shall remain with the present government group that shepherded Bangla Desh through its difficult "go-it-alone" rebel phase, or be transferred to a new group to take up the reins of control.

One hears that some of Mukti Bahinis who did the fighting against East Pakistan's military regime since last March may prove reluctant to turn in their weapons and revert to passive role while leaders who spent much of their time in Calcutta or New Delhi take over everything.

Calcutta reports say some Bangla Desh leaders here hastily beat it into the field to join the Mukti Bahini when war started. They felt this was the only proper way to become part of the nation's emergence.

CRACKDOWN ON EXECUTIONS

Another key factor in the emergence is India's role. In addition to its military operations against Pakistan, India seems determined to keep considerable measure of control over the Bengali take-over of East Pakistan. The Indians appear to be quietly moving in numbers of Indian police and border security force personnel in the wake of their military machine to keep an eye on civilian developments.

The Indian general who captured Jessore told correspondents he cracked down hard on the Mukti Bahini when they summarily executed two men immediately after the town was taken. When Bangla Desh is in control here, he said in effect, it can do as it chooses, but while I am in control of Jessore there will be no more of that.

Without Sheikh Mujibur Rahman, the jailed Awami League leader, the political appeal of the present Bangla Desh government seems limited: Some in the audience did not know the names of the leaders speaking to them.

CONCERN OVER THE FUTURE

The situation at the moment seems to be that the Indians have military control and Bangla Desh has civil control in some liberated areas, but there is much overlapping.

The Mukti Bahini liberation forces have a certain amount of military control, too, in areas not yet reached by Indian forces. Even where Indians are present, a joint command with the Muktis is said to exist.

Similarly, where territory has not yet been handed over to civilian administration, as at Jessore on Saturday, Indians are in civilian control, too, as U.K. Gupta's presence appeared to testify.

Some of the younger Bengali freedom fighters and intellectuals are known to harbor deep concern over the future relationship between Indian and Bangla Desh once the military phase is over.

"India was useful for the Bangla Desh independence movement, and we are grateful," one told me in Calcutta before war broke out. "But this is Bengal's first chance for real independence and I don't want to see it lost—or changed into something else."

"The ultimate objective is full Bengali Independence, not an Indian-controlled East Bengal. We don't want to exchange Pakistani domination for Indian."

[From the Christian Science Monitor,
Dec. 13, 1971]

RETRIBUTION NIGHTMARE? WHAT LIES AHEAD FOR BANGLA DESH . . .

(By Bertram B. Johansson)

If East Pakistan should fall to Indian and Bangla Desh (Bengal nation) troops soon, the problems of restoring that shattered area may loom as large as the Indo-Pak war itself.

This is the considered view of Asian experts who have been close to the Indo-Pak war scene in recent weeks.

In the absence of any particularly visible contingency planning by India, Pakistan, or Bangla Desh, these experts see the most pressing problems today as including:

The possibility of the East Pakistan population wreaking revenge on West Pakistan troops for the murders and massacres committed in the months since their arrival last April.

There are reports, as well, that West Pakistan troops have been killing Bengali civilians in recent days as they retreated.

The continuation of Bengali harassment and, in some cases, murder of members of the minority Bibari Muslim community who may not have left East Pakistan as refugees. Many of East Pakistan's policemen were Muslims, as were many shopkeepers and merchants.

India has considered the retribution nightmare at least to the point of stating:

"Our plans provide for protection to all sections of the population, including those who have earned the wrath of the local population."

Observers are aware how difficult the policing of such retribution can be. At the time of independence when India and Pakistan were partitioned in 1947, more than a million Muslims and Hindus were killed in religious riots, a statistic seldom recalled today.

Several Western governments are making a crash-project study of questions such as: Where does the United States and/or world community find the money for rehabilitation efforts?

How can East Pakistan be put back on its feet?

How can problems of damage to communications, bridges, and transport, which are central to the distribution of food supplies, be solved?

The State Department is known to be studying these matters intensively just * * * know, not only with a humanitarian intent in mind, but in hopes of restoring the somewhat battered U.S. image in Asia.

The return and resettlement of the 10 million East Pakistan refugees now in India could present logistical and transport difficulties of unmanageable proportions.

Some 3,000 refugees in West Bengal camps have already begun their trek home to Khulna District in East Pakistan.

Aside from the human problems of returning millions of East Pakistan refugees, India still may have to cope with those who, for fear of persecution or murder, do not wish to return to their former homes.

The possible radicalization of Sheikh Mujibur Rahman's Awami League, which until now has had an essentially middle-class profile, is a matter of concern to countries considering establishment of diplomatic relations with Bangla Desh.

Some of the activists in the Mukti Bahini tend to be more radical than the political figures who are in the background of the liberation group. This, in fact, is one of India's concerns, and is said to have been a factor in India's carrying the war into East Pakistan in recent weeks.

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

JESSORE CHEERS ARRIVAL OF BANGLA DESH LEADERS

(By Laurence Stern)

JESSORE, DECEMBER 11.—While the war raged on 16 miles to the south, the two presiding officials of the self-proclaimed People's Republic of Bangla Desh made their first public appearance on their own soil, to the cheers of hundreds in this district capital.

Shouts of "Joi (Hal) Bangla" greeted acting Bangla Desh President Syed Nazrul Islam and Prime Minister Tajuddin Ahmed, who arrived by car from Calcutta behind two Jeeps full of armed Mukti Bahini Bengali guerrilla escorts. Four rickety Indian buses carried the 128 newsmen who accompanied the two Bangla Desh leaders on the six-hour journey from Calcutta.

Jessore fell to the Indian army and Bengali guerrillas last Monday night, and there was no evidence here of battle. There were, however, accounts from residents of mass executions, mass rapes and pillage by West Pakistan's occupation army.

Jessore's jail and police station were holding some 900 persons suspected of having collaborated with the Pakistani troops, according to district officials. The suspected collaborators were rounded up after the Indians and Bengalis took control.

Acting President Islam told the newly liberated constituency that "You will have complete religious freedom from now on. From now on, no one can abrogate it for Hindus and Moslems and Christians and Buddhists. There will be no more politics based on religion."

HINDUS STILL MISSING

As yet, however, Jessore's Hindu population was still missing. The only sign of it was the empty Hindu quarter, in which many of the dwellings had been razed to the ground during the Pakistani occupation.

Remaining Hindu homes had black hands painted on the entrances. Elsewhere in East Bengal, Hindu residences were designated during the occupation by a yellow capital H.

Two Italian Catholic missionaries, Fathers Antonio Alberton, 50, and Francis Spagnolo, 58, spoke of a Pakistani reign of terror that began early last April and continued intermittently until the Pakistani forces were driven out this week. One of the priests estimated that 10,000 in Jessore and its environs had been slaughtered by the Pakistanis.

During the week of April 4 to April 10, Father Alberton related, the streets and houses of Jessore were full of bodies of local residents who had been executed in batches by the Pakistani soldiers and the "razakars," or collaborators.

The missionary, who also functioned as a physician in Fatima hospital here, said that early in the occupation "There were dead bodies everywhere and dogs eating the flesh

of men—a terrible thing to see." A fellow missionary, Father Mario Veronesi, was gunned down in front of his rectory by a Pakistani soldier with a Sten gun, Father Alberton said.

In another incident, he said, Pakistani soldiers took several young women out of the Christian mission compound, where a group of 300 residents had sought refuge, and raped them, at gunpoint on the mission grounds.

Young Bengali women from Jessore were rounded up by the soldiers and kept naked inside the military compound to satisfy the garrison, he said.

THE HIDING, THE VANISHED

Today I could count fewer than half a dozen women in this city with a normal population of about 50,000. Many were in hiding and just beginning to return, it was explained. Others had vanished during the occupation and there was no accounting for their disappearance.

In the nearby community of Dhikargacha, a group of townsmen stood beside the two blown-up bridges over the Kabatachaki River and also spoke of the disappearance of the women.

Izzatall Munshi, a 52-year-old deliveryman with sunken craters in each cheek, stood on the bank and recounted the experience of the occupation.

"The Pakistani soldiers and the razakars lined people up and tied their hands. Then they would cut their jugular veins with knives and bayonets and throw them in there." He pointed to the river. "No young woman would dare come out of hiding, nor the young boys, who would be killed. On market day and prayer day, people were too frightened to come out."

In Dhikargacha, as in Jessore, the residents were beginning to return to their homes, some of them carrying their life's possessions on their heads.

EXPERT DEMOLITION

Indian soldiers and local residents installed a German-manufactured pontoon bridge to replace the two spans that had been blown up with impressive expertness by the retreating Pakistani soldiers. The main bridge, a massive concrete structure, had five spans dangling into the muddy Kabatachaki River.

The Indians and the Bengali townspeople seemed to be co-existing on the most amiable terms.

An Indian private, who had been fighting in East Bengal, spiritedly told me: "We are here fighting for the freedom of these people. As you can see, they have been slaves. I just heard that my own town in Kashmir has been captured by the Pakistanis. But I don't care. I am fighting here in Bangla Desh. Now we are all Indians."

[From the Washington Star, Dec. 10, 1971]

JUBILANT BANGLAIS CELEBRATE FREEDOM

(By Keyes Beech)

JESSORE, EAST PAKISTAN.—Jubilant East Bengalis danced around the bodies of their fallen oppressors as 1,000 doomed West Pakistan troops and their families fled toward the sea and certain death or capture by Indian "liberation" forces.

The road from Jessore, which fell to the Indians three days ago without a fight south to the Bay of Bengal yesterday was littered with Pakistani dead, burned out jeeps and trucks and abandoned enemy weapons.

Even if they manage to reach the sea, the fleeing Pakistanis and their wives and children will have to swim if they go any farther. For the Indian navy is waiting for them there and the Indian air force, which has undisputed control of the air, is having a field day shooting up Pakistani shipping.

SURRENDER OR DIE

Isolated by land, sea and air, under attack from all directions, and harassed by vengeful East Bengalis, the 60,000 West Pakistani troops in the East face the choice of surrender or death.

With the fall of Jessore in the west and Comilla in the east, two of their principal strongpoints, it was doubtful if the Pakistanis will even make a fight for Dacca, the capital and apex of their triangular defense line.

Indian army officers, who seemed almost embarrassed by the ease with which they vanquished the supposedly fierce Pakistani fighters, said they were pursuing the enemy with deliberate slowness.

"We keep urging them to surrender," said Maj. Sabhu Singh, an artillery officer. "They haven't a chance anyway: And we are refraining from using our air because of the women and children."

The dark-skinned Bengalis lined the roadside to welcome the advancing Indian troops and shouted "Hail Bangal Desh," their self-proclaimed new nation which has been recognized by New Delhi.

At one point along the road between Jessore and Khulna, the Bengalis danced around the bodies of a dozen slain Pakistani soldiers and shouted "Hail Bengal" for the benefit of foreign television cameras. None of them ever has seen TV. They don't even have electricity.

While they may have some reservations about their Indian liberators, it was clear the Bengalis were overjoyed to be free from the West Pakistanis, who for the past eight months have slaughtered them by the tens of thousands in a vain attempt to stamp out Bengali nationalism.

MASS KILLINGS CHARGED

The retreating Pakistanis left a trail of blasted bridges and stories of mass atrocities. Indian army engineers, with commendable efficiency, rigged pontoon bridges and by-passes over the larger streams.

In town after town excitable Bengalis told of mass murders by Pakistani troops. One man told how the Pakistanis came in search of a Mukti Bahini (Bengali freedom fighter) leader named Ghillal, a common name in these parts. When they failed to find him they shot everybody in the village by that name—10 people in all, the Bengalis said.

[From the Christian Science Monitor, Dec. 10, 1971]

PAKISTAN BASTION OF JESSORE TOPPLED IN A DAY

(By Henry S. Hayward)

JESSORE, PAKISTAN.—The sudden and surprisingly easy capture of this key bastion in western East Pakistan by Indian forces on Dec. 7 leaves virtually the whole western half of the country without a major resistance point.

This is the opinion of Maj. Gen. Dalbir Singh, commander of the Ninth Indian Division, which spearheaded the assault on Jessore.

This correspondent was in the first group of Western and Indian newsmen to enter Jessore on Dec. 8 and to interview General Singh.

CHANGE OF CHARACTERS

The interview took place in the same former schoolhouse military headquarters where less than one month ago this reporter interviewed Pakistani Maj. Gen. M. H. Ansari who was then one of the generals commanding the defense of Jessore.

As the Indian general described in detail the battle for Jessore, it became clear that contrary to expectations the struggle for the city itself had not involved heavy clashes, heavy loss of life, or heavy damage to the town.

The Pakistanis, he said, had built very strong defenses in front of Jessore. But they

were unable to defend the city properly when the time came because they did not man those defenses sufficiently and because they made mistakes.

With obvious relish General Singh related that "if they had fought sensibly we would have been here for one month."

SPEEDY BATTLE

As it was, the battle lasted only slightly more than 24 hours. The general said his strong Ninth Division was confronted only by four Pakistani battalions—about 3,000 men—when he launched his attack early on Dec. 6.

The four battalions of 800 men each already had been reduced in fighting effectiveness by weeks of earlier combat when Indian forces darted in and out in pursuit of their "defensive actions."

As the battle began, General Singh said, he found two enemy battalions in the marshes in front of Jessore. He promptly punched a hole between the two and proceeded to exploit his advantage.

RETREAT CUT OFF

He wheeled south and cut off one battalion at a river which lay in front of it. As he prepared to strike a second battalion in the morning, he found it had dispersed and he was no longer able to find it. It apparently was fleeing northeastward in the hope of reaching safer territory.

One of the other two battalions decided to retreat to Jessore town, but it did not move fast enough, according to General Singh. He beat them to Jessore airfield with his forces appearing there at 8 o'clock in the morning.

As he described it the fourth battalion—now reduced to about 300 men encumbered with their families from Jessore—now were in a precarious position.

This remnant force was about four miles southeast of Jessore on the afternoon of the eighth attempting to retreat to Khulna. They had four Chaffee light tanks with them.

General Singh was deliberately withholding full-scale attacks on this unit in deference to the women and children included, he said, and in the hope the Pakistanis would accede to his urgent surrender requests. The whole of Jessore town, meanwhile, had fallen into Indian hands by noon on Dec. 7 without any heavy fighting in the urban area.

TOWN DESERTED

When correspondents were driven through the town en route as close as possible to the 300 Pakistanis surviving in the pocket, it was apparent that Jessore had been virtually deserted by its civilian population and that there had been no fighting in the streets.

Shops, offices, and business establishments were shuttered and padlocked, but not even window glass was broken. This correspondent spotted only one body in a field within the city limits.

While we were there, however, residents obviously were beginning to flock back to Jessore to pick up the pieces of their lives and businesses. Most of them had learned it is best to evacuate the cities and towns in time of trouble and seek safety in the small outlying villages.

COUNTRYSIDE SAFETY

Except for certain villages deliberately put to the torch by Pakistani troops, according to civilian accounts, most rural areas remained safe hiding places.

Two Roman Catholic missionaries, the Rev. Antonio Alberton and Sister Rosario, told us the Pakistani forces and their families pulled out of Jessore in a wild panic on Monday. Their vehicles sped past as never before, the missionaries said.

I could not help remembering Jessore as it had been early in November when Pakistani forces were firmly in control. The briefing rooms in division headquarters were as they had been—even to the large wall maps showing details of the Jessore area.

Then we had landed at Jessore in a Pakistani helicopter. While we were being briefed by General Singh, an Indian helicopter landed on the same pad.

EARLIER BUSTLE SILENCED

Then, Jessore was crowded with people and traffic. The court house and mosque in the center of town were busy places. On Wednesday, both buildings seemed undamaged but also unoccupied. And the streets were bare of crowds, buses, and oxcarts.

Aside from the occasional crump of distant Indian artillery and the roar of several Indian jets circling overhead, the front southeast of town was quiet Wednesday afternoon. We heard almost no firing. The sun shone and the birds twittered.

But the houses and fields stood vacant. And a squadron of Indian armored cars was rolling forward to get in attacking position on one road. Down another clanked a file of Indian tanks—Soviet-type PT-59. We did not stay for the conclusion. Jessore had fallen and it was time to tell the world how it happened.

[From the New York Times, Dec. 9, 1971]
BENGALIS DANCE AND SHOUT AT "LIBERATION"
OF JESSORE

(By Sydney H. Schanberg)

JESSORE, PAKISTAN, December 8.—The Bengalis danced on the roofs of buses. They shouted independence slogans in the streets. They embraced, they cheered, they reached out in spontaneous emotion to clasp the hands of visitors from other lands.

For Bengalis, today was "liberation day" in Jessore—the strategic city in East Pakistan that for eight months, until yesterday, had been under the control of West Pakistani troops, who had come last spring to put down the Bengali rebellion.

The "liberators" are Indian troops. They are almost as happy as the Bengali secessionists whom India supports, but they did not have much time today to stop and celebrate as they continued to chase the retreating West Pakistani forces southeast toward Khulna.

The Indians, too, waved and smiled and posed for pictures from the tops of their armored personnel carriers and tanks while they waited, four miles from Jessore, for orders to move farther down to the Khulna road.

"They are fleeing in panic," an infantry captain of the Seventh Punjab Regiment said of the Pakistani troops. "They've got good equipment and defenses, but their morale is in their boots."

Most of the Indian troops are as different from the Bengalis as the predominantly Punjabi troops from West Pakistan were because the Indian soldiers are also heavily Punjab. But cultural gaps between the Bengali secessionists and their Indian backers have been temporarily erased.

The jubilant Bengalis have pitched in to sustain the Indian drive by working with Indian troops to throw pontoon bridges across rivers whose permanent bridges are being blown up by the Pakistanis as they pull back.

A major bridge has been expertly demolished on the main road from the Indian border to Jessore, which is 23 miles inside East Pakistan. Five of the six spans of the steel and concrete bridge lie in the Kabathani River, as does the railway bridge 200 yards downstream.

The Pakistanis blew these bridges two nights ago as they retreated to Jessore.

The scene today at the site, which is the town of Jhingergacha nine miles from Jessore, looked like a cross between a bucket brigade and the building of the pyramids.

On the muddy bank below the blown road bridge, hundreds of Bengalis in long rows passed logs down the line to be laid as planking for the approaches to a new pontoon

bridge. As they worked in machine-like precision, brawny troops from the army engineers inflated huge pontoons with a compressor, carried them through knee-deep muck to the water and then began placing the aluminum spans across them. In four hours, the bridge was finished.

Everyone seemed unusually happy—the Indian troops, the Bengali workers and even the sidewalk superintendents.

Joyous reunions were taking place in the town of Jhingergacha between friends and relatives who had fled at different times and in different directions to escape the Pakistani Army and are now slowly returning. Some had gone to refugee camps in India, others into hiding in villages in the interior of East Pakistan.

This correspondent also had a reunion, standing on the one intact span of the old bridge. "You remember me?" a voice asked in English. I did. He was Lieut. Akhtar Uz-zaman, a 25-year-old commander of a company of the Mukti Bahini (Liberation Forces)—the Bengali insurgents.

Lieutenant Akhtar had first turned up in an enclave held by the guerrillas southwest of Jessore a month ago. He said then that it would take the Mukti Bahini at least two years to win the independence struggle. "That was if we fought alone," he said today. "Now we have heavy help."

ATROCITIES REPORTED

"This is a historic bridge for me," he said suddenly. "I used to come here to sail around on the water in the moonlight—with my girl friend." He smiled over the memory.

As a jeep carrying foreign newsmen rode from Jhingergacha to Jessore, villagers at the roadside kept shouting "Joe Bangla!" ("Victory for Bengal!") and reached out to try to touch the hands of the foreigners.

The atmosphere in Jessore was even more exuberant. As Indian armored cars rolled by toward the fighting some miles off, buses filled from seats of roofs exploded in shouts of "Shadhin Bangla!" ("Independent Bengal!") and "Sheik Mujib"—a cheer for Sheikh Mujibur Rahman, the leader of East Pakistan who is imprisoned in West Pakistan.

Some Bengali boys danced in the streets. The green, red and gold flag of Bangla Desh was fluttering on many buildings and houses.

For all its decibels, the euphoria was tinged by sadness.

The crowds in the streets represent only a small part of the city's original population of 30,000. Some of those missing will return. Others are dead. Missionaries and other independent sources say that the Pakistani troops killed more than 5,000 of Jessore's people.

There have been many reports, hard to confirm, that the Pakistanis are killing and committing atrocities as they retreat. One Indian officer said that the Pakistanis had buried a man alive in a town in the Jessore district. People in Jhingergacha said some school children had been shot.

Just outside Jessore, the body of a man was lying in a field by the road. His left arm had been cut off and his chest had been scraped raw. Local officials said that Pakistani troops had killed him because he had passed to the Indians information about Pakistani positions.

Almost no damage was done to Jessore and its military cantonment in the Indian sweep. Apparently, this was because the major battle was fought north of the city, at a place called Durgabati.

Maj. Gen. Dalbir Singh, commander of the Ninth Infantry Division, whose troops took Jessore, said that the Pakistanis put up "a very fanatic gallant fight" at Durgabati, but that once his men had "punched a hole" through the Pakistani defenses, the Pakistanis began retreating rapidly and made no further stand in the cantonment or the city.

The general, who briefed newsmen at his

headquarters in the cantonment, said that by yesterday at noon, he had seized the entire area.

He said that one group of Pakistanis had retreated to a place 15 miles down the road to Khulna but that another group—about 300 men—had been cut off and engaged by his troops after getting only about four miles out of Jessore.

That battle was continuing today, General Singh's briefing was punctuated by the steady thump of artillery sending shells in that direction.

A drive and a walk toward the fighting found a column of 14 medium tanks, 40 armored personnel carriers (holding 400 to 500 men) waiting for orders to move on the Pakistani force.

Several ambulances were also standing by. Indian officials insist that their casualties are only "light to moderate," but it seems clear—after visits to the front—that while the Pakistanis may be suffering sizable casualties, the Indian toll is considerably higher than any official cares to admit.

Not far from the line of tanks and personnel carriers, where one could hear machine-gun and mortar fire about half a mile off, an army doctor told a colleague: "Get everything ready. We've got 40 to 50 casualties coming."

One wounded Pakistani soldier was brought in from the fight. He had been hit in the chest and left arm and had lost a lot of blood.

As Indian troops carried him off on a stretcher, the Moslem soldier groaned: "Allah, Allah, Allah."

[From the New York Times, Dec. 9, 1971]

THE EMERGENCE OF BANGLA DESH

Defying a United Nations plea for a ceasefire, Indian forces appear on the verge of achieving New Delhi's major objectives in East Pakistan. These are the defeat of West Pakistani military repression in the disaffected Bengali province and the creation of conditions that will facilitate the speedy repatriation of nearly ten million refugees—Moslem and Hindu—to an independent, friendly and secular "Bangla Desh."

These would represent large short-term gains for the Indians, whose fragile internal stability has been gravely threatened by recent events in East Pakistan. The dismemberment of Pakistan would all but eliminate the menace of a militant Moslem neighbor, which would be reduced to less than half of its original size.

But India will have paid a heavy price for these achievements, even if the wider war with Pakistan is speedily ended without further serious loss of Indian territory in the West.

New Delhi's resort to force without first exhausting all possibilities for a peaceful resolution of the conflict—especially the cold rejection of U.N. Secretary General Thant's reasonable mediation offer—has shocked many of India's staunchest friends and alienated important segments of world opinion. India's violation of the United Nations Charter and defiance of the General Assembly has sharply diminished India's once proud moral standing.

India's support for full Bengali independence may have been made inescapable by the incredibly shortsighted and brutal policies of the Pakistani Government. But no one—especially the Indians—can ignore the new dangers and problems that will be posed by the emergence of Bangla Desh.

The success of secession in East Bengal could touch off a chain reaction of separatist demands throughout the subcontinent, in India as well as Pakistan. Desperately poor and heavily overpopulated—the present population of 75 million is expected to double in twenty years—Bangla Desh is likely to become a breeding ground for domestic

unrest and a lightning rod for foreign meddling. It could become a magnet for the Bengalis of India and a destructive influence on the delicate structure of Indian unity.

To avert further impoverishment, fragmentation and conflict throughout the subcontinent it is essential that leaders in Delhi, Decca and Islamabad thrust aside present divisions and acrimony and join in a search for new ties and institutions that will enable them to attack overriding common problems in dignity and peace. As the emerging dominant power, India has a special responsibility to assert the moral leadership for reconciliation that has been so sadly lacking in the present conflict.

[From the New York Times, Dec. 9, 1971]

WAR ON THE SUBCONTINENT—STATE THAT NEVER WAS

LONDON.—On the Indian subcontinent a state is dying and a new nation has been born.

The theocratic state of Pakistan is struggling to avoid dismemberment, though it has but one unifying force within its boundaries: the Islamic faith of the majority of its citizens. It was in deference to religious bigotry that the geographic and cultural monstrosity called Pakistan came into existence in the first place.

Now the nationalism of the Bengalis has shattered Muslim unity, set an example for the disaffected Pathans and reduced the loyal area of Pakistan to the two provinces of Punjab and Sind. Since India cannot cope with the ten million refugees from East Bengal and wishes to send them back over the border, Mrs. Gandhi has seized upon President Yahya Khan's difficulties and by a skillful military escalation hopes to give the new nation of Bangla Desh the chance of self-government. The supply lines of the Pakistan Army are hopelessly stretched and they are being harassed by the Mukti Bahini in East Bengal. Since the Pakistanis also face trouble in the North-West Frontier Province and Baluchistan, they cannot long sustain Indian military pressure. As the chances of Chinese help recede their plight is desperate.

Pakistan has little claim upon our sympathy. She became a state because the intransigence of Mr. Jinnah and the Moslem League destroyed the chance of a secular all-Indian confederation. From its foundation this artificial state has been militaristic and bellicose and for two decades has spent 80 per cent of its budget on defense. Its present rulers are as stupid as they are brutal. Instead of working for a compromise with Shiek Mujibur Rahman and his Bengali Awami League, President Yahya Khan unleashed Gen. Tikko Khan and the Pakistan Army upon the hapless Bengalis in a campaign of indiscriminate slaughter.

Last week, as if to confirm the fact that he has very little political judgment, he banned the West Pakistan National Awami party and arrested some of its leaders. In so doing he has disfranchised the North-West Frontier Province and Baluchistan, which are now disaffected and may require watching by the already very much over-committed Pakistan Army.

Perhaps the Pakistanis calculated that all internal risks were manageable because of the assured support of China. If so, they have been outmaneuvered by India and badly served by the U.N. vote that admitted China to membership. The Indians have exerted military pressure at a time when the mountain passes, through which Chinese help would have to come, are blocked by snow. They will stay blocked for at least another three months, which gives the Indian Army plenty of time to intensify its military activity to the point where Pakistan breaks.

Not that it is very likely that the Chinese have considered sending help. It would be a bad start to China's U.N. membership for her to become involved in an Asian land war that might not involve only India

but also the U.S.S.R. The Chinese have more important aims than the maintenance in power of Yahya Khan. The Sino-Pakistan alliance has always been an opportunistic deal between utterly dissimilar societies who believe they have common enemies. China will not wish to be saddled with an ally who cannot maintain internal peace and so threatens to embroil the Chinese in conflicts which do not affect their national interests.

The Pakistanis fear that if they wait upon events the Indian Army will not confine its activities to the frontier regions of East Bengal but will strike at Lahore in an attempt to cut West Pakistan in two. India has 29 divisions to Pakistan's 19, a million men to 400,000, command of the sea, more and better tanks and twice as many military aircraft. Despite the excellent quality of the Pakistani forces there is little doubt about the result of full-scale warfare. The Indians hold the initiative and it is to be hoped that circumstances will allow them to use it for ending the existence of the unitary despotism which is the present Pakistan and bringing to birth new states with more reasonable aims and boundaries.

[From the New York Times, Dec. 11, 1971]
BENGALIS PRESSING THEIR CAUSE IN CORRIDORS AT UNITED NATIONS—A "SECULAR, DEMOCRATIC STATE" IS AIM IN EAST PAKISTAN, REPRESENTATIVE DECLARES

(By Henry Tanner)

UNITED NATIONS, N.Y., December 10.—The Bengali secessionists' aim on East Pakistan is a "secular, democratic state" seeking good relations with all the countries in the area including China, according to Abu Sayeed Chowdhury, the leader of a delegation seeking to state the movement's case at the United Nations.

Mr. Chowdhury said in an interview here today:

"The government of Bangla Desh alone can speak for our people; no other government can do so, not even India, because our people will accept nothing short of independence."

Mr. Chowdhury, a small, solid man with black hair neatly combed back from his forehead, is busily but unobtrusively moving around the carpeted corridors of the United Nations Headquarters, explaining the cause of Bangla Desh, or Bengal Nation, in an insistent, low voice to delegates.

Mr. Chowdhury is convinced that a majority of the world's governments will decide to recognize Bangla Desh, even though most of them—104 of 131 United Nations members—voted in the General Assembly Tuesday night for a resolution that was supported by Pakistan and opposed by India.

Bangla Desh has been recognized by India and Bhutan. But the Indian delegate, Samar Sen, today said that India would not negotiate a cease-fire unless a representative of Bangla Desh was present.

He pointed out that the Assembly has not pronounced itself for or against Bangla Desh, but merely had called for a cease-fire, for withdrawal of Indian and Pakistani armed forces and for restoration of order "in accordance with the purposes and the principles of the charter of the United Nations."

"The most basic principles of the United Nations Charter is self-determination, and this is what is involved in the creation of Bangla Desh," Mr. Chowdhury said. He added:

"We are a separate people, a different ethnic group with different language and customs, and we have been ruled by people a thousand miles away. This is the classic definition of a colony.

POINT OF NO RETURN

"We were not secessionists. All we wanted was a constitutional amendment providing

for a large degree of autonomy within the federation. We won 167 out of 169 seats. Then came the West Pakistani soldiers and they brought murder, loot and rape. Now we have reached the point of no return."

Mr. Justice Chowdhury, as friendly delegates address him, is no revolutionary and not a politician.

He was the senior judge on the Dacca High Court, the highest court in East Pakistan, until early this year. He also was president of the University of Dacca.

He represented Pakistan on the United Nations Commission on Human Rights, and it is by way of that commission that he has been plunged into politics and has become Bangla Desh's chief representative abroad, with offices in London, Washington, Stockholm and New Delhi and now in New York.

As he tells it, he traveled to Geneva from Dacca in February to take part in a meeting of the commission. He then went to London, where his 18-year-old son is attending college.

"It was in London that I learned what had happened at my university in late March. The soldiers killed my students, raped the girl students and a mass grave was dug up at one of my dormitories," he said.

Mr. Chowdhury broke with the Pakistani Government, stayed in London and became the representative of the Bengalis' Awami League, although he had never before belonged to a political party.

PROBLEM OVER SECESSION

Sheik Mujibur Rahman, the head of the Awami League, is the President of Bangla Desh, but he is in prison in West Pakistan. Since forming a government, the league has broadened its base to admit representatives of four other parties, one agrarian, one Communist, and two middle-class, Indian sources here said today.

One of Mr. Chowdhury's greatest problems at the United Nations is to convince representatives of countries with active minorities that Bangla Desh does not constitute a precedent for secession or for dividing a country along ethnic lines.

Rumania, which has an active Hungarian minority in Transylvania, did not vote with the rest of the Soviet bloc against the Assembly resolution, but with the majority for the resolution that was supported by Pakistan.

Cyprus, with its Turkish and Greek populations, also voted with Pakistan, and its delegate explained to the Assembly after the vote that it had done so in spite of its traditionally excellent relations with India.

Ethiopia, which is faced with a rebellion in Eritrea, also voted for the pro-Pakistani resolution.

[From the Washington Star, Dec. 5, 1971]

HATRED UNITES BANGLA DESH

(By Henry S. Bradsher)

CALCUTTA, INDIA.—The Bangla Desh forces fighting with the Indian army against the Pakistan army are composed of diverse elements united for the moment by passionate hatred.

They include middle-class lawyers from small towns of East Pakistan who formed the core of the Awami League, the political party that won 72 percent of the vote in the region last December, soldiers of the Bengal Regiment and the border police, the East Pakistan Rifles, who defected en masse when the army crackdown on regional nationalism began March 25, students with vaguely radical ideas and youthful hotheadedness, and other Bengalis.

Their only common political viewpoint is the desire to rid their homeland of what they consider to be a long period of colonial exploitation by West Pakistan and now the brutal repression by an alien army of the West Pakistani elite.

DIFFERENCES SUBMERGED

Widely varying political attitudes on questions other than independence for Bangla Desh have been temporarily submerged in the common struggle.

The unifying figure in East Pakistani politics has been Sheikh Mujibur Rahman. To an incredible extent he personally came to symbolize Bengali grievances and hopes and his Awami League focused both these elements into a powerful political force.

Thoughtful Bengalis now say that Rahman remains—even in a West Pakistani prison—the only real hope of keeping Bangla Desh forces united. And should independence be achieved, it will only be a question of time before political fragmentation comes—even if Rahman should lead the new nation.

In Rahman's shadow, no other strong leaders developed in the Awami League. "There is only a third-line leadership behind him, without any second line," one Awami League member commented.

The most prominent of these is Syed Nazrul Islam, 46, who is now the acting president of the Peoples Republic of Bangla Desh in the absence of Rahman. A lawyer from Mymensingh, he had led the party during the earlier imprisonments of Rahman.

The prime minister is Tajuddin Ahmed, also 46. As a student leader of East Pakistani agitations against the domination from West Pakistan shortly after the country was formed in 1947, he took his law degree while in jail.

The other three cabinet members are Khandaker Moshtaque Ahmed, 53, in charge of foreign affairs, Finance Minister Mansoor Ali also 53, and Kamaruzzaman, 45, who is responsible for home affairs, relief and rehabilitation. All are lawyers.

GOALS OF REPUBLIC

The goals of the republic which they declared after March 25 include a "socialistic pattern of economy." But they are conservative people and the Awami League generally has a cautious middle of the road attitude.

Their statement of goals throws doubts on how far they would be prepared to go to achieve economic equality in the badly overpopulated agricultural region. It specifies that there will be no land tax on holding up to 8 acres—which is a very large amount in the rice lands economy of the region.

Many international economists feel one basic reason for the failures of underdeveloped agricultural countries to bring rapid economic progress has been the refusal of middle class politicians running them to hurt their own personal interests by taxing agriculture adequately.

The Awami League position on this might be challenged eventually by some of the leftist elements which have failed to show any significant popular strength in elections, but nonetheless loom importantly in the region.

CONSULTATIVE PANEL

These include leftists oriented toward Moscow and toward Peking and freelance ones. India, which is sponsoring the Bangla Desh cause, has at Soviet instigation forced the Awami League to accept the creation of a political consultative committee including Moscow-line leftists. But Awami Leaguers are determined to keep them at arm's length.

Probably a more important political element will be students.

STUDENT VIEWS

In March interviews in Dacca, student leaders like Abdul Rab and Nuril Alam Siddiqi talked much more seriously about socialistic answers to the region's economic problems than Awami League leaders talked. Both Rab and Siddiqi were leading students and other young people in guerrilla operations.

These student guerrillas are more emo-

tionally dedicated to Rahman personally than other elements of the Bangla Desh movement. But for them Rahman is a figure who only mirrors what they want.

It is doubtful that Rahman in power as head of independent Bangla Desh, subject to pressures of practical politics, would for long be satisfactory to radical-minded youths.

Members of the East Pakistan Rifles, a paramilitary force, are originally alleged by the Pakistani government to have been planning mutinies against their West Pakistani officers shortly after March 25.

SLAUGHTER ALLEGED

This was one of the allegations the government used in its initial efforts to justify its savage crackdown on East Pakistan. Another allegation was that tens of thousands of non-Bengali residents of the East had been slaughtered by Awami League terror before March 25 which the government had to halt.

Both these charges have been quietly dropped by the government, although they still echo in Pakistani propaganda.

In fact, EPR men seemed then to be essentially non-political. But they are Bengalis, and after the army attacked them on the night of March 25 as part of breaking all Bengali resistance, they fought back. Most fled to fight again.

They were among the men whom the Indian army organized into Bangla Desh military units.

Another large element, also essentially non-political patriots, are troops from the Bengal regiment.

[From the Washington Star, Nov. 24, 1971]

BANGLA DESH LEADERSHIP FUTURE UNCERTAIN

(By Henry S. Bradsher)

CALCUTTA.—As the independence of East Pakistan—to be known as Bangla Desh—comes closer as a result of attacks by Indian-supported rebels, the problem of its leadership becomes sharper.

There are factional fights among exile leaders now operating from Calcutta and Soviet pressure exerted through the Indian government has injected into the situation Communist elements without any significant popular following in East Pakistan.

ECONOMIC PROBLEMS

Independent Bangla Desh will have tremendous economic problems because of inadequate resources for its crowded people. The trouble this will create is likely to be intensified by political infighting, keeping the impoverished Delta region a cauldron of conflict.

The over-all leader of the region, with almost legendary status above normal politics, remains Sheikh Mujibur Rahman.

He almost single-handedly built up nationalistic fervor into victory with more than 72 percent of the votes for his Awami League in last December's elections.

VICTORY ERADICATED

That victory was eradicated when the Pakistani government savagely suppressed the region rather than concede escalating demands by Rahman for strong regional autonomy.

It is uncertain whether Rahman will survive the present situation. He is a prisoner in West Pakistan, being tried for treason.

President Yahya Khan has shown some signs of beginning seriously to consider negotiating with Rahman to end the insurrection in the east. But now, development of what had been guerrilla warfare into a frontal assault by well-armed units that are pushing into East Pakistan makes Yahya Khan's attitude uncertain.

DANGER TO RAHMAN

Some observers here fear that military victory by rebel forces in the East, with or without the direct Indian army participation which Pakistan now charges, will cre-

ate danger to Rahman's life from bitter elements in West Pakistan. Anyway, the "Bangla Desh government" here just across the Indian border from East Pakistan says it is much too late for Yahya Khan to try to work out any compromise with Rahman designed to provide a transitional period toward independence.

Some foreign countries see a transitional arrangement for East Pakistani confederation with the West as a sensible way to get 80,000 Pakistani soldiers evacuated from the East and remove some of the non-Bengali Pakistanis there.

Both groups have earned such vengeful hatred of the Bengalis that largescale bloodshed is likely if Bangla Desh becomes independent.

While deploring the idea of bloodshed, exile leaders here say Rahman would not be able to sell any transitional idea to Bangla Desh forces even if he himself were to recommend it.

REBEL DEMANDS

But this question of a compromise solution leading eventually to independence, rather than fighting for immediate and total freedom at whatever cost, is one of the divisions within the exile leadership. Well-informed Bengali sources report this although it is publicly denied by Bangla Desh spokesmen.

Public demands by the rebel government are for the release of Rahman, withdrawal of the army from the East, complete independence and compensation by West Pakistan for damage done in the civil war. Despite denials there is good reason to believe that some leaders here would accept the first two points now, counting on independence to follow the army's withdrawal. But none can admit it publicly.

In public they all speak with strong emotion of rape of their sisters, murder of their relatives and other atrocities. The time for compromise is long past, they insist. Vengeance is the cry now.

It was because of this adamant public stand that the Bangla Desh regime angrily denied having had any contact with the American government, which reportedly was exploring the possibility for a political solution with Yahya Khan.

SOME CONTACTS

It is authoritatively known that there were some contacts here. At one point the Indian government offered to arrange them and it later claimed it had been informed in advance when they were arranged separately.

But in denying this, an exile spokesman charges that the U.S. government "is black-mailing the Bangla Desh government." He declined to explain just what sort of blackmail he meant. The United States as well as other countries has been pressing Yahya Khan to find some solution short of simply losing East Pakistan by further fighting and possibly getting into a more general war with India as result.

But India has been too impatient to resist launching armed forces into East Pakistan now rather than awaiting further diplomatic efforts.

The American approach to exile leaders has contributed to factionalism among them.

There is a whispering campaign that the Bangla Desh foreign minister, Khandaker Moshtaque Ahmed, is pro-American, a very black mark in view of American aid to Yahya Khan.

On the other hand, the Bangla Desh prime minister, Tajuddin Ahmed, is being described as becoming pro-Soviet. He is reported to be increasingly friendly with Communist elements that Rahman had flatly refused to have associated with his nationalist movement.

PERSONAL RIVALRIES

Part of such charges are personal rivalries. The fact is that there never has been any

clear line of command beneath Rahman in his Awami League, and with him now removed many more or less equal followers are struggling for supremacy.

Those forces put together by the Indian army into the main military arm of Bangla Desh are mostly former Bengali members of Pakistan's army, border guards and police forces. They are essentially nonpolitical and concerned only with liberation of their homeland.

STUDENTS A FACTOR

But within the guerrilla units operating inside East Pakistan there is a strong element of former university students who are highly political. One of their main leads is Abdul Rab. Students like Rab have for several years pushed Rahman toward more radical steps like declaring independence in early March. Most of them are completely dedicated to Rahman and find it incomprehensible that Rahman would compromise in any way now.

These student radicals who are fighting inside East Pakistan became infuriated by the way Awami League leaders set themselves up in the relative safety and comfort of Calcutta after March 25 instead of joining in guerrilla fighting. Their pressure had in the last two months forced people like Tajuddin to spend more time visiting forces fighting across the border.

Such young radicals will be an important element in Bangla Desh's future. Talks with them last March indicated they are vaguely for socialism in the sense of accepting governmental responsibility for seeing solutions to a broad range of public problems.

COMMUNIST ROLE

The Awami League leadership tried last spring to deny Communists any role either in the exile government or the guerrilla forces. The main Communist organizations are Moni Singh's Communist party of Bangla Desh and Professor Muzaffar Ahmed's National Awami party. There also is a leftist group led by Maulana Abdul Hamid Khan Bhashani.

The Soviet Union, which is the main arms supplier to India, pressured the Indian government to pressure the Bangla Desh regime to establish last September a consultative committee which includes these political elements. The Indian government exercises considerable influence over exile politics aside from arming, training and supporting their armed forces.

The exile regime's spokesman emphasizes that the committee through which this influence is exercised has no power. Without being willing to say so directly, he makes it clear that the committee was established against the regime's wishes and there is no intention of having Communist influence in Bangla Desh. The fear of the Indian government, however, is that various radical influences will gain increasing voice against the essentially smalltown, conservative outlook of the Awami League.

VICTIMS OF CRIME ACT OF 1972

Mr. GRIFFIN. Mr. President, along with the Senator from Arkansas (Mr. McCLELLAN) and other Senators, I have cosponsored and joined in the introduction of S. 2994, a bill entitled "Victims of Crime Act of 1972."

This legislation recognizes that society has an obligation to the innocent victims of crime as well as to the brave law enforcement officers who try to protect society.

The bill would provide:

First, low-cost group life insurance for policemen, firefighters, and correctional guards;

Second, a \$50,000 death benefit for a policeman, fireman, or guard who is

killed in the line of duty as the result of a criminal act;

Third, compensation to innocent victims injured by certain criminal acts under some circumstances; and

Fourth, expanded civil remedies for victims of racketeering.

Mr. President, this bill, S. 2994, springs from an appreciation of the fact that policemen, firemen, and correctional guards assume extraordinary personal risks in order to protect the rest of us.

In recent years, civil disorders, riots, and prison rebellions have taken a devastating toll. No group has assumed greater burdens than those men and women who have the responsibility for maintaining order.

Two firemen died in the Detroit riots, one in Watts, another in Newark. During the period from 1967 to 1969, more than 600 firefighters were injured in civil disorders.

Eleven of those held hostage at Attica earlier this year were killed.

In 1970 alone, more than 100 policemen died as a result of violent criminal activity. Since 1961, 633 police officers have given their lives "in the line of duty."

Obviously, there is no way to compensate for or offset the tragic losses suffered by widows and children in such cases. But the Government can do something to provide at least a small measure of financial security for those in the family who survive after a policeman or fireman is killed.

As I have indicated, the bill I have cosponsored recognizes such an obligation by encouraging group life insurance programs in States where present programs are inadequate, and by authorizing a \$50,000 death benefit for the survivors of any public safety officer killed in the line of duty.

This legislation would also provide compensation for innocent victims of crime under some circumstances. This is not a new concept. As Senator McCLELLAN has reminded us, the concept was recognized in the Code of Hammurabi more than 4,000 years ago.

Not long ago, former Supreme Court Justice Goldberg observed that the victim of crime has "been denied the protection of the laws in a very real sense, and society should assume some responsibility for making him whole."

Incidentally, this is not the first time I have tried to move Congress to demonstrate a more appropriate concern about the victims of crime. Back in 1966 I introduced a bill to provide certain tax relief for victims of crime.

The bill I am now cosponsoring with Senator McCLELLAN, would authorize compensation payments up to a maximum of \$50,000 in situations where innocent victims are injured or killed as the result of violent crimes.

The legislation would establish a Federal Compensation Board to hold hearings and authorize payments in cases where crimes are committed in areas under Federal jurisdiction.

In addition, the bill would encourage and assist States to establish compensation programs and would provide Federal funds to help offset the costs.

At present there are six States which have programs to compensate crime victims. A number of other States, including Michigan, are considering similar programs.

Finally, Mr. President, S. 2994 would also improve the civil procedures and remedies available to those who become the victims of organized crime. The bill would allow recovery in such cases of treble damages; it would authorize private injunctive relief; and it would permit service of process on a nationwide basis. With these reforms the victims of racketeering will be in a much better position to seek and obtain restitution through the civil courts.

Mr. President, the Victims of Crime Act of 1972 is a comprehensive piece of legislation. Its development is the result of lengthy hearings conducted in four separate Congresses. It incorporates contributions and ideas from many sources.

Like Senator McCLELLAN, I make no claim that enactment of this bill will solve all of the crime problems in the Nation. But it will serve to focus long overdue attention upon the plight of crime victims and the policemen and firemen who try to protect us.

Mr. President, I urge the Senate to take prompt and favorable action on this significant legislation.

EQUAL HOUSING OPPORTUNITY— TESTIMONY BY ALBERT A. WALSH, PRESIDENT, NATIONAL ASSOCIATION OF HOUSING AND REDEVELOPMENT OFFICIALS

Mr. NELSON. Mr. President, at the request of the Senator from Minnesota (Mr. MONDALE), I ask unanimous consent that a statement by him relative to testimony by Albert A. Walsh, president of the National Association of Housing and Redevelopment Officials, and a statement by Mr. Walsh be printed in the RECORD.

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

STATEMENT BY SENATOR MONDALE

In his recent testimony before the House Judiciary Committee, Albert A. Walsh, President of the National Association of Housing and Redevelopment Officials, named equal housing opportunity as the key to many of this country's problems. He warned that unless equal housing opportunity becomes a reality soon, economic and racial segregation may prove irreversible.

In his testimony, Mr. Walsh specifically endorses legislation introduced earlier in this session by myself and the distinguished Senator from Massachusetts (Mr. BROOKE). This legislation would combine the present Federal housing programs into a single subsidy program that would provide much more flexibility in providing low and moderate income housing.

STATEMENT OF ALBERT A. WALSH

(Before Subcommittee No. 4 of the House Judiciary Committee, Nov. 10, 1971)

Mr. Chairman and Members of the Committee. My name is Albert Walsh and I am President of the National Association of Housing and Redevelopment Officials and Administrator of the New York City Housing and Development Administration. I am very pleased to have the opportunity to be here today to testify on "Equal Opportunity in

Housing" on behalf of the National Association of Housing and Redevelopment Officials.

"Equal Opportunity in Housing" implies far more than the guarantees which, I think, we have gradually come to associate with the term. At this juncture, both the concept and realization of "equal opportunity in housing" are still in germinal form. Nourishing their development, however, is a growing body of Executive pronouncements, legislative enactments and judicial directives which, taken together, augur well for the achievement of equal opportunity in housing from one important aspect, that is, the elimination of discriminatory housing practices on the basis of race, color, religion or national origin.

National policy to achieve fair housing evolved only recently. President Kennedy's Executive Order 11063 issued in 1962 required enforceable nondiscrimination pledges in agreements for federally assisted housing. Building upon this, Congress in Title VI of the Civil Rights Act of 1964 set forth a broad national policy of nondiscrimination in the case of programs or activities receiving Federal financial assistance and, in 1968, Title VIII of the Civil Rights Act set forth as the policy of the United States "to provide, within constitutional limitations, for fair housing throughout the United States." To insure such "fair housing," Title VIII prohibits discriminatory practices in the sale, rental or financing of certain publicly assisted and private housing and in the provision of brokerage services. Rigorous enforcement of Executive Order 11063, Title VI of the Civil Rights Act of 1964 and Title VIII of the Act of 1968 can, I believe, solve a portion of the problem which confronts us. It can and must come to grips with widespread discrimination in the sale, rental and financing of housing covered by these enactments.

Legislative mandates and Executive directives to date, however, have failed to deal with another perhaps more serious impediment to the achievement of equal opportunity in housing throughout the United States—and that is the dearth of low and moderate income housing in all too many communities outside of our central cities, and provisions within our programs which tend to divert them towards urban areas to the exclusion of others.

Unless Congressional action to promote the provision of low and moderate income housing in all communities is forthcoming, and is forthcoming soon, present trends toward economic and, consequently, racial segregation may prove irreversible. Patterns of economic segregation are currently being reinforced by Administration and Congressional reluctance to take strong affirmative action in making housing programs available on a broad scale in all areas of the nation; by the slim likelihood of acceptance by wealthier suburban communities of low and moderate income housing without strong incentives which, at present, simply do not exist, and by our Federal housing law itself which, due to its present structure, inadvertently increases and perpetuates economic ghettoization and community opposition to low income housing.

Examining first our Federal housing law, what we find is not a comprehensive national housing policy but rather a fragmented series of laws passed in piecemeal fashion. For example the National Housing Act, which encompasses only the FHA insured programs, actually embraces over 80 separate programs ranging from luxury housing through middle income housing all the way to home improvement loans.

In our subsidized housing programs what is enacted in a given year depends on the political climate that year. For example, in the early 60's Congress enacted the 221 (d) (3) BMIR program to provide, in essence, direct low interest mortgage money to build

rental housing for the moderate income family. However, in 1968, when "budget impact" was the key word, this program was de-emphasized and the interest subsidy approach (Section 236), requiring a much smaller initial drain on federal money, was adopted.

As each program is enacted it is accompanied by its own financing mechanism, requirements, unique restrictions and limitations. To receive the benefits of the Low Rent Public Housing program a family must live in an area served by a Local Public Authority. Yet today, almost thirty-five years after the enactment of the public housing program, less than half of our population is served by such Local Authorities and most of these families reside in larger cities.

Until 1969 an additional requirement for assistance under the public housing and the Sec. 221(d)(3) programs was that a community have a "workable program" for community improvement which, in some cases, provided an easy "out" for communities with little interest in providing expanded housing opportunities for low and moderate income families. A "workable program" is still a prerequisite for assistance under the Rent Supplement program (unless there is local approval of the program), Urban Renewal, Sec. 115 grants and Sec. 312 Loans and FHA Section 220 mortgage insurance among others.

Reliance on community initiative in the Public Housing program and local approval and "workable program" requirements in others severely restrict the geographic areas within which certain Federal housing assistance programs can operate. More subtle pressures operate to confine the areas in which the FHA subsidized Sec. 235 and 236 programs are feasible.

Statutory mortgage limits in the FHA subsidized Sec. 235 and 236 programs, since they set a ceiling on total development costs per unit, inhibit construction of moderate income units in areas where land costs are high. Current statutory limits are far below actual costs in many areas of the country and consequently site selection becomes a process of seeking out the least expensive and often least desirable, from the aspect of sound community growth patterns, land in order to achieve an economically feasible project.

Along with these inherent constraints on where subsidized housing can be built, or not built as the case may be, our Federal housing assistance program present almost as serious problems in equity. Families in exactly the same circumstance, that is, with an identical income and family size are, for example, subject to one set of regulations in the Low Rent Public Housing Program and an entirely different set of regulations, criteria and standards in each of our other subsidized housing programs. In the Public Housing program definitions of income, income eligibility, and rent/income ratios are established by a locality with the approval of HUD and the maximum rent/income ratio has been legislatively set at 25% of net income.

On the other hand, in the Sec. 236 moderate income rental program, income eligibility is usually 135 percent of public housing entry levels, with a \$300 deduction for each child and a 5% standard deduction for work related expenses. The 221(d)(3) program has its own income limits established by the federal government, but the 236 program can, in certain circumstances, use 90 percent of these limits as its eligibility limits. Rent/income ratios in the Sec. 236 program has been set at a minimum of 25% of net income and a family must devote whatever portion of its income is required, even if it amounts to 35 or 40% of income, to meet the basic rental payment.

In the Rent Supplement program, the family's income cannot exceed public housing

entry limits and in my own City, New York, HUD has administratively set rent supplement income limits below those permitted in the low rent public housing program. Families receiving Rent Supplement assistance must pay 25% of income in rent and in defining net income the only allowable deductions are \$300 for each child and exclusion of the earnings of a minor in computing income.

If these program inconsistencies resulted only in confusion and red tape, the need to remedy them would not be so immediate nor compelling. But the fact of the matter is that, given the present structure of our housing laws, fair and equal treatment for families in similar circumstances seeking federal housing assistance is impossible.

To cite only one example, take the hypothetical case of two families: each has an annual gross income of \$4,000, a secondary wage earner and two minor children. Assume that one family receives assistance under the Rent Supplement program and the other moves into federally assisted public housing. The sole deduction permitted in the case of the family receiving Rent Supplement Assistance would be \$600 (\$300 for each of the minors). With the 25% rent/income ratio required in the Rent Supplement Program the family would be obliged to pay \$850 a year in rental (computed on the basis of 25% of a net income of \$3,400). In the public housing program, however, using the Brooke amendment definition of income, a \$300 deduction is permitted for a secondary wage earner and 5% is deducted from gross income in computing net income. Thus, the adjusted gross income of the family residing in public housing would be \$2,900 (after a \$600 deduction for two minors, \$300 for the secondary wage earner and 5% (\$200) off the top). With a rent/income ratio of 25% the annual rental payment of the family living in public housing would be \$725, or \$125 less than the payment required of the similar family receiving Rent Supplement assistance.

In addition to the problems resulting from the inconsistencies in our federal housing assistance programs we are also faced with serious coverage gaps in existing legislation. If any of the more than 50% of our population living in areas not covered by local housing authorities should happen to be in the lowest income group their access to federal housing assistance is non-existent. These very low income families and individuals cannot afford the rentals or homeownership payments under Sections 236 and 235 since these are tied to the high capital cost of the housing involved. Often they cannot muster enough money to pay 30% of the market rental required under the Rent Supplement program and, since they live in an area where there is no Local Public Authority, they do not even have the option of placing their names on the long waiting lists for Public Housing including Section 23 Leased units nor starting on homeownership through this program.

An equally serious gap exists in the case of families who are forced to move from public housing when their income exceeds public housing continued occupancy limits. In many areas these families are ineligible for Sec. 236 housing because their income is above the initial income eligibility limits for 236, and yet they are not in a position to afford standard housing at market rentals. For these families, and for the millions of families whose incomes exceed the federal maximums but who cannot afford the cost of safe and decent housing, we simply have no housing options.

Achievement of equal opportunity in housing will depend in great measure on our ability to provide low and moderate income housing outside our central cities. This can only be accomplished through strong federal incentives to induce understandably reluctant communities to accept the additional costs associated with such housing. At pres-

ent these incentives are lacking. In fact, as currently constituted the public housing program, by requiring a waiver of local property taxes and merely permitting a payment in lieu of taxes of 10% of shelter rent, fosters local opposition by inevitably weakening a community's tax base.

In the *Valtierra* case the Supreme Court, in upholding the validity of a local referendum requirement in connection with public housing, pointed out that in the case of public low rent housing projects "the local government body must agree to provide all municipal services for the units and to waive all taxes on the property. The local services to be provided include schools, police and fire protection, sewers, streets, drains and lighting." The Court noted further that "some of the cost is defrayed by the local governing body's receipts of 10% of the housing project rentals, but of course the rentals are set artificially low." Moreover, the Court stated that "both appellants and appellees agree that the building of federally-financed low-cost housing entails costs to the community."

Without basic changes in existing Federal housing programs to compensate communities for the additional expenditures resulting from such housing, continuing local opposition outside of our central cities to these programs is to be expected. Very few suburban leaders are willing to make a political decision which calls for an influx of low income families, a reduction in potential taxes from real estate, an increase in the level and volume of public services, and therefore the possibility of a tax increase.

The current pattern of Federal housing assistance with its reliance on local initiative and blindness to the expense to a community in providing low and moderate income housing is contributing to the ghettoization of our lower income families into center cities.

It is a vicious circle. Our cities have become the home for the poor, minorities, the aged, handicapped, sick, underemployed and unemployed. To solve the housing needs of these families, we build low and moderate income housing, which then attracts even more of these families and individuals—causing a greater need for more housing. In the meantime the suburbs become more affluent, white, young, healthy and income producing.

Within the city there are political decisions on where to locate publicly-assisted housing. Too often because of the scarcity of sites elsewhere and other factors these units are clustered in one or more of the existing ghetto areas—and the occupants carry the stigma of living in an easily identified "project."

The real solution to so many of our problems—the dwindling urban tax base, *de facto* segregation, underemployment, diminished job opportunities—depends on the dispersal of our urban poor throughout metropolitan areas. Yet, this will never happen unless low cost housing is built in these suburban areas, which have so far intentionally avoided providing such housing.

The housing programs I have discussed earlier responded to particular needs at a particular time. No one could dare challenge the worth of each and every housing program that was advocated nor the sincerity of its sponsors. But existing housing assistance programs are simply not commensurate to the task of providing low and moderate income housing on a fair and equitable basis in all our communities and thereby making real the achievement of equal opportunity in housing.

What is the solution then to the problems which I have outlined? The problems are many and, consequently, our avenues to success must be many.

Congressional initiative to achieve equal opportunity from the aspect of opening up the suburbs to low and moderate income

families has not been lacking. Senator Ribicoff's bill, the Government Facilities Location Act of 1970, would require that no Federal facilities be constructed in communities which refuse to provide low and moderate income housing. Community Development bills introduced this year in both the House and Senate (Title VI of H.R. 9688 and S. 2333) would make eligibility for federal community development assistance contingent on an application detailing efforts which will be undertaken to insure the availability of low and moderate income housing.

The Courts, too, have not been inactive. Lower courts have ruled against exclusionary zoning ordinances on the grounds that they deny racial minorities the "equal protection of the law." Moreover, Federal regulatory agencies have been called upon to take action against corporations planning to move to suburbs with "large lot" zoning.

The comprehensive national strategy which is needed to provide cohesion to these efforts, however, is still lacking. And it does not appear that we can expect strong leadership from the President in this area. While committing himself and this Administration to vigorous enforcement of all laws relating to racial discrimination in housing, the President in his statement on June 11, 1971 on Federal Policies Relative to Equal Housing Opportunity pointed out that:

"In the more complex and difficult area of providing subsidized housing in areas where it is needed, we will encourage communities and local developers to take into account the broad needs of the various groups within the community and of the metropolitan area.

"But we must recognize that the kinds of land use questions involved in housing site selection are essentially local in nature; they represent the kind of basic choices about the future shape of a community, or of a metropolitan area, that should be chiefly for the people of that community or that area to determine. The challenge of how to provide fair, open and adequate housing is one that they must meet; and they must live with their success or failure.

"To local officials are entrusted the initial, and often the final, determinations as to how much low and moderate income housing is to be built, how well it is to be built and where it is to be built."

Upon Congress then, and upon concerned national and local groups, has devolved the responsibility to formulate the national strategy required to deal with the problems which confront us.

The National Association of Housing and Redevelopment Officials, recognizing the national significance and immediacy of the vexing questions which I have enumerated, felt compelled to draw upon local member experience to reevaluate current housing and development policy—where it is today, and in what directions it should move.

In 1970, NAHRO established a Special Policy Development Committee, which I chaired, to formulate policy recommendations. After six months of work, the committee developed a statement recommending a broad restructuring of our present programs to make them comprehensive approaches, more responsive to local needs and national priorities. This statement was predicated on the strong recognition that immediate solutions to the problems associated with current patterns of national growth and decay must be found. The future success of our housing and development programs depend on this—they can no longer be separated from an overall strategy to improve the quality of urban, suburban and rural life.

Senators Brooke and Mondale recently announced their intention to jointly sponsor a bill, *The Housing Reform Amendments Act of 1971*, whose thrust is essentially similar to that recommended by the NAHRO Policy Development Committee. In our view, the Brooke-Mondale proposal, together with the

Administration's *Housing Consolidation and Simplification Act of 1971* (H.R. 9331) could provide the comprehensive approach which is now so patently lacking. These Amendments are designed to establish a single, concise national housing policy, through a basic standardization of programs and the elimination of existing inequities and shortcomings.

The key element in this proposal is a single, variable subsidy mechanism for all federally-assisted projects, based, not on the cost of the project, but on the family's need and ability to pay. This subsidy would cover not only debt service, but the entire difference between rental income and total operating costs.

The tenant family would pay what it could afford, and the subsidy would cover the rest. As the family's income increased, its rent payment would grow, and no family would be forced to move because of increased income. It would merely pay the economic rent and no longer receive a subsidy. This provision would remove at one stroke both the gaps between and among government programs and the ghettoization of single projects. Every project could contain a wide range of income groups.

Any family with an income below the median income for the area would be eligible. However, in any new project, 20% of the units would be set aside for the lowest-income group. Rent/income ratios in a local sponsor's program would be required to average at least 20%, and no family would be required to pay more than 25% of its gross income, less the standard public housing deductions.

Construction costs would be based on local prototypes, which—judging from our public housing experience—would lead to realistic and flexible limits based upon local conditions. The Administration's bill extends the prototype concept to total development costs, which we think is unrealistic and unworkable.

Sponsors could include local housing authorities, municipalities, states, regional organizations, nonprofits, cooperatives and limited dividend corporations. Public agencies could issue tax exempt bonds, with the housing assistance contract acting as a guarantee to bond holders; nonprofits, limited dividends, and other private sponsors could use market rate mortgages, insured by the Federal government and aided by the Fannie Mae/Ginnie Mae Tandem Plan; and sponsors under state and local financing programs would likewise be eligible to receive housing assistance payments, as it now permitted under the Section 236 program.

One of the most striking aspects of the Brooke-Mondale proposal is the *two incentives* that it proposes to local governments for accepting publicly assisted housing; a *special grant* to cover the cost of increased public services, and the *payment of full real estate taxes* by every assisted project. These taxes would be regarded as part of the cost of operating the project, and would accordingly be part of the cost covered by the variable subsidy.

Finally, by a special provision in the Brooke-Mondale proposal, the federal government would be empowered to act in "Housing Emergency Areas" where a need was apparent and no local sponsor could be found.

This program has enormous advantages over our present housing picture. It is uniform. It will work anywhere: city, suburb, or town. It abolishes ghettoization by making every houser able to house any eligible tenant. It has realistic cost limits, arrived at by a method which has recently proven itself in the public housing field. It reduces bureaucratic involvement to a minimum. It closes eligibility and income gaps. And it removes the greatest obstacle to publicly assisted housing by offering incentives to communities to accept it.

Mr. Chairman and Members of the Com-

mittee. On behalf of myself and the National Association of Housing and Redevelopment Officials, I commend you for your continuing activities to bring about the achievement of truly equal opportunity in housing in the United States. In your recommendations growing out of these hearings, it is our hope that you will turn your attention not only to the enforcement of our "Fair Housing" laws but also to the structure and inadequacies of our present housing subsidy delivery system; and, that you will register your strong endorsement for the *Housing Reform Amendments Act of 1971* which, in our view, is equal to the task of providing a climate in which equal opportunity in housing can be made a reality.

Thank you.

LEAD-BASED PAINT—A CONTINUING TRAGEDY

Mr. SCHWEIKER. Mr. President, today's Washington Post contains yet another story of the continuing tragedy of lead-based paint poisoning. The District of Columbia has found dangerous levels of lead in the blood of one out of three Washington innercity children tested in the last 3 months. Dudley Anderson, chief of the District of Columbia Accident Prevention Division, is quoted as saying:

The inner-city is literally a lead mine.

The tragedy of this is that poisoning resulting from eating flakes of lead-based paint can cause death, and often causes significant brain damage. Innocent children are invariably the victims.

In the 91st Congress, I introduced legislation, S. 3941, to provide civil penalties for the use of lead-based paint in certain dwellings. I was gratified when the prohibition of the use of lead-based paint was adopted as an amendment to the Housing and Urban Development Act of 1970. Although the provision for penalties was not included, Congress did give significant recognition to this critical problem.

Yet, clearly, much more needs to be done. On January 14, 1971 President Nixon signed into law the Lead Paint Poisoning Prevention Act, legislation I strongly supported in the Committee on Labor and Public Welfare and on the Senate floor. Congress authorized \$30 million for this 2-year program.

Until this summer, only minimal funds well under \$500,000, were appropriated for the program. Only a few people were assigned to work on the problem in the Department of Health, Education, and Welfare. I strongly urged the Congress to appropriate at least \$15 million to fund this program, a small amount when compared to the cost of caring for over 400,000 children a year who suffer from lead-based paint poisoning each year, not to mention the varying degrees of incapacitation they must bear for the rest of their lives. Over 200 less fortunate children die each year. We have made a significant beginning now by appropriating \$7.5 million for the program.

Mr. President, I again call on the administration to commit more funds and more manpower to fight this terrible tragedy which adds yet another burden to the already long list of disadvantages

our inner-city children must bear. We must commit ourselves to eradicating this problem from our society. The study of the District of Columbia is surely just one example of what is happening in all of our major cities. We cannot afford to delay any longer.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

LEAD HAZARD FOUND IN 33 PERCENT
OF CHILDREN

(By Bob Woodward)

Dangerous levels of lead have been found in the blood of 1 out of 3 Washington inner city children tested in the last six months—about three times more than found in initial tests last May.

Dudley Anderson, chief of the D.C. accident prevention division, said yesterday that the situation is "very critical . . . the inner city is literally a lead mine."

In these tests for the six months from May to November, 592 of the 1,821 D.C. children tested (33 per cent) had dangerous levels of lead compared with 10 per cent of the children tested in May only, Anderson said.

By comparison, this 33 per cent rate is significantly higher than the 10 to 25 per cent that the Department of Health, Education and Welfare reported was found during 1970 in Baltimore, Philadelphia and Minneapolis inner city children.

Lead poisoning generally affects children between the ages of 1 and 6 who eat flakes of lead-based paint or chew on woodwork or window sills coated with such paint.

Before World War II, lead paint was widely used for the interiors of the downtown dwellings of the wealthy, which over the years, have become inner city residences.

However, Anderson said the 15 health clinics throughout Washington found hazardous lead levels in 307 of 1,255 children tested (25 per cent) during the last six months. This indicates the problem is not confined to the inner city, he said.

When untreated, lead poisoning can cause permanent mental retardation or even death of the victim. Small portions of the sweet-tasting lead paint flakes about the size of a thumbnail can cause acute lead poisoning if eaten daily over a period of months or even weeks. Teething babies or hungry children are most prone to chew on woodwork or eat paint chips.

The dangerous levels of lead found in 592 of the inner city children were above the level of 40 micrograms of lead per 100 milliliters of blood. At least 21 of the cases were acute and required immediate treatment, Anderson said.

This treatment, or "deleading," consists of injections in each hip for a week with a chemical that induces the lead to pass out of the body.

The testing of the inner city children is being financed by a \$200,000 Model Cities Commission grant expected to run out in April. After that, Anderson said, he has been told the program will not be refunded and must "go defunct."

There are about 11,000 children in the test age group of 1 to 6 in the D.C. model cities area, a 2.3-square mile crescent north of Massachusetts Avenue that includes the neighborhoods of Shaw, Stanton Park, and Trinidad.

"We have children poisoned by lead every day," Anderson said.

For example, Dr. Bonnie J. Peacock of Children's Hospital said yesterday that she has a case in which a two-year-old has been treated for lead poisoning six times this year.

"The mother says she can't keep her child away from the lead paint," Dr. Peacock said.

Under the city law, a dwelling is supposed to be completely delead within 10 days after a child living there is found to have lead poisoning.

Carroll A. Swanson, the chief administrator for the city housing inspections said yesterday that the Northwest apartment in which the two-year-old lives has been delead. "It's a puzzle to us. We can't find where the child gets it," Swanson said.

But Anderson pointed out that city standards only require the removal of paint with 1 per cent or higher lead content, even if the paint has caused lead poisoning. "The 1 per cent figure is not realistic," Anderson said.

Last month the American Academy of Pediatrics called upon the Food and Drug Administration to reduce the permissible lead content of paints to .06 per cent from the federal standard, which was recently lowered from 1 per cent to .5 per cent.

However, other city health officials point out the expense of deleading apartments and houses. To be effective, the lead paint must be burnt off or completely covered with plasterboard. This costs from \$300 to \$900 per room, city officials estimate.

RECORD HIGH LEVEL OF HOUSING
STARTS

Mr. PROXMIRE. Mr. President, all of us were heartened yesterday to learn that new housing starts reached a record high level in November. President Nixon, we are informed, was delighted to receive this good news. I, like every other Member of Congress who has worked long and hard for decent housing for all Americans, was also delighted with this good news. Everyone is eager for good economic news—we have had far too little of it.

The delight that we can all take in this good news is, however, offset by concern—indeed, alarm—over the way in which this news reached the public. Normally, the public learns of the monthly housing start figure through a written press release issued in the afternoon by the Department of Commerce. Yesterday, however, the public learned this news not in the afternoon, but in the morning. Not from the Department of Commerce, but from the Secretary of Housing and Urban Development. Not from the professional statisticians who prepare these statistics, but from George Romney, a prominent political figure and spokesman for the Nixon administration. Furthermore, Mr. Romney chose the same occasion to call for the reelection of Mr. Nixon.

One might have thought that, with all the recent concern over the reorganization of Federal statistical agencies, and with all the pious reassurances we have heard that this reorganization was intended solely to give us better statistics, special care would now be exercised to release all economic statistics in a consistent, objective, nonpolitical way. Again and again I have received assurances from high administration officials that this would be done. They have told me—over and over—that statistics are invariably first released by the statisticians in charge. They have told me that no political comment is ever made until at least 1 hour after the routine release of statistics by the statisticians. They have assured me that this policy will be con-

tinued. Yet, the first time a piece of really good news comes along, this policy is violated—violated in about the most blatant fashion imaginable, by tying the monthly data to a thoroughly political pitch for the reelection of the incumbent President.

Am I to conclude that all the assurances I have received concerning objectivity in the release of statistics is sheer hypocrisy? Or am I to conclude that the senior officials charged with overseeing the release of statistical data are so without authority in this administration that they are powerless to carry out their responsibilities as they should be carried out? Do our statistical officials connive in politicizing the economic data or are they overruled by the politicians? Either way the situation is profoundly disturbing.

In order that there be no misunderstanding about the supposed policy of this administration, as officially stated by them, I ask to have printed in the RECORD at the conclusion of my remarks Budget Bureau Circular No. A-91, which reads, in part:

Initial releases of statistical series should be made through the principal statistical officer in charge.

This, I repeat, is the official policy of this administration as formally stated shortly after they took office. Apparently, they did not realize when stating this policy that good economic news was to become such a rarity that it would occasion a special press conference by a Cabinet official.

If each scrap of good economic news is to be an occasion of political celebration while the many pieces of bad news must be dug out of obscurity, then let this policy be clearly and officially stated. Let us have an admission, too, that the press conferences on the unemployment numbers were canceled, because these tragically high figures was getting too much attention.

To date we have had, to my knowledge, no official admissions that the administration no longer follows its own stated policy with respect to statistical releases. Indeed, as recently as October 27, Julius Shiskin, the chief statistical officer for the entire executive branch testified before the Joint Economic Committee and assured us that the policy on nonpolitical release of statistical data was still fully in effect. I quote Mr. Shiskin:

We think it is important to separate the release of data from politically oriented commentaries . . . we have instituted a rule which is universally followed in all the agencies, that the written press release must come out at least one hour before any political commentary.

Where was the universal rule yesterday? Mr. Romney spoke more than 3 hours before the written press release could be made available by the Department of Commerce. It appears that, in this administration, universal rules are made to be violated whenever necessary in the cause of political expediency.

This manipulation of the release of data to serve political ends is frightening. It is a further heavy blow to the already diminished confidence of the public in the credibility of Government.

If there is any explanation other than

pure partisanship, I call on Mr. Romney to come forward quickly with his explanation.

I call on President Nixon to enforce some discipline on his administration. Make it clear what the rules are and then abide by them. Not only our confidence in economic policy, but our basic faith in the integrity of our Government are badly shaken by this continued manipulation of economic news. I hope it will stop.

I ask to have printed in the RECORD excerpts from the testimony of Julius Shiskin before the Joint Economic Committee and articles from the New York Times and the Wall Street Journal, describing the manner in which the November housing start figures were released.

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

EXECUTIVE OFFICE OF THE PRESIDENT,
Washington D.C., February 12, 1969.

Circular No. A-91.

To: The heads of executive departments and establishments.

Subject: Prompt compilation and release of statistical information.

1. *Purpose and authority.* The purpose of this Circular is to insure that the principal statistical series which are issued to the public by agencies quarterly or more frequently are released without unnecessary delay. The prompt release on a regular schedule of official statistics is of vital importance to the proper management of both private and public affairs. Every effort must be made to expedite the compilation of statistical series and to make the data publicly available with minimum delay.

This Circular is issued under the authority of Section 103 of the Act of September 12, 1950 (31 U.S.C. 18b), and Executive Order 10253 of June 11, 1951.

2. *Review and scheduling of compilation and publication.* Each agency is directed to review its public release practices for principal statistical series which are issued quarterly or more frequently, and to take such steps as are necessary to see that (a) the shortest practicable interval exists between the date or period to which the data refer and the date when compilation is completed, and (b) prompt public release is made of the basic figures after compilation.

A publicly available schedule of release dates shall be prepared for each such series for at least a three-month period ahead.

It is recognized that some time must be allowed to prepare text and statistical tables in the form used in press releases or other means of publication, but one or two working days should be sufficient. The schedule of release dates should, therefore, allow no more than two working days between the time when the compilation of the basic figures has been completed and the time they are released to the public. Initial releases of statistical series should be made through the principal statistical officer in charge.

Exceptions may be made in special cases to the maximum of two working days between compilation and public release of statistical series subject to prior review and approval by the Assistant Director for Statistical Standards, Bureau of the Budget.

3. *Material to be submitted.* Each agency which publishes statistics subject to the provisions of this Circular will submit to the Office of Statistical Standards, Bureau of the Budget, by March 15, 1969, a report describing the steps it has taken to comply with this directive, and a copy of its publication schedule beginning with the second quarter of calendar year 1969. A copy of subsequent schedules will also be submitted as they are

prepared. The schedule of release dates for each series shall show, in addition to the release dates, the date or period to which the data apply. A schedule of actual release dates covering the last quarter of calendar 1968 (last full year for quarterly series) is also requested.

By direction of the President.

ROBERT P. MAYO,
Director.

EXCERPT FROM TESTIMONY OF JULIUS SHISKIN

Now, next we think it is important to separate the release of data from the politically oriented commentaries. Now, that is a very difficult thing to do because as you must realize the President's appointed officials are very anxious to comment on the figures once they get them. Nevertheless, and this took quite a lot of doing, we have instituted a rule which is universally followed in all the agencies, that the written press release must come out at least one hour before any political commentary; that is, we don't—there is no commentary, no policy oriented commentary is made until one hour after, until one hour after the written press release is put on the press table. So I think all the reporters now understand that; all the reporters now understand, I believe, that the release of the data, the basic work, is separated from the policy oriented commentary. It is physically and in time separated.

Now, the question is how should the figures be released. Well, I think the best way to release them is in written form. If a man releases them in a written form he has an opportunity to weigh his thoughts, to get advice from others, so that it is a careful, creditable, professional job.

HOUSING STARTS FOR NOVEMBER ROSE 15 PERCENT TO HIGH—ROMNEY SEES SURGE ASSURING 2 MILLION RECORD FOR YEAR, SHOWING ECONOMY'S VIGOR; LEVEL WAS 35 PERCENT ABOVE 1970'S

WASHINGTON.—November's housing starts rose 15% from October's pace to a record level, assuring that 1971 will be the strongest housing year ever.

Housing starts last month ran at a seasonally adjusted annual rate of 2,316,000 units, compared with the downward-revised 2,008,000 pace in October, and were 35% above the 1,693,000 rate a year ago, the Commerce Department reported. (See chart on page one.)

George Romney, Secretary of the Department of Housing and Urban Development, said the November figures make it clear that the Nixon administration will attain its 1971 housing goal of two million starts, topping the previous record of 1,952,000 in 1950.

Mr. Romney announced the November housing starts figure at a morning press conference. Usually, the Commerce Department unceremoniously releases the figures in the afternoon. Mr. Romney said the record level of starts is "a clear indication of the basic strength of our economy, and shows that housing is leading the way to greater economic activity."

The high level of housing starts this year "is unquestionably due in large measure to the reduction in the cost of money and its ample availability," Mr. Romney said.

John A. Stastny, president of the National Association of Home Builders, said the November figure shows that "when you have money at a reasonable rate, you can build." He predicted continuing housing strength in 1972 and said that starts may total 2.2 million units next year.

Building permits issued by the 13,000 localities requiring them ran at a seasonally adjusted annual rate of 1,961,000 units in November, down from October's 2,173,000 pace, but well ahead of the 1,523,000 rate a year ago, the Commerce report showed.

In November, starts on all types of housing units rose, according to the report.

The department said that shipments of mobile homes in October fell to a seasonally adjusted annual rate of 526,000 from September's 557,000 pace, but were far above the October 1970 rate of 427,000. The Mobile Home Manufacturers Association supplies these figures, and the November results aren't available yet.

MONTHLY RECORD SET FOR HOUSING STARTS
(By Jack Rosenthal)

WASHINGTON, December 16.—Home build-and Urban Development, announced today reached a monthly high in November, practically insuring that 1971 will be a record year, George Romney, Secretary of Housing at an odd, hastily called news conference.

The seasonally adjusted annual rate of housing starts in November was 2,316,000 units, Mr. Romney said, the highest figure ever. The actual 1971 figure is now likely to approach 2.1 million units, probably the highest ever.

The November figure compares with a downward revised October figure of 2,008,000 units and with 1,693,000 units for November, 1970.

The gain in housing starts, which Mr. Romney described as a key indicator of confidence in the economy, was so encouraging he said, that he notified the President this morning. Mr. Nixon, he added, "was delighted."

The new data also are significant, Mr. Romney said, because they demonstrate the nation's capacity to meet the 10-year housing goal of 26 million homes set by Congress in 1968.

There were two odd aspects to the news conference. One was that the monthly data on housing starts normally are announced routinely by the Department of Commerce, not the Housing agency, and without any statement, let alone a Cabinet-level news conference.

A Department of Commerce employe acknowledged that it had been decided "higher up" to let Mr. Romney pre-empt the Commerce Department with the announcement. The Commerce Department made its usual written announcement later in the day.

The second odd aspect of the Romney session was that it appeared to violate a long-standing taboo against the announcement of basic economic indicators by political figures.

For almost a decade, Federal policy has been for career statistical experts to promulgate such data, and for political appointees to withhold comment for at least an hour, permitting initial dissemination.

This policy was strongly reaffirmed by the Nixon Administration earlier this fall after a controversy over interpretation of unemployment statistics.

Since then, briefings by career officials have been eliminated and economic indicators have been announced only in writing. Political officials have usually offered official interpretations, but only on the deferred basis.

Shortly after Mr. Romney's news conference, Maurice H. Stans, Secretary of Commerce, issued the findings of a telephone survey showing "excellent" holiday sales.

The survey, he said, showed sales were up "about 8 to 10 per cent over a year ago."

The new data on housing starts show that more than 1.9 million new units were built in the first 11 months of 1971. The total for all of 1970 was 1,469,000.

The new data showed that November was the third straight month in which the seasonally adjusted annual rate topped 2 million. This is the total that would be achieved if housing were built at the monthly rate for an entire year.

If, as is almost sure, actual starts exceed 2 million for the year, it would probably be a first. The sole exception might be 1950, when, according to a somewhat more re-

strictive definition, 1,952,000 units were started.

By adding some 500,000 new mobile homes to the 1971 figure, Mr. Romney said, the total amount of new housing will be about 2.6 million units.

Other figures in the new report appeared to cloud the outlook for the future. Seasonally adjusted annual rates for building permits, which tend to reflect housing starts in the following three months, declined 10 per cent in November. They total 1,191,000 in the month, down, from 2,173,000 in October. Decreases occurred in every region and type of housing.

THE PEOPLE ARE CONFUSED BY LEGALESE

Mr. CURTIS. Mr. President, my mail from constituents and my conversations with them in recent years have indicated beyond any doubt that people are confused by the Government's words and actions.

I can go even farther and say that the vast majority of the people distrust their Government, because they do not understand what it is doing or trying to do.

I must go yet one step farther and say the blame for this confusion and misunderstanding rests squarely with the Government for its failure to communicate—its inability even to speak and write the English language in a way in which it is taught in the schools of the country.

This inability of the Government to communicate—to talk the English language so that it can be understood by the average high school or college graduate—is not merely evident in the laws that Congress writes.

There has always been a language called legalese in which laws are written, requiring a separate profession and special training at high educational levels to understand and interpret.

Lawyers, as an occupational or professional group, have busied themselves through the years in the art of legislating and litigating interpretations of the words and phrases which are so carefully selected, put together, dissected and reassembled to formulate the law of the land, or of the State, county, city, or township.

In recent years, Mr. President, the separate language of the law has gone far beyond the law itself and the courts that were so carefully conceived and developed through the years to interpret the law.

We have—the country has—a whole new language that has been developed by the administrative or executive arm of the Government. This new language is really a hodgepodge of separate languages with a hodgepodge of different boards and commissions and examiners to interpret it.

The new language is not only complex but it is contradictory. It employs words that defy understanding even by persons who run for their English language dictionaries. This language is so far removed from dictionary English that it contains its own word and phrase definitions, and these are known to vary widely within the language—this is why I said a moment ago that it is really a hodgepodge of separate languages.

The "language of many languages" of which I speak, Mr. President, is the language of the rules and regulations that are promulgated by Federal administrative and executive agencies.

I have not decided yet what to call this language. Some would call it, and have called it, gobbledygook, but it is not my intention to treat the matter so lightly.

Thousands of people—lawyers and scribes—are employed by Federal agencies to write these administrative rules and regulations.

Sometimes it takes a year or more just to write the regulations to implement one law that is passed by Congress. I am thinking specifically of the law that provides a guaranteed loan program for hospital construction to supplement the Hill-Burton grant-in-aid program. It took more than a year to write and promulgate those regulations, and all the hospitals in the country just had to bide their time while the scribes in the regulation writing branch of the Department of Health, Education, and Welfare put on their thinking caps and rolled the words and phrases and definitions around in their minds and on the points of their pencils to come up with the glittering prose that was ultimately published in the Federal Register.

And yet the Department of Housing and Urban Development had a set of regulations for a similar hospital loan program already on the books which could have served as a guide.

Oh, that a Shakespeare could be discovered and his style developed through the regulation-writing process to grace our literary era in history. Then it might be worth all the time and effort and expense. But the system defies such a happening. The language of the regulations would never allow it.

My intention is not to find and bring along a literary genius, but to persuade the rule and regulation scribes and the bosses of those scribes to make some sense out of the regulations that affect the lives of all Americans.

Therefore, I am today starting an effort of my own to point out the weaknesses and the loopholes, the ridiculous misunderstanding that exists in Federal definitions and interpretations, the vast amount of trivia and the broad basis for rules and regulations.

I am going to focus the spotlight on the work of those scribes and the bosses who approve their writing. Congress has a responsibility, because the Congress delegated to administrative agencies the authority to write and promulgate rules and regulations to implement its laws.

The first example I would like to point out is contained in the proposed rules published in the Federal Register on May 29, 1971, for the new Occupational Safety and Health Law.

Under subpart E, section 1910.35, the Labor Department has defined the word "exit" in the following manner in these regulations:

Exit is that portion of a means of egress which is separated from all other spaces of the building or structure by construction or equipment as required in this subpart to provide a protected way of travel to the exit discharge.

This necessitates defining the phrase "exit discharge," presumably in order that a person can understand what is meant by "exit," and so the Labor Department then defines "exit discharge" as "that portion of a means of egress between the termination of an exit and a public way."

Mr. President, I believe the scribes can do better than that. I do not see why they cannot simply take Webster's definition of "exit." This is what most people understand, and if people do not understand the regulations, how can they be expected to comply with them? Webster defines exit as "a way out of an enclosed place or space."

If the exits must be kept clear, then why do not the writers of rules and regulations simply say that?

I am going to be asking this question over and over again in the days and months ahead. I hope that my efforts will have some effect in establishing the English language and commonsense in the field of rulemaking to implement the laws of Congress.

PRODUCTIVITY IN SOLID WASTE MANAGEMENT

Mr. EAGLETON. Mr. President, we hear much these days about productivity and the need to increase the efficiency in the production and delivery of goods and services. One opportunity to achieve truly staggering productivity gains has received far less attention than it deserves. That opportunity lies in increasing productivity in the delivery of municipal services.

In this age of multibillion-dollar Federal budgets, we too often lose sight of the aggregate spending level for services at the municipal level. Too few people realize that total outlays of all municipalities in fiscal 1970 amounted to \$34.2 billion, of which \$27.7 billion were for general expenditures. That level of expenditures is the result of a persistent upward trend. According to an article in the October issue of Fortune magazine, general municipal expenditures rose by over 135 percent in the decade of the sixties, and more than 13 percent last year alone. Even so, the outlook is for more of the same. The Fortune article quotes one study which indicates that municipal expenditures will increase by another 47 percent in the first 5 years of the decade of the seventies.

Local tax burdens are increasing and many city dwellers feel that the quality of municipal services is declining. Thus it is becoming increasingly clear that the cost of running our cities must be held down, if not reduced. We simply must get started on the difficult, but necessary, task of providing improved municipal services more efficiently and less expensively.

Mr. President, we are fortunate to have at hand a clear opportunity to begin that effort in at least one area, disposal of municipal refuse.

Municipal officials are increasingly hard pressed to deal with the mountains of solid wastes produced each day in our cities. A number of cities face immediate and almost impossible solid waste dis-

posal problems. Other cities with less serious and immediate problems in dealing with their municipal refuse are challenged by decreasing availability and increasing costs of land for sanitary landfills at a time when other conventional approaches to municipal waste disposal such as incineration are becoming more costly and less acceptable from public health and environmental viewpoints.

Municipal wastes are projected to increase faster than population in the coming few years, and the persistent upward trend in public expenditures for waste disposal services is running on a collision course with other escalating demands on local revenues for police and fire protection, schools, housing, and other municipal services.

This bleak picture is offset, in part, by the fact that private enterprise has developed a number of new solid waste disposal technologies which are ready for adoption by municipalities on a full-scale, commercial basis.

These new concepts promise significant reductions in the costs of solid waste disposal services and substantial improvements over the performance of conventional systems in public health, environmental, and other terms. Some of the companies involved in this effort are sufficiently confident about the performance of their systems that they will back up their claims of superiority with bonded performance guarantees.

Although these advanced solid waste disposal techniques have been refined through intensive developmental and testing work to the point at which they can be applied by municipalities on a full-scale basis, no local government has elected to try them. The limiting factor here is the natural reluctance on the part of mayors and other elected local officials to incur even the limited risks that may be involved in adopting, and spending locally generated public funds for, solid waste disposal concepts which have not been used routinely by other cities.

It is very encouraging that the private sector has responded in such a vigorous and timely fashion to the identification of the public need for innovative approaches to solid waste disposal problems. As time passes, though, I am becoming increasingly concerned that some—and perhaps many—firms will be forced to drop out of this field. If this happens, all of us—and not just the firms which drop out—will be the losers.

Mr. President, the Congress has, of course, long recognized that local officials cannot regard local revenues as risk capital. For that reason, the Congress has adopted demonstration project programs to demonstrate the feasibility and practicability of new techniques and technologies.

Section 208 of the Resource Recovery Act of 1970 authorized such a program for both the demonstration of resource recovery systems and the construction of new or improved solid waste disposal facilities. Congress has appropriated funds for this program for fiscal 1972, but the Office of Management and Budget has declined to release these moneys.

I have written today to the Director of the Office of Management and Budget

asking him to release these funds. I have also written to the Chairman-designate of the Council of Economic Advisers and to the Director of the Office of Science and Technology inviting them to make available to OMB their considerable expertise on the aspects of this situation which are pertinent to their respective interests and responsibilities.

Mr. President, mine is not a budget-busting request. On the contrary, I have called for a prudent and sound investment of a modest amount of money—\$15 million at most—in an endeavor which will return many times that amount of money in savings by cities across America.

Release of these funds is the key to breaking the logjam in public acceptance of promising new solid waste disposal technologies which will enable them to be adopted and utilized on a broader scale throughout the Nation. As succeeding generations of these new technologies are adopted and applied as a result of their initial applications, there is a substantial likelihood that additional significant breakthroughs will occur to further reduce the costs and increase the efficiencies of these systems.

Almost 2 years ago in his much publicized environmental message to Congress, President Nixon advocated precisely the kind of action that I have proposed today to the Director of the Office of Management and Budget.

"Available Federal funding should be directed to selective, large-scale demonstrations of innovations in solid waste management in one or more metropolitan areas. One of the major difficulties in changing solid waste management is the reluctance of authorities in major urban areas to commit themselves to significant spending for innovations that have been tested only in small towns or under controlled conditions. Federal support could assist in providing a smooth transition from research to large-scale demonstration projects."

Mr. President, that proposal was sound then, and my proposal is equally sound now. If anything, the serious problem which both of us want to solve is more urgent and serious now than it was 2 years ago. The time to act on this problem is now.

I ask unanimous consent to have printed in the RECORD copies of my letters to the Director of Office of Management and Budget, the Director of the Office of Science and Technology, and the Chairman-designate of the Council of Economic Advisers.

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

U.S. SENATE,
COMMITTEE ON PUBLIC WELFARE,
Washington, D.C., December 17, 1971.

HON. GEORGE W. SHULTZ,
Director, Office of Management and Budget,
Executive Office Building, Washington,
D.C.

DEAR MR. SHULTZ: As you know, many American cities face immediate, serious solid waste disposal problems. Other cities with less immediate problems in dealing with their municipal refuse are challenged by decreasing availability and increasing costs of land for sanitary landfills at a time when other conventional approaches to municipal waste

disposal such as incineration are becoming more costly and less acceptable from public health and environmental viewpoints.

Municipal wastes are projected to increase faster than population in the coming few years, and the persistent upward trend in public expenditures for waste disposal services is running on a collision course with other escalating demands on local revenues for police and fire protection, schools, housing, and other municipal services.

This bleak picture is offset, in part, by the fact that private enterprise has developed a number of new solid waste disposal technologies which are ready for adoption by municipalities on a full-scale commercial basis.

These new concepts promise significant reductions in the costs of solid waste disposal services and substantial improvements over the performance of conventional systems in public health, environmental, and other terms. Some of the companies involved in this effort are sufficiently confident about the performance of their systems that they will back up their claims of superiority with bonded performance guarantees.

Although these advanced solid waste disposal techniques have been refined through extensive developmental and testing work to the point at which they can be applied by municipalities on a full-scale basis, no local government has elected to try them. The limiting factor here is the natural reluctance on the part of mayors and other elected local officials to incur even the limited risks that may be involved in adopting, and spending locally-generated public funds for, solid waste disposal concepts which have not been used routinely by other cities.

I am encouraged that the private sector has responded in such a vigorous and timely fashion to the identification of a public need for innovative approaches to solid waste disposal problems. As time passes, though, I am becoming increasingly concerned that some—and perhaps many—firms will be forced to drop out of this field. If this happens, all of us—not just the firms which drop out—will be the losers.

The Congress has, of course, long recognized that local officials cannot regard local revenues as risk capital. For that reason, the Congress has adopted demonstration project programs to demonstrate the feasibility and practicability of new techniques and technologies.

As you know, Section 208 of the Resource Recovery Act of 1970 authorized such a program for both the demonstration of resource recovery systems and the construction of new or improved solid waste disposal facilities. Congress has appropriated funds for this program for fiscal 1972, but I understand that the Office of Management and Budget has declined to release these monies.

Release of these funds is the key to breaking the logjam in public acceptance of promising new solid waste disposal technologies and enabling them to be adopted and utilized on a broader scale throughout the nation. As succeeding generations of these new technologies are developed and applied as a result of their initial application, there is a substantial likelihood that additional significant breakthroughs will occur to further reduce the costs and increase the efficiencies of these systems.

I know that the Council on Environmental Quality has commissioned a series of studies by the Midwest Research Institute on resource recovery systems and I fully appreciate the importance of the resource recovery concept as an important element in the ultimate solution to our serious solid waste disposal problems. I can well appreciate the logic of deferring funding for resource recovery systems under Section 208 until the final reports of the Midwest Research Institute studies have been received and analyzed.

However, I believe that the urgency of our

immediate solid waste disposal problems and the continuing drain on public resources for high-cost, but essential, solid waste disposal services justify immediate action to make funds available for "new or improved solid waste disposal facilities" under the second clause of Section 208(a). Parenthetically, I should note that many of the new technologies also incorporate features for the recovery of resources, and that additional resource recovery capabilities can be easily and quickly incorporated into most of these systems when markets for recovered materials and other factors justify that action.

My viewpoint of the importance of releasing funding for this important purpose is supported by the statement made by the President almost two years ago in his environmental message when he said:

"Available federal funding should be directed to selective, large-scale demonstrations of innovations in solid waste management in one or more metropolitan areas. One of the major difficulties in changing solid waste management is the reluctance of authorities in major urban areas to commit themselves to significant spending for innovations that have been tested only in small towns or under controlled conditions. Federal support could assist in providing a smooth transition from research to large-scale demonstration projects."

I would very much appreciate your acting to release the funds provided by the Congress for the section 208 program. Once that is done we can begin the urgent task of making economically, environmentally, and otherwise superior solid waste disposal technologies available to local levels of government to assist them in dealing with their increasingly serious solid waste disposal problems.

Sincerely yours,

THOMAS F. EAGLETON,
U.S. Senator.

U.S. SENATE,

COMMITTEE ON PUBLIC WORKS,
Washington, D.C., December 17, 1971.

HON. EDWARD E. DAVID, Jr.

Director, Office of Science and Technology,
Executive Office of the President,
Washington, D.C.

DEAR DR. DAVID: I have enclosed a copy of a letter I have sent to the Director of the Office of Management and Budget which I believe to be pertinent to your continuing interest in stimulating the transfer of more effective and efficient methods and technologies to all levels of government, and particularly to units of government at the local level.

As my letter indicates, the private sector of our economy—for the most part with no public funding assistance—has generated a number of promising new methods and technologies for disposing of solid wastes, and particularly municipal refuse, which are economically, environmentally, and otherwise superior to conventional waste disposal techniques.

However, public officials at local levels of government are reluctant to commit public funds to these new techniques because of longstanding preferences for approaches which have been widely practiced for long periods of time by other municipalities.

The key to breaking this technology transfer logjam is to encourage a number of cities to adopt a variety of these new approaches to demonstrate their practicability. The encouragement that is lacking in this situation is federal assumption, in the broader national interests, of a part of the risk of trying these new and relatively "undemonstrated" techniques.

Section 208 of the Resource Recovery Act of 1970 authorizes such a program of federal financial assistance in the construction of new or improved methods of disposing of solid wastes. Funds appropriated for this

program for fiscal 1972 have been administratively held up by the Office of Management and Budget.

I would appreciate your sharing the benefits of your experience and insights in the area of technology transfer with the Office of Management and Budget in this situation and any additional assistance you can provide in assuring that this important program receives the funding Congress has appropriated for it.

The technologies involved here could yield very substantial, relatively immediate benefits to all sectors of the public in return for a very modest commitment of funds. Their adoption and use also will provide the opportunity for further incremental advances in effectiveness and efficiency of solid waste disposal techniques and provide an operating context within which adoption of practicable resource recovery systems can take place.

Sincerely yours,

THOMAS F. EAGLETON,
U.S. Senator.

U.S. SENATE,

COMMITTEE ON PUBLIC WORKS,
Washington, D.C., December 17, 1971.

HON. HERBERT STEIN,

Chairman-designate, Council of Economic
Advisers, Executive Office of the President,
Washington, D.C.

DEAR DR. STEIN: I have enclosed a copy of a letter I have sent to the Director of the Office of Management and Budget which I believe is pertinent to your interest in increasing our national productivity in general and the efficiency of expenditures by local units of government in particular.

As my letter indicates, the private sector has developed a variety of new approaches to the increasingly expensive and difficult problem of municipal solid waste disposal. These new approaches promise to relieve, in part, the enormous drain on public resources created by the presently inefficient, high-cost conventional solid waste disposal techniques. They also offer the prospect of facilitating the performance of solid waste disposal services in ways which will be environmentally and otherwise superior to conventional approaches.

I have called upon the Director to release the fiscal 1972 funding provided by Congress for the program of federal financial assistance in the construction of new and improved methods of solid waste disposal authorized by section 208 of the Resource Recovery Act of 1970.

I believe that commitment of the modest funding provided by Congress for this program will produce dollar savings greatly in excess of the Federal investment through increased efficiency in the use of public resources and improvements in the quality of our natural environment as well.

I would appreciate your making available to the Director of the Office of Management and Budget your experience and insights in the area of productivity of the funds committed to solid waste disposal by local governments and any additional assistance you can provide in assuring that this important program receives the funding Congress has appropriated for it.

Sincerely yours,

THOMAS F. EAGLETON,
U.S. Senator.

ADDRESS BY SENATOR MUSKIE AGAINST SEX DISCRIMINATION

Mr. BAYH. Mr. President, one of the most important issues that faces our Nation today is the question of equality. During the past decade, we have focused on the problem of racial equality. Now we are beginning to realize that discrimination on the basis of sex is also a

serious social problem that demands Government redress. As the Senate sponsor of the equal rights amendment, I am painfully aware of the social and economic costs of sex discrimination, and of the pressing need to establish sexual equality under law.

Mr. President, in a speech given last month in Schenectady, N.Y., Senator MUSKIE spoke eloquently about the measures we must take in order to provide women with an equal opportunity in our society.

I ask unanimous consent that the speech be printed in the RECORD.

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

THE MAJORITY WHO ARE WOMEN

(Remarks by Senator EDMUND S. MUSKIE)

I understand that you hear from a number of speakers every year. And it is fitting for this Freedom Forum to meet frequently because we must meet such frequent challenges to the future of freedom. For a society like ours, change is the condition of survival—change to counter new outbreaks of intolerance—to push out the frontiers of justice—to build a country equal to the full meaning of liberty. And so it has been throughout our history.

The first Americans signed a charter of freedom called the Declaration of Independence, but they also treated a whole race of human beings as private property. It was left to their descendants to see the wrong of slavery and change our country in four years of bloody civil war.

The Americans of the 1860's fought to free the slaves, but they also permitted monopoly power to chain twenty million workers to jobs of relentless toil for little reward. It was left to another generation to see the wrong of sweatshops and drive them from our nation's industry.

In 1933, our parents voted for a New Deal to guarantee basic economic decency, but most of them also stood by while "whites only" remained stamped on the promise of American life. Then we saw the wrong of racial discrimination—and we are still working to end it.

This has always been the way people have fought for freedom—not only in America and in our time—but everywhere and for all time. Each generation confronts a deprivation of liberty unseen or unsolved by the last generation. And each of us is called upon to build something better than the imperfect freedom we have inherited. Of course, we will not reach perfection either. Our children and their children after them will advance the cause of liberty in directions still beyond our vision. And in the sum total of all the advances before us and after us will be written the history of freedom on this planet—from the first days of the Athenian Agora to the last moment of human existence as we know it.

But our part in the struggle is larger than the part entrusted to other ages. The pace of change has accelerated—and we are now deluged by new demands for justice in a short span of time. Abraham Lincoln counted fourscore and seven years between the first and second great trials of American freedom. But just between 1951 and 1971 . . . in a single score of years . . . we have been asked to answer the threat of McCarthyism—to confront the crisis of black inequality—to wipe out poverty and hunger—and to answer the urgent, unmet claims of chicanos, Puerto Ricans, Indians, and ethnic minorities.

We have been challenged to change so much and so fast. It is a difficult task—but it is also a task that we should welcome. We have the chance in our lives to do more for

freedom than any other generation in the history of human life. And in recent years, we have learned the true dimensions of our responsibility.

We have learned that we must fight, not only for the minority who are not white, but for the majority who are women. And their cause should be the cause of every American. The struggle for women's rights is nothing less than another chapter in the long and ceaseless struggle for human rights.

Some of us—especially those of us who are men—sometimes find it difficult to take the women's movement seriously. Perhaps unconsciously, countless men respond to the fact of sex discrimination in a way which proves the case against them. The same reporters who write with passion and conviction about racial injustice frequently react to sexual injustice with detachment and even derision. Television comedians who march on Washington or at Selma still tell insensitive jokes about feminine intuition and male realism. And there is a subtle but pervasive sense of condescension in the typical male attitude toward the struggle for women's rights.

In 1963, John Kennedy summoned white Americans to the cause of black equality with this question: "Who among us would be content to have the color of his skin changed. . . ? Who among us would be content with the counsels of patience and delay?" Now in 1971, it is time for American men to ask: "Who among us would be content to trade status and rights with American women?"

Would men accept a situation where they earned only \$60 for every \$100 earned by women?

Would men be content with an unemployment rate twice as high as the rate for women?

Would male college graduates settle for an annual income \$5,000 lower than their female counterparts?

Would men stand silently by if they were only 7% of all doctors, 3% of all lawyers, and 1% of all federal judges?

Yet that is what women are and what women face in American society. And they have more grievances than mere economic inequality. Our culture offers women self-cleaning ovens, but often withholds the self-respect. That can come only from excellence and achievement. Why have law schools and medical schools acted as though educating women was a waste of resources. What has happened to the female citizens who should be sitting in the Senate and the House? Why was no woman present when the fate of the world was decided in the Cabinet room during the Cuban Missile crisis?

Not because women are less talented or less stable—but because a male-dominated society long ago decided that this was the natural order of life. The decision may have been unconscious. Through the early years of my public career, I just assumed that political leadership was not the right role for most women. Like millions of other men in other professions, I inherited and accepted a cultural bias which was seldom questioned or even understood for what it was.

But there is no excuse now for a failure to see the facts and the wrongs of female inequality. The women of America are telling the rest of America about the devastating impact of sex discrimination. Some men may dismiss their complaints or deride their tactics, but no man can claim not to know. So if the bias against women is passed on to another generation in this land, the cause will not be ignorance, but a conscious decision to deny full freedom to more than half of our fellow Americans.

We can make that choice—and we can disguise our failure to expand the scope of liberty, perhaps even from ourselves. Or we can respond as our parents responded to other

challenges in other times. We can make women's rights a reality and not just a rallying cry. That is our task—yours and mine—at every level of government and in every part of our private lives.

We must stop assuming that all married women are better off at home than at work. Every woman should have the chance for a rewarding career as a wife and mother and a rewarding career in the outside world. And each woman should have the right to decide—to choose one of those careers or both of them.

That goal is so easy to say, so hard to achieve. From their first readers in school to their daily toys and games, children are taught to regard boys as more active and more creative than girls. The same pattern prevails through adolescence and into adulthood. And we cannot change the resulting perceptions until we change the way we raise our sons and daughters. That is our special responsibility as parents, teachers, or school administrators—and our common responsibility on local school boards across America.

And we must remove other, still steeper barriers to sexual equality. Even if a woman wants a career, she often cannot find a university willing to train her or a company willing to employ her on the same terms as a male competitor. But there are no professions less fit for women, no positions too important for women, and no judgments a woman cannot make as well as a man. And we must make it possible for every woman to reach her full potential.

Private institutions must change their attitudes and their policies. Universities—especially graduate and technical schools—must stop admitting or rejecting applicants on the basis of sex. Business and industry must stop paying women less for the same work and promoting women less for the same talent. And reform is not a distant goal, but an immediate priority. For example, here in Schenectady, General Electric has already made notable gains in a new program to insure equal opportunity for women.

Unfortunately, many universities and most corporations have not moved as fast or as far as G.E. Since the passage of the Equal Pay Act in 1963, violations have been charged against industrial giants such as Wheaton Glass, American Can, and R.C.A. And women still have trouble entering advanced science or engineering programs in American universities.

If we have learned anything from our still unfinished struggle for black equality, it is that the fundamental issues of freedom cannot be left to private institutions and private individuals alone. They require the kind of moral leadership—at the highest level—that John Kennedy and Lyndon Johnson provided in the effort to right the wrongs of racial discrimination. But the administration in Washington has not been leading in the fight for civil rights or women's rights. And in the field of women's rights, it is even hard to give the President credit for merely following.

In 1963, Richard Nixon pledged to "add equality between the sexes to the freedoms and liberties guaranteed to all Americans." But in 1971, we can look back on three years of failure under this administration. Only 1.7% of the policy-making positions in the federal government are occupied by women. Of the 200 appointed to advisory boards, only 27 serve in leadership roles, while 62 serve on the advisory committee of the Kennedy Center for the Performing Arts. At the same time, the agency assigned to carry out the executive order on fair promotion and hiring has little to show for its efforts except an occasional newsletter.

And the administration which has failed to put its own house in order has failed women's rights on a far broader scale.

The 1964 Civil Rights Act guaranteed equal

employment opportunity throughout the economy for women and minorities. In the Senate, we are now trying to make that rule of federal law a fact of everyday life. We want to give the Equal Employment Commission the power to act against job bias instead of merely talking against it. We believe the Commission should be able to issue judicially enforceable orders to end discriminatory hiring practices. The administration is opposed to that reform—and asks us to rely on the ineffective and "informal methods of conference, conciliation, and persuasion."

The administration has also worked against the legislation designed to help a woman keep the job she takes. This fall, the Congress came close to enacting comprehensive day care for the children of working mothers. The President threatened to veto the bill. He pressured for a compromise which does not do enough for any family—and does nothing for families with incomes over \$7000 a year. To secure at least some progress, the Senate was willing to accept that. But now the White House is lobbying to defeat even the compromise. What does the President want—no day care at all and more women who cannot work because there is no one to look after their children? The Congress must fight for day care—and we must pass it in 1971.

And what the administration has decided to oppose is matched only by what the administration has failed to propose. Eight years after John Kennedy appointed the first presidential commission on the status of women, Richard Nixon said that the Democrats had not moved fast enough and far enough on women's rights. And the President was right. So what did he do? He appointed another task force. In 1970, his task force reported. Their report was printed. And the President has ignored virtually all of their major recommendations.

We must implement them now.

For example, we must guarantee women admission to publicly supported higher education under the same standards as men. We must broaden the coverage of the Equal Pay and Equal Employment Acts to cover every job in government and in the private sector. We must provide more equitable retirement benefits for households with working wives.

The answer to sex discrimination is not more task forces and new commissions. If we do not know by now what must be done, then we will never know it or do it. And the Congress must not delay beyond the spring in approving the Equal Rights Amendment to the Constitution.

That would be the single most vital victory for the cause of women's rights. We have just been confronted with a crippling modification of the Amendment during subcommittee debate. But the Senate will have the time to fight for the original version when Congress reconvenes in January—and we must take the time to write complete equality between men and women into the law of this land.

And even when we accomplish that much, we still have to do so much more. We cannot root out overnight the accumulation of centuries of prejudice against women. But we can begin in every aspect of our endeavors.

Any politician who talks about women's rights should be prepared to work for women's rights in the political year ahead. The National Women's Political Caucus must be heard and heeded by both parties. And in the Democratic Party, we must do better than one state party chairman who is a woman—better than the 13% of national convention delegates who were women last time—and better than the low level responsibilities assigned to most women in past campaigns. Women should have equal representation on every state delegation to the convention and a maximum role on the staff of every candidate for the nomination. And the next ad-

ministration must practice in power what it preaches during the political season.

For some time, I have been planning a speech on women's rights. My first instinct was to give the speech to an exclusively female audience. Obviously, I decided that my instinct was wrong. Most women already understand the pain of sex discrimination. They are living with it every day. And most women are ready to claim complete equality in our society.

But most men—here and everywhere in America—are still not truly committed to women's rights. Most of us have not yet said to women that we agree with their demands—that they should have the same chance we have—that they are not second class citizens but full partners in the common enterprise we call America. And only when we say that can we insure the future of freedom.

For a free society cannot become static and remain free.

Who would call America free in 1971 if black people had to follow the rules of 1951 and sit in the back of a bus?

And who believes that after 50 years, we have done enough when women can vote in elections, but not on the Supreme Court or in the Cabinet?

We must ask more of ourselves—and we must commit ourselves to building a country equal to our hopes and our boasts.

There is sexism in American society, just as there is racism. But there is also a tradition passed down from democracy to democracy through recorded history—a tradition which tells us that we can see and change each successive imperfection in the fabric of freedom.

The first Americans started this country off with the declaration that "all men are created equal." Abraham Lincoln and John Kennedy tried to teach us that the phrase meant black men as well as white men. Franklin Roosevelt told us that the phrase included the forgotten man as well as the rich man. Now, after almost two hundred years, we must rewrite the phrase again. America must hold this truth to be self-evident: that all people are created equal—black and white, the powerful and the powerless, women and men.

And if we meet our responsibility, freedom can survive to meet other challenges in the next generation or the next century. It is an endless process—and it is the most rewarding way of life humanity has ever known.

ARMS SUPERIORITY EFFORT BY SOVIET UNION

Mr. GOLDWATER. Mr. President, it is encouraging to members of the Senate Committee on Armed Services to observe that more and more Senators are becoming aware of the fact that the Soviet Union—despite all the talk about arms limitation and detente—is making a determined effort to establish an arms superiority over the United States in every area of military preparedness. It is encouraging because the stakes involved in what the U.S.S.R., is now attempting to do are enormous and vital to the strategic interests of the United States. And the few of us who have been harping on this subject for the past 6 years have felt rather lonely in our concern until recent months.

Accordingly, I invite the Senate's attention to an outstanding address delivered before the Air Force Association's meeting at Orlando, Fla., December 15 by Senator JAMES BUCKLEY, of New York. I ask unanimous consent that Senator

BUCKLEY's remarks be printed in the RECORD.

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

SENATOR BUCKLEY ADDRESSES THE AIR FORCE ASSOCIATION, ORLANDO, FLA., DECEMBER 15, 1971

I am awed at the abundance of stars and ribbons which I see about me today. When I was discharged from the Navy some 25 years ago, having risen to the dizzying rank of lieutenant junior grade while serving on an LST in the Western Pacific, it would have been impossible for me to foresee that I would one day have the temerity to address so august and knowledgeable a group on the subject of National defense. On the other hand, in 1946, it would have been equally impossible to foresee how soon we would be losing sight of the lessons of Munich, the lessons which can be summed up in the single proposition that only the strong can remain free.

In simpler times, when it was somehow easier to maintain touch with reality than it is today, it was understood that the first priority of any society was to provide for its own survival. This fundamental principle ought to be as self-evident today as it ever has been in the past. Yet for some time now, we have been in the grips of a blind anti-militarism which has forced drastic cutbacks in large categories of defense spending which are essential to our security—and all in the high-sounding name of reordered priorities. As a result, we are not only falling critically behind in the necessary business of military research and development, but we have allowed our existing forces to deteriorate to a point where the ability of the President of the United States to assure the defense of vital national interests may be in jeopardy.

Because of the attrition caused by inflation, these cutbacks have been far more severe than would appear on the basis of dollar figures alone. We have not simply cut the fat out of military budgets, we have been hacking away at the sinews and muscles as well. By way of illustration, because of inflation and because payroll costs have risen from 40 per cent of the defense budget for fiscal 1964 to over 60 per cent of the defense budget for fiscal 1972, in the current year we will be purchasing 40 per cent less military research and hardware than we did eight years ago before we became actively involved in the Vietnam war.

These same figures have forced us, over the same eight-year period, to reduce the number of our Navy carrier wings from 24 to 15, the number of our tactical Air Force squadrons from 119 to 105, and to reduce by almost 30 per cent the number of our active naval vessels, from 932 to 658.

What is even more serious, in view of the Soviet strategic build-up, is the dramatic cutback of our investment in our strategic forces over the course of the past ten years or so. In the late 1950's, we were spending \$13-15 billion a year on our strategic forces. By 1966, we were only spending \$6.5 billion. And although today we are spending about \$8 billion on these forces, we are not purchasing significantly more with this investment than we did in 1966 because of inflation. Thus in terms of stable dollars, we are spending today in this critical area less than half as much as we were just a decade ago despite the dangers inherent in the rapid deterioration of America's relative strategic strength.

Now admittedly, there is no inherent virtue in maintaining a large and costly military establishment, or in developing increasingly sophisticated weapons. No nation with peaceful intentions requires or can justify a defense establishment which is larger than that

which is necessary to meet the needs of her own security. But the adequacy or inadequacy of a nation's defenses is determined not by considerations of domestic priorities, but by the power relationships within which that nation must operate. And we must keep in mind that in the real world, no country can conduct an effective foreign policy without a military capability which is appropriate to its responsibilities.

In our case, our responsibilities since World War II have necessarily been international in scope as they have concerned themselves primarily with the need to contain the aggressive outward thrust of the Communist powers. These are responsibilities which we did not seek, but which we cannot escape as the only free world power capable of facing up to the Russian challenge. In the past we have succeeded time and again—witness, for example, the Berlin and Cuban crises—in causing the Soviets to back away from confrontations which might have ignited a third world war precisely because we had the military power to back the positions we had to take. The Soviets simply could not risk a test of strength. Our military might, in other words, has been the critical factor in our ability to maintain the tenuous peace which by and large has existed since the end of the Second World War.

While the effectiveness of our foreign policy has ultimately rested on our power to unleash nuclear devastation on any enemy, it has long been an accepted fact at home and abroad that it is unthinkable that the United States should ever initiate an atomic strike. Therefore, the whole fabric of our defense policy has depended on our having sufficient strategic weapons survive any attack launched by an enemy to assure us the ability to deliver a retaliatory strike which would inflict unacceptable losses. This is what our policy of nuclear deterrence has been all about. This is what has been called the balance of terror.

There is a growing body of evidence, however, to support the conclusion that we will soon find ourselves in a position where our deterrent capacity will no longer be sufficiently plausible to cause the Soviet Union to back away from future confrontations involving interests vital to the west. What this means, quite simply, is that we are rapidly approaching a point where no American president will be able to emerge from a political confrontation with the Soviet Union with our foreign policy objectives intact, whether that confrontation takes place in the Middle East or Western Europe or even in the Caribbean.

Since 1965, the Soviet Union has launched and sustained a truly extraordinary drive to increase and modernize every section of her strategic and conventional forces. As a result, the Soviet Union now has a payload capacity in her intercontinental and submarine-launched ballistic missiles which is potentially capable of delivering eight times as many nuclear warheads as the United States. This build-up so far exceeds any plausible requirement for a policy of deterrence that we can only conclude that the Soviet Union has developed this extraordinary capacity for use in support of her own diplomacy, a diplomacy whose historic goals have always been aggressive.

The conventional wisdom states that any development of nuclear warheads beyond a certain point, whether by the United States or the Soviet Union, is simply superfluous—the disparity in warheads representing merely an "overkill" capacity. I suggest, however, that there is no evidence whatever that the Russians buy this analysis.

For an insight into what may be the Russian view, let us consider what might plausibly be the result of a hypothetical "first strike" attack by the Soviets on our strategic forces. If we assume that Russia's production line technology is equal to our own—

and we must—the existing three hundred Soviet SS-9's could each be equipped with between three and six independently targeted warheads having a yield of from two to five megatons each. This would give their SS-9's the present capacity to deliver between 900 and 1800 warheads, each capable of attacking and destroying one of our Minutemen ICBM's. If we assume further that the Russians employ guidance technology equivalent to that available to us for our Minutemen III and Poseidon missiles, then a "first strike" attack by their SS-9's could destroy on the ground or in port about 90 per cent of our land-based ICBM's, 50 per cent of our aging B-52 bombers, and one-third of our Polaris submarines before we could even consider a retaliatory strike. And this destruction of our deterrent force could be significantly increased by advanced guidance technology which our own research has already shown to be feasible.

This assessment of the Soviet Union's strategic capabilities is not mine, and it cannot be written off as scare talk emanating from the Pentagon at defense appropriations time. Rather, it represents the sober judgment of third party observers such as the editors of *Jane's*, who in a recent edition predicted that by 1975, the Soviet Union would have the capacity to destroy virtually all of our land based strategic forces in a pre-emptive first strike.

Assuming such an attack, the Soviets would have left over sufficient forces-in-being to pose a continuing threat to our remaining strategic forces and to our cities. This remaining capacity would include over 900 SS-11's, over 400 submarine launched ballistic missiles, and nearly 200 bombers. We would, as of the present, still have the suicidal capacity to inflict devastation of those Russian cities not protected by ABM systems; but even this remaining deterrence could be reduced to levels acceptable to the Communist mentality by either a major breakthrough in Russia's anti-submarine warfare capability, or by an expansion of her ABM defenses, or by an up-grading of her SA-2 and SA-5 air defense missiles to an ABM role.

There are many, of course, who are pinning their hopes on the strategic arms limitation treaty negotiations which are now taking place between the United States and the Soviet Union. In a sensible, rational, truly peace-seeking world, we could have high hopes for the success of these discussions; and the optimist in me believes that such success may in fact be possible, but only if the Soviets are satisfied that we will not deal away our strength in exchange for unenforceable promises. One thing which ought to be clear is that we cannot hope for success if we hide from the cold realities of life, if we let ourselves be carried away by Euphoria at every small concession. Let us keep in mind that the SALT talks are now entering their third year and that we have experienced powerful pressures here at home to defer any build-up of our strategic forces or of our purely defensive systems pending the outcome of these talks. Yet since President Johnson's announcement in early 1968 that the SALT negotiations had been agreed to, the Soviets have deployed over 800 additional ICBM's, more than doubling the number which were deployed in late 1968.

Moreover, there is no evidence that the Soviets are relenting in their singular obsession with the development of an overwhelming strategic superiority. Recently Secretary of Defense Laird reported that the Soviets have again enlarged the capacity of their nuclear submarine production yards with the result that their "Yankee" class submarines—the rough equivalent of our Polaris—are being produced at a rate of nearly one per month, a rate 50 per cent higher than that observed just one year ago. This means that by 1973 the Soviets will have

surpassed us in missile-launching submarines. Similarly, recent evidence indicates that the Soviets are continuing their deployment of ICBM's, including that of two or three new designs for which we have no counterparts.

In my judgment, we can no longer afford to defer further development of our strategic offensive and defensive capabilities in the hope that successful negotiations will have made the expenditures unnecessary. And we must take particular care that any agreement reached with the Russians will not have the effect of freezing them in a position of decisive superiority.

I submit that if we are to provide adequately for our own defense, and if we wish at the same time to create the conditions best calculated to assure the ultimate success of present and future efforts to negotiate an end to the arms race, then we must move on an urgent basis to preserve the credibility of our nuclear deterrence while at the same time restoring the unquestioned superiority of our conventional arms.

We simply cannot afford any longer to ignore the fact that the Soviet Union is currently spending \$3 billion per year more than we are on military and space research and development, and that she is expanding those expenditures at the rate of 13 per cent per annum while ours have declined when we take inflation into account. This means that the Soviets can pursue at least twice as many R&D projects as we are able to sustain. Nor can we close our eyes to the significance of some of the dividends which she is already beginning to derive from this investment. *Jane's All the World's Aircraft* reports, for example, that the Soviets have now developed and tested a satellite-destroyer system which is capable of attacking any satellite which we may station in space. We have no comparable system at our disposal, nor are we likely to have one for years to come. Recent press reports indicate that the Soviets are developing a low-cost Mach 4 cruise missile—another serious threat for which we have no satisfactory defenses because insufficient funds have been allocated to conduct the necessary research and development.

The examples of the Soviet Union's high degree of military sophistication are legion; so much so, in fact, that the editors of the 1971-72 edition of *Jane's Weapons Systems* have been led to the conclusion that:

"Russia now has the initiative in weapons technology. Whereas for a long time it was assumed—with considerable justification—that the NATO countries had a clear lead in the development of sophisticated weapons, it is now clear that the U.S.S.R. has extinguished that lead and is outstripping the West."

The seriousness of this development cannot be overstated, because a lead once lost is not readily recaptured except at very large cost. What it means, quite simply, is that unless we are prepared to undertake the cost, we will be risking a technological Pearl Harbor from which there may be no reprieve.

What is more, we cannot afford to be obsessed with our strategic capabilities at the expense of our conventional forces, because our strategic posture represents only part of the story. Under any philosophy of strategic defense, the objective has been to assure a balance of forces which will preclude a resort to nuclear warfare. But while the maintenance of such a balance might avert the horror of an atomic holocaust, it does nothing to eliminate recourse to more conventional forms of warfare; and to the extent that nuclear warfare becomes unthinkable, to that extent must we make certain that we maintain the conventional strength essential to our needs. But here again, while we have allowed our position to deteriorate, the Soviets have been overtaking us with

astonishing determination and speed, with consequences which are far from academic.

In the field of air defense, for example, the Soviets have deployed in recent years several thousand highly effective surface-to-air missile launchers while we have allowed our own air defenses to deteriorate to a point which the *Armed Forces Journal* has described as the weakest condition since 1942.

In Europe, the Soviet Union is now capable of fielding over 15,000 modern tanks as compared with less than half that number available to the NATO forces. Yet in recent weeks, an effort was made on the floor of the Senate to kill plans for the production of an American tank of superior technical character which will enable us to offset the Soviet Union's numerical superiority in tanks and in manpower.

The Soviet Union now outclasses us in intermediate range ballistic missiles which she has targeted against our NATO allies; and she has recently deployed a new short-range ballistic missile, the SS-12 scaleboard, which is capable of delivering either nuclear or high explosive warheads over a distance of several hundred miles while our own counterpart, the lance, is still two or three years away from deployment.

In still another area, the Russians have unveiled a whole new series of aircraft, such as the MIG 23 Foxbat and the Mach 2 Backfire strategic bomber, which have eroded away the once unchallenged superiority of U.S. air power.

But the most dramatic advances which the Soviet Union has made in the last few years have been in the astonishing expansion of her navy. Since 1965, she has transformed from a small coastal defense force to what is today a deep water navy with a proven capability for worldwide military action. In this short space of time, the Soviet Union has established herself as a global sea power, and she is well on her way to becoming the global sea power.

Thus, while we have been allowing our relative military strength to decline, the Russians have been moving rapidly to establish a position where at the very least they will have neutralized our strategic forces while bringing their conventional strength to a point where they will be able to effectively challenge the West in areas which are of central importance to us.

This brings us to crucial reality of the present time. We simply cannot afford a further erosion of our relative strength. Given the present precarious balance of our strategic forces and given the scope and speed of the Soviet Union's military build-up, we have to choose but to launch, and launch now, a major and sustained effort to modernize and expand our own strategic and conventional capabilities, to do otherwise will mean that we will soon reach the time when it will be impossible for us to protect our vital international interests in the face of a serious Soviet challenge; and when that day arrives, any debate over American foreign policy objectives will have become irrelevant because we will be without the means of implementing any of them. Our foreign policy objectives will themselves be irrelevant because in a showdown, the United States will have no choice but to back down.

And once we begin backing down under pressure here and there around the globe, we will court the disaster of a third world war. Because aggressor nations seem inevitably to overestimate the readiness of free men to retreat. This was the lesson of the First and Second World Wars; a lesson which we will forget at our mortal peril.

Military forces are not a luxury but a necessity. So long as we live in a world in which some nations feel a compulsion to dominate others, we have no choice but to maintain those levels of defense which are essential to our survival. We can find no escape in isola-

tionism because great nations are not allowed the luxury of retiring from the world. For such nations, there can be no peace unless they have the power and the will to defend it.

THE CHILD DEVELOPMENT BILL

Mr. NELSON. Mr. President, following President Nixon's veto of the OEO child development bill recently, a number of very interesting editorials and articles have been published on the child development provisions of this legislation.

I ask unanimous consent that several of these articles and editorials be printed in the RECORD.

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

[From Time magazine, Dec. 20, 1971]

CHILD CARE VETO

"So crucial is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first five years of life."

Thus spoke Richard Nixon in an early statement as President in 1969. What has now become an important political issue is a proposal that would be a striking extension of responsibility for the Federal Government: taking on greater financial responsibility for the nurture of many of the nation's young, through a broad program of educational and medical aid to children.

The President's own Family Assistance Plan, still stuck in the congressional bogs, would move modestly in that direction; its provisions, together with existing programs, would bring increased federal outlays for child care to some \$1.2 billion a year, much of it for centers that would look after the off-spring of welfare families moving into the labor force. Last week the Democratic-controlled Congress sent Nixon a bill to establish a more ambitious child-care program that would provide, as Minnesota Senator Walter Mondale put it, "a full range of quality health, education, nutrition and social services" for the young. The very poor would pay nothing for the services, while the more prosperous would be charged a fee; a family with two children and an income of \$6,960 a year, for example, would pay about \$6 a week. The child-care centers would be run by local "prime sponsors"—cities, towns, counties or even such groups as Indian tribal councils. The price tag for the first year would be \$2 billion, not vastly more than Nixon's own plan, but the President chose to veto it. He damned it roundly for "fiscal irresponsibility, administrative unworkability and family-weakening implications."

Nixon warned that the program would eventually have cost the Federal Government roughly \$20 billion a year, though he did not explain how he arrived at that figure, which is nearly 10% of the present federal budget. Administration officials, however, said that if the benefits were to go to every family eligible under the bill, its overall costs would reach some \$37 billion a year. They said estimates indicate that \$17 billion of that total would be recovered from fees paid by participating families with incomes above the poverty line. The bill, Nixon added, "would commit the vast moral authority of the national Government to the side of communal approaches to child rearing over against the family-centered approach."

The last charge seemed like a bit of a reach, but Nixon was clearly taking the offensive in order to avoid the peril of being cast as a kind of Scrooge—against day care, against helping working parents, even against children. The Democrats are sure to make a

political issue of the veto; Mondale and other backers of the bill were already calling it the most significant social legislation to come out of the 92nd Congress.

The measure had strong backing from Women's Lib, labor, civil rights groups and educational associations. The Senate vote had been a lopsided 63 to 17, but many Republicans who had supported the bill originally fell into line behind the President. Thus the bill's backers could not muster the two-thirds majority necessary to override Nixon's veto.

What Nixon rejected was a good deal more ambitious than a federal babysitting service. Congress' bold-care plan had its defects, but its goals raised a far-reaching question: How much in the way of useful new social services can the world's most prosperous land afford? If the bill and Nixon's veto at least produce what Nixon called "a great national debate upon its merit," then they may have served a vital purpose.

[From the Minneapolis Tribune, Dec. 14, 1971]

CHILDREN NEED THAT VETOED PLAN

It is difficult to reconcile President Nixon's professions of concern about children with his administration's cutbacks in educational research projects, trims in the school lunch program, this stated reduction in foodstamp benefits and recent lukewarm activity on behalf of health and welfare bills. The latest anomaly is the President's veto of the child-development bill—the most promising piece of legislation pertaining to children to emerge from Congress in many years. (The bill's leading advocate in the Senate was Walter Mondale of Minnesota.)

In his veto message, Mr. Nixon expressed concern about committing "the vast moral authority of the national government to the side of communal approaches to child rearing over against the family-centered approach." In fact, however, more of the children who would benefit are without fathers at home, and the mothers of about 6 million school age children go out to work. The comprehensive child-care program could augment the children's upbringing in ways impossible within their families. In addition, the bill provides for strong parental involvement in planning and policy-making for the new child centers.

The President spoke of "fiscal irresponsibility"—although all but the poorest families would pay fees for the new services, and although the preventive health care and early education would bring public savings later.

He spoke of "administrative unworkability," referring apparently to lack of state-government control in the plan. But the framework would be similar to that of some existing social programs, such as Head Start, which are based on federal-local cost-sharing and are operated by local government and community groups. State government has historically shown little interest in preschool children.

The President pronounced broadly that "our response to the challenge (to help children) must be a measured, evolutionary, painstakingly considered one, consciously designed to cement the family in its rightful position as the keystone of our civilization." But the President's own plan—to expand routine day care, mainly for welfare children so that their mothers may work—seems a weak answer to that challenge.

William F. Buckley, in a column elsewhere on this page, says that his brother, Sen. James Buckley, questioned the bill's initial statement that child-development programs "shall be available as a matter of right to all children." The columnist does not mention that use of the services would be optional, not compulsory. Moreover, that reference to "right" was deleted by the conference committee.

Because the Senate Friday failed to override the President's veto, a major new effort will be required to revive the child-development plan. But we believe that Congress should take the necessary legislative steps of revising and compromising to preserve as much as possible of its plan for improving the health, nutrition, early education and social development of millions of American children. Indirectly, such a program can strengthen family life, too, now and in the future.

[From the Minneapolis Star, Dec. 14, 1971]

NIXON'S SCARE-TACTIC VETO

President Nixon reached far into the depths of the political barrel when he made "family-weakening implications" one of his prime reasons for vetoing the antipoverty bill and its key provision for an extensive child-care program.

In so doing, he virtually adopted the "Red-scare" tactics of the program's arch-conservative opponents who had claimed it to be an attempt to put child-raising under Communist-style government control.

Those who operate the nation's all-too-few existing child-care centers, which permit many mothers to work or educate themselves off the welfare rolls, may wonder if they too aren't thereby contributing to the breakup of the American family. Or educators, whose schools keep children from their homes during the day, might wonder if they not only are undermining those homes but are also turning children into pawns of the state. Such is the nonsense that could be drawn by extension from the President's logic.

The child-care program did, indeed, have far-reaching social implications. It would have committed the nation to relieving the burden that 1.5 million preschool children have to bear because of their parents' financial or marital breakdowns. And it would have spent more than \$2 billion to staff and equip centers where those children could receive educational, nutritional, social and health attention while their parents were at work.

To approach such commitments with caution is not unwarranted. But to claim that the program would destroy family ties that are already disrupted by poverty is more than just far-fetched; it is an appeal to mindless emotion.

[From the New York Times, Dec. 11, 1971]

ABANDONED COMMITMENT

President Nixon explained his veto of the child development program by calling the plan too costly, administratively unworkable, professionally ill-prepared and designed to undermine the American family. The sweeping nature of this attack cannot obscure the fact that the concept of child care and development enjoys broad popular support across most of the traditional divisions of politics, class, economics and race.

The arguments put forth in the veto message are not convincing. Initial costs would not have been high. By limiting free services to the welfare level of poverty, Congress had already responded to the Administration's budgetary objections. Contributory fees could have readily been revised later, when operations would have provided a clearer picture of the extent of voluntary participation.

The President's vague reference to an unworkable bureaucracy reflects the Administration's apparent preference for control and management by the states, hardly the best administrative level for action that must be geared to local communities and neighborhoods. Participation by a wide variety of public and non-profit private agencies was one of the attractive features of the plan.

The President's charge that day care weakens the family ignores the realities of much of modern family life. Poor and working-class families normally have to leave their

children improperly supervised or entirely unattended for much of the day; families at virtually all other income levels rely heavily on baby-sitters and in the upper brackets, a variety of domestic help.

Mr. Nixon is justified in his concern over the lack of trained personnel, but much of the bill's first-year expenditure was to be devoted to the necessary training. The veto suggests that the President's concept of child care is limited to welfare cases and is only custodial at that. This approach reduces the chances that disadvantaged children will be lifted out of their debilitating environment at an early age.

In his message, Mr. Nixon observed that the proposal "points far beyond what the Administration envisioned" when it made its earlier commitment of providing healthful and stimulating development for all American children during the first five years of life. But in the absence of a positive program, his veto has reduced that supposed commitment to meet political rhetoric.

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

THE PRESIDENT'S VETO OF DAY CARE

President Nixon's veto message to Congress explaining why he disapproves of the Child Development Act is, just to begin with weird. It is weird because it is contradictory, arguing first that day care centers are good and then that they are evil. The contradiction points only to one possible conclusion: that this message is a bone he has tossed to his critics on the far right, with next November in mind, and at the expense of mothers and children and of a day care program which the President would have us believe he really supports.

The President's straddle comes about because day care centers are an integral part of his welfare reform program. His plan, sent to Congress two years ago, included a request for \$750 million for funds to provide day care for children of poor families so their mothers can work. Indeed, it required that ultimately welfare mothers with children over age 3 put those children in day care centers and take jobs, providing both the centers and the jobs are available. This provision, as we have pointed out before, is largely windows dressing as things are, since neither the centers nor the jobs exist, but it is the enticement the President used in trying to win right-wing support for welfare reform. In his veto message Thursday, the President called again for passage of that welfare day care program, saying that it would fill one of the needs of the country, a need "for day care, to enable mothers, particularly those at the lowest income levels, to take a full-time job."

Now, if that were all Mr. Nixon had done in favor of day care, it would be fair to conclude from his veto message that he is for requiring poor people to put their children in such centers but against permitting middle-class people to do so. But it isn't all he did. The President also used the veto message to announce his support for substantial increases in the income tax deductions that parents who are working can claim for day care expenses. This is a clear encouragement to middle-class parents to use day care centers and go to work.

Having thus put himself on the record in favor of day care—an issue about which many organized groups in the country feel strongly—Mr. Nixon then vetoed the bill which would have given a much needed spur to day care development. This bill, he said, is "the most radical piece of legislation" to come out of this Congress. You might expect, once he had said that, that he would offer an explanation of how this particular day care program differed so much from those he supports. The President did list nine specific objections. Five of them are complaints that this bill would partially duplicate services he hopes to provide in the welfare bill, would

give the states too minor a role, would cost too much, would create "a new army of bureaucrats," and would create centers which would be difficult to staff. Since there is nothing "radical" in those specifics—we hear them all the time about almost every piece of legislation—the radicalness of this particular bill must lie in his other objections. They are:

"Neither the immediate need nor the desirability of a national child development of this character has been demonstrated. . . .

"For more than two years this administration has been working for the enactment of welfare reform, one of the objectives of which is to bring the family together. This child development program appears to move in precisely the opposite direction. There is a respectable school of opinion that this legislation would lead toward altering the family relationship. . . .

"All other factors being equal, good public policy requires that we enhance rather than diminish both parental authority and parental involvement with children—particularly in those decisive early years when social attitudes and a conscience are formed, and religious and moral principles are first inculcated. . . .

"For the federal government to plunge headlong financially into supporting child development would commit the vast moral authority of the national government to the side of communal approaches to child rearing over against the family-centered approach."

We do not find in this one word that distinguishes the day care program Mr. Nixon vetoed from the day care program he is supporting. His specifics apply to all child care facilities and it is logically impossible to square his assertion that we need to enhance parental involvement with children with his program to compel welfare mothers to put their children in day care centers. Perhaps he did not distinguish between the programs because drawing such distinctions is difficult.

That is what convinces us that this veto message is the bone he has decided to throw in the right wing of his party. If it were not, Mr. Nixon could have vetoed this bill on the other specific objections he set out—it would for instance, create major administrative problems—and Congress could have met them. But as it is, the President chose to kill the whole idea by spelling out his veto in language that comes straight from the material circulated against this bill by the far right, language that distorts what the bill was all about and what it would have done.

[From the New York Times magazine, Dec. 12, 1971]

THE SEARCH FOR THE TRUTH ABOUT DAY CARE (By Sheila Cole)

(NOTE.—Sheila Cole is the mother of two. Her group did not succeed in starting their day-care center. Her 3-year-old son now attends The Rockefeller University Children's School from 9 to 12 and is babysat until 3 each afternoon. Her 5-going-on-6 daughter attends the same school from 9 to 3, when Mrs. Cole takes over.)

Waiting lists at day-care centers in some areas are eight times the capacity, and new centers—good to indifferent—are opening all over the country. But despite all this apparent enthusiasm, day care has its doubters—including many of this country's most respected childcare experts.

I first became aware of their doubts when a group of which I was a member tried to start a daycare center in the Rockefeller University-New York Hospital community. We believe that day care would be good for our children. Certainly better than baby sitters who plunk them down in front of the television set. Maybe even better than the narrow confines of the Manhattan nuclear family and its few selected friends.

Our group invited the chief of child

psychiatry at New York Hospital to talk about the psychiatric aspects of planning a center. The doctor had written a proposal for a day-care center for the hospital two years before, and he told us that he was interested in our efforts.

Much to our surprise, he had little good to say about day care. Instead, he talked at length about the dangers of separating young children from their mothers and placing them in group settings. He made some of us feel that we would be damaging our children if we left them every day to go to work and that we would compound that damage if we placed them in a day-care center.

DAY CARE DANGERS?

That was hard to believe. The children in the day-care centers I had visited in Moscow and New Haven seemed healthy, happy and extremely well cared for. As far as I was concerned, day care had something to offer to just about everyone: children, mothers, employers and society.

A few months later, two women from the New York City Health Department, which is in charge of licensing day-care facilities, came to discuss proposed sites for a day-care center with our groups, all middle-class, all professionals. The conversation was warm and friendly until one of the women from the Health Department finally caught on: "Do you mean you are going to put your children in the center, too?" Taken aback, we answered; "Yes." The conversation turned cool.

Did the woman from the Health Department mean that she wouldn't place her children in a day-care center? Or that day care was a good solution only for mothers who had no other choice?

My faith in day care began to waver. These women were experts; maybe they knew something I didn't. I decided to look into the matter.

What I found was that most experts in the field of child development think that the ideal place for the preschool child is home—with mother. One of the main sources for this belief is Dr. John Bowlby, an English psychiatrist. In the nineteen-fifties, Dr. Bowlby reported on his findings that children who lived in institutions not only seemed to be less intelligent than children raised by their families, but many of them also displayed physical and emotional defects.

More recently, it has been discovered that the child needs special stimulation to develop intellectually. Appropriate stimulation is normally provided by the mother as she cares for and plays with her child. Baby needs a familiar person who will respond to his smiles and gurgles, smile back and make noises and occasionally add a small variation to the game. And he plays an active role in getting his mother to provide him with the necessary stimulus.

In an institution or group-care setting where one caretaker has several babies to watch over and where several people care for each child, it is difficult to provide adequate and appropriate stimulation for each child. Psychologists have reported extreme cases of children in institutions who have withdrawn, stopped making any demands on the people around them, stopped reacting and eventually grown up to be intellectually and emotionally stunted.

Another potentially dangerous consequence of disrupting the mother-child relationship is that the child's attachment to his mother forms the basis for a great deal of his later development. In trying to please his mother, the child will behave as he wishes and will tend to accept her values and attitudes.

Reviewing these studies, one finds it easy to understand the New York Hospital psychiatrist's fears about day-care centers. It is clear, however, that the child-care experts talk in extremes. They pit ideal situations against miserable ones.

In the typical woman's magazine child-care articles, the mothers with whom young

children stay at home are portrayed as very special. They are story-book mothers—patient, kind, gentle, intelligent, resourceful, alert, tolerant, always available and always responsive. Their sole function is to minister to the needs of their families. And that family is assumed to be emotionally healthy and financially provided for by the husband. These are women without worries, tensions, interests, or desires that might conflict with their availability to their children.

While the child development experts were discussing ideal situations, the fact that large segments of the population live and grow in far from ideal circumstances has been seeping into the public consciousness. It was all very well for the experts to maintain that young children should be at home with their mothers, but what if they had no mother? Or if their mother had to work to support them? Or she was sick? Or incompetent? Some professionals who work with children, like the women from the New York City Health Department, cautiously began recommending day care as a stopgap measure. Others suggested that day care might help poor children break out of the "poverty cycle." They argued that day care could reach children early enough to help them succeed in school; and if they succeeded in school, then maybe they would no longer be poor. For everyone else, though, the experts still recommended the traditional mother-child setup.

Nevertheless, several million working mothers began to consider day-care centers as the solution to their child-care problems. The discussion within the Government of day care both as a way of "breaking the cycle of poverty" and as a way to getting women off welfare roles has inevitably raised the question with many mothers who do not claim to be poor. Why not us too?

With this new climate of opinion and the resulting demand for day care, it should be no surprise that the research on the effects of maternal deprivation has come in for re-examination; the dire predictions about the consequences of separating mother and baby are now couched in such terms as "day care may be dangerous," rather than "day care is dangerous."

A World Health Organization monograph, written a decade after Bowlby's influential work, concluded that whether or not a child is emotionally scarred by being separated from his mother depends on a great variety of factors—certainly a long way from the statement that separation invariably has a bad effect on the child's development.

In one of the few studies that have been done directly to test the hypothesis of maternal deprivation and its applicability to day care, 2-year-old children attending a day-care center were compared with 2-year-olds in a residential nursery who were separated from their families for periods of time ranging from a few weeks to six months. It was found that although the quality of substitute care in both situations was similar, the reactions of the children were substantially different. The children attending the day-care center seemed to behave normally, while those in the residential nursery seemed to be upset. In addition to crying and asking for their mothers repeatedly and then withdrawing, the children in residential care were sick more often, regressed in their speech and toilet behavior, and were more hostile than the children in day care. These findings support Bowlby's contentions about maternal deprivation in residential institutions, but separate such situations from day-care arrangements.

The authors of this study concluded that the major factor was the total absence of the mother for the residential nursery children. But even the damage of residential care does not appear to be necessarily permanent. In one study, 2-year-olds who lived in a

"home management house" (orphanage) for four months before being adopted were compared with children who had lived in foster homes for four months before being adopted and with children of the same age who had been raised by their natural families. No significant differences were found among the three groups.

So the worst prognoses of the maternal-deprivation theorists do not seem to apply to day care. But does that mean that day care is a trouble-free solution to our preschoolers' child-care needs? As a concerned mother, I wanted more than just an assurance that day care would not harm my children. I wanted to know if it was good for them. And if not, why not?

I asked Jerome Kagan, the Harvard psychologist who has played a prominent role in the discussion of day care, what were the real effects on children. He was more than modest about what psychologists actually know about the consequences of placing small children in day-care centers.

He did point out that day-care centers can occupy more than 8,000 hours of the child's first seven years—approximately two full years of his waking hours. With so much time, a center cannot help but teach social values and beliefs, as well as care for the child's physical needs and encourage his intellectual and emotional growth.

An important question that should be asked when planning day-care facilities is what cultural values the institution should foster. This is an ethical question which should not be left up to the professionals, Kagan warned. Psychologists can be asked to help carry out the will of society, but they should not decide what society should be.

I asked him what kind of day-care program he would recommend if, for example, we wanted a day-care center to foster the values already held by our society.

To begin with, Kagan emphasized that children under 2 years of age and preschoolers have different needs. The baby and toddler should not be cared for by more than two or possibly three people, and these people should have a continuous and emotionally satisfying relationship with him. The very young child needs a predictable environment with a certain amount of carefully paced variation.

The preschooler is much different from the child under 2. He no longer needs the one-to-one relationship with his mother: he needs to explore, to try new things and work at them until he can do them successfully. Kagan thinks that day-care centers might even be superior to many mothers when it comes to building up the preschool child's confidence and permitting him to explore. To support this, he cited a recent study which found that mothers said "no" to preschoolers on an average of eight times an hour, because they were afraid that the youngsters would hurt themselves, make a mess, or damage something. In a good center a child is rarely told not to do something, because most dangers have been eliminated. He is allowed to test his powers and explore the equipment and social activities of the center. The day-care center may also be a better environment for the older preschool child who is learning to deal with symbols and intellectual problems because it frees him from parental pressures and anxieties.

Day-care centers, Kagan fears, might have some difficulties, in providing children with role models. A preschooler needs to have people to imitate, and to identify with. Day-care centers tend to separate children from adults and older youngsters who might serve as role models. "A child makes an assumption that things have to be as they are. He sees certain kinds of behavior and accepts them as right," Kagan said. "To the extent that the child learns his values and moral standards from his peer group in the day-care center, rather than from his par-

ents, these values probably will be more flexible and easier to change because of the number of different values and standards the child is exposed to in a group. Such a child would probably be more flexible in his moral code. If the child has strong adult role models at home, his home environment will counterbalance the values learned from other children."

Another expert worried by the consequences of age-group segregation is Prof. Urie Bronfenbrenner of Cornell University. "No doubt day care is coming to America," says Bronfenbrenner. "The question is what kind?"

He has studied socialization, the process by which children are molded to become adult bearers of their parents' cultural traditions, in the United States, the Soviet Union, Israel and Switzerland. The cultural question, he says, is whether the day care we provide separates the child from his family and reduces the family's feelings of responsibility, or whether it helps the family maintain its role as the "primary and proper agent for the process of making human beings human."

"If children are placed in the hands of female professionals, I see some real problems for society," Bronfenbrenner says. "In a society which has explicit, clearly stated character goals, those goals can be built into a day-care program. But in our society there are no agreed-upon goals that can be part of a day-care program. Segregating children into homogenous age groups in the care of professionals locks them out of the process in which socialization naturally occurs." This process takes place in everyday family life, where children are surrounded by people with whom they can identify and from whom they learn skills, attitudes and values.

"I would like to see day-care centers where everyone was welcome. Where parents, grandparents, older children, neighbors and people who work in the neighborhood could drop in and play with the children, show them how to do things. In this way the children would grow up as part of a community, rather than being alienated from it."

After talking with Kagan and Bronfenbrenner, I felt with some certainty that I could put my children in a day-care center. Not any day-care center, but one in which I and other parents who shared my values and concerns were involved. One that had a warm, good teacher who shared our attitudes.

It has become clear to me that there is no simple or single answer to the question: Is day care good for children? Like all other human institutions, it has good aspects—and bad. The dangers do not warrant excluding day care from our society. That would leave us where we were before, with a picture-book mother and child who are not part of real life.

THE ROLE OF BUSINESS AND THE CONSUMER MOVEMENT

Mr. COOK. Mr. President, too frequently I fear those of us who are interested in consumer protection assume that only the government or governmental agencies can effectively protect consumer interests. We tend to view the interests of the business community as antagonistic to the interests of consumers. Nothing could be further from the truth. All reputable businessmen are vitally concerned with the acceptability of their product. This has always been so.

Therefore, Mr. President, it is not surprising that the business community has been somewhat perplexed by the more strident attacks of consumerists upon their good faith. They have not until recently appeared to know how to evaluate consumer criticism and to separate that

which is valid from that which is invalid—and there is, Mr. President, a fair amount of validity to much of the criticism voiced by responsible consumer organizations.

In this connection, it was refreshing for me to come upon an address by David Rockefeller, chairman of the board of the Chase Manhattan Bank, which he delivered recently at an Advertising Council dinner in New York. I was impressed by the sharpness of his perception of the issues which I have just been discussing. Therefore, Mr. President, I ask unanimous consent that a copy of his address entitled, "The Role of Business in an Era of Growing Accountability," be printed in full at this point in the RECORD.

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

THE ROLE OF BUSINESS IN AN ERA OF GROWING ACCOUNTABILITY
(Address by David Rockefeller)

I am grateful beyond measure for the honor which the Advertising Council has conferred on me this evening.

To be singled out for recognition for public service to the country and to one's fellow citizens is a distinction I shall cherish for a long time.

To be honored by an organization whose enterprising leadership in public service is as well known and widely respected as that of the Advertising Council, makes the award doubly gratifying.

Beyond these considerations, I must confess to deriving great personal pleasure from the fact that recent recipients have included such close and respected friends as Jack Connor, who headed the Dinner Committee that arranged tonight's very pleasant affair, and Jim Roche, who was feted here a year ago.

Frankly, I admire the Advertising Council's extraordinary courage in presenting an award, at this particular time, to anyone associated with business and banking. If I judge the temper of the times correctly, the Council might have won greater acclaim—in some quarters—by fashioning its silver in the form of a brickbat instead of a bowl.

Even in the Christmas toy departments, business seems to have suffered at least a minor setback in semantics. Where once the game of "Monopoly" dominated the counters, we now find a proliferation of new ones with such topical names as "Smog: The Game of Environmental Awareness," and "Extinction: The Game of Ecology."

That's hardly a progression to inspire confidence—from "Monopoly" to "Extinction" in one generation!

Of course, criticism of business is not a new phenomenon. It has always existed and probably always will. Businessmen can truthfully say with Sir Winston Churchill that we have "benefited enormously from criticism and at no point have we suffered from any perceptible lack thereof!"

But it is scarcely an exaggeration to say that right now American business is facing its most severe public disfavor since the 1930's. We are assailed for demeaning the worker, deceiving the consumer, destroying the environment, and disillusioning the younger generation.

Recent trends in business criticism differ from the Populist-Progressive-New Deal attacks of the past in certain significant respects that could have a profound bearing on the future role of business in our society. All of us who support the Advertising Council are concerned with this role and with the public accountability of private business. So I would like to direct my remarks this eve-

ning to some of the deeper implications of the current climate of criticism and what business can do about it.

In keeping with the passions and polemics of our time, it is tempting for businessmen to react by striking back at their critics, matching them invective for invective. Tempting, I say, but hardly very fruitful if the rebuttal stops there. A far more productive course, in my view, would be to keep our own activities constantly under scrutiny to anticipate criticisms that may have validity—and some of them have—then determine what we can do to meet them. To cry "Foul!" almost as a reflex action is to risk impairing our credibility for those occasions when we need it most.

It seems to me that recent attacks on business differ from those of the past in at least three major ways—in focus, in ultimate aim, and in scope. If the business community is going to meet these challenges effectively, it must understand the differences and face up to them realistically.

When I say that present day criticism differs in *focus*, I refer to the fact that earlier attacks concentrated primarily on size. Corporations were efficient enough, it was said, but they were too big and should be broken up. Bigness became synonymous with badness.

Today's criticism focuses not so much on size as on performance. One frequent charge is that through their performance, corporations are making our communities dirtier, more polluted and less congenial. Another, that in performing their day-to-day activities, corporations are too heavily oriented toward profits at the expense of service to the community. Still another, that corporate performance is often to be flawed because minorities don't participate equally, because waste goes unchecked, and because output is sometimes unfit for human use.

Business must respond to these criticisms, in my judgment, through consistently better performance effectively communicated.

I have purposely put better performance first and effective communications second. I suspect that the professional communicators among you are tired of being lectured on the theme that business has the greatest story in the world to tell if it could only communicate more effectively. You're tired of hearing this and I don't blame you. More often than not, I fear the problem is not so much with communications but with performance. The essence of developing a favorable reputation lies not in trying to tell a good story when the performance does not justify it, but in upgrading the performance so there will be a good story to tell.

John Hersey put this succinctly in his book, "Letter to the Alumni" in which he tells about his experiences as master of one of the residential colleges at Yale.

"The vast majority of young people," he wrote, "believe that greed is at the root of most of the misery in the world, and that most businesses systematize greed. No professor could possibly lecture that conviction out of students' minds," he continued, "because there are too many demonstrations of the truth of it on the part of American businesses—and labor unions. If American business could persuade young people (public relations would not persuade; only *performance* could persuade) that careers in business would enable them to relate and to help, then they would flock into business. Until that day," Hersey concluded, "they will flock into every available avenue of social service, politics, reform and revolution."

Business would do well, I think, to re-examine its performance in light of this sobering assessment. For example, what about the opportunities in business "to relate and to help" on community problems?

I realize, of course, that many corporations are working energetically to prevent urban deterioration, to train and place the

hard-core unemployed, and to minimize pollution. But have we made these an integral part of our business activities, or are they regarded as simply a costly "extra" that can be readily dropped at the first sign of economic stringency?

On this score, surveys reveal wide difference in perspective between the business leadership and the community at large. The businessman sees urban affairs involvement as one in which he has a choice. He is inclined to feel that it is a generous gesture on his part, an effort in which he may or may not involve himself and his company, depending on alternative ways of spending his time, money and energy.

The community, on the other hand, sees the businessman's involvement in urban affairs as an absolute obligation he assumes when he opens the doors of his enterprise, and it is increasingly insistent on holding him accountable for his social as well as his economic performance.

In view of this, I think business should step up its efforts to devise incentive systems which will lead more private firms to serve public needs while at the same time making a profit. Encouraging steps in this direction have been taken in experiments with what has come to be known as "performance contracting." The most significant example is in the field of education where private companies have taken over public classrooms in some thirty cities, have tried out novel teaching methods, and have been rigidly judged on the results. In Gary, Indiana, test scores for the most comprehensive project to date, confirm preliminary reports from other schools, showing that the technique can produce notable education gains.

If private businesses could work out a sound basis on which they could get into the field of public-problem solving, I'm convinced that they would not only contribute creatively to solutions, but would also respond in the most dramatic way possible to the critics' charge that business is failing "to relate and to help" in community service.

A second difference between business criticism, past and present, lies in its *ultimate aim*. Earlier critics, for the most part, aimed at reforming business within the capitalist framework. Many of today's critics—not all, to be sure, but many—appear to feel that the system is beyond reform, and that the only solution is to destroy the capitalist framework and start all over again.

One radical critique describes capitalism as "highly destructive, wasteful, exploitative and irrational." It stridently proclaims that "we can only solve our social problems and create the Good Society by doing away with capitalism and the institutions that support it."

Considering the seriousness and growing prevalence in some quarters of this attitude, it seems to me that businessmen have no choice but to respond by becoming reformers themselves, making a conscious effort to adapt the operation of the market system to our changing social, political and technological environment. The question really comes down to this: Will business leaders seize the initiative to make necessary changes and to take on new responsibilities voluntarily, or will they wait until these are thrust upon them by law?

Here we can profit from hindsight. During the 1930's when the social contract, binding business to society, was being extensively rewritten, the business community resisted innovation and wound up with some unpalatable reforms and a blemished reputation. Now with the social contract again up for revision, new social and environmental problems are generating increasing pressure for further modification and regulation of business. By acting promptly, business can assure itself a voice in deciding the

form and content of the new social contract. By taking the initiative, it can contribute technical competence, rational analysis and imaginative innovations to the process of adjusting our system—but it must recognize that some adjustments are inevitable. Even now, the outlines are becoming discernible.

In certain areas, there may have to be new laws to force consideration of the quality-of-life dimension so that the more socially responsive firms will not suffer a competitive disadvantage at the hands of others who refuse to aid voluntarily. Businesses are likely to find themselves prodded persistently by governmental edict into concerted action on pollution.

The allocation of scarce capital to meet social needs, even at the expense of greater economic efficiency, is another area that will come in for attention. Unless business and finance take the initiative in this area, government may decree that a businessman must be concerned not only to find the quantity of money he requires but will be obliged to obtain specific authorization to use the funds in the manner he proposes. Investment projects not sufficiently high on the "social agenda" may have to pay a premium or wait in line for approval. There are already prominent members of Congress who would favor precisely this kind of directed investment.

In a related field, it can be anticipated that a more knowledgeable public will demand a higher level of marketing ethics than has always been evident in the past. Among the advertisers of the future there may well be large consumer groups, specifying what they will accept, and inviting businesses to meet their specifications. It is not unthinkable that advertising agencies may directly serve these consumer groups to help make known their wants.

Because of the growing pressure for greater corporate accountability I can foresee the day when, in addition to the annual financial statement, certified by independent accountants, corporations may be required to publish a "social audit" similarly certified. In anticipation of this, businesses should begin now to seek ways of reflecting in their accounting procedures their concern for the less tangible elements of the quality of life.

In view of the emerging demands for revision of the social contract, a passive response on the part of the business community could be dangerous. Any adaptation of our system to the changing environment is far more likely to be workable if those who understand the system's problems share in designing the solutions. So it is up to businessmen to make common cause with other reformers—whether in government or on the campus or wherever—to prevent the unwise adoption of extreme and emotional remedies, but on the contrary to initiate necessary reforms that will make it possible for business to continue to function in a new climate as a constructive force in our society.

Not only does present-day criticism differ in focus and ultimate aim from that of the past, as I've tried to point out, but it also differs in scope. Where earlier attacks concentrated on one or two industries, today virtually all industries find themselves being raked with scornful broadsides. Consumerism is equated in the public mind with the idea of the individual against business—all business.

Contrast this with earlier waves of criticism. In the Granger Era, for instance, the railroads were the chief targets. During the Great Depression, the banks and Wall Street were the whipping boys. But today all these and more are under simultaneous assault, so all must join in the response. Isolationism can be as disastrous in business as in foreign policy.

In dealing with critics, I think all businesses would do well to keep in mind the words of Justice Oliver Wendell Holmes, a master of judicial summation. "We must sail

sometimes with the wind, sometimes against it," he said, "but we must sail and not drift or lie at anchor."

The urban affairs "pilot projects" initiated by a number of individual companies have been very much worthwhile, and have taught us valuable lessons about what can and cannot be done with limited resources. But the need now, as I see it, is for more massive collaboration by groups of corporations in diverse fields to tackle some of those major problems that surpass the resources of a single company. Businesses must learn to create consortiums to achieve social objectives so as to surmount their fears of inadequate effort, unsophisticated effort and effort exploited by free riders.

One area where they could be immensely helpful would be in the development of new towns, satellite cities and new towns within existing cities to accommodate the 75 million more Americans who will be with us by the year 2000. It is recognized that the bulk of the new growth will come through expansion of existing communities, but a significant supplement could come through newly created towns and cities. About a dozen of these new towns are now being built, but the need is estimated not in the dozens but in the hundreds if we are to provide adequately for the well-being of our additional population without worsening the problems of existing cities.

To build the number of new towns needed will, I believe, require two things: first a new federal agency or an existing agency endowed with new powers for planning and obtaining sites in cooperation with the appropriate local authorities; and second a private or quasi-public organization to provide the pre-development financing. As I envisage it, this might be a new kind of community development bank offering long-term bonds that would make possible full evolution of a new town.

The opportunities for broad business participation in such an undertaking are numerous. For example, banks and insurance companies could further the new town concept by purchasing their share of bonds to provide the initial capital. Industrial corporations could help by considering new towns as sites for the expansion of their facilities, thus providing the economic base and job support so essential to development. Beyond this, companies interested in land development could form a consortium to build a town once a site had been selected and could participate in the venture as co-sponsors.

If the business community can respond to criticism in active ways such as these and then relate the story of its successful performance, I think we can win over a majority of citizens and convince them that we are contributing constructively to the building of a better society.

By first recognizing that today's criticisms are different in kind from those of the past, we can then map out more intelligent approaches to meet them. As I see it, these new approaches should take into account the need for consistently better performance effectively communicated; the need for businessmen themselves to become reformers; and the need for all business enterprises, not just a few, to participate in the effort.

Since the early writings of Karl Marx, critics have been predicting the demise of the corporation and the downfall of the American business system. Thus far these predictions have not come to pass because through the years the American corporation has proven remarkably resilient in adapting to changes, and I am confident that it can and will demonstrate equal adaptability in the decade of the Seventies.

In my view the most successful companies, in the future, will be those that are creatively concerned not only with increasing the nation's wealth but also with enhancing the people's welfare.

Mr. COOK. Mr. President, while on this subject, I should like to bring to the attention of the Senate a recent effort by the Department of Commerce and the recently organized National Business Council for Consumer Affairs. That Council was established pursuant to the request of the President in his 1971 consumer message. The effort is one to enlist the business community at the highest level in review of policies and procedures on advertising and promotion. As more fully explained in a release from the Department of Commerce, the Department and the Council have recently requested more than 1,200 corporate chief executive officers to personally review their company's policies and procedures in this area.

Mr. President, I ask unanimous consent that the news release and the letters be printed in the RECORD.

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

NATIONAL BUSINESS COUNCIL FOR CONSUMER AFFAIRS URGES CHIEF EXECUTIVES TO REVIEW AD POLICIES

Secretary of Commerce Maurice H. Stans and the recently organized National Business Council for Consumer Affairs (NBCCA) are requesting over 1,200 corporate chief executive officers personally to review their company's policies and procedures on advertising and promotion.

A letter, signed by Robert J. Keith, Chairman, The Pillsbury Company and Archibald McG. Foster, Chairman, Ted Bates and Company, Chairman and Vice-Chairman respectively of the NBCCA's Advertising and Promotion Sub-Council, recommends that each chief executive personally review his company's ad policies and procedures and supervise their dissemination to every person in the organization involved in advertising and promotion.

The Council feels this executive level review provides an opportunity for top management to assure that all such policies and procedures, their scope and implementation, have in fact kept pace with the evolution of consumer expectations and modern advertising practices.

The letter states that this review is especially timely in the Council's view because, "concern today in advertising has gone well beyond the bare truth of competitive claims and has come to encompass questions of taste, of the relative roles of persuasion and information, of rational and emotional appeals, and of the impact of advertising on special types of audiences."

The Council letter stresses that the success of this review of ad policies will "depend on individual decision, individual motivation and individual action."

In a letter transmitting the NBCCA request for ad policy review, Secretary Stans asked that each corporate leader "take part actively with the Council in its proposal for individual voluntary action . . . to provide tangible benefits to the consumer and the business community."

The NBCCA was created by President Nixon on August 5, 1971. Its membership is composed of 116 corporate leaders who are subdivided into seven Sub-Councils addressing the following consumer areas:

- Advertising and promotion.
- Packaging and labeling.
- Warranties and guarantees.
- Credit and related terms of sale.
- Performance and service.
- Product safety.
- Complaints and remedies.

In advising the President and Government agencies, through the Secretary of Com-

merce, a key function of the Council is to encourage voluntary action by the business community in consumer affairs.

For further information on this project, or on the National Business Council for Consumer Affairs, contact:

William D. Lee, Executive Director, National Business Council for Consumer Affairs, Room 4814-A, U.S. Department of Commerce, Washington, D.C. 20230; Telephone: Area Code 202 967-2456.

TEXT OF SECRETARY STANS' LETTER

I am writing to you to seek your help on a matter of vital importance.

On August 5, 1971, the President created the National Business Council for Consumer Affairs to "advise the President, the Office of Consumer Affairs, the Federal Trade Commission, the Department of Justice, and other Government agencies as appropriate..." through the Secretary of Commerce. Since its organizational meeting on August 5, 1971, the Council and its several Sub-Councils have reflected in their work the interest expressed by the President in encouraging voluntary activity by business leaders to help foster "a marketplace which is fair both to those who sell and those who buy."

The Council's initial action in this effort has taken the form of the recommendation of its Sub-Council on Advertising and Promotion that each national advertiser, on an individual basis, seek to develop, or review, specific policies and procedures related to its advertising and promotion functions. The objective is to demonstrate the desire of business to meet consumer expectations by voluntary action.

The specific recommendations are described in the attached letter. I ask that you give them every consideration and hope that you will take part actively with the Sub-Council in its proposal. I am convinced that this kind of voluntary action, given the personal commitment of all concerned employees, can provide tangible benefits to the consumer and the business community.

TEXT OF NBCCA LETTER

On behalf of the National Business Council for Consumer Affairs, we are writing to you, as a major advertiser in the United States, to ask that you take part . . . on an individual basis . . . in a proposed step to help assure the highest levels of advertising and promotion practices benefitting both consumers and business.

We write to you today, and with a sense of urgency, in view of the intense interest currently being expressed, by all elements of our society, in the impact of advertising and promotion on our economy and our citizens. Concern is voiced, virtually on a daily basis, by private individuals, by people in government, by members of the business community.

Among the many proposed responses to this concern, two are perhaps most salient today. Both, we think, merit support and encouragement.

One is the interest expressed by the Federal Trade Commission in seeking to collect information broadly on modern advertising practices, without reference to any particular regulatory proposal, during its hearings in October and November of this year.

The second is found in the recent efforts of several groups (the Council of Better Business Bureaus, the American Association of Advertising Agencies, the Association of National Advertisers, and the American Advertising Federation) to support means of establishing effective voluntary self-regulation in advertising through the creation of the National Advertising Review Board.

The President, in his Consumer Message of February 24, 1971, stated that: "Most businessmen recognize and accept their responsibility to the consumer, and in many cases

they have voluntarily undertaken efforts to assure more fully that these responsibilities are met throughout the business community." President Nixon, in this message, called for the creation of the National Business Council for Consumer Affairs: "To emphasize and encourage such voluntary activity . . ."

At the first organizational meeting of this new Council in August, the Sub-Council on Advertising and Promotion began its work by attempting to establish priorities for its members' analysis and action. The areas among which priorities might be chosen were many, reflecting the fact that concern today has gone well beyond the bare truth of competitive claims and encompasses questions of taste, of the relative roles of persuasion and information, of rational and emotional appeals, of impact upon various types of audiences, etc.

In discussing the programs which might be developed by the Sub-Council, we agreed at the outset that we should look first at the frailties that may be found in the use of advertising and promotion . . . before examining the strengths that we all know exist. In this way, we believe that our work will avoid the kind of pitfall described by Melvin Anshen in his article entitled, "Changing the Social Contract: A Role for Business," appearing in the November-December, 1970, issue of the *Columbia Journal of World Business*:

"The record of recent public efforts to revise some of the rules of private business behavior (as in grocery product packaging, consumer credit terms, air and water contamination, and automobile safety) suggests . . . that business firms and their managers will not be allowed to participate in revising the rules if they volunteer their assistance only after their demonstrated resistance to any change has been overcome."

Whether we were to find ourselves participating in "revising rules" at an early stage, or in the equally, and perhaps more, important work of identifying as yet unarticulated areas in which our practices might be even further improved, our Sub-Council began by attempting some definition of words that often would be used. We should like to share two with you.

First, "advertising and promotion." We agreed that "advertising and promotion" would be understood for our purposes simply as including virtually any communication to a consumer . . . and that the work of the Sub-Council would seek to help make advertising and promotion more credible . . . and more creditable.

Second, "consumerism." Each of us has repeatedly heard of the apparent "gap" between the interests of buyers and sellers, each of us has heard of and talked about something called "consumerism", but few of us have reached agreement on a useful definition. We decided to think of consumerism as: "the growing framework of expectations with which the consumer views the business establishment." With this definition in mind, we believe we will be able to continue to recognize an essential facet of the reality of consumerism: that it is alive, growing, and constantly changing; that it is not a static set of problems seen today and readily solved tomorrow; rather, it reflects changes in values, attitudes, ethics and taste as they occur in our society.

Given this recognition of change in expectations, our Sub-Council has agreed on attempting to implement a proposed "first step." It is in this "first step" that we ask you to join us.

Simply stated, it involves an individual effort to seek maximum specificity in your own policies and procedures relating to every facet of marketing as it affects the consumer. It involves recognition of the importance of reducing such a policy statement and specific procedures to writing, the importance of top management involvement in the development

of these statements, and the equal importance of disseminating them to every person in the organization involved in advertising and promotion.

For many, it means a review of existing written policies, rather than the development of new ones. For all, it represents an opportunity to make certain that all such policies and procedures, and the extent to which they reflect management involvement and win employee commitment, have in fact kept pace with the evolution of consumer expectations and of modern advertising practices.

We sincerely hope that you will take part in this proposed step with us. It is a step which relies for its success on individual decision, individual motivation, and individual action. As such, it could contribute far more than legislation or than group action to fostering "a marketplace which is fair both to those who sell and those who buy," a goal stated in the President's Consumer Message of 1969.

It is our hope that you will be able to reply to us, within the next two weeks, with an expression of your interest in pursuing this proposed "first step" in your company.

It would be extremely helpful to us if you would include also in your reply an indication of:

(1) The extent to which you believe voluntary action can help in strengthening the credibility and creditability of the advertising and promotion functions,

(2) the degree to which you believe the role of the chief executive officer can contribute to such an effort, and

(3) the availability of any examples you may have of actions you have taken that might be of immediate help to us.

In addition, if you have strong feelings about specific advertising and promotion practices in your industry which you feel might be appropriate for discussion by the Sub-Council on Advertising and Promotion, given our purpose to help motivate individual voluntary action of benefit to consumers and business, please feel free to express your thoughts to us.

For your information, we are attaching a list of the members of our Sub-Council. We ask that you communicate your interest in our suggested "first step" to us at this address:

National Business Council for Consumer Affairs, U.S. Department of Commerce, Room 4814-A, Washington, D.C. 20230.

We look forward to receiving your initial reaction within the next two weeks. Also, whenever you have examples of written policy statements and procedures on advertising and promotion, or revisions of such statements, which you feel could be used to help others, we should be happy to receive them for our information and for any assistance we could offer in making them available to other national advertisers who might request help in the form of specific examples.

NATIONAL BUSINESS COUNCIL FOR CONSUMER AFFAIRS SUBCOUNCIL ON ADVERTISING AND PROMOTION

CHAIRMAN

Robert J. Keith, Chairman & Chief Executive Officer, The Pillsbury Company.

VICE CHAIRMAN

Archibald McG. Foster, Chairman & Chief Executive Officer, Ted Bates & Company.

MEMBERS

Thornton F. Bradshaw, President, Atlantic Richfield Co.

Henry H. Coords, President, Fisher-Price Toys.

Justin Dart, Chairman, President & Chief Executive Officer, Dart Industries, Inc.

Alfred Eisenpreis, Vice President, Marketing, Allied Stores Corp.

Stuart K. Hensley, Chairman & Chief Executive Officer, Warner-Lambert Company.

Barron Hilton, President & Chief Executive Officer, Hilton Hotels Corp.

Hobart Lewis, President & Chief Executive Officer, The Reader's Digest Association, Inc.

Edgar H. Lotspeich, Vice President, Advertising, Procter and Gamble Company.

John J. Riccardo, President, Chrysler Corporation.

Grant G. Simmons, Jr., Chairman & Chief Executive Officer, Simmons Company.

V. J. Skutt, Chairman & Chief Executive Officer, Mutual of Omaha Insurance Co.

William S. Smith, President & Chief Executive Officer, R. J. Reynolds Tobacco Company.

Stuart D. Watson, President & Chief Executive Officer, Heublein, Inc.

Mr. COOK. Mr. President, I feel that this material is a hopeful sign that the business community is prepared to make the sort of reevaluation of its role with respect to the American consuming public which I believe to be so vitally necessary. We should permit them to do so and limit government intervention to those areas in which it is shown business cannot or will not effectively respond to the challenges of our day.

POISONING OF ANIMALS

Mr. BAYH. Mr. President, on Tuesday, December 14, I had the opportunity to testify on the question of predator control before Senator McGEE's Agriculture, Environmental, and Consumer Protection Subcommittee of the Committee on Appropriations. It is my hope that my testimony and the work of the committee will lead to favorable action on S. 2083, my bill to ban the poisoning of animals on public lands.

Today I should like to share with the Senate some of my thoughts on this very serious question of poisoning our wildlife. While opposing poisoning because of the grave environmental threat which it holds, I recognize the need for some manner of control of predators and therefore propose responsible, carefully targeted trapping modeled after that which has already proven effective in some States.

The remarkable point about the extensive destruction of animals through poisoning is that the Division of Wildlife Services of the Department of the Interior is probably indirectly the greatest killer of certain endangered species which the Department is supposed to be protecting. The irony would be ludicrous, if it were not tragic.

Imagine, Mr. President, the Interior Department is killing the very animals we in the Congress have asked it to protect. All too often we hear of bureaucrats working at cross-purposes, but when we witness such behavior—as in this instance—the only possible response is shock and dismay.

Let us look for a moment at the appalling statistics of thoughtless destruction of some treasured animals.

The Division of Wildlife Services has 700 employees who have placed 2,300,000 pounds—more than a thousand tons—of poisoned meat on public land in the past 5 years. The main poisons are compound 1080, of which more than 100,000 pounds has been used annually for 2 decades, and thallium sulfate. A single ounce of compound 1080 at maximum efficiency could kill 200 adult humans. The legal

poisoners have also used 3 million strychnine tablets and tons of poisoned grain. Not only has the Interior Department engaged in its own massive poisoning program, but States have subsidized similar programs by local governments and private organizations, often duplicating and aggravating the destructive impact of Federal programs.

One salient point which must be understood when weighing the effects of this program is that many of these poisons are not biodegradable. They have a cumulative effect which means that great amounts of poison, harmful to humans, can accumulate in our food and water supplies. Because many of the poisons are placed near streams, there is special reason to be concerned about the long-range impact on the water supply.

The expensive program of poisoning—costing more than \$8 million a year—has met with what its proponents would call a great success; I call it a horrendous kill of our natural wildlife. Consider the known kill during 1963: 90,000 coyotes, 300 mountain lions which are on the endangered species list; 21,000 bobcat and lynx whose pelts are sold for a profit of \$20 apiece, and 73,000 other animals. In this last group are a number of endangered species including the California condor, the black-footed ferret, the San Joaquin fox, the Utah prairie dog, and as a final irony, the American Bald Eagle, our national symbol.

As undesirable as the present practice of widespread poisoning is, and as strongly as I oppose it, I do recognize the need for some controls on predatory animals. This is why my legislation provides an ecologically sound alternative in the form of selective trapping, not the random trapping which has proven ineffectual.

There are careful studies which indicate that selective trapping by the farmers themselves would reduce damage from predators by 80 percent, while cutting sharply into the number of man-days and costs per catch.

This alternative to poisoning—known as the extension predator control program—is based on the evidence that only a small number of the animals now being killed are truly predators. This is substantiated by the fact that a majority of coyotes, for example, live some distance from ranches and feed on wild rodents. Careful trapping near chicken coops or livestock watering areas can effectively deal with those coyotes that actually pose a threat.

Under the extension predators control program, as implemented in my bill, Federal mammal control agents would instruct farmers and ranchers in techniques of trapping the individual mammals causing depredations on domestic livestock. These techniques have already been very effective in Missouri.

Extension predator control began in Missouri in September 1945. Since 1957, one Federal control agent has been able to handle all requests for trapping demonstrations or training service by holding an annual meeting for about 2,000 farmers and then meeting individually with 400 to 700 farmers on their own land. Written statements from the

farmers who received training indicate that they have reduced their damage losses an average of 80 percent—in other words, each farmer has realized savings of about \$100 per year. In addition, the cost per animal taken decreased from \$116 when Federal agents were doing the trapping to \$6.99 when the farmer trapped. The combined livestock and program savings present a strong argument for shifting to this system.

Unfortunately, I do not have statistics on cost comparisons between poisoning programs and the proposed alternative. However, a simple application of logic demonstrates that hidden costs accumulate rapidly with extensive poisoning.

In an attempt to poison all potential ranch predators, ranchers are only upsetting a natural balance of wildlife and are creating new economic losses for themselves. For instance, if the balance of wild predators and prey is disrupted, then perhaps there will be a mushrooming of small rodents, stripping the grazing lands intended for livestock. In fact, in 1970, DWS designated a cumulative 228,019 acres for separate rodent-poisoning of small rodents, stripping the grazing there may be a decrease in the rodent population which will force previously innocent predators toward captive livestock. Each of these results will only lead to economic loss and to increased pressure for more of the poison which caused the problem.

I suggest we should listen to naturalists like Dr. Frank C. Craighead, Jr., who has stated:

Coyotes are a desirable and indispensable part of a collective predator population which serves to regulate prey populations on wild lands. They perform a useful function as scavengers and they do more good as rodent destroyers than harm as livestock killers.

Even the U.S. Public Land Law Review Commission has recommended that predator control programs be eliminated or reduced on public lands, noting in its 1970 report:

While these programs may have been of some benefit to livestock operators in reducing cattle and sheep depredations by coyotes, puma, cougar, and bear, they have upset important natural mechanisms for the population control of other species.

As far back as March 1964, the Leopold Commission's report noted the following criticism of Interior's poisoning program:

Far more animals are being killed than would be required for effective protection of livestock, agricultural crops, wildland resources and human health. This unnecessary destruction is further augmented by state, county and individual endeavors. The federal government, it would seem, should be setting an example in proper scientific management of all wildlife resources with a view to the public interest and welfare. Instead, the branch of Predator and Rodent Control has developed a semiautonomous bureaucracy whose function in many localities bears scant relationship to real need and less still to scientific management.

I sincerely hope that Congress will at last take heed of this advice and end all poisoning on public lands. Enactment of the Anti-Poisoning Act of 1971 (S. 2083) would be a responsible step in this direction and would also continue programs to protect the livestock owner from loss.

I ask unanimous consent that the text of my bill, S. 2083, be printed in the RECORD.

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

S. 2083

A bill to prohibit the poisoning of animals and birds on the public lands of the United States, 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 Anti-Poisoning Act of 1971.

Sec. 2. Definitions.

For purposes of this Act,

(a) "Public lands" means all publicly owned lands of the United States except Indian and military reservations.

(b) "Poison" means biocides and toxicants, singular or plural, in gaseous-, liquid-, dust-, or solid-form, placed in food, baits, or water directly ingested by carnivores from eating poisoned herbivores or omnivores, and includes: direct acting poison, for example, strychnine; cumulative poison, for example, thallium sulphate; and chain-reacting poison, for example, sodium fluoroacetate.

(c) "Chemosterilant" means any substance which, when ingested, causes the animal to become sterile.

Sec. 3. Prohibitions.

(a) Except as provided in section 4 of this Act, the use of poisons or chemosterilants to kill any animal or bird on public lands is hereby forbidden.

(b) The interstate commerce of thallium and sodium fluoroacetate, commonly known as Poison 1080, is hereby forbidden.

Sec. 4. Exception.

In any specific instance where either the Secretary of the Interior or the Secretary of Agriculture believes, because of unusual and extraordinary circumstances, that it is imperative to use poisons on public lands for animal control, he shall place a Notice of Intention in the Federal Register at least 60 days prior to the proposed beginning of the program and shall give a public hearing to anyone who wishes to protest the poisoning; the program shall not be begun until a review of the protests is made by the Secretary of the Interior or Secretary of Agriculture, as the case may be, and a detailed explanation of the need of the program is placed in the Federal Register.

Sec. 5. Penalties.

Any person, including officials, employees and agents of the United States or any State, who violates the provisions of this Act shall, upon conviction for the first offense, be subject to fine not to exceed \$500.00 or imprisonment not to exceed six months, or both; upon conviction of a second or subsequent offense, violators shall be subject to a fine not to exceed \$5,000.00, or imprisonment of one to three years, or both.

Sec. 6. Extension Mammal Control Agents.

(a) There is hereby authorized to be established in each regional office of the Bureau of Sport Fisheries and Wildlife of the Department of the Interior the position of extension mammal control agent who, upon the request of the duly authorized wildlife agency of any State within the region, shall provide advice and demonstrations to State-employed specialists in methods of instructing farmers and ranchers, or their agents, in techniques of preventing depredations by wild predatory mammals on domestic livestock and in techniques of trapping the individual mammals causing depredations on domestic livestock. Any control methods used, demonstrated, or advocated by the extension mammal control agents shall be in compliance with applicable Federal and State laws relating to the taking of wildlife, and no such method shall include in rural or

suburban areas the use of poison or chemosterilant.

(b) As of July 1, 1972, and thereafter, the number of manual control experts and other persons employed by the United States Fish and Wildlife Service, or in any bureau or branch thereof, to engage in or assist, either directly or indirectly, in the trapping or other method of reducing the number of predatory mammals shall not exceed six persons. Biologists or other personnel employed within the Wildlife Research Branch of the Bureau of Sport Fisheries and Wildlife to investigate the biology or ecology of predatory mammals, or to develop control methods less likely to endanger valuable wildlife than the methods now in use or practiced in the past, shall not be counted against the foregoing limitation.

Sec. 7. Authorization of Funds.

There is hereby authorized to be appropriated for the purposes of this Act not to exceed \$153,000 for the fiscal year ending June 30, 1972, and for each fiscal year thereafter through and including the fiscal year ending June 30, 1976. The Secretary of the Interior is directed during the period from effective date of this Act until the close of the fiscal year ending June 30, 1972, to make such reorganizations, reductions, and adjustments in the predator-control program of the Bureau of Sport Fisheries and Wildlife as are necessary to prepare for the implementation of this Act.

BIG BUSINESS AND BIG POLITICS

Mr. McGOVERN. Mr. President, a historic concern of farmers and their organizations has been the preservation of a free and open market in which they sell their commodities. In the last part of the last century and early in the present century, exploitation of farmers through unfair rates and nearly every other monopoly practice imaginable resulted in a broad range of legislation designed to curb the monopoly practices of giant industries. It is fair to say that this legislation of the progressive era was in the best interests of not only the agricultural community but of the entire Nation.

It was with a great deal of regret that I learned the Justice Department plans to ask a Federal court to rescind a court order prohibiting the four largest meatpackers from expanding into other product lines. It is important to note that the companies involved did not request the action. The Justice Department said only that the decree which has stood since 1921 had served its "remedial" purpose. The Justice Department in this instance has decided that somehow the requirements of the Sherman Anti-Trust Act have changed in the last 50 years. The fact is the large meatpacking companies attempted to obtain a change in this order in the 1930's and the 1950's but their request was denied.

That original decree was designed to correct serious abuses in the meat industry. The dangers of unbridled monopoly are as great today as they ever were in view of the ever increasing concentration of economic power by corporate monoliths.

The National Farmers Union Washington Newsletter of December 3 has published a highly informative and incisive account of the ramifications of the recent decision of the Justice Department and related activities of the Nixon

administration. I ask unanimous consent that it be printed in the RECORD.

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

BIG BUSINESS AND BIG POLITICS

The Nixon Administration's concept of the inseparability of business and politics has been further illuminated in recent days. The spotlight was turned dramatically on the issue by the nomination of Dr. Earl L. Butz for the position of Secretary of Agriculture. His corporate affiliations overshadowed his Ph.D. And indeed, the President's decision to nominate him seems to have been made in deference to his business community. At least several important Republican officials, including the party chairman, Senator Dole, were bypassed.

Was the nomination merely a lapse in political procedure? An announcement by Attorney General John Mitchell a few days later suggests it was not. The Justice Department, the Attorney General said, will petition the Federal Court to rescind a court order prohibiting the four largest meat packers from expanding into other product lines. The companies are Swift, Cudahy, Armour, and Wilson. The decree has stood since 1921.

The Justice Department news handout emphasized that the original judgment was a "consent" decree. This means only that nobody had to be arrested in the course of enforcement. The news release also emphasized that the decree was issued 50 years ago. It had served its "remedial" purpose, the Justice Department press release said. Although generations of Americans have forgotten the crime these four companies were charged with—price fixing and the abuse of monopoly power—the need for the court order is greater today than half century ago. The dangers of monopoly power, as well as their capacities to fix prices, have not diminished in this era of corporate giantism. Indeed, the dangers are greater.

It is a small thing, perhaps, but illuminating, that it is the Justice Department—not the companies themselves—which proposes to bring the action before the Federal Court. The Wall Street Journal reported that the companies tried first in the 1930s and again in the 1950s to get rid of the restriction on their activities. Now, at last, an Administration is in power which not only grants their request, but offers the services of the Justice Department to do the job. Company officials expressed "delight" with the offer.

Have the requirements of the Sherman Anti-Trust Act changed in the last 50 years? Not until quite recently, it would appear. President Nixon coined a phrase to describe his concept of constitutional justice. "Strict constructionist" was the interpretation he favored. One wonders whether anti-trust laws are subject to "strict constructionism," assuming the term had any real meaning in the first place.

Putting a term on court decrees which restrain large corporations in the economic jungle is comparable to setting time limits on corporate criminality. Are all corporate criminals to be freed to prey once more on society? Will the Justice Department now petition the court to dissolve the restraints against electric companies—and the big plumbing companies—from engaging in the price-fixing conspiracies that bilked the public of millions a few years ago?

The Justice Department defended its decision to seek an end to the injunction against the meat packers on grounds that the result would be more competition in the food business, not less. The small food companies that have survived the conglomerate merger movement so far were not asked by the press to comment. But it strains the imagination

to conjure ways competition might be increased by turning Swift, Cudahy, Armour, and Wilson loose to prey on them. Perhaps, though, the lamb is a little swifter just before the wolf pounces.

There is little comfort for the farmer in the current situation. The U.S. Department of Agriculture is back on the offensive once more, issuing news releases citing the efficiency of large farm units. It has virtually obliterated parity as it conceals the figure deep inside its monthly report. USDA officials make speeches saying that consumers—finally—will get the benefit of today's low farm prices.

Nothing could have revealed more convincingly how interchangeable are politics and business than the switch on the Ralston Purina board of directors—from Dr. Butz to Dr. Hardin. For those who might hope that any new appointment—any change—might be for the better, Ralston Purina's appraisal of the two men must stand as definitive. Ralston Purina sees no difference in them; none whatsoever.

THE GENOCIDE CONVENTION AND AMERICAN POW'S

Mr. PROXIMIRE. Mr. President, some people who oppose the Genocide Convention do so because they believe that U.S. ratification will allow North Vietnam to try on charges of Genocide Americans held as prisoners of war. They believe that Hanoi wants to try our men but is unable because we have not yet ratified this treaty. But as soon as we do so, it is said, Hanoi will be able to go ahead with its evil plans.

But this theory just does not hold water. North Vietnam has not ratified the Genocide Convention and has given no indication that it ever will. American ratification will in no way give Hanoi additional jurisdiction.

For a person to be guilty of genocide he must have committed one or more of a number of carefully specified acts with the intent of destroying an entire racial, ethnic, or religious group. Where such intent is not present, genocide has not been committed. Because American forces were not sent to South Vietnam with this intent they cannot properly be charged with genocide for any of the deaths that occurred in the war.

Should Hanoi decide to ignore this fact and concoct a number of lies as pretext for trying our POW's, why should they bother with such legal niceties as American ratification of this treaty. North Vietnam has our brave men in their power. They can tell any lies they want. They can trump up any charges they want. They do not need our permission. The best way to protect our POW's is to work diligently for their release.

Mr. President, the Senate should ratify the Genocide Convention as soon as possible.

THE REMARKABLE B-1

Mr. GOLDWATER. Mr. President, it is truly remarkable what Pentagon experts operating under Defense Secretary Melvin Laird and former Deputy Secretary David Packard have been able to accomplish in terms of providing additional defense for the United States out of the mess they inherited from Robert S. McNamara.

As a result, we are developing a new manned bomber, the B-1, which should prove far superior to its Soviet counterpart in aircraft performance, avionics, ordnance, growth potential, and overall flexibility. And, surprisingly enough, Mr. President, there has been no cost growth in the B-1 program in terms of constant 1970 dollars. In fact, the B-1 project may well become our No. 1 example of how sound management and advanced technology can be merged in an effort to provide the American people with a maximum amount of defense for the money expended.

Despite the tremendous advance made recently by the Soviet Union in terms of military hardware the defense posture of our Strategic Air Command remains strong and superior.

Because the manned bomber is so vital to this Nation's future and to the generation of peace which President Nixon has fixed as his goal I should like to call the Senate's attention to an outstanding address by Dr. John F. Foster, Jr., Director of Defense Research and Engineering delivered before the Air Force Association's recent symposium for industry. I ask unanimous consent that Dr. Foster's speech in Orlando, Fla., December 15, 1971 be printed in the RECORD.

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

ADDRESS BY DR. JOHN S. FOSTER, JR., DIRECTOR OF DEFENSE RESEARCH AND ENGINEERING, BEFORE THE AIR FORCE ASSOCIATION—STRATEGIC AIR COMMAND SYMPOSIUM FOR INDUSTRY, ORLANDO, FLA., DECEMBER 15, 1971

Distinguished guests, ladies, gentlemen, and especially the crews of the Strategic Air Command:

It is a privilege to meet with you while the annual Strategic Air Command Bombing Competition and the SAC Symposium are in progress. I believe this bombing competition is critical to our national security for two reasons: First, it demands the very best of the crews and equipment and thus further improves and strengthens confidence in the capability of this vital part of our strategic deterrent force. And, second, this competition helps bring needed public attention to the fact that national security is not something that can be taken for granted.

It is hard to realize that we live in a time of growing danger to our national security. The threat is not in plain view, so it is difficult for some people to believe that their interests are threatened. There are also serious and visible domestic needs that preempt the attention of many.

I agree that our nation has several difficult and extremely important problems that must be attacked. However, I believe that national security is paramount and we must not relax our vigilance.

The crews in town this week to participate in this competition know more about handling bombers than any other group in the world, so there is nothing new I can tell them about the techniques of their profession. But I do want to make some general comments on bombers and bomber forces.

In brief, strategic bombers are the most thoroughly proved and flexible of our strategic forces. They have unique capabilities. You men of SAC fly the best bombers in the world today. I hope that many of you will fly the B-1, designed to be the best on into the Twenty-First Century. Your profession and your kind of weapon systems have a strong future in our country's quest for peace.

The very fact that you came for a competition that requires your planes to be flown

and your equipment to be used again and again demonstrates the uniqueness of the bomber. Such human involvement with strategic missiles, either land- or sea-based, is inherently impossible.

This SAC bombing competition was started some 23 years ago by General Curtis LeMay. The best unit that first year flew B-50s; the best single crew won with a B-29, even though a more advanced aircraft, the B-36, was also in the competition. B-52s competed for the first time in 1956; aerial refueling was added to the competition in 1958. In 1960, the B-58s came in. FB-111s were entered for the first time last year. Every year the performance and capabilities of SAC have improved.

This competition is one important proof of bomber capabilities. The war in Southeast Asia has been another.

Of course, B-52s were never designed to carry conventional weapons or to fight in a limited war. But the planes proved to be fully as adaptable as their crews. SAC hung conventional bombs on the B-52D and used the crews' professional skills to deliver those weapons to their targets with astonishing precision. The sorties went like clockwork—seldom aborting and with almost no losses. Day after day, SAC demonstrated to the world what training, experience, and adaptable systems can do.

Furthermore, the SAC bomber crews in Southeast Asia have contributed significantly to the winding down of American involvement in the war. More than any other single weapon systems, the B-52 forced the enemy to disperse and hide. You will recall when, in the early days, the enemy was free to concentrate in jungle sanctuaries and prepare for major attacks on South Vietnamese towns. Today there are no such sanctuaries. The B-52 and the precision work of its crews have forced the enemy virtually to abandon concentrations greater in size than a battalion. The number of friendly lives saved by the breaking up of large enemy units is incalculable. Many of our Vietnamese friends are walking the streets of their towns today and many American soldiers have returned to their homes because the B-52s hit their targets in the Southeast Asian jungles.

Our B-52 crews proved themselves spectacularly in one of the most important battles of the war. In early 1968, the North Vietnamese Army had surrounded the United States position at Khe Sanh, and the enemy's buildup reminded people all over the world of the beginnings of the battle of Dien Bien Phu. But General Westmoreland asked for B-52 strikes—and history did not repeat itself. With assistance from radar, the B-52's accuracy and effectiveness were remarkable. A formation of three aircraft would lay its bombs in neat rows inside a rectangle one kilometer wide and two kilometers long. Close-in strikes by SAC and TAC aircraft turned the tide. General Abrams said later, "It was only after the B-52s bombed within 1,000 meters of the fence at Khe Sanh that the enemy showed signs of crumbling."

The winding down of the war has permitted a great reduction in B-52 sorties, but the bomber crews continue to play a major role in the interdiction of the Ho Chi Minh Trail. Crews are now showing even greater versatility and quicker response to short-fuse target assignments.

With the bombers are the KC-135 tankers, the "Young Tigers," who provide air-to-air refueling not only for the B-52s but for fighter aircraft as well.

In short, when the enemy is hidden, when he tries to concentrate for assaults on populated areas, we have learned that there is no better way to break him up than by calling the professionals of SAC.

But this particular demonstration of bomber versatility is not the primary assignment of SAC aircrews. Their first assignment is to help keep this country out

of nuclear wars. SAC bombers have been doing this since the dawn of the nuclear age. Unfortunately, the day when they can stand down from this assignment is not in sight.

The cornerstone of American nuclear policy is deterrence. This is the familiar and effective policy of demonstrating to all potential adversaries that the United States has weapons that can survive any attack and then penetrate to targets in any aggressor nation in sufficient numbers to cause destruction that the aggressor would consider totally unacceptable. Bombers are, and will continue to be, a vital part of that demonstration. Without bombers, we would be diminished both in our capabilities and in our confidence in those capabilities, and the risk of thermonuclear war would rise.

Let me point out a few facts that are clear to this audience but may not be fully understood by others following our words here today.

The United States has three basically different kinds of long-range deterrent weapons—missiles based on land, missiles hidden under the sea, and land-based bombers. This combination of weapon systems enables us to take advantage of three basically different ways of preserving our forces against attack and two basically different ways of penetrating enemy defenses. Each method of survival and penetration has its advantages, but no single system by itself offers enough.

It is difficult to talk in public about the inherent shortcomings of any of these weapon systems without appearing somehow to criticize one weapon unfairly or give another an undeserved boost. The professional military men who use each kind of weapon have justifiable confidence and pride in their own system—and confidence in their abilities to overcome deficiencies that may arise.

So please excuse me if I talk right now primarily about bombers, not strategic missiles, whether based on land or at sea.

Neither bombers nor missiles can, by themselves, give our country sufficient assurance of successful permanent deterrence of nuclear war. Bombers do offer a different approach to survival and penetration and therefore, to security—their alert posture on the runways, their ability to flush and be recalled, their ability to select and overwhelm parts of the defense and safely ignore most of it. But, if the enemy were free to concentrate solely on offensive and defensive systems for use against the bombers, then our confidence in our bombers' effectiveness would diminish; our deterrence would be weakened. The risk of aggression would not remain at the near-zero mark that our security requires.

Existing bombers, existing basing practices, existing penetration techniques are effective and are a necessary factor in deterrence, but they will not remain effective forever. No single weapon system has an infinite life. As military technology in potentially enemy nations advances, we must modify our deterrent forces. We must modify our bomber force just as we modify our missile force.

The Soviets are now building Polaris-type missile submarines at a rapid rate. More than two dozen of these submarines are now operational. Enough additional submarines are on the way to permit the Soviets, by 1973, to surpass our own ballistic-missile submarine fleet in size. Also, the Soviets are testing a new long-range sub-launched missile that could further increase their capabilities.

Now, if they were to use submarines to launch ballistic missiles against our airfields from stations close to our shores, they could seriously threaten the survivability of our present coastal-based B-52 and FB-111 forces. We do not know their tactical planning, but common sense dictates that we be ready with a fix for this potential problem. And we do have a series of fixes that we can apply, one by one.

First, we can give the bombers still more

warning time. Our satellite early warning system is progressing well. We can improve communications to the bombers. The new World-Wide Military Command and Control System Policy Council will furnish guidance for the development and operation of better strategic communications.

Second, we can base our aircraft farther inland and so give them more time to take off before a missile arrives. We are currently dispersing them onto 12 auxiliary bases in addition to the 29 main operating bases. This gives the aircraft more time in which to become safely airborne.

Third, we can reduce the reaction time of bombers and tankers by placing the aircraft closer to the end of the runway and the crews closer to the aircraft and by quick engine starts.

Most important of all, we can and must retain skilled people who can get the most out of the systems we have.

But there are sensible limits to the changes that should be made on our existing strategic bombers. There are inherent limits to the performance of these planes that have to do with reaction time, penetration capability, and maintenance costs.

That is why we are developing an entirely new strategic bomber, the B-1. This aircraft takes advantage of many technological advances that cannot be applied to the B-52 or FB-111. It should be a far more survivable plane. It should be more versatile.

On its bases, as now conceived, the B-1 should be able to cope with the most vigorous offensive efforts of a future enemy. It will have new aids in penetration to the target. It will have combinations of high and low altitude, fast and slow speed, and long range and payload which neither the B-52 nor the FB-111 can match. And it will have global range with existing equipment for refueling.

The Air Force is already a year and a half into engineering development on the B-1. This is one of the major development programs that have benefited from the management changes brought to the Pentagon by Secretary Laird and Deputy Secretary Packard.

I can assure you that, although former Deputy Secretary David Packard is returning to private life, his impact on this program and many others will continue to be felt throughout the military establishment.

You may not know this, but it was Mr. Packard who personally led the original examination of the Air Force's request to proceed with the development of the B-1, who made the decision to proceed, and who has been the most effective supporter and defender of that decision.

He set high standards for us to follow in our procurement programs, and I strongly believe that his contributions to the defense of this country will be long remembered. These include his desire that we give the American public the greatest possible value for its Defense dollar. I sincerely hope that the B-1 will be a project that we can use as an example of the merger of sound management and advanced technology. In fact, as of today, there has been no cost growth in the B-1 program in terms of constant 1970 dollars. I feel there is a good chance that the strong Air Force management team can maintain this excellent record.

Our decision to continue to include manned bombers in the forces that provide for our security is not unique. The Soviet Union apparently has also come to the same conclusion. They are currently testing several copies of a swing-wing supersonic strategic bomber. In size, it is about two and a half times the weight of our FB-111, but smaller than the B-1. The new Soviet bomber, which could be operational in the next few years, will have a radius of 2500 to 3000 miles, unrefueled, at high altitude, compared with about half that for the FB-111. With a speed of roughly Mach 2 at altitude, it will be com-

parable with the FB-111 in that respect. Presumably, its avionics will be modern but probably not as good as that of the FB-111.

Through this decade, of course, we will continue to rely on the B-52 for the bulk of our manned strategic capability. Then, the B-1 is designed to take over. It should be superior to the Soviet bomber in aircraft performance, avionics, ordnance, growth potential, and overall flexibility.

To sum up this comparison, we have a strong edge in crew quality, and we can maintain it. We have an edge in technology, though the leadership in this particular area may see-saw during the 1970s. We cannot be sure of numbers. Our plans are to concentrate on maintaining our technological leadership—and on quality. Whether the U.S.S.R. will make the same choice or strive for greater numbers—or for both goals—we do not know.

For our part, we deliberately concentrate on maintaining technological superiority. You can see this in the Administration's Defense budget request for the current fiscal year. President Nixon asked for an additional \$800 million for research, development, test and engineering, while sacrificing levels of operational weapons in a fixed budget total.

It is most unfortunate that the Congress has just cut the requested research and development increase in half, while accepting—and even adding to—the Administration's proposed reduction in numbers of weapons. Trading quantity for quality was, I believe, a wise decision by the Secretary of Defense and the President. Sacrificing both was, it seems to me, an unwise decision.

Still, in our kind of government, a good argument can always be made a second time. I believe Secretary Laird will present the same argument again. The budget to be submitted to the Congress next month probably will ask again for additional funds in the R&D program.

It seems clear to me that, in the face of a strong Soviet momentum in weapons improvement, we cannot give way both in quality and in quantity. I am hopeful that the Congress will agree.

President Nixon earnestly seeks a generation of peace. Peace is SAC's profession. The demonstrated competence, courage and ability of the crews of the Strategic Air Command help to make the President's goal a realistic one. I am positive that SAC's professionals will continue to do more than their share to keep us out of nuclear war by remaining the best in the world.

THE SUPERSONIC TRANSPORT AND THE ENVIRONMENT

Mr. BAYH. Mr. President, the New York Times today reports that the Concorde—the British-French SST—will be ready for commercial civilian flights in October 1974. The Times also reports that the Russian Tupolev 144 "is scheduled to go into service on a domestic route next year."

On September 21, 1971, I introduced a bill which requires the Administrator of the Environmental Protection Agency to study the effect of SST flights on the stratosphere, and which bans such flights over the United States until the study is completed. My concern was prompted by the work of a distinguished scientist, Dr. Harold Johnston of the University of California, which showed that we might all be blinded if the SST's were allowed to fly.

Mr. President, despite their enormous cost of \$31.2 million, it appears that the SST's of other nations will soon be in the air. When they fly, they will un-

doubtedly seek to land in, and fly over, the United States. We should not permit them to do so until we have investigated fully the environmental impact of SST flights on the stratosphere and elsewhere. In order to give our experts enough time to complete the study, Congress should act as soon as possible after we reassemble in January.

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

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

[From the New York Times, Dec. 16, 1971]
CONCORDE JET PRICED AT RECORD \$31.2 MILLION
(By John Hess)

PARIS, December 15.—The builders of the Concorde supersonic airliner today posted a price of \$31.2-million for it, a record for a civilian aircraft, and said that the first half-dozen craft would be ready for service by October, 1974.

Henri Ziegler, head of the French Government-owned company, Aerospatiale, also said at a news conference that China had decided to buy the Concorde.

Mr. Ziegler was speaking for Aerospatiale and for the British Aircraft Corporation, the joint manufacturers of the plane.

The setting of the price put the world's leading airlines in a difficult spot. Sixteen of them have taken options on 74 planes. Mr. Ziegler said firm contracts would be signed toward the end of April.

At the head of the option list are Air France and British Overseas Airways Corporation, both Government-owned, and Pan American World Airways. Pan Am has urged an indefinite postponement of the supersonic venture but it is widely believed that it will consider itself forced to keep up with the competition.

Pan Am's reluctance was based primarily on the general financial squeeze on international airlines and on the marginal economics of the Concorde. The aircraft, carrying about 112 passengers, will be limited to oceanic routes because of its sonic boom.

The price disclosed today was higher than many published estimates. These have ranged from \$24-million, which would hardly cover production costs, to \$30-million, which would repay some but not all of the \$2.2-billion development cost, which is being shared by Britain and France.

Up to now, the record price for a civilian airliner has been \$23-million for a subsonic Boeing 747 jumbo jet. The price for the trans-Atlantic version of Boeing's first jetliner, the 707, is now \$9.5-million.

There are two wide-body jets built here whose prices fall somewhere between those of the Boeing products. The McDonnell-Douglas DC-10, which started regular domestic airline service last summer, currently sells for something over \$15-million. The trans-Atlantic version will cost \$16-million to \$17-million.

The DC-10's competitor, the Lockheed 1011, has a quoted selling price of \$152 million. It is due to go into service next spring on domestic routes.

Mr. Ziegler chose the best moment available in some time to present the tab. He recalled President Nixon's enthusiasm when Mr. Ziegler guided him through the aircraft in the Azores yesterday, and the statement the same day by John H. Shaffer, head of the Federal Aviation Administration, that the Concorde would meet United States noise standards.

According to Rolls-Royce, the new engines to be installed on production models of the Concorde will be no louder than those of the Boeing 707. Critics argue, however, that standards for new aircraft are more stringent.

Whether state authorities may impose tighter restrictions than the Federal Government in this case is a matter of disagreement.

Rolls-Royce and the French Snecma company are the engine-builders. Besides the French prototype, the British also have one prototype undergoing testing, and a second is about to take the air.

Mr. Ziegler said that the airlines had now received the long-delayed specifications guaranteeing the performance of the Concorde—take-off, landing, speeds, fuel consumption, load factors and so on. The price was the final item. The decision whether to take up the options is now up to the airlines.

Concorde's builders plan to deliver eight planes in 1974, two each month in 1975, and three each month in 1976, Mr. Ziegler said. He reported that he had urged Mr. Nixon to support a joint American and European program to develop a supersonic airliner twice as large as the Concorde for the 1980's.

The Soviet Tupolev 144, similar to the Concorde, is scheduled to go into service on a domestic route next year. This would appear to be a selling point in the French negotiations with the Chinese. Mr. Ziegler said talks about terms were still under way, but the decision had been made. "I am neither optimistic nor pessimistic—I am certain," he said.

PROPERTY TAX: A CRUSHING BURDEN FOR THE ELDERLY

Mr. WILLIAMS. Mr. President, many aged homeowners are now finding themselves financially paralyzed by rapidly rising property taxes.

In many communities their property taxes have doubled—and in some cases tripled—during the past 5 or 10 years. Last year, property taxes hit an all-time record high of \$37.5 billion, nearly 35 percent higher than the level in 1967.

In the typical urban household, about 4 percent of income is spent on property taxes. But in the case of elderly persons living on fixed incomes, the tax bite is frequently much higher. This was forcefully brought out in the Senate Committee on Aging's hearings on the Homeownership Aspects of the Economics of Aging.

For example, evidence from one Midwestern State revealed that more than 8,000 aged homeowners living on less than \$1,000 a year paid about 30 percent of total family income for property taxes. And in that same State, households with an average annual income of about \$300 were paying 58 percent of this meager amount to the local tax collector.

Today it is estimated that aged households with total family income below \$5,000 pay approximately \$1.5 billion in property taxes.

Two recent articles by Sylvia Porter provide an excellent discussion of the overall impact of property taxes.

These articles also provide further compelling evidence for enactment of Housing for the Elderly Act—S. 1935—which is designed to establish the framework for granting tax relief for the aged. This measure would create an intergovernmental task force to report, at the earliest possible date, on several alternatives for providing Federal assistance to States which grant tax relief for overwhelmed homeowners and renters. Additionally, this task force would be directed to explore the feasibility of direct

Federal relief to elderly persons who pay a disproportionate amount of their income for property taxes or rent.

Mr. President, I ask unanimous consent that the two articles, entitled "Property Taxes Become Crushing" and "Controlling Property Taxes," published in the Washington Star, be printed in the RECORD.

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

PROPERTY TAXES BECOME CRUSHING (By Sylvia Porter)

The strong controls of Phase 2 must moderate the pace of upsurge in over-all housing costs, but they cannot even touch one of the most painful and ever more expensive items in our lives—property taxes. These taxes will not be frozen, not ever. And property taxes will continue rising—for several reasons—for the foreseeable future.

Simply to suggest the intensity of the squeeze on many of us, in all income groups and all age brackets:

Our total property tax bill hit \$37.5 billion in 1970, up 35 percent since 1967 alone, a rate nearly twice the average increase in the cost of living during the period. And the pace is quickening: 1970's bill was nearly 12 percent higher than 1960's.

In many cities, the property taxes on a medium-priced house and lot have crossed \$1,000 a year. In virtually every major city, a homeowner's property taxes now exceed \$500 a year.

Some cities and towns have raised tax assessments as much as 20 to 25 percent in a single year, and in some cases reassessments designed to spread the tax burden have meant doubling, tripling or even quadrupling the taxes of certain homeowners.

Next to your mortgage payment your tax bill today is likely to be your biggest homeownership cost, and property taxes have for years been among the fastest rising items in total living costs. The Washington-based Advisory Commission on Intergovernmental Relations reported not long ago that the city family pays an average of \$1 in \$25 earned by the household on local property taxes, including the taxes hidden in the rent of non-homeowners.

Why? Obviously, behind soaring property taxes are the rising costs of health, education, welfare and public services. Contributing are rising crime rates and mounting needs for more and better paid police. Part of the pattern is the rising need for more and better paid firemen, road construction and sanitation workers, similar workers.

On top of this, many towns and cities are struggling under staggering interest loads on bond debts run up to build schools, help finance new hospitals and transit systems, comply with tough new Federal, state and local antipollution laws, satisfy the demands of the public for a cleaner environment.

Making the massive burden feel even heavier is the fact that many homeowners are carrying too much of the load, and many too little. The injustices and the inequities scream out for attention.

Our elderly, for instance—for many of whom school ended after the 8th, 10th or 12th year, who tend to use expensive highways much less than younger Americans and who are least able to bear any extra financial burdens—are probably the hardest hit of all.

Numbers of elderly, in fact, are being compelled to give up owning and living in their own homes primarily because they can't take the climbing property taxes.

Farmers also are often victims, especially in recreation-oriented areas where land is increasingly being assessed and taxed on the

basis of its real estate potential, instead of its meager return as pure farm land.

In a cross-section of cities and towns, the poorest are shouldering a disproportionately large share of property taxes while mobile homeowners—whose homes are taxed as personal property rather than in the form of real estate taxes—are not bearing their full share of local tax costs.

And while those citizens who have fled to suburban bedroom communities may squawk about their own property taxes, they also are escaping the heavy burdens in the cities to which they commute daily to earn their incomes.

All sorts of suggestions are being tossed around. One would junk the property tax system entirely by "piggy-backing" on state income taxes and giving the states responsibility for paying certain costs now being borne by cities and towns. Another would have the federal government take over responsibility for paying public school costs in the nation's 25 biggest cities. A third, cited recently by Norman Karsh, executive director of President Nixon's Commission on School Finance, would equalize tax rates for education throughout the United States and would have the states in areas of low property values kick in extra funds. And, of course, pressure continues for more federal revenue sharing.

But while the system remains as is—which it will for quite a while—can you, a house-hunter, curb the cost of your property taxes? Indeed, you can. See tomorrow's column.

CONTROLLING PROPERTY TAXES

(By Sylvia Porter)

Last year, a typical homeowner in a large city had a property tax bill of more than \$500. Many properties have undergone reappraisals and have been hit with property tax increases of 50 percent to 100 percent or more.

State and local taxes are not and will not be subject to any controls. There is only one outlook for these taxes—particularly property taxes—and that is up and up.

What can you do? If you are a middle-income family in your middle years and you already own your home, not much. The days have passed when you could bar the tax assessor by force from the door or confine home improvements to places which couldn't be seen by outsiders (the attic or basement).

But you can organize with others in your area to lobby for a state law which will refund property taxes in excess of a predetermined share of your family's or your own income. Several states have such laws, among them Kansas, Minnesota, Wisconsin, Vermont.

If you are a low-income homeowner, you can organize to fight for similar "circuit breakers" in your taxes.

And if you don't yet own your home but you are looking, you can do plenty by studying and following these guides:

1. Property taxes tend to be lower and to rise less rapidly for older than for newer homes—a key point to remember when shopping for a house. Also special one-tax assessments for installation of utilities—sewer, water systems—may be less because such amenities will have been installed and paid for in older areas.

2. The closer you get to a big city, especially in the suburbs, the higher the tax rates tend to be—another key shopping guide. The farther out in the rural countryside you go, the lower the tax rates will be on much larger amounts of land.

3. "Special assessments" cover a wide range and may be of crucial importance. A new road, for instance, could result in an assessment on the homeowners concerned which will make a mockery of a family budget. A neighborhood landscaping project,

though, may not be costly and may greatly enhance the value of property. This is a variable item, and woe to you if you forget to check it.

4. In each community and neighborhood in which you are considering buying, ask your real estate and any other knowledgeable sources these questions on property taxes:

When a property changes hands, what usually happens to taxes on that property? In many communities, new homeowners are routinely sledgehammered by the tax assessors and slapped with tax bills far higher than the amounts former owners were paying.

What does the community provide in return for taxes? Low taxes may not be a bargain if they mean inferior schools, second-rate police protection, poor garbage disposal services. High taxes may be well worth it—if your community is committed to rigid pollution controls, stiff educational standards, clean and green roadsides.

What new bond issues are being debated or scheduled in each community for schools, sewage treatment facilities, road building equipment, public parks and playgrounds, hospitals—and what will be the likely impact on tax rates? Or if a bond issue already has been voted for a costly improvement, have tax increases been slated for your area?

Is a major revaluation of properties in the offing—and what will be the likely increase in the valuation of houses in the community?

Take the time to visit the town hall or county seat or whatever the place of local power. Ask for full details on property and other local taxes in the area. Ask how fast these taxes have been rising. Ask for estimates on likely future trends, especially if new roads, schools, sewers and other improvement projects are in the works. Listen to the local gossip—it can be far more accurate than you suspect.

Even if you can't find a way to cut future property taxes, these guides offer the background against which to make valid cost comparisons—and intelligent decisions on what will probably be the most expensive purchase of your life.

THE ISLAND OF ROCKALL BILL IN THE BRITISH HOUSE OF LORDS

Mr. METCALF. Mr. President, of possible interest to Senators who are following the activities of the Senate Energy Study, being conducted pursuant to Senate Resolution 45, is a discussion which recently took place in the House of Lords of our good ally the United Kingdom.

It concerns an island, called Rockall Bank, which lies in the Atlantic a few hundred miles off the British coast. The Baroness Tweedsmuir of Belhelvie adroitly recalls its history. Its present significance, however, lies partially in the fact that the continental margin surrounding it contains a possible energy reserve that may prove to be quite substantial. The British do not want to forfeit this potential source of energy during the deliberations of the United Nations Seabed Committee, which is laying the ground work for a future seabed treaty.

Mr. President, the United States has parts of its continental margin situated in areas bearing a geographical relationship to the U.S. coast analogous to Rockall Bank's relationship to the British coast. Accordingly, we would do well as

a Nation to examine for ourselves all areas of our own continental margin which, due to their energy potential, should be retained as significant part of our national heritage.

I ask unanimous consent that the discussion of the Island of Rockall bill in the House of Lords on November 18, 1971, be printed in the RECORD.

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

ISLAND OF ROCKALL BILL

The Minister of State, Scottish Office (Baroness TWEEDSMUIR of Belhelvie). My Lords, I beg to move that this Bill be now read a second time. We are, I think, all familiar with those weather reports on the radio, with their ominous warnings of "gales imminent off Rockall". But maybe it will be the wish of noble Lords to have their memories refreshed of the island's vital statistics. So therefore, for the purpose of this debate, I feel that I should put on record the fact that the Island of Rockall juts out of the Atlantic some 200 miles West North West of Barra Head, in the Hebrides, and about 165 miles West of St. Kilda. It is only about 70 ft. high and its base at still water, which is rare, is only about 100 ft. by 80 ft.

I had a very interesting letter, my Lords, the other day from a citizen of the Island of Islay giving me the reasoning behind the name "Rockall". He said this:

"Rockall is recorded in pure Gaelic (on page 764 of Edward Dwelly's Dictionary) with the meaning of Roaring and from time immemorial our Hebridean seafarers have known Rockall as 'the sea rock of Roaring'."

He goes on to say that to incorporate the Hebridean rock of Rockall within the County of Inverness has, in fact, been solidly backed up over many centuries by the Hebridean Gaelic name of the rock itself.

My Lords, very few attempts have been made to land on Rockall, partly because it is a very difficult operation from the sea because of the steep, smooth sides of the island's granite, and the constant swell, let alone frequent violent storms. The only marked spot on the Island of Rockall is a small ledge called Halls Ledge after Lieutenant Basil Hall of Her Majesty's Frigate "Endemion" who in 1811 managed with considerable difficulty to land from a boat and reach the ledge which bears his name. The Island of Rockall's exact position was first fixed by a Captain Videl in 1831 from H.M.S. "Pike"; but your Lordships will recall that in 1955, following the decision to establish a guided weapons training range on South Uist the island was formally annexed on behalf of the Crown. The annexation was effected by a naval landing party from H.M.S. "Videl" acting under instructions contained in a Royal Warrant dated September 14, 1955.

My Lords, the effect of this annexation in 1955 was to make Rockall part of Her Majesty's Dominions. But while it established British sovereignty over the island the annexation did not and could not in itself make Rockall part of the United Kingdom. We therefore have the rather strange situation that although the island is one of Her Majesty's possessions, it is not subject to any administrative or legal system. It is said, my Lords, that nature abhors a vacuum, and this is equally true of the law; and Her Majesty's Government consider it desirable to remedy the anomaly I have described by incorporating the Island by Act of Parliament into the United Kingdom. I am glad indeed that the beneficent influence of the Scottish legal system is thus to be extended to another part of Her Majesty's Dominions.

In practical terms the effect of this Bill will be to bring Rockall within the scope of any legislation enacted by Parliament

which applies either to Scotland or to the United Kingdom as a whole. It will be possible, for example, once Rockall is incorporated in the United Kingdom, for an Order to be made under the Continental Shelf Act 1964 designating the area for purposes of exploration and exploitation. With the rapid development of new techniques of sea bed exploration this is a matter which in due course no doubt will receive the attention of the Secretary of State for Trade and Industry. A further consequence of incorporating the island in the United Kingdom is that the provisions of the Fishery Limits Act 1964 will apply to it in the same way as they apply to the remainder of the United Kingdom. My Lords, this is a short and, for once, an uncomplicated Bill. For this reason I commend it to the House, and I have very great pleasure in moving that it be now read a second time.

Moved, That the Bill be now read 2^a.—
(Baroness Tweedsmuir of Belhelvie.)

Lord TANLAW. My Lords, I especially welcome the noble Baroness's opening remarks. They have certainly helped me, and I am sure a number of other noble Lords who know a little more about the subject of this Bill. I should like to welcome the Bill from these Benches, because I believe it is both necessary and timely for the reasons given by the noble Baroness, especially when Scottish fishing rights are still to be finalised with the E.E.C. countries. I hope that the right of establishment on the map of this lonely islet as an integral part of Scotland will play a small but essential role in reassuring the men and women who earn their living from these forbidding waters of a permanent livelihood for the future. The noble Baroness referred to the intertidal sailor or aviator whose task it is to put the Union Flag on top of the rock. I understand that this act was repeated in 1959, presumably to replace the flag and reestablish Her Majesty's claim to this territory. Now that this Bill clearly recognises Rockall as part of Scotland, I should like to ask the noble Lady that the flag of St. Andrew, the national flag of Scotland, be allowed to fly at parity with the Union Flag, as it does on so many national monuments in Scotland. Although Rockall is not a national monument in any sense of the word, it is a Scottish rock, as this Bill clearly states, and I should like to feel that it is going to be identified as such by the flying of a Scottish flag, which would seem to me the simplest and most practical way of achieving this.

Besides the establishment of fishing rights, I am glad that the noble Baroness mentioned also the mineral and oil rights and the potential there is on the surrounding sea bed. I welcome that this Bill recognises that the Island of Rockall will be brought under the jurisdiction of the Scottish courts. I hope the noble Baroness will confirm that the same will apply to all mineral and oil rights that are developed in the surrounding sea bed, especially perhaps for the future, when the future rights and royalties are to be discussed.

There are two other minor and entirely Scottish points which may need further clarification. The noble Baroness did not mention the question of tinds. No doubt she has already had some communication with the Church of Scotland General Trustees about tinds and will be able to confirm that they will not be applicable in this instance. If they are, perhaps she will be able to say how much and whose responsibility it is to pay them. There also appears to me to be no mention of clan authority, which I do not believe should be overlooked on these occasions. I should have thought that MacLeods of the Western Isles might have strong claims on this island because of their historical associations with St. Kildare—and I see the noble Baroness nodding. But, according to a fellow clansman of mine, who was

quoted on this morning's programme *Today*, it would appear that the Clan Mackay have some rights in this respect. I understand that the island was privately claimed by my clan in 1846, but the noble Lord, Lord Reay, my Chieftain who sits on these Benches and is perhaps in the Chamber this afternoon, may be able to enlighten us further on this point. I should like to ask the noble Baroness, with some seriousness, anyway, if this aspect has been adequately taken care of, as it has been over the centuries with all matters relating to Scottish land ownership.

The noble Baroness is perhaps aware that during the war the island was on rare occasions used by Her Majesty's ships for target practice. Those parties whom she has already mentioned who are interested in rocketry in nearby South Uist may also find it useful for a similar purpose. I think it would be helpful if some undertaking were given that this is not to be the case, or indeed, on behalf of the Ministry of Defense, that the rock will not be used for this purpose. It would be a terrible tragedy, our having taken so much trouble to put this rock on the map, if some enthusiastic strategic command were to remove it during the course of its duties. It is also important that the wildlife inhabitants of Rockall, and the colony of sea birds, including the Rockall lyre, which is of special interest to ornithologists, should remain there undisturbed for the future, as they have done for centuries past.

Finally, my Lords, I wish to end on a more serious note. The Island of Rockall, as the noble Baroness has explained, is a remote and rocky fastness with no apparent ability to sustain human habitation. However, its very remoteness, its apparent uselessness, could one day tempt certain interests to see it as a safe and stable platform for experiments involving nuclear devices. Those who have lived under the shadow of the recent underground test in the Aleutian Islands now know to their cost that geographical isolation from the main stream of so-called civilised societies is no protection from the more destructive elements that live among them. It is for this reason that I ask the noble Baroness to give an assurance that this newly acquired part of Scotland, this small speck, if you like, on our planet's surface which is about to become, through this Bill, the responsibility of civilised government for the first time, will be entirely left alone by *homo sapiens*, in perpetuity. Such an assurance by the noble Baroness would, admittedly, be no more than a token gesture, but, on the other hand, it might go some way towards confirming the sincerity of the Government's intentions to safeguard our environment for the future. If such harmless assurance cannot be given, I must conclude, with sadness, like T. S. Eliot in his VIIIth Chorus from *The Rock*, appropriately enough, that the Government's position is similar to those who are prepared only to:

“ . . . stand aside with empty hands and palms turned upwards

In an age which advances progressively backwards.”

I have no doubt that such assurances will be forthcoming, and that the various points that I have raised, some minor and some perhaps more important, will be answered satisfactorily, in which case I have no hesitation in welcoming from these Benches this Bill as it stands.

Lord KENNEDY. My Lords, I think that everybody who has ever been in the Royal Navy will have seen Rockall, but not many other people. It is a dreadful place. There could be no place more desolate, more despairing and more awful to see in the whole world. Over it hangs, of course, the spirit of one of the most remarkable creations of modern fiction: I refer to that embodiment of the fallen nature of man, Pincher Martin. It is now to become a part of the Rural District of Harris in the County of Inverness, and if any of us

wants to go and live there, if we built a house we should, as Scotland is a development area, attract housing subsidy, and when that house is battered by the waves we should attract 75 per cent, improvement grant. If we wished to set up a small industry, we should, because it is in Scotland, get an investment grant for a little while yet, until the Government changes all that.

I will not speak about “Tory imperialism”, or even about “bungled local government reform.” Noble Lords on this side of the House support this Bill. We think it is a bad idea to have bits of land sticking up out of the sea the status of which in national law, and therefore in international law, is in any way in doubt. Some of us feel that there is one bit of the wording of the Bill that is open to question, and that is where, in the Long Title, it refers to “that part of the United Kingdom known as Scotland”. I know what Scotland is. I think we all do. If we are going to put Rockall into “that part of the United Kingdom known as Scotland”, should we not apply to it the laws not of Scotland, as the Bill very properly says, but of “that part of the United Kingdom known as Scotland”? I raise this point without pressing the matter, to inquire whether there is any possibility of reverting to standard English usage whereby Scotland is Scotland and we can keep away from “that part of” something else.

I think the annexation of Rockall to Harris opens a larger question, and I should be glad if the noble Baroness could tell us something about that at the end of this short debate. As she said, very properly, openly and fully, this is a matter of mineral rights and fishery rights. It is not long since this House had a set piece debate on the law of the sea bed, and in that debate the Government advanced in tentative terms a certain policy which might be applied to the carve up of the sea bed beyond national limits throughout the world. I think it would be fair to say that that policy did not find much favour in the House, and it would be equally fair to say that nobody could think of a better one.

There is to be in 1973 a World Conference on the International Law of the Sea and the Sea Bed meaning the top of the sea, the water of the sea, the surface of the sea bed and everything under the sea bed—the lot. I think the House would be glad to know, not indeed what Government policy is going to be in 1973—it would be unreasonably early to expect that—but to know what the Government are doing about formulating a policy in this extremely complicated and broad matter. One might make a comparison with the 1972 conference in Stockholm on the Human Environment, where the Secretary of State for the Environment has very properly set up a structure by which the Government are to take views of informed bodies and formulate a proper policy for this other vast subject. Is anything comparable to be done with regard to the World Law of the Sea Conference in 1973? How are the Government going to set about getting such a policy and, when they have got it, will they tell Parliament about it before they go to the Conference, in order that Parliament may have its say in the formulation of this policy, which is a matter of vast import for the rest of the future of mankind? My Lords I repeat that we on these Benches welcome this Bill and give it blessing.

Viscount St. DAVIDS. My Lords, I wish to declare at the outset that I have no interest in the Island of Rockall. However, I have some interest in this matter because I have a remote connection with another annexation which took place in the 1860s of the Island of Redonda. I am, I believe, the sole Vice-Admiral in the Redondian Navy and I was Minister of Marine to his late Majesty King John of Redonda until his unfortunate demise. The island of Redonda was annexed

to the Crown in the 1860s, the Kings of Redonda (King Neil was on the throne at the time) objecting. Nevertheless, it was annexed and the Colonial Office proceeded to recognize the Crown of Redonda on the basis, as they said, that the Kings of Redonda did not raise the inhabitants in revolt. The Crown might have been inconvenienced, but it was unlikely to have been damaged by any revolt of the inhabitants of Redonda in view of the fact that the only inhabitants at the time—and in fact now—are guano pigeons. So the island was continued under the British Crown, nevertheless having its own kings ever since, and the Kings of Redonda have continued to exercise such rights as they ever had until now.

I wanted to ask the noble Baroness this question: are there any ancient rights relating to the Island of Rockall? I know that my Welsh ancestors were quite good grabbers of one thing and another, and my Scottish ancestors were, if anything, rather better. Have none of them ever claimed any ancient rights and, if so, what, to the Island of Rockall? I know that my Campbell ancestors, and the Dukes of Argyll in particular, claimed to be Admirals of the Western Waters. Did this give them any right over the area? It may be that some other Scot may have claimed some ancient rights in the area. It would be very interesting to know if this is so, and perhaps the noble Baroness could tell us.

Lord AIREDALE. My Lords, having regard to the quaint expression which the noble Lord, Lord Kennet, mentioned,

"that part of the United Kingdom known as Scotland,"

this reminds me that during the last war an American soldier was given a very convivial evening in a public house in Glasgow, and as he left he turned to the assembled company and said: "I sure will tell the folks back home that the swellest part of England is Scotland."

Baroness WOOTTON of Abinger. My Lords, reference has been made in the course of speeches to-day to target practice, to the exploitation of minerals and oils and to the conservation of wild life. It seems to me that there may be some conflict between these interests. Could the noble Baroness give us any idea of which will have priority?

Lord WAKEFIELD of Kendal. My Lords, I wonder whether the noble Baroness could tell us if there are any liabilities? We have heard of the possible advantages that may arise from the passing of this Bill, but are there any liabilities? In this life nearly everything that has an advantage almost always has a disadvantage, and I am wondering what hidden liabilities, or disadvantages there might be in this Bill. Perhaps the noble Baroness can tell us.

Baroness TWEEDSMUIR of Belhelvie. My Lords, I would thank all noble Lords who have each one welcomed this Bill and also thank them for taking part in this debate. Perhaps I may answer the points in the order in which they were raised. The noble Lord, Lord Tanlaw, wanted to know whether it was possible to raise the Saltire over the Island of Rockall rather than the Union Jack. I think this is a very interesting suggestion and something which should be considered, but I can give no firm promise at this moment. The Union flag was raised successfully in 1955 at the time of annexation and in 1959 from H.M.S. "Cavendish" and in 1969 from H.M.S. "Heckler".

So far as mineral and oil rights are concerned, any licenses for exploration would have to be given under Scottish law. Whether oil companies, just as they do now, give out orders for any work to be done elsewhere is entirely up to them, but so far as it is known at the moment there is no evidence of any hydro-carbon deposits. Indeed, the Rockall Bank, on which the Island of Rockall is situated, is much deeper than anything which

has been exploited up to now, for example, in the North Sea.

So far as Teinds are concerned, I should like to leave that question to the Assembly of the Church of Scotland. So far as giving an assurance that Her Majesty's ships will not use the Island of Rockall for target practice, that assurance I can certainly give on behalf of my right honourable friend the Secretary of State for Defense. So far as wild life is concerned, I am glad to say that the major Act of Parliament (the 1954 Act) which I had the honour to pilot through another place provides that all rare birds are left undisturbed and are protected. So far as the last question; that is, whether I could assure the House that at this moment in time, the Island of Rockall should be left alone in perpetuity, that I cannot undertake to do. It is really beyond my responsibilities or those of any other Minister in this House.

[Baroness TWEEDSMUIR of Belhelvie.]

The noble Lord, Lord Kennet, is one of the few who could, I imagine, from personal experience say that the Island of Rockall is "a dreadful place". Nevertheless, it is to us in Scotland and I think to all noble Lords, a very important place. The noble Lord asked me certain questions about the Conference on the Law of the Sea which is to take place in 1973, and I realise that the question of any special arrangements was raised both in Questions and in debate earlier in this House. I would thank the noble Lord for having given me notice that he was going to ask this question. Of course, he will realise that this particular Bill is concerned with domestic legislation, but so far as other arrangements are concerned, I should like to meet him just so far by saying that the matter as to whether there should be a special Select Committee was considered very carefully. It was not really thought that special arrangements were necessary, because the various Government Departments are at this time trying to ensure that important British interests, such as the Chamber of Shipping and the oil industry, are consulted. In addition, of course, Ministers will always be available for consultation with any noble Lord who wishes to put a particular point of view. I would only say that if the noble Lord has any particular point I hope that he will be good enough to put it forward.

The noble Lord then asked whether it would be possible, on the question of policy, to have any kind of debate in this House or for information to be given to this House. I am sure that it would be possible to arrange this through the usual channels much nearer the time. He also raised the question of the Long Title. He did not like the words "that part of the United Kingdom known as Scotland". Those words are a quotation from the Act of Union, and therefore I suggest that they are hallowed by precedent.

The noble Viscount, Lord St. Davids, told us quite frankly that he had no interest whatsoever in the Island of Rockall, although he told us of his personal interest in the Island of Redonda. He wanted to know whether there were any ancient rights connected with the Island of Rockall. There are no ancient rights, and there has never been any challenge to British sovereignty over many, many years. The noble Baroness, Lady Wootton, asked which would get priority, the search for oil or the care of the environment. I can assure the noble Baroness that this is the kind of subject which comes up at the Conference on the Law of the Sea and will be discussed. Quite apart from that, we are at the moment having consultations on trying to prevent pollution in, for instance, the North Sea where there is exploration at this moment.

My noble friend Lord Wakefield asked me whether there were any liabilities in connection with the Island of Rockall. The only liability that I can think of at this moment is that we are now in the process of estab-

lishing an automatic light at the top of the Island of Rockall for the purpose of aiding shipping. Therefore we shall have the liability to maintain it in good order.

On Question, Bill read 2^a, and committed to a Committee of the Whole House.

GOOD NEWS TO THE WORLD

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Indiana (Mr. HARTKE), I ask unanimous consent to have printed in the RECORD a statement by him relative to a prayer composed by the Reverend Ronald Winters, and the prayer itself.

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

STATEMENT BY SENATOR HARTKE

Although the thoughts of peace are with us each day, this time of year particularly draws our thoughts and wishes toward this focus.

It has done that, too, for the Rev. Ronald Winters, Pastor of the Mt. Pleasant Baptist Church in Floris, Virginia. Mr. Winters, a native of Indianapolis, Indiana, has been associated with my staff for twelve years, and it is my wish to share with Senators the prayer he has composed in this hope.

GOOD NEWS TO THE WORLD

(By Ronald Winters)

O eternal One, Who makest all things new,
and abidest forever,
Grant us in the days to come that divine
peace which the earth
Requires in these days of burdens on the
hearts of men.
We come today requesting your healing power
for those who are
Sick that they may regain their strength:
your comfort for
Those who are lacking food and raiment.
Give each that special
Cure and love which Jesus Christ portrayed
in His coming.
For the prisoners of war, bless them so that
they may return
To thier loved ones. May the families of those
missing in
Action keep faith and trust the promise that
all things
Work for good for those who love the
Almighty.
As we face another year, may we continue it
in Thy favour,
Being guided in all our doings with the fresh-
ness of the good
News in our hearts. Grant this through
Thine only Son, we pray.

EXTENSION OF THE PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the period for routine morning business be extended for not to exceed an additional 15 minutes, with statements therein limited to 3 minutes.

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

QUORUM CALL

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

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

ORDER FOR LIMITATION OF TIME ON HOUSE JOINT RESOLUTION 1005, THE CONTINUING RESOLUTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on the continuing resolution, House Joint Resolution 1005, there be a time limitation of not to exceed 1 hour, the time to be equally divided between the distinguished Senator from Wisconsin (Mr. PROXMIRE), the manager of the continuing resolution, and the distinguished minority leader or his designee. This will be at the conclusion of the vote on the foreign aid bill.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that if there are any amendments to be offered to the continuing resolution—and I do not anticipate any—there be a time limitation of 20 minutes on each, the time to be equally divided between the sponsor of the amendment and the majority leader or minority leader or whomever they may designate.

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

QUORUM CALL

Mr. MANSFIELD. 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. Without objection, it is so ordered.

RESCISION OF ORDER FOR THE CONSIDERATION OF FULBRIGHT AMENDMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the consideration of the Fulbright amendment—which would be the pending business—be vacated.

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

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

FOREIGN ASSISTANCE ACT OF 1971—CONFERENCE REPORT

Mr. FULBRIGHT. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the

House to the bill (S. 2819) to provide foreign military and related assistance authorizations for fiscal year 1972, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. HUGHES). Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report, which reads as follows:

CONFERENCE REPORT (S. REPT. NO. 92-590)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2819) to provide foreign military and related assistance authorizations for fiscal year 1972, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "Foreign Assistance Act of 1971".

FOOD-FOR-PEACE PROGRAM

SEC. 2. It is the sense of the Congress that funds to administer the food-for-peace program should not be reduced as the result of any reduction in the authorizations provided to carry out the Foreign Assistance Act of 1961.

PART I—ECONOMIC ASSISTANCE

DEVELOPMENT LOAN FUND

SEC. 101. Title I of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to the Development Loan Fund, is amended as follows:

(a) In section 202(a), relating to authorization—

(1) strike out "and \$350,000,000 for the fiscal year 1971" and insert in lieu thereof "\$350,000,000 for the fiscal year 1971, \$250,000,000 for the fiscal year 1972, and \$250,000,000 for the fiscal year 1973"; and

(2) strike out "and June 30, 1971" and insert in lieu thereof "June 30, 1971, June 30, 1972, and June 30, 1973".

(b) In section 203, relating to fiscal provisions, strike out "and for the fiscal year 1971" and insert in lieu thereof ", for the fiscal year 1971, for the fiscal year 1972, and for the fiscal year 1973".

(c) In section 209, relating to multilateral and regional programs—

(1) strike out subsection (a) and insert in lieu thereof the following: "(a) The Congress recognizes that the planning and administration of development assistance by, or under the sponsorship of the United Nations, multilateral lending institutions, and other multilateral organizations may contribute to the efficiency and effectiveness of that assistance through participation of other donors in the development effort, improved coordination or policies and programs, pooling of knowledge, avoidance of duplication of facilities and manpower, and greater encouragement of self-help performance.";

(2) insert at the end thereof the following new subsections:

"(c) Notwithstanding any other provision of law, the President should reduce the amounts and numbers of loans made by the United States directly to individual foreign countries with the objective of reducing the total amount of bilateral loans made under this Act so that, by not later than June 30, 1975, such total amount shall not exceed \$100,000,000.

"(d) In furtherance of the provisions of subsection (a) of this section, any funds ap-

propriated under this part I may be transferred by the President to the International Development Association, the International Bank for Reconstruction and Development, the International Finance Corporation, the Asian Development Bank or other multilateral lending institutions and multilateral organizations in which the United States participates for the purpose of providing funds to enable any such institution or organization to make loans to foreign countries.";

and

(3) Strike out of subsection (b) "REGIONAL PROGRAMS.—";

(d) Section 205, relating to transfers to international financial institutions, is repealed.

TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 102. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to technical cooperation and development grants, is amended as follows:

(a) In section 212, relating to authorization, strike out "\$183,500,000 for the fiscal year 1970, and \$183,500,000 for the fiscal year 1971" and insert in lieu thereof "\$175,000,000 for the fiscal year 1972, and \$175,000,000 for the fiscal year 1973".

(b) In section 214(c), relating to authorization for American schools and hospitals abroad, strike out "for the fiscal year 1970, \$25,900,000, and for the fiscal year 1971, \$12,900,000" and insert in lieu thereof "for the fiscal year 1972, \$30,000,000 and for the fiscal year 1973, \$30,000,000".

(c) At the end of such title II, add the following new section:

"SEC. 220A. SUEZ CANAL.—The President is authorized to furnish financial assistance, on such terms and conditions as he may determine, for assisting in the reopening of the Suez Canal after agreement has been reached by the parties involved, which agreement provides for the use of the Canal by the ships of all nations, including Israel, on a nondiscriminatory basis. For the purpose of carrying out this section, there are authorized to be appropriated not to exceed \$10,000,000 in Egyptian pounds now owned by the United States and determined by the President to be excess to the normal requirements of departments and agencies of the United States. Amounts appropriated under this section are authorized to remain available until expended."

HOUSING GUARANTIES

SEC. 103. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to housing guaranties, is amended as follows:

(a) In section 221, strike out "\$130,000,000" and insert in lieu thereof "\$205,000,000".

(b) In section 223(1), strike out "June 30, 1972" and insert in lieu thereof "June 30, 1974".

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 104. Title IV of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to the Overseas Private Investment Corporation, is amended as follows:

(a) In the first proviso of section 238(c), relating to definitions, strike out "required by law to be".

(b) At the end of section 239, relating to general provisions and powers, add the following new subsection:

"(g) Except for the provisions of this title, no other provision of this or any other law shall be construed to prohibit the operation in Yugoslavia or Romania of the programs authorized by this title, if the President determines that the operation of such program in such country is important to the national interest."

(c) Section 240(h), relating to agricultural credit and self-help community development projects, is amended by striking out "June 30, 1972" and inserting in lieu thereof "June 30, 1973".

ALLIANCE FOR PROGRESS

SEC. 105. Section 252(a) of title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to authorization for the Alliance for Progress, is amended—

(1) by striking out "for the fiscal year 1970, \$428,250,000, and for the fiscal year 1971, \$428,250,000" and inserting in lieu thereof "for the fiscal year 1972, \$295,000,000, and for the fiscal year 1973, \$295,000,000"; and

(2) by striking out "\$90,750,000" and inserting in lieu thereof "\$88,500,000".

PROGRAMS RELATING TO POPULATION GROWTH

SEC. 106. Section 292 of title X of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to authorization, is amended to read as follows:

"SEC. 292. AUTHORIZATION.—Of the funds provided to carry out the provisions of this part I for each of the fiscal years 1972 and 1973, \$125,000,000 shall be available in each such fiscal year only to carry out the purposes of this title, and, notwithstanding any other provisions of this Act, funds used for such purposes may be used on a loan or grant basis."

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 107. Section 302 of chapter 3 of part 1 of the Foreign Assistance Act of 1961, relating to authorization, is amended as follows:

(a) In subsection (a), strike out "for the fiscal year 1970, \$122,620,000, and for the fiscal year 1971, \$122,620,000" and insert in lieu thereof "for the fiscal year 1972, \$138,000,000, and for the fiscal year 1973, \$138,000,000".

(b) In subsection (b) (2)—

(1) strike out "for use in the fiscal year 1970, \$7,530,000, and for use in the fiscal year 1971, \$7,530,000" and insert in lieu thereof "for use in the fiscal year 1972, \$15,000,000, and for use in the fiscal year 1973, \$15,000,000"; and

(2) add at the end thereof the following new sentence: "The President shall not exercise any special authority granted to him under section 610(a) or 614(a) of this Act to transfer any amount appropriated under this paragraph to, and to consolidate such amount with, any funds made available under any other provision of this Act."

(c) In subsection (e), strike out "\$1,000,000 for the fiscal year 1970 and \$1,000,000 for the fiscal year 1971" and insert in lieu thereof "\$1,000,000 for the fiscal year 1972 and \$1,000,000 for the fiscal year 1973".

(d) At the end of such section 302, add the following new subsection:

"(f) There are authorized to be appropriated to the President, in addition to other amounts available for such purposes, \$1,000,000 for the fiscal year 1972 and \$1,000,000 for the fiscal year 1973, in Egyptian pounds owned by the United States and determined by the President to be excess to the requirements of departments and agencies of the United States, for the purpose of providing technical and vocational training and other assistance to Arab refugees. Amounts appropriated under this subsection are authorized to remain available until expended."

CONTINGENCY FUND

SEC. 108. Section 451(a) of chapter 5 of part I of the Foreign Assistance Act of 1961, relating to the contingency fund, is amended by striking out "for the fiscal year 1970 not to exceed \$15,000,000, and for the fiscal year 1971 not to exceed \$30,000,000" and inserting in lieu thereof "for the fiscal year 1972 not to exceed \$30,000,000, and for the fiscal year 1973 not to exceed \$30,000,000".

INTERNATIONAL NARCOTICS CONTROL AND REFUGEE RELIEF ASSISTANCE

SEC. 109. Part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new chapters:

"CHAPTER 8—INTERNATIONAL NARCOTICS CONTROL

"SEC. 481. INTERNATIONAL NARCOTICS CONTROL.—It is the sense of the Congress that

effective international cooperation is necessary to put an end to the illicit production, trafficking in, and abuse of dangerous drugs. In order to promote such cooperation, the President is authorized to conclude agreements with other countries to facilitate control of the production, processing, transportation, and distribution of narcotic analgesics, including opium and its derivatives, other narcotic drugs and psychotropics and other controlled substances as defined in the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91-513). Notwithstanding any other provision of law, the President is authorized to furnish assistance to any country or international organization, on such terms and conditions as he may determine, for the control of the production, processing of, and traffic in, narcotic and psychotropic drugs. In furnishing such assistance the President may use any of the funds made available to carry out the provisions of this Act. The President shall suspend economic and military assistance furnished under this or any other Act, and shall suspend sales under the Foreign Military Sales Act and under title I of the Agricultural Trade Development and Assistance Act of 1954, with respect to any country when the President determines that the government of such country has failed to take adequate steps to prevent narcotic drugs and other controlled substances (as defined by the Comprehensive Drug Abuse Prevention and Control Act of 1970) produced or processed, in whole or in part, in such country, or transported through such country, from being sold illegally within the jurisdiction of such country to United States Government personnel or their dependents, or from entering the United States unlawfully. Such suspension shall continue until the President determines that the government of such country has taken adequate steps to carry out the purposes of this chapter.

"CHAPTER 9—REFUGEE RELIEF ASSISTANCE

"SEC. 491. REFUGEE RELIEF ASSISTANCE.—There is authorized to be appropriated to the President for the fiscal year 1972, in addition to funds otherwise available for such purpose, not to exceed \$250,000,000, to remain available until expended, for use by the President in providing assistance for the relief and rehabilitation of refugees from East Pakistan and for humanitarian relief in East Pakistan. Such assistance shall be distributed, to the maximum extent practicable, under the auspices of and by international institutions and relief agencies or United States voluntary agencies."

PART II—MILITARY ASSISTANCE

SEC. 201. Part II of the Foreign Assistance Act of 1961, relating to military assistance, is amended as follows:

(a) In section 504(a), relating to authorization, strike out "\$350,000,000 for the fiscal year 1970, and \$350,000,000 for the fiscal year 1971" and insert in lieu thereof "\$500,000,000 for the fiscal year 1972".

(b) In section 505(b) (2), relating to conditions of eligibility, strike out "and" and insert in lieu thereof "or".

(c) Section 505(e), relating to conditions of eligibility, is repealed.

(d) In section 506(a), relating to special authority—

(1) strike out "1970 and the fiscal year 1971" and insert in lieu thereof "1972"; and

(2) strike out "each of the fiscal years 1970 and 1971" and insert in lieu thereof "the fiscal year 1972".

(e) Section 507(a), relating to restrictions on military aid to Latin America, is amended to read as follows: "(a) Except as otherwise provided in this section, the value of defense articles furnished by the United States Government under this Act to Latin American countries shall not exceed \$10,000,000. Not to exceed \$25,000,000 in value of defense articles may be furnished under this

part on a cost-sharing basis to an inter-American military force under the control of the Organization of American States."

(f) At the end of chapter 2 of such part II, add the following new sections:

"SEC. 511. CONSIDERATIONS IN FURNISHING MILITARY ASSISTANCE.—Decisions to furnish military assistance made under this part shall take into account whether such assistance will—

"(1) contribute to an arms race;

"(2) increase the possibility of outbreak or escalation of conflict; or

"(3) prejudice the development or bilateral or multilateral arms control arrangements.

"SEC. 512. MILITARY ASSISTANCE ADVISORY GROUPS AND MISSIONS.—(a) It is the sense of Congress that the need for large United States military assistance advisory groups and military aid missions in foreign countries has diminished substantially during the last few years. In the words of the Peterson Task Force Report on International Development, "The United States now can reduce its supervision and advice to a minimum, thus encouraging progress toward self-reliance. United States military missions and advisory groups should be consolidated with other elements in our overseas missions as soon as possible."

"(b) In accordance with the provisions of subsection (a) of this section, the total number of United States military personnel assigned and detailed, as of September 30, 1971, to United States military assistance advisory groups, military missions, and other organizations of the United States performing activities similar to such groups and missions, shall be reduced by at least 15 per centum by September 30, 1972, but every effort should be made to effect an aggregate reduction of 25 per centum by September 30, 1972.

"SEC. 513. MILITARY ASSISTANCE AUTHORIZATIONS FOR THAILAND.—After June 30, 1972, no military assistance shall be furnished by the United States to Thailand directly or through any other foreign country unless that assistance is authorized under this Act or the Foreign Military Sales Act.

"SEC. 514. SPECIAL FOREIGN COUNTRY ACCOUNTS.—(a) Except as otherwise provided in this section, no defense article may be given, and no grant of military assistance may be made, under this Act to a foreign country unless the country agrees—

"(1) to deposit in a special account established by the United States Government the following amounts of currency of that country:

"(A) in the case of any excess defense article to be given to that country, an amount equal to 10 per centum of the fair value of the article, as determined by the Secretary of State, at the time the agreement to give the article to the country is made; and

"(B) in the case of a grant of military assistance to be made to that country, an amount equal to 10 per centum of each such grant; and

"(2) to allow the United States Government to use such amounts from that special account as may be determined, from time to time, by the President to be necessary to pay all official costs of the United States Government payable in the currency of that country, including all costs relating to the financing of international educational and cultural exchange activities in which that country participates under the programs authorized by the Mutual Educational and Cultural Exchange Act of 1961.

"(b) The President may waive any amount of currency of a foreign country required to be deposited under subsection (a) (1) of this section if he determines that the United States Government will be able to pay all of its official costs payable in the currency of that country enumerated under subsection (a) (2) of this section without the deposit of such amount and without having to ex-

pend United States dollars to purchase currency of that country to pay such costs.

"(c) The provisions of this section shall not apply in any case in which an excess defense article is given, or a grant of military assistance is made—

"(1) to a foreign country under an agreement with that country which allows the United States Government to operate a military or other similar base in that country in exchange for that article or grant; and

"(2) to South Vietnam, Cambodia, or Laos.

"(d) In no event shall any foreign country be required, under this section, to make deposits in a special account aggregating more than \$20,000,000 in any one year."

SEC. 202. (a) At the end of such part II, add the following new chapter:

"CHAPTER 4—SECURITY SUPPORTING ASSISTANCE

"SEC. 531. GENERAL AUTHORITY.—The President is authorized to furnish assistance to friendly countries, organizations, and bodies eligible to receive assistance under this Act on such terms and conditions as he may determine, in order to support or promote economic or political stability. The authority of this chapter shall not be used to furnish assistance to more than twelve countries in any fiscal year.

"SEC. 532. AUTHORIZATION.—There is authorized to be appropriated to the President to carry out the purposes of this chapter for the fiscal year 1972 not to exceed \$618,000,000, of which not less than \$50,000,000 shall be available solely for Israel: *Provided*, That where commodities are furnished on a grant basis under this chapter under arrangements which will result in the accrual of proceeds to the Government of Vietnam from the sale thereof, arrangements should be made to assure that such proceeds will not be budgeted by the Government of Vietnam for economic assistance projects or programs unless the President or his representative has given prior written approval. Amounts appropriated under this section are authorized to remain available until expended. None of the funds authorized by this section shall be made available to the Government of Vietnam unless, beginning in January 1971, and quarterly thereafter, the President of the United States shall determine that the accommodation rate of exchange, and the rate of exchange for United States Government purchases of plasters for goods and services, between said Government and the United States is fair to both countries.

"SEC. 533. UNITED STATES REFUND CLAIMS.—It is the sense of the Congress that the President should seek the agreement of the Government of Vietnam to the establishment and maintenance of a separate special account of United States dollars, which account shall be available solely for withdrawals by the United States, at such times and in such amounts as the President may determine, in satisfaction of United States dollar refund claims against the Government of Vietnam arising out of operations conducted under this Act. Such account should be established in an amount not less than \$10,000,000 and maintained thereafter at a level sufficient to cover United States refund claims as they arise."

(b) Chapter 4 of part I of the Foreign Assistance Act of 1961 is hereby repealed. References to such chapter or any sections thereof shall hereafter be deemed to be references to chapter 4 of part II of the Foreign Assistance Act of 1961, as added by subsection (a) of this section, or to appropriate sections thereof. All references to part I of the Foreign Assistance Act of 1961 shall hereafter be deemed to be references also to chapter 4 of part II, and all references to part II of such Act shall be deemed not to include chapter 4 of such part II.

PART III—GENERAL AND ADMINISTRATIVE PROVISIONS

SEC. 301. Section 620 of chapter 1 of part III of the Foreign Assistance Act of 1961, relating to prohibitions against furnishing assistance, is amended by adding at the end thereof the following new subsections:

"(v) No assistance shall be furnished under this Act, and no sales shall be made under the Foreign Military Sales Act, to Greece. This restriction may be waived when the President finds that overriding requirements of the national security of the United States justify such a waiver and promptly reports such finding to the Congress in writing, together with his reasons for such finding. Notwithstanding the preceding sentence, in no event shall the aggregate amount of (1) assistance furnished to Greece under this Act, and (2) sales made to Greece under the Foreign Military Sales Act, in any fiscal year, exceed the aggregate amount expended for such assistance and such sales for the fiscal year 1971.

"(w) (1) All military, economic, or other assistance, all sales of defense articles and services (whether for cash or by credit, guaranty, or any other means), all sales of agricultural commodities (whether for cash, credit, or by other means), and all licenses with respect to the transportation of arms, ammunitions, and implements of war (including technical data relating thereto) to the Government of Pakistan under this or any other law shall be suspended on the date of enactment of this subsection.

"(2) The provisions of this subsection shall cease to apply when the President reports to the Congress that the Government of Pakistan is cooperating fully in allowing the situation in East Pakistan to return to reasonable stability and that refugees from East Pakistan in India have been allowed, to the extent feasible, to return to their homes and to reclaim their lands and properties.

"(3) Nothing in this section shall apply to the provision of food and other humanitarian assistance which is coordinated, distributed, or monitored under international auspices."

SEC. 302. Section 624 of chapter 2 of part III of the Foreign Assistance Act of 1961, relating to statutory officers, is amended by adding at the end thereof the following new subsection:

"(e) In addition to the officers otherwise provided for in this section, the President shall appoint, by and with the advice and consent of the Senate, one officer for the purpose of coordinating security assistance programs."

SEC. 303. Section 637(a) of chapter 2 of part III of the Foreign Assistance Act of 1961, relating to authorization for administrative expenses of the agency administering part I, is amended by striking out "for the fiscal year 1970, \$51,125,000, and for the fiscal year 1971, \$51,125,000" and inserting in lieu thereof "for the fiscal year 1972, \$50,000,000, and for the fiscal year 1973, \$50,000,000."

SEC. 304. (a) (1) Section 652 of the Foreign Assistance Act of 1961, relating to miscellaneous provisions, is amended to read as follows:

"SEC. 652. LIMITATION UPON EXERCISE OF SPECIAL AUTHORITIES.—The President shall not exercise any special authority granted to him under section 506(a), 610(a), or 614(a) of this Act unless the President, prior to the date he intends to exercise any such authority, notifies the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate in writing of each such intended exercise, the section of this Act under which such authority is to be exercised, and the justification for, and the extent of, the exercise of such authority."

(2) The last sentence of section 506(a) of such Act, relating to special authority, is repealed.

(3) The last sentence of section 634(d) of such Act, relating to reports and information, is amended by striking out "610, 614 (a)," and inserting in lieu thereof "610(b)."

(b) Chapter 3 of part III of such Act is amended by adding at the end thereof the following new sections:

"SEC. 653. CHANGE IN ALLOCATION OF FOREIGN ASSISTANCE.—(a) Not later than thirty days after the enactment of any law appropriating funds to carry out any provision of this Act (other than section 451 or 637), the President shall notify the Congress of each foreign country and international organization to which the United States Government intends to provide any portion of the funds under such law and of the amount of funds under that law, by category of assistance, that the United States Government intends to provide to each. Notwithstanding any other provision of law, the United States Government shall not provide to any foreign country or international organization any funds under that law which exceeds by 10 per centum the amount of military grant assistance or security supporting assistance, as the case may be, which the President notified the Congress that the United States Government intended to provide that country or organization under that law, unless the President (1) determines that it is in the security interests of the United States that such country or organization receive funds in excess of the amount included in such notification for that country or organization, and (2) reports to Congress, at least ten days prior to the date on which such excess funds are to be provided to that country or organization, each such determination, including the name of the country or organization to receive funds in excess of such per centum, the amount of funds in excess of that per centum which are to be provided, and the justification for providing the additional assistance.

"(b) The provisions of this section shall not apply in the case of any law making continuing appropriations and may not be waived under the provision of section 614(a) of this Act.

"SEC. 654. PRESIDENTIAL FINDINGS AND DETERMINATIONS.—(a) In any case in which the President is required to make a report to the Congress, or to any committee or officer of either House of Congress, concerning any finding or determination under any provision of this Act, the Foreign Military Sales Act, or the Foreign Assistance and Related Programs Appropriation Act for each fiscal year, that finding or determination shall be reduced to writing and signed by the President.

"(b) No action shall be taken pursuant to any such finding or determination prior to the date on which that finding or determination has been reduced to writing and signed by the President.

"(c) Each such finding or determination shall be published in the Federal Register as soon as practicable after it has been reduced to writing and signed by the President. In any case in which the President concludes that such publication would be harmful to the national security of the United States, only a statement that a determination or findings has been made by the President, including the name and section of the Act under which it was made, shall be published.

"(d) No committee or officer of either House of Congress shall be denied any requested information relating to any finding or determination which the President is required to report to the Congress, or to any committee or officer of either House of Congress, under any provision of this Act, the Foreign Military Sales Act, or the Foreign Assistance and Related Programs Appropriation Act."

tion Act for each fiscal year, even though such report has not yet been transmitted to the appropriate committee or officer of either House of Congress.

"SEC. 655. LIMITATIONS UPON ASSISTANCE TO OR FOR CAMBODIA.—(a) Notwithstanding any other provision of law, no funds authorized to be appropriated by this or any other law may be obligated in any amount in excess of \$341,000,000 for the purpose of carrying out directly or indirectly any economic or military assistance, or any operation, project, or program of any kind, or for providing any goods, supplies, materials, equipment, services, personnel, or advisers in, to, for, or on behalf of Cambodia during the fiscal year ending June 30, 1972.

"(b) In computing the \$341,000,000 limitation on obligation authority under subsection (a) of this section in fiscal year 1972, (1) there shall be included in the computation the value of any goods, supplies, materials, or equipment provided to, for, or on behalf of Cambodia in such fiscal year by gift, donation, loan, lease, or otherwise, and (2) there shall not be included in the computation the value of any goods, supplies, materials, or equipment attributable to the operations of the Armed Forces of the Republic of Vietnam in Cambodia. For the purpose of this subsection, 'value' means the fair market value of any goods, supplies, materials, or equipment provided to, for, or on behalf of Cambodia but in no case less than 33 1/3 per centum of the amount the United States paid at the time such goods, supplies, materials, or equipment were acquired by the United States.

"(c) No funds may be obligated for any of the purposes described in subsection (a) of this section in, to, for, or on behalf of Cambodia in any fiscal year beginning after June 30, 1972, unless such funds have been specifically authorized by law enacted after the date of enactment of this section. In no case shall funds in any amount in excess of the amount specifically authorized by law for any fiscal year be obligated for any such purpose during such fiscal year.

"(d) The provisions of subsections (a) and (c) of this section shall not apply with respect to the obligation of funds to carry out combat air operations over Cambodia.

"(e) After the date of enactment of this section, whenever any request is made to the Congress for the appropriation of funds for use in, for, or on behalf of Cambodia for any fiscal year, the President shall furnish a written report to the Congress explaining the purpose for which such funds are to be used in such fiscal year.

"(f) The President shall submit to the Congress within thirty days after the end of each quarter of each fiscal year, beginning with the fiscal year which begins July 1, 1971, a written report showing the total amount of funds obligated in, for, or on behalf of Cambodia during the preceding quarter by the United States Government, and shall include in such report a general breakdown of the total amount obligated, describing the different purposes for which such funds were obligated and the total amount obligated for such purpose, except that in the case of the first two quarters of the fiscal year beginning July 1, 1971, a single report may be submitted for both such quarters and such report may be computed on the basis of the most accurate estimates the President is able to make taking into consideration all information available to him.

"(g) Enactment of this section shall not be construed as a commitment by the United States to Cambodia for its defense.

"SEC. 656. LIMITATIONS ON UNITED STATES PERSONNEL AND PERSONNEL ASSISTED BY UNITED STATES IN CAMBODIA.—The total number of civilian officers and employees of executive agencies of the United States Government who are citizens of the United States and of members of the Armed Forces of the

United States (excluding such members while actually engaged in air operations in or over Cambodia which originate outside Cambodia) present in Cambodia at any one time shall not exceed two hundred. The United States shall not, at any time, pay in whole or in part, directly or indirectly, the compensation or allowances of more than eighty-five individuals in Cambodia who are citizens of countries other than Cambodia or the United States. For purposes of this section, 'executive agency of the United States Government' means any agency, department, board, wholly or partly owned corporation, instrumentality, commission, or establishment within the executive branch of the United States Government.

"SEC. 657. ANNUAL FOREIGN ASSISTANCE REPORT.—(a) In order that the Congress and the American people may be better and more currently informed regarding the volume and cost of assistance extended by the United States Government to foreign countries and international organizations, and in order that the Congress and the American people may be better informed regarding the sale of arms to foreign countries and international organizations by private industry of the United States, not later than December 31 of each year the President shall transmit to the Congress an annual report, for the fiscal year ending prior to the fiscal year in which the report is transmitted, showing—

"(1) the aggregate dollar value of all foreign assistance provided by the United States Government by any means to all foreign countries and international organizations, and the aggregate dollar value of such assistance by category provided by the United States Government to each such country and organization, during that fiscal year;

"(2) the total amounts of foreign currency paid by each foreign country or international organization to the United States Government in such fiscal year, what each payment was made for, whether any portion of such payment was returned by the United States Government to the country or organization from which the payment was obtained or whether any such portion was transferred by the United States Government to another foreign country or international organization, and, if so returned or transferred, the kind of assistance obtained by that country or organization with those foreign currencies and the dollar value of such kind of assistance;

"(3) the aggregate dollar value of all arms, ammunitions, and other implements of war, and the aggregate dollar value of each category of such arms, ammunitions, and implements of war, exported under any export license, to all foreign countries and international organizations, and to each such country and organization, during that fiscal year; and

"(4) such other matters relating to foreign assistance provided by the United States Government as the President considers appropriate, including explanations of the information required under clauses (1)-(3) of this subsection.

"(b) All information contained in any report transmitted under this section shall be public information. However, in the case of any item of information to be included in any such report that the President, on an extraordinary basis, determines is clearly detrimental to the security of the United States, he shall explain in a supplemental report why publication of each specific item would be detrimental to the security of the United States. A supplement to any report shall be transmitted to the Congress at the same time that the report is transmitted.

"(c) If the Congress is not in session at the time a report or supplement is transmitted to the Congress, the Secretary of the Senate and the Clerk of the House of Representatives shall accept the report or supple-

ment on behalf of their respective Houses of Congress and present the report or supplement to the two Houses immediately upon their convening.

"(d) For purposes of this section—

"(1) 'foreign assistance means any tangible or intangible item provided by the United States Government under this or any other law to a foreign country or international organization, including, but not limited to, any training, service, or technical advice, any item of real, personal, or mixed property, any agricultural commodity, United States dollars, and any currencies owned by the United States Government of any foreign country;

"(2) 'provided by the United States Government' includes, but is not limited to, foreign assistance provided by means of gift, loan, sale, credit sale, or guaranty; and

"(3) 'value' means value at the time of transfer except that in no case shall any commodity or article of equipment or material be considered to have a value less than one-third of the amount the United States Government paid at the time the commodity or article was acquired by the United States Government.

"SEC. 658. LIMITATION ON USE OF FUNDS.—(a) Except as otherwise provided in this section, none of the funds appropriated to carry out the provisions of this Act or the Foreign Military Sales Act shall be obligated or expended until the Comptroller General of the United States certifies to the Congress that all funds previously appropriated and thereafter impounded during the fiscal year 1971 for programs and activities administered by or under the direction of the Department of Agriculture, the Department of Housing and Urban Development, and the Department of Health, Education, and Welfare have been released for obligation and expenditure.

"(b) The provisions of this section shall not apply—

"(1) to funds being withheld in accordance with specific requirements of law; and

"(2) to appropriations obligated or expended prior to April 30, 1972."

(c) (1) Section 644(m) of such Act, relating to definitions, is amended by striking out—

"(m) 'Value' means—"

and inserting in lieu thereof—

"(m) 'Value' means, other than in section 657 of this Act—"

(2) Subsection (a) of section 634 of such Act, relating to reports and information, is repealed.

(3) The provisions of this subsection and section 657 of such Act, as added by subsection (b) of this Act, shall apply with respect to each fiscal year commencing on or after July 1, 1971.

PART IV—MISCELLANEOUS PROVISIONS

SEC. 401. The Foreign Military Sales Act is amended as follows:

(a) In section 31(a) of chapter 3, relating to authorization, strike out "\$250,000,000 for each of the fiscal years 1970 and 1971" and insert in lieu thereof "\$400,000,000 for the fiscal year 1972".

(b) In section 31(b) of chapter 3, relating to aggregate ceiling on foreign military sales credits, strike out "\$340,000,000 for each of the fiscal years 1970 and 1971" and insert in lieu thereof "\$550,000,000 for the fiscal year 1972, of which amount not less than \$300,000,000 shall be made available to Israel only".

(c) In section 33(a) of chapter 3, relating to regional ceilings on foreign military sales, strike out "\$75,000,000" and insert in lieu thereof "\$100,000,000".

(d) Subsection (c) of section 33 of chapter 3, relating to regional ceilings on foreign military sales, is amended to read as follows:

"(c) The limitations of this section may not be waived pursuant to any authority contained in this or any other Act unless the

President finds that overriding requirements of the national security of the United States justify such a waiver and promptly reports such finding to the Congress in writing, together with his reasons for such findings. In any case in which the limitations of this section are waived under the preceding sentence, the report required under such sentence shall set forth, in detail, the expenditures proposed to be made in excess of the geographical limitation applicable under this section. Notwithstanding the foregoing provisions of this subsection, in no event shall the aggregate of the total amount of military assistance pursuant to the Foreign Assistance Act of 1951, of cash sales pursuant to sections 21 and 22, of credits, or participations in credits, financed pursuant to section 23 (excluding credits covered by guaranties issued pursuant to section 24(b), of the face amount of contracts of guaranty issued pursuant to sections 24 (a) and (b), and of loans and sales in accordance with section 7307 of title 10, United States Code, exceed any geographical ceiling applicable under this section by more than an amount equal to 50 per centum of such ceiling."

(e) In section 42(a) of chapter 4, relating to general provisions—

(1) strike out "and" immediately before "(2)"; and

(2) immediately before the period at the end thereof insert the following: ", and (3) the extent to which such sale might contribute to an arms race, or increase the possibility of outbreak or escalation of conflict, or prejudice the development of bilateral or multilateral arms control arrangements".

(f) Section 42 of chapter 4, relating to general provisions, is amended as follows:

(1) In subsection (a), strike out "but consideration shall also be given" and insert in lieu thereof "but, subject to the provisions of subsection (b) of this section, consideration shall also be given".

(2) Redesignate subsections (b) and (c) as subsections (c) and (d), respectively, and, immediately after subsection (a), insert the following new subsection:

"(b) No credit sale shall be extended under section 23, and no guarantee shall be issued under section 24, in any case involving coproduction or licensed, production outside the United States of any defense article of United States origin unless the Secretary of State shall, in advance of any such transaction, advise the appropriate committees of the Congress and furnish the Speaker of the House of Representatives and the President of the Senate with full information regarding the proposed transaction, including, but not limited to, a description of the particular defense article or articles which would be produced under a license or coproduced outside the United States, the estimated value of such production or coproduction, and the probable impact of the proposed transaction on employment and production within the United States."

Sec. 402. Section 8 of the Act of January 12, 1971, entitled "An Act to amend the Foreign Military Sales Act, and for other purposes" (84 Stat. 2053), is amended—

(1) by striking out the first and second sentences of subsection (a) and inserting in lieu thereof the following: "Subject to the provisions of subsection (b), the value of any excess defense article granted to a foreign country or international organization by any department, agency, or independent establishment of the United States Government (other than the Agency for International Development) shall be considered to be an expenditure made from funds appropriated under the Foreign Assistance Act of 1961 for military assistance. Unless such department, agency, or establishment certifies to the Comptroller General of the United States that the excess defense article it is ordering is not to be transferred by any means to a foreign country or international

organization, when an order is placed for a defense article whose stock status is excess at the time ordered, a sum equal to the value thereof shall (1) be reserved and transferred to a suspense account, (2) remain in the suspense account until the excess defense article is either delivered to a foreign country or international organization or the order therefor is cancelled, and (3) be transferred from the suspense account to (A) the general fund of the Treasury upon delivery of such article, or (B) to the military assistance appropriation for the current fiscal year upon cancellation of the order.;"

(2) by striking out, in subsection (b), "\$100,000,000" and inserting in lieu thereof "\$185,000,000"; and

(3) by adding at the end thereof the following new subsection:

"(e) Except for excess defense articles granted under part II of the Foreign Assistance Act of 1961, the provisions of this section shall not apply to any excess defense article granted to South Vietnam prior to July 1, 1972."

Sec. 403. Paragraph (9) of section 5314 of title 5, United States Code, relating to level III of the Executive Schedule, is amended by inserting before the period at the end thereof the following: "and an Under Secretary of State for Coordinating Security Assistance Programs".

Sec. 404. The first section of the Act of June 28, 1935, entitled "An Act to authorize participation by the United States in the Interparliamentary Union" (22 U.S.C. 276), is amended as follows:

(1) Strike out "\$53,550" and insert in lieu thereof "\$102,000".

(2) Strike out "\$26,650" and insert in lieu thereof "\$57,000".

(3) Strike out "\$26,900" and insert in lieu thereof "\$45,000".

Sec. 405. Section 2 of the joint resolution entitled "Joint resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization", approved July 11, 1956 (22 U.S.C. 1928b), is amended as follows:

(1) Strike out "\$30,000" and insert in lieu thereof "\$50,000".

(2) Strike out "\$15,000" each place it appears and insert in lieu thereof in each such place "\$25,000".

Sec. 406. Part IV of the Foreign Assistance Act of 1969 is amended as follows:

(1) Strike out the title of such part and insert in lieu thereof the following:

"PART IV—THE INTER-AMERICAN FOUNDATION ACT"

(2) The caption of section 401 and subsection (a) of such section of that part are amended to read as follows: "INTER-AMERICAN FOUNDATION.—(a) There is created as an agency of the United States of America a body corporate to be known as the Inter-American Foundation (hereinafter in this section referred to as the 'Foundation')."

(3) Section 401 of such part is amended by striking out "Institute" wherever it appears and inserting in lieu thereof "Foundation".

(4) Section 401(e)(4) of such part is amended to read as follows:

"(4) shall determine and prescribe the manner in which its obligations shall be incurred and its expenses, including expenses for representation (not to exceed \$10,000 in any fiscal year), allowed and paid;".

(5) Section 401(1) is amended to read as follows:

"(1) The chief executive officer of the Foundation shall be a President who shall be appointed by the Board of Directors on such terms as the Board may determine. The President shall receive compensation at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

"(2) Experts and consultants, or organizations thereof, may be employed as authorized

by section 3109 of title 5, United States Code."

Sec. 407. (a) It is the purpose of this section to enable the Congress generally, and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives in particular, to carry out the purposes and intent of the Legislative Reorganization Acts of 1946 and 1970, with respect to—

(1) the analysis, appraisal, and evaluation of the application, administration, and execution of the laws relating to the Department of State and the United States Information Agency and of matters relating to the foreign relations of the United States; and

(2) providing periodic authorizations of appropriations for that Department and Agency.

(b) Section 15 of the Act entitled "An Act to provide certain basic authority for the Department of State", approved August 1, 1956 (22 U.S.C. 2680) is amended to read as follows:

"Sec. 15. (a) Notwithstanding any other provision of law, no appropriation shall be made to the Department of State under any law for any fiscal year commencing on or after July 1, 1972, unless previously authorized by legislation hereafter enacted by the Congress.

"(b) The Department of State shall keep the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives fully and currently informed with respect to all activities and responsibilities within the jurisdiction of these committees. Any Federal department, agency, or independent establishment shall furnish any information requested by either such committee relating to any such activity or responsibility."

(c) The last sentence of section 13 of such Act (22 U.S.C. 2684) is repealed.

(d) Section 701 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1476) is amended to read as follows:

"PRIOR AUTHORIZATIONS BY CONGRESS"

"Sec. 701. Notwithstanding any other provision of law, no appropriation shall be made to the Secretary of State, or to any Government agency authorized to administer the provisions of this Act, under any law for any fiscal year commencing on or after July 1, 1972, unless previously authorized by legislation enacted by the Congress after the date of enactment of the Foreign Assistance Act of 1971."

Sec. 408. Section 7(a) of the Special Foreign Assistance Act of 1971 (84 Stat. 1943) is amended by striking out "Cambodian military forces" and inserting in lieu thereof "military, paramilitary, police, or other security or intelligence forces".

Sec. 409. Section 401(a) of Public Law 89-367, approved March 15, 1966 (80 Stat. 37), as amended, is amended—

(1) by inserting in the second sentence of paragraph (1), after "to or for the use of the Armed Forces of the United States", the following: "or of any department, agency, or independent establishment of the United States"; and

(2) by inserting in the introductory matter preceding clause (A) of paragraph (2) of such section, after "Armed Forces of the United States", the following: "or of any department, agency, or independent establishment of the United States".

Sec. 410. The Congress strongly urges the President to undertake such negotiations as may be necessary to implement that portion of the recommendations of the Report of the President's Commission for the Observance of the Twenty-fifth Anniversary of the United Nations (known as the "Lodge Commission") which proposes that the portion of the regular assessed costs to be paid by the United States to the United Nations be

reduced so that the United States is assessed in each year not more than 25 per centum of such costs assessed all members of the United Nations for that year.

And the House agree to the same.
That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same.

J. W. FULBRIGHT,
FRANK CHURCH,
GEORGE D. AIKEN,
JOHN SHERMAN COOPER,
CLIFFORD P. CASE,
Managers on the Part of the Senate.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
WAYNE L. HAYS,
DANTE B. FASCELL,
WILLIAM S. MAILLIARD,
PETER H. B. FRELINGHUYSEN,
WM. S. BROOMFIELD,
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 bill (S. 2819) to provide foreign military and related assistance authorizations for fiscal year 1972, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the action agreed upon

by the managers and recommended in the accompanying conference report:

The House amendments struck out all of the Senate bill after the enacting clause and inserted a substitute text and provided a new title for the Senate bill, and the Senate disagreed to the House amendments.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House to the text of the bill, with an amendment which is a substitute for both the text of the bill and the House amendment to the text of the bill. The committee of conference also recommends that the Senate recede from its disagreement to the amendment of the House to the title of the bill.

The differences between the text of the House bill and the substitute agreed to in conference as noted below, except for clerical corrections, and minor drafting and clarifying changes.

The Senate passed two foreign aid authorization bills. S. 2819 authorized \$1,503,000,000 for grant military assistance, supporting assistance, and foreign military credit sales for fiscal year 1972. S. 2820 authorized \$1,144,000,000 plus \$11,000,000 in Egyptian pounds for economic and humanitarian assistance for fiscal year 1972. The total of the two Senate bills for fiscal year 1972 was \$2,647,000,000 plus \$11,000,000 in Egyptian pounds.

The House amendment to both bills con-

tained authorizations for economic humanitarian, and military assistance for fiscal years 1972 and 1973. For fiscal year 1972 the economic part authorized \$1,428,350,000 plus \$1,000,000 in Egyptian pounds and the military part authorized \$2,015,000,000 for a total of \$3,443,350,000 plus \$1,000,000 in Egyptian pounds. The total for fiscal year 1973 was \$3,493,350,000 plus \$1,000,000 in Egyptian pounds.

The committee of conference agreed to a single bill that contains authorizations for economic and humanitarian assistance for fiscal years 1972 and 1973 and for military assistance only for fiscal year 1972. The total authorization for fiscal year 1972 is \$2,752,000,000 plus \$11,000,000 in Egyptian pounds. This is a reduction from the House figure of \$691,350,000 and an increase over the Senate figure of \$105,000,000.

Of the total authorization for fiscal year 1972, \$1,518,000,000 is for military assistance and \$1,234,000,000 is for economic and humanitarian assistance. For fiscal year 1973 the authorization for economic and humanitarian assistance is \$984,000,000. The reduction of \$250,000,000 for fiscal year 1973 reflects the fact that the authorization for Pakistan relief is limited to fiscal year 1972.

Except for clarifying, clerical, and necessary conforming changes, the differences between the two Houses and the adjustments made in the committee of conference are noted below:

AUTHORIZATION OF FUNDS—FOREIGN ASSISTANCE AUTHORIZATIONS

Program	Senate		House		Conference agreement	
	fiscal year 1972	Fiscal year 1972	Fiscal year 1972	Fiscal year 1973	Fiscal year 1972	Fiscal year 1973
Economic:						
Development loans.....	\$250,000,000	\$400,000,000	\$450,000,000	\$450,000,000	\$250,000,000	\$250,000,000
Technical cooperation.....	175,000,000	183,500,000	183,500,000	183,500,000	175,000,000	175,000,000
Alliance for Progress.....	225,000,000	378,250,000	428,250,000	428,250,000	295,000,000	295,000,000
Loans.....	(150,000,000)	(287,500,000)	(337,500,000)	(337,500,000)	(206,500,000)	(206,500,000)
Grants.....	(75,000,000)	(90,750,000)	(90,750,000)	(90,750,000)	(88,500,000)	(88,500,000)
International organizations.....	138,000,000	143,000,000	143,000,000	143,000,000	138,000,000	138,000,000
Arab refugees (UNRWA).....	\$ 1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Egyptian pounds.....	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)
Indus Basin.....	15,000,000	5,000,000	10,000,000	10,000,000	15,000,000	15,000,000
American schools.....	15,000,000	30,000,000	30,000,000	30,000,000	30,000,000	30,000,000
Contingency fund.....	30,000,000	30,000,000	50,000,000	50,000,000	30,000,000	30,000,000
Pakistan refugees.....	250,000,000	100,000,000	100,000,000	100,000,000	250,000,000	250,000,000
Population.....	(¹)	² 100,000,000	³ 125,000,000	³ 125,000,000	(⁴)	(⁴)
Administrative expenses.....	45,000,000	⁵ 57,600,000	⁶ 57,600,000	⁶ 57,600,000	50,000,000	50,000,000
Suez Canal.....	⁷ (10,000,000)	(⁸)	(⁸)	(⁸)	⁷ (10,000,000)	⁷ (10,000,000)
Total, economic.....	1,144,000,000	1,428,350,000	1,478,350,000	1,478,350,000	1,234,000,000	984,000,000
Military:						
Grant military assistance.....	420,000,000	705,000,000	705,000,000	705,000,000	500,000,000	500,000,000
Supporting assistance.....	556,000,000	800,000,000	800,000,000	800,000,000	518,000,000	518,000,000
Israel.....	85,000,000	(⁹)	(⁹)	(⁹)	¹⁰ (50,000,000)	¹⁰ (50,000,000)
Military credit sales.....	¹¹ 400,000,000	510,000,000	510,000,000	510,000,000	400,000,000	400,000,000
Total, military.....	1,503,000,000	2,015,000,000	2,015,000,000	2,015,000,000	1,518,000,000	1,518,000,000
Grand total.....	\$ 2,647,000,000	\$ 3,443,350,000	\$ 3,493,350,000	\$ 3,493,350,000	\$ 2,752,000,000	\$ 984,000,000

¹ Repeals authority to request appropriations against sums previously authorized but unappropriated in fiscal years 1972 and 1973.
² Sums previously authorized but unappropriated are available for appropriations.
³ The Senate authorization for international organizations in S. 2820 was \$139,000,000 of which \$1,000,000 was for Arab refugees.
⁴ Earmarks \$125,000,000 of funds appropriated for pt. I for this program.
⁵ Also authorizes the use of additional pt. I funds for this program.
⁶ Plus the use of \$2,775,000 of pt. I funds.
⁷ In Egyptian pounds.

⁸ Open-ended authorization of an appropriation for use of Egyptian pounds owned by the United States.
⁹ The Committee on Foreign Affairs recommended (H. Rept. 92-380) that Israel be considered eligible to receive assistance under this program.
¹⁰ Earmarked from supporting assistance funds.
¹¹ Credit ceiling set at \$550,000,000, of which \$300,000,000 is earmarked for Israel.
¹² Plus \$1,000,000 in Egyptian pounds.
¹³ Plus \$1,000,000 in Egyptian pounds.

PUBLIC LAW 480 ADMINISTRATIVE COSTS

The Senate bill contained a provision which expressed the sense of Congress that administrative expenses of operating the P.L. 480 Food-for-Peace program not be reduced in any general reduction of foreign assistance.

The House amendment did not contain a comparable provision.
The House receded.

USE OF RECEIPTS FROM DOLLAR LOANS

The Senate bill placed a \$200 million limitation on the use, in fiscal year 1972, of dollar receipts from loans made under the Mutual Security Act of 1954 and under Part I of the Foreign Assistance Act of 1961.

The House amendment authorized the use, in fiscal years 1972 and 1973, of dollar re-

ceipts from loans made under Part I of the Foreign Assistance Act of 1961 under the Mutual Security Act of 1954 and under predecessor foreign assistance legislation.

The Senate receded with an amendment striking that portion of the House language which would have authorized the use of dollar receipts from loans made under pre-1954 foreign assistance legislation.

CONGRESSIONAL INTEREST RATES

The Senate bill required A.I.D. development loans (other than Alliance loans) to carry a rate of interest no less than the current interest rate paid by the United States on its outstanding obligations of comparable maturity.

The House amendment did not contain a comparable provision.
The Senate receded.

INTEREST RATE ON PUBLIC LAW 480 LOANS

The Senate bill exempted loans made pursuant to Section 106(a) of the Agricultural Trade Development and Assistance Act of 1954 from an increase in interest rates proposed elsewhere in the Senate bill for bilateral loans funded under the Foreign Assistance Act.

The House amendment did not contain a comparable provision.
The Senate receded.

REPEAL OF CARRYOVER OF UNAPPROPRIATED AUTHORIZATIONS FOR DEVELOPMENT LOANS

The Senate bill amended Section 202(a) of the Act by striking the proviso which authorizes appropriation of amounts authorized for development loans for prior fiscal years during a specified period, but which remain unappropriated.

The House amendment did not contain a comparable provision.

The Senate receded.

PROHIBITION AGAINST DEVELOPMENT LOANS FOR SOUTH KOREAN FISHING INDUSTRY

The Senate bill introduced an amendment to the development loan authority which would prohibit any loan to South Korea in connection with construction and operation of commercial fishing vessels, fish processing or the marketing of fish products.

The House amendment did not contain a comparable provision.

The Senate receded.

PHASE-OUT BILATERAL LENDING PROGRAMS

The Senate bill required phase-out of the bilateral loan program not later than June 30, 1975 and removed the 10% limitation on the transfer of economic assistance funds to multilateral organizations.

The House amendment did not contain a comparable provision.

The House receded with an amendment which changed the language of the Senate bill so as to request the President to reduce the number and amounts of bilateral loans with the objective of reducing such loans to the level of \$100 million by June 30, 1975. The amendment also deleted the Senate language which applied bilateral loan criteria to economic development funds transferred to multilateral organizations.

INDUS BASIN GRANTS AUTHORIZATION

The House amendment authorized appropriation of \$5 million for FY 1972 and \$10 million for FY 1973.

The Senate bill authorized appropriation of \$15 million for FY 1972 only.

The House receded with an amendment authorizing \$15 million for each of the fiscal years 1972 and 1973.

AMERICAN SCHOOLS AND HOSPITALS

The Senate bill provided an authorization of \$15,000,000 for this program for fiscal year 1972.

The House amendment authorized \$30,000,000 for each of the fiscal years 1972 and 1973.

The Senate receded.

EXCESS EGYPTIAN POUNDS FOR SUEZ CANAL REOPENING

The House amendment provided an authorization for the appropriation of such amounts of excess Egyptian pounds as are now owned by the United States for assistance in reopening the Suez Canal.

The Senate bill was the same except that the appropriation of excess Egyptian pounds authorized is limited to the equivalent of \$10,000,000.

The House receded.

HOUSING GUARANTY AUTHORITY

The House amendment increases present worldwide housing guaranty issuing authority from the present ceiling of \$130,000,000 to a new ceiling of \$230,000,000, an increase of \$100,000,000.

The Senate bill increased the ceiling to \$180,000,000, an increase of \$50,000,000.

The Committee of Conference agreed to increase the ceiling to \$205,000,000, an increase of \$75,000,000.

EXEMPTION FOR OPIC PROGRAMS

The Senate bill added a provision which would exempt OPIC programs from prohibitions against assistance contained in the Foreign Assistance Act or any other law applying to any country whenever the President determines that the operation of the OPIC program in such country is important to the national interest.

The House amendment did not contain a comparable provision. The Committee of Conference agreed that the new authority provided in the proposed bill will be limited to authorize OPIC operations in Yugoslavia and Rumania.

CHANGE IN DEFINITION OF ELIGIBLE INVESTOR FOR OPIC PROGRAMS

The Senate bill changed the definition of "eligible investor" to delete the provision that the allowable less-than-5% foreign ownership of a U.S.-owned foreign corporation must be required by law in order for such corporation to be eligible for OPIC programs.

The House amendment did not contain a comparable provision.

The House receded.

SEPARATE AUTHORIZATION FOR POPULATION PROGRAMS

The Senate bill earmarked a total of \$125 million from any of the economic assistance funds contained in Part I of the Foreign Assistance Act for FY 1972.

The House amendment authorized as a separate line item appropriation of \$100 million in FY 1972 and \$125 million in FY 1973.

The House receded with an amendment which makes the earmarking authority apply to each of the fiscal years 1972 and 1973.

INTERNATIONAL NARCOTICS CONTROL

The Senate bill authorized the President to furnish assistance to any foreign country in order to encourage and enable that country to control or eliminate the production, processing or distribution of drugs within or across its boundaries; earmarked for drug control assistance \$25,000,000 annually from funds provided under the Foreign Assistance Act of 1961, as amended; required an annual Presidential determination before furnishing any assistance to any country of whether that country has taken appropriate measures to control the illicit drug trade; provided for the cessation of all assistance to any country determined not to have taken appropriate measures and the seeking of international economic sanctions against such country; and provided Presidential waiver authority based on a finding of overriding national interest with a requirement for full reporting to the Congress on determinations and waivers.

The House amendment authorized the President to conclude drug control agreements with other countries and to furnish assistance to any country or international organization for drug control purposes; provided for the use of any of the funds made available under the Foreign Assistance Act of 1961, as amended, for drug control assistance; and required the President to suspend assistance whenever he determines that a country has failed to take appropriate steps to prevent the illicit drug trade.

The Senate receded.

REQUIREMENT FOR PUBLIC LAW 480 SECTION 104(C) AGREEMENTS

The Senate bill eliminated the requirement currently contained in section 505(e) of the Foreign Assistance Act of 1961, as amended, that military assistance recipients enter agreements permitting the use for security assistance purposes of foreign currencies accruing to the U.S. from PL 480 sales.

The House amendment contained no comparable provision.

The House receded.

MILITARY ASSISTANCE AUTHORIZATION

The Senate bill authorized military assistance of \$452 million for fiscal year 1972.

The House amendment provided an authorization of \$705 million for each of the fiscal years 1972 and 1973.

The Committee of Conference agreed to a \$500 million authorization for fiscal year 1972 only.

MAP TRAINING RESTRICTION

The House amendment repealed Section 510 of the Foreign Assistance Act, which limits the number of foreign military students to be trained in the United States in any fiscal year to the number of foreign students brought to the United States under the

Mutual Educational and Cultural Exchange Act of 1961 in the immediately preceding fiscal year.

The Senate bill contained no comparable provision.

The House receded. The Committee of Conference agreed that the possibility of changing this limitation to some basis such as a man-month ratio rather than the present man-for-man basis should be studied.

MILITARY ASSISTANCE FOR LATIN AMERICAN COUNTRIES AND ORGANIZATION OF AMERICAN STATES

The Senate bill amends section 507(a) of the Foreign Assistance Act of 1961, as amended, by establishing a ceiling of \$10 million for the furnishing of defense articles on a bilateral basis to Latin American countries, and \$25 million for defense articles furnished on a cost-sharing basis to an inter-American military force under the control of the Organization of American States.

The House amendment did not contain a comparable provision.

The House receded.

TWENTY-FIVE PERCENT REDUCTION IN PERSONNEL ASSIGNED TO MILITARY ASSISTANCE ADVISORY GROUPS AND MISSIONS

The Senate bill contained a provision which would require at least a 25 percent reduction in the personnel to United States military assistance advisory groups, military missions and other U.S. organizations performing similar activities by September 30, 1972.

The House amendment did not contain a comparable provision.

The House accepted the Senate provision with an amendment reducing the mandatory reductions to 15 percent and urging that every effort be made to meet the 25 percent goal.

CONSIDERATIONS IN FURNISHING MILITARY ASSISTANCE

The House amendment contained a provision requiring that decisions to furnish military assistance take into account whether such assistance will: (1) contribute to an arms race, (2) increase the possibility of outbreak or escalation of conflict or (3) prejudice the development of bilateral or multilateral arms control arrangements.

The Senate bill contained no comparable provision.

The Senate receded.

LIMITATIONS ON AVAILABILITY OF FUNDS FOR MILITARY OPERATIONS

The Senate bill contained a provision which prohibited the provision of funds for the purpose of financing any military operations by foreign forces in Laos, North Vietnam, or Thailand unless Congress has specifically authorized or specifically authorized the making of funds available for such purpose and designates the area where military operations financed by such funds may be undertaken.

The House amendment did not contain a comparable provision.

The Senate receded.

MILITARY ASSISTANCE AUTHORIZATION FOR THAILAND

The Senate bill contained a provision which would require the transfer of authorizations for military assistance programs for Thailand from the Department of Defense to the Foreign Assistance Act of 1961, as amended.

The House amendment did not contain a comparable provision.

The House accepted the Senate provisions with the understanding that assistance programmed for Thailand prior to the date specified in Section 513 and which is in the "pipeline" at that time may be provided regardless of when the Defense articles are actually delivered or the Defense services actually rendered.

NEW SECTION 514 ON "SPECIAL FOREIGN COUNTRY ACCOUNTS"

The Senate bill contained a provision which required the establishment of special foreign country accounts, in which any government receiving grant military assistance would deposit an amount equal to 25% of the value of such assistance and allow the United States Government to use such amounts to pay all official costs of the United States Government payable in the currency of that country, including all costs relating to the financing of international and educational cultural exchange programs authorized by existing legislation. This provision would not apply if the President determined that the U.S. was able to pay all such costs without the deposit of such currency and without having to expend U.S. dollars to purchase such currency. It would also not apply in any case in which military assistance is given to a foreign country under an agreement which allows the United States Government to operate a military or other similar base in that country in exchange for such assistance. The funds deposited in such special accounts would be available for expenditure without additional appropriations.

The House amendment did not contain a comparable provision.

The House accepted the Senate provision with an amendment which reduced the percentage amount required to be deposited to 10% and specifically excluded from the requirement military assistance provided to South Vietnam, Cambodia and Laos; and required deposits by South Korea to be made only for military assistance provided under the authority of the Foreign Assistance Act of 1961, as amended.

TRANSFER OF SUPPORTING ASSISTANCE TO PART II OF THE FOREIGN ASSISTANCE ACT

The House amendment contained a provision which transferred supporting assistance from Part I, economic assistance, to Part II, military assistance, and renamed the chapter "Security Supporting Assistance."

The Senate bill contained no comparable provision.

The Senate receded.

SUPPORTING ASSISTANCE AUTHORIZATION

The House amendment authorized the appropriation of \$800 million for Security Supporting Assistance for each of the fiscal years 1972 and 1973.

The Senate bill authorized the appropriation of \$566 million for Supporting Assistance, and provides an additional separate authorization of \$85 million for Israel, for FY 1972.

The Committee of Conference agreed to an authorization of \$618 million, \$50 million of which was earmarked to be available for Israel only.

PROPOSED CHANGES TO SECTION 620 (e)

The Senate bill required suspension of assistance to a country which seizes property in a manner heretofore prescribed by the Hickenlooper amendment immediately upon such seizure and would permit resumption of assistance only when the President is satisfied that such country has "discharged its obligations under international law . . . including speedy compensation."

The House amendment did not contain a comparable provision.

The Senate receded.

PROHIBITION ON AID TO COUNTRIES FAILING TO SUPPORT PRISONER OF WAR CONVENTION

The Senate bill added a new subsection (v) to section 620 of the Foreign Assistance Act prohibiting assistance to any country which the President determines has failed to support actively the provisions of the 1949 Geneva Convention Relative to the Treatment of Prisoners of War.

The House amendment did not contain a comparable provision.

The Senate receded.

PROHIBITION ON ASSISTANCE TO GREECE

The House amendment added a new subsection (v) to Section 620 of the Foreign Assistance Act directing that no assistance be furnished under the Foreign Assistance Act, and no sales be made under the Foreign Military Sales Act, to Greece until the President finds that overriding requirements of the national security of the United States justify a waiver of this prohibition and promptly reports such finding to the Congress in writing with reasons for such finding. The House amendment further provided that in no event shall the aggregate amount of assistance and sales made to Greece in any fiscal year exceed the aggregate amount expended for such assistance and sales for the fiscal year 1971.

The Senate bill did not contain a comparable provision.

The Senate receded.

SUSPENSION OF ASSISTANCE TO PAKISTAN

The Senate bill included a provision suspending all assistance to Pakistan relating to military services, all licenses with respect to the transportation of arms, ammunitions, and implements of war, as well as to economic assistance, other military assistance, and sales of agricultural commodities. The provision of humanitarian assistance and related services was not affected.

The House amendment applied a ban similar to that of the Senate bill except for sales of defense services and military-related licenses.

The House receded.

COORDINATOR FOR SECURITY ASSISTANCE

The House amendment provides for a Security Assistance Coordinator at Executive Level III in the Department of State.

The Senate bill contains no comparable provision.

The Senate receded.

USE OF PART I FUNDS FOR STATE DEPARTMENT ADMINISTRATIVE COSTS RELATED TO FOREIGN AID

The House Amendment added to the Foreign Assistance Act a new subsection 637(c), which authorizes the use of up to \$2,755,000 in program funds for Administrative Expenses—including \$155,000 for State Department expenses—for each of the fiscal years 1972 and 1973, to cover the cost of the January 1971 Federal pay raise during those fiscal years.

The Senate bill contained no comparable provision.

The House receded.

CARRYOVER OF UNAPPROPRIATED FISCAL YEAR 1972 AUTHORIZATION

The House amendment provided that amounts authorized but not appropriated for FY 1972 may be carried over and appropriated in FY 1973.

The Senate bill did not contain a comparable provision.

The House receded.

LIMITATIONS UPON EXERCISE OF SPECIAL AUTHORITIES

The Senate bill contained a provision which would prevent the President from exercising the special authorities granted him under section 506(a), 610(a) or 614(a) of the Foreign Assistance Act of 1961, as amended unless he gives the Congress ten days notice prior to the date he intends to exercise these authorities.

The House amendment did not contain a comparable provision.

The House receded with an amendment which struck out the ten days but retained the requirement for advance notice. It was the understanding of the Committee of Conference that, while not specifying the number of days, the advance notice should

not just be immediately contemporaneous with the use of these authorities.

COUNTRY-BY-COUNTRY ALLOCATIONS

The Senate bill contained a provision which would require the President within thirty days after foreign assistance funds have been appropriated to notify Congress of the amount and category of assistance which will be provided to every foreign country and international organization. Thereafter, the President would be restricted from increasing by more than ten percent the amount of assistance to any country in any category set forth in such notification unless he should find the increase vital to the national security and reported his decision to Congress at least ten days in advance of providing the funds. The provision would also prevent the use of Section 614(a) waiver authority to avoid the requirements of the section.

The House amendment contained no comparable provision.

The House receded with an amendment which made the transfer provision applicable only to military and related security assistance and allowed the requirements to be waived when it was "in the security interests" of the U.S. rather than "vital" to those interests.

NEW SECTION 654 ON "RESIDENTIAL FINDINGS AND DETERMINATIONS"

The Senate bill contained a provision which provided that no action could be taken on any Presidential finding or determination until such time as that finding or determination has been reduced to writing and signed by the President.

The House version contained no comparable provision.

The House receded.

LIMITATIONS ON ASSISTANCE TO CAMBODIA

The Senate bill contained a provision which limited expenditure to, in, or for Cambodia to \$341 million for fiscal year 1972 and imposed a ceiling of 200 U.S. personnel and 50 third country nationals that could be present at any one time in Cambodia.

The House amendment contained no comparable provisions.

The House accepted the Senate provisions with amendments which specifically excluded from the computation related to the ceiling for fiscal year 1972 the obligation or expenditure of funds attributable to the operation of the Armed Forces of the Republic of Vietnam in Cambodia and raised to 85 the ceiling on third country nationals that are permitted in Cambodia at any one time.

The Committee of Conference was in full agreement that additional congressional controls over U.S.-financed operations in Cambodia should be exercised. Therefore, it is intended that U.S. expenditures in, to, or in behalf of Cambodia in the future will continue to be subjected to limitations and ceilings. It is expected that for fiscal year 1973 and future years the Administration will provide Congress with a full and accurate estimate of the projected expenditures for all U.S.-financed operations in Cambodia, including the U.S.-paid portion of the cost of South Vietnamese military operations, so that future authorizations and ceilings may be intelligently imposed.

AMENDMENTS TO SECTION 33(A) RELATING TO LATIN AMERICAN REGIONAL CEILINGS

The Senate bill established a \$100 million annual ceiling on military assistance and sales to Latin America. It repealed the President's authority to waive the regional ceilings established by section 33 of the Foreign Military Sales Act. It also eliminates the President's authority to waive regional ceilings.

The House amendment establishes a ceiling of \$150 million on such sales and assistance and amended the President's waiver

authority so that regional ceilings may be exceeded by not more than 50%.

The Committee of Conference agreed to accept the Senate ceiling of \$100 million and the House waiver authority allowing an amount up to 50 percent of the approved ceiling when overriding requirements of the national security exist.

FOREIGN MILITARY CREDIT SALES

The Senate bill contained a provision which would authorize \$400 million in new obligational authority for military credit sales for FY 1972 and would set the ceiling on military credits at \$550 million for FY 1972, of which \$300 million was to be available only for Israel.

The House amendment authorized \$510 million for purposes of the Foreign Military Sales Act in each of the fiscal years 1972 and 1973. It also increased the aggregate ceiling on military credits from \$340 million to \$582 million for each of the fiscal years 1972 and 1973.

The House receded.

EXTENSION OF PERIOD FOR REPAYMENT OF FOREIGN MILITARY CREDIT SALES

The House amendment increased the maximum period of military credits from 10 to 20 years.

The Senate bill contained no comparable provision.

The House receded.

CEILING ON EXCESS DEFENSE ARTICLES

The Senate bill contained provisions which provided that excess defense articles furnished by any U.S. agency (other than the Agency for International Development) would be considered as having been furnished under the Foreign Assistance Act of 1961 for military assistance; established a ceiling of \$150 million on the value of such excess defense articles; and exempted from the ceiling excess defense articles granted to South Vietnam prior to July 1, 1972, under authority of laws other than Part II, military assistance, of the Foreign Assistance Act of 1961.

The House amendment established only a \$220 million ceiling on the value of excess defense articles that could be furnished during fiscal year 1972.

The House accepted the Senate provisions with an amendment which provided for a ceiling of \$185 million.

CONSIDERATIONS FOR FOREIGN MILITARY CREDIT SALES

The House contained a provision requiring that decisions to provide foreign military credit sales take into account whether such assistance will: (1) contribute to an arms race, (2) increase the possibility of outbreak or escalation of conflict or (3) prejudice the development of bilateral or multilateral arms control arrangements.

The Senate bill contained no comparable provision.

The Senate receded.

REPORTING REQUIREMENTS FOR LICENSED CO-PRODUCTION

The House amendment contained a provision which required the Secretary of State to report in advance to the House and Senate proposed transactions relating to defense articles which would be co-produced or licensed outside the United States.

The Senate bill contained no comparable provision.

The Senate receded.

AMENDMENT TO THE EXECUTIVE SCHEDULE

The House amendment amends Section 5314 of Title 5, USC (Executive Schedule) to provide for an Under Secretary of State for Coordinating Security Assistance Programs at level III.

The Senate bill has no comparable provision.

The Senate receded.

AUTHORIZATION FOR U.S. PARTICIPATION IN THE INTERPARLIAMENTARY UNION

The House amendment increased the authorization for annual appropriations from \$53,550 to \$83,000—\$38,000 for the U.S. contribution to the Interparliamentary Union and \$45,000 to cover expenses of the American group of the Interparliamentary Union.

The Senate bill authorized appropriation of \$102,000—\$57,000 as a contribution to the Union and \$45,000 for the expenses of the American group.

The House receded.

AUTHORIZATION FOR U.S. PARTICIPATION IN THE INTERPARLIAMENTARY CONFERENCES OF NATO

The House amendment increased the authorization for annual appropriations for U.S. participation in parliamentary conferences of the North Atlantic Treaty Organization from \$30,000 to \$50,000, thereby increasing the amount available for the House and Senate from \$15,000 to \$25,000 each.

The Senate bill did not contain a comparable provision.

The Senate receded.

USE OF FOREIGN CURRENCIES BY CONGRESSIONAL COMMITTEES

The Senate bill amended Section 502(b) of the Mutual Security Act of 1954, effective March 1, 1972, by increasing U.S.-owned excess foreign currency normally made available to members of Congressional committees for foreign currency expenses incurred in carrying out the duties of the committee. It would eliminate the requirement for a full, itemized report to the House Administration and Senate Appropriations Committees of expenses thus incurred and for the publication of such reports.

The House amendment did not contain a comparable provision.

The Senate receded.

ANNUAL FOREIGN ASSISTANCE REPORT

The Senate bill added a new Section 653 to the Foreign Assistance Act requiring an annual report to the Congress within six months of the end of each fiscal year, showing (1) the value of all foreign assistance provided during the fiscal year, in total and by category to each country or international organization; (2) the amount and reason for each payment of foreign currency to the United States during the fiscal year by each country and international organization, whether any portion was returned by the United States and, if so, how much and used for what purpose; (3) the value of all military equipment exported under license, in total and to each country or international organization; and (4) other matters pertaining to U.S. foreign aid programs. All the information is to be unclassified except on an extraordinary finding of clear detriment to U.S. security.

Foreign assistance is defined as anything provided by the U.S. Government by gift, loan, sale, credit sale, or guaranty to a foreign country or international organization, including any training, service, advice, property, agricultural commodity, dollars or foreign currencies. Value is to be determined as of the time of transfer, but may not be less than one-third of acquisition cost.

The House amendment did not contain a comparable provision.

The House receded.

LIMITATION ON USE OF FUNDS—IMPOUNDED FUNDS

The Senate bill included a provision which would prohibit the obligation or expenditure of funds made available under the FAA and the Foreign Military Sales Act until the Comptroller General certifies to the Congress that previously appropriated FY 1971 funds for various domestic development activities have been released for obligations and expenditure. The provision would not apply to funds withheld in accordance with legal requirements or to funds obligated or expended prior to January 1, 1972.

The House amendment did not contain a comparable provision.

The House receded with an amendment which limits the release of funds requirement to programs administered by the Department of Agriculture, the Department of Housing and Urban Development and the Department of Health, Education, and Welfare. The amendment also changes the release deadline from January 1, 1972, to April 30, 1972.

ANNUAL AUTHORIZATIONS FOR STATE DEPARTMENT AND USA

The Senate bill contained a provision requiring authorization for any subsequent appropriation of funds for the Department of State and the United States Information Agency, and repealed the authorization for the Department of State working capital fund, with the objective of putting these authorizations on an annual basis. The provision also required the State Department to keep the Senate Foreign Relations Committee and the House Foreign Affairs Committee "fully and currently informed with respect to all activities and responsibilities within the jurisdiction of these committees of all departments, agencies, and independent establishments of the United States Government conducted outside the United States or its territories or possessions." It also required that any such department, agency or independent establishment furnish any information requested by either committee within its jurisdiction.

The House amendment did not contain a comparable provision.

The House receded with an amendment which substituted "periodic" for "annual" authorizations, deleted the reference to the activities of "all departments, agencies, and independent establishments of the United States Government conducted outside the United States or its territories or possessions" but retained the language of the Senate bill requiring the Department of State to keep the Committee on Foreign Relations and the Committee on Foreign Affairs fully and currently informed "with respect to all activities and responsibilities within the jurisdiction of these committees."

TERMINATION OF U.S. MILITARY OPERATIONS IN INDOCHINA

The Senate contained a provision which would declare it to be the policy of the United States to terminate military operations in Indochina and withdraw all U.S. military forces no later than six months after the date of enactment, subject to the release of American POWs held by the Government of North Vietnam and its allies. The provision would also urge and request the President to implement this policy by establishing a final date for withdrawal, contingent upon POW release, but not later than six months after enactment. The President would also be requested to negotiate an immediate all Indochina cease-fire, and to negotiate an agreement with North Vietnam for phased withdrawal of U.S. forces in exchange for phased releases of POWs.

The House amendment contained no comparable provision.

The Senate receded.

LIMITATIONS ON UNITED STATES ACTIVITIES IN CAMBODIA

The Senate bill amended section 7(a) of the Special Foreign Assistance Act of 1971 to prohibit the provision of US advisors to or for Cambodian military, paramilitary, police or other security or intelligence forces in Cambodia.

The House amendment contained no comparable provision.

The House receded.

RESTRICTION RELATING TO FOREIGN TROOPS AND DEFENSE ARTICLES

The Senate bill contained provisions which (1) expanded current prohibitions against the payment of allowance to free world forces

in Vietnam greater than amounts paid Americans to include any U.S. agency, not just the Defense Department, and (2) expanded the requirement for agreements concerning the use and disposition of U.S. furnished defense articles to cover items furnished by all U.S. agencies.

The House amendment did not contain a comparable amendment.

The House recessed.

REDUCTION IN U.S. ASSESSMENT RATE PAID TO U.N.

The Senate bill urged the President to implement that portion of the recommendations in the Lodge Commission Report which proposes that the U.S. assessed contribution to the regular budget of the United Nations be reduced to no more than 25% of the cost assessed to all members of the organization for any single budget year.

The House amendment did not contain a comparable provision.

The House recessed.

ANNUAL AUTHORIZATIONS FOR ALL CONTRIBUTIONS TO THE UNITED NATIONS

The Senate bill terminated the continuing authority provided in the UN Participation Act of 1945 for the appropriation of funds for U.S. assessed contributions to the UN. It also provided that no appropriation shall be made for the payment of any amount to any activity of the United Nations, "unless such payment has been previously authorized by legislation hereinafter enacted by the Congress."

The House amendment did not contain a comparable provision.

The Senate recessed.

J. W. FULBRIGHT,
FRANK CHURCH,
GEORGE D. AIKEN,
JOHN SHERMAN COOPER,
CLIFFORD P. CASE,

Managers on the Part of the Senate.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
WAYNE L. HAYS,
DANTE B. FASCELL,
WILLIAM S. MAILLIARD,
PETER H. B. FREILINGHUYSEN,
WM. S. BROOMFIELD,

Managers on the Part of the House.

Mr. FULBRIGHT. Mr. President, the conference on the foreign aid bills was one of the most difficult in which I have participated during my 26 years in the Senate. The product is not likely to satisfy anyone completely. It certainly does not satisfy me. But, under the circumstances, I believe that the Senate conferees have worked out a favorable compromise bill that upholds the major elements of the two bills passed by the Senate.

There were major differences between the Senate and House positions—on policy, on money amounts, on the length of the authorization period, and even as to whether there was to be one bill or two. The vast gulf between the Senate and the House, particularly on the policy issues, both on foreign aid policy and also those relating to the war in Southeast Asia, epitomizes the sharp difference between each body's concept of its role in the formation of foreign policy. The prospects for bridging this gulf are not encouraging.

After the Senate's 27-to-41 defeat of the first foreign aid bill on October 29, the economic and military programs were separated into two bills and, subsequently, passed by large margins. The House, through the device of an unprecedented action by the Rules Committee,

was able to go to conference on the substance of the bill which was defeated by the Senate, without ever considering the provisions of the Senate's two bills either in the Foreign Affairs Committee or on the floor. Obviously, there was concern that the House might defeat one, or possibly both, of the Senate's bills if Members were forced to stand up and be counted on them. This fear of a defeat on the floor, particularly of an economic aid bill, made the House conferees insistent on combining the two Senate bills into one so that economic aid could again get a free ride on the back of the military aid package, the very sort of mixing of apples and oranges the Senate rejected in voting down H.R. 9910. However, the Senate conferees finally yielded and agreed to one bill combining both programs in return for the House conferees agreeing to a 1-year authorization for military aid instead of the 2-year authorization in their proposal. This will insure that the Senate will have an opportunity to review military aid, particularly that for Southeast Asia, again next year.

There were, in all, 94 points of difference between the Senate and the House positions. According to my calculations the Senate position was mentioned on the most important substantive points.

Mr. President, the foreign aid conference report now before the Senate carries a total authorization for fiscal year 1972 of \$2.752 billion. Of this amount, \$1.234 billion is for economic aid; \$1.518 billion is for military programs, including supporting assistance, military grant aid, and foreign military credit sales. Nine hundred and eighty-four million dollars in economic aid is to be authorized for the 1973 fiscal year.

Specific amounts for some of the items of particular interest are as follows:

Alliance for Progress, \$295 million, of which no more than \$88.5 million may be in technical assistance grants.

American schools and hospitals abroad, \$30 million.

Population programs, \$125 million earmarked from funds otherwise available for economic assistance programs.

U.N. programs, \$139 million.

Pakistan refugee relief, \$250 million.

Supporting assistance, \$618 million, of which \$50 million is earmarked for Israel.

Military credit sales, \$400 million with the aggregate credit ceiling set at \$550 million, of which \$300 million is set aside specifically for Israel.

The \$2.7 billion authorization is approximately \$800 million below both the administration's request and the House authorization bills, and it is \$100 million over the amount contained in the authorization bills passed by the Senate.

A comparative table showing all of the pertinent figures is contained in the conference report.

Mr. President, while the money amounts in the bill carry a special significance at this time when our economic situation, both domestic and international, is so fragile, the policy provisions are the most significant part of the bill. Here are some of the Senate's provisions agreed to in conference:

In conjunction with a \$341 million ceiling

for fiscal year 1972 spending in or for Cambodia, the conferees agreed to limit the number of personnel in Cambodia paid by the United States to 285, of which not more than 200 may be U.S. citizens, excluding those involved in Cambodian air operations.

Agreement was also reached on a minimum 15-percent cutback by September 30, 1972, in the number of U.S. military aid mission personnel stationed overseas.

The House conferees also agreed to the Senate's recommendation to require periodic authorizations for the State Department and the U.S. Information Agency.

Mr. President, I think that is one of the most significant of the provisions. It is a provision which we have long sought. And this is the first opportunity we have had of attaining it. I think it will do much to restore better relations between the State Department and the Senate.

Mr. President, on the impounded funds issue, the conferees agreed to require, by April 30, 1972, the release of all impounded funds for programs administered by the Department of Agriculture, the Department of Health, Education, and Welfare, and the Department of Housing and Urban Development. There is a little over \$2 billion being withheld from these programs. If all of these funds are not released by the April 30 deadline, the President is barred thereafter from spending or obligating additional foreign aid funds, including funds for military sales. This provision establishes, I think, a very important precedent; namely, that Congress will bar the President from spending funds on projects which he considers important when he has acted to withhold funds from programs which the Congress believes are important. Congress' decision to do this will, in my opinion, help to restore a more appropriate balance between the executive and legislative branches of Government.

The conference also reached agreement on several key Senate provisions which tighten up on the President's transfer and waiver authority under the Foreign Assistance Act by requiring advance, written notice to Congress before he may use these special authorities. These provisions are designed to help restore Congress' role in the foreign policy field by insuring that it will be informed before the fact and not after it.

Mr. President, I wish to say a few words about the provision imposing a ceiling on U.S. spending in or for Cambodia. One of the most difficult issues in conference was over the Symington-Case amendment which imposed a ceiling on all U.S. expenditures in or for Cambodia—and this was explicit in the debate and the report of the committee—including the U.S. cost of South Vietnamese operations in that country.

I thought the \$341 million ceiling for fiscal year 1972 was much too high inasmuch as the committee had originally voted a ceiling of \$250 million for fiscal year 1972. But, nevertheless, I considered it another solid step toward bringing our involvement in Cambodia under better control by Congress. After much discussion the Senate conferees reluctantly agreed to exempt from the 1972 ceiling

the U.S. cost of South Vietnamese operations in Cambodia. All other U.S. spending into, for, or on the behalf of, Cambodia is to be counted against the \$341 million ceiling. The only reason why the costs of the South Vietnamese operations were exempted this year—and this year only—was that we do not have any estimates of these costs, and, in addition, the fiscal year is already nearly half gone.

For fiscal 1973 Congress must specifically authorize funds for all programs or activities to be conducted in, for, or on behalf of, Cambodia, including the costs of South Vietnamese operations there. Congress will, for the first time, be given a detailed accounting of how much the taxpayers are being asked to spend for or in Cambodia. They will thus be able to make more intelligent decisions on both individual authorizations and the overall ceiling.

Mr. President, these policy provisions, together with many others in the bill before us, represent, I think, not only significant and needed additions to the Foreign Assistance and Foreign Military Sales Acts, but just as importantly, they represent a victory—a very significant victory—for the legislative processes of the Congress.

I may say at that point, the principal reason for my activities with regard to the continuing resolution which preceded this conference was to try to achieve exactly that point; that is, to restore the traditional legislative process of authorization prior to appropriation and to discontinue, as far as we can, the use of continuing resolutions which, as we know, are not subjected really to examination by anyone other than a few, a very few members of the Committee on Appropriations of each House.

Mr. President, I hope we have seen the last year when Congress goes down to the adjournment wire with problems over a foreign aid bill. Next year I will do my utmost to get the authorization bill for the military aid program to the floor early in the session so that an appropriation bill can be passed well before the end of the fiscal year. There will be no need for an authorization for the economic aid program since the Senate gave in to the House plea for a 2-year authorization.

During the next session the committee will be working to develop legislation to chart a new course for both economic and military aid. We will consider the administration proposals of this year as well as ideas which we hope to obtain from a wide variety of nongovernmental sources. As we know from our experience in Southeast Asia, the executive branch is not the fountain of all wisdom on foreign policy. So, in order to develop the best bill possible, the committee plans to solicit ideas from many sources. I cannot predict that we will be able to develop legislation that will bridge the philosophical and policy gap between the Senate and the House on foreign aid. But the committee's obligation is to the Senate, and I shall do my best to develop new legislation that will merit the support both of Members of this body and the general public.

Mr. President, I am bound to add as a footnote that, while I urge the Senate

to support this measure, I still have grave reservations about much of the aid program—the humanitarian assistance portion of it. I have no reservation about, and I think it is in the national interest. But I think most of the overall program is against the national interest.

I think the proliferation of the number of small countries into which we intrude with military programs particularly designed to induce these small impoverished countries to buy modern expensive weapons is not only against the interests of those countries but also against our interest. It is against the interests of those countries, because the effect is to preserve in each case the established regimes, which may or may not be supported by the people of the respective countries, so we become identified with the status quo in these countries. This is contrary to our traditions. Our country was born out of change and revolution. When this country was created, we used to be sympathetic to people who wanted to improve their lot by social and political change. I think this program has been greatly distorted into a mission for the preservation of the status quo, no matter how unsatisfactory it is in country after country.

It is against the historical tradition, the real interest, and real preference of our own people.

I do not know how to impress on my colleagues or the country in an effective manner that much of the program is against our national interests. This is the principal reason why I have not been able to support the program as such for the last 4 or 5 years.

I support the conference report, because of the alternatives before us. This is the best we could do under the circumstances and, therefore, I felt it my responsibility to do whatever I could to bring about the best results in view of the seemingly inevitability of the program.

I state for the RECORD that this conference was held yesterday afternoon on very short notice, as a consequence of the vote in the House on a motion to table a motion that instructed the conferees to vote for the Mansfield amendment. I regret very much the vote was not a straight up and down, simple vote, for or against the Mansfield amendment. It should have been that way, but the action in the other body approximated a vote on the Mansfield amendment, even though in a distorted form.

I want to call attention to the fact that even in that form of instructions to conferees, on a motion to table, a switch of 15 votes would have approved the Mansfield amendment. So it was a pretty close vote even under those adverse circumstances which, to me, indicates that even in the House there has been a great erosion of those who once supported the war in Vietnam. The House is pretty evenly divided, whereas the vote in the Senate would have clearly shown a majority of the Members strongly in favor of an early termination of our involvement in the war in Vietnam.

That is a sidelight of this exercise which in a way is encouraging, although I would like to have seen a clean-cut vote on the Mansfield amendment. I want to

make it very clear that I support the Mansfield amendment, as do the majority of the Members of this body. I think the Senator from Montana rendered a great service to this body and our country in bringing this matter before Congress and the country. If something does not give in the near future I am quite sure he will bring it up again; at least I think he will. I hope he does.

Mr. JAVITS. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield.

Mr. JAVITS. I notice that section 658, the limitation on use of funds, was conditioned on the release of impounded appropriations administered by three departments of Government as of April 1972.

I ask the Senator whether we could be enlightened as to what is actually involved. In other words, what is the total amount impounded under that section and what are the headings, so the record may be clear on the condition precedent that we expect to be met?

Mr. FULBRIGHT. There is some dispute as to how much is impounded. In a way, it is a semantic difficulty.

It applies, as I stated, only to the three agencies. Let me give the Senator an example: The Farmers Home Loan Administration, the program for water and sewer projects in small communities of under 5,000. These are quite small communities such as occur in States like my own.

If my memory serves me correctly, they impounded some \$56 million out of \$100 million. There was not any question or doubt about whether the money was impounded or not. It was a clear-cut impoundment. The reason why I followed this matter very closely is that in my own State we had 133 projects eligible for funding, and no funding was available. That is, they had been approved for water and sewer projects and they had not been funded. One of the principal reasons why they have not been is the impoundment of more than 50 percent of the amount appropriated, and of course the appropriations were approved by the President. This is the type of thing that interested me.

There are also housing projects in my State, and I suspect in other States, for which the President has not made available funds which have been appropriated.

The dispute comes from their saying, "Well, the conditions are not right or favorable for the expenditure at this time."

The latest information from the OMB is that, for the Department of Agriculture, \$429 million has been withheld from obligations. For the Department of Housing and Urban Development, \$1.708 billion. The one for Housing and Urban Development, of course, is the big one. While that is not as important in my State as the other, it is something that is of importance in the Senator's State. For HEW, \$131 million. That makes a total of \$2.268 billion.

Mr. JAVITS. All of that will turn upon the meaning of the term "impounded." Is that correct?

Mr. FULBRIGHT. The GAO has the

responsibility for making that determination.

Mr. JAVITS. I did not hear that.

Mr. FULBRIGHT. The General Accounting Office.

Mr. JAVITS. They define it?

Mr. FULBRIGHT. They will have to make a determination.

Mr. JAVITS. But it turns on the question of whether it is impounded or not?

Mr. FULBRIGHT. That is correct.

Mr. JAVITS. As a practical matter—

Mr. FULBRIGHT. I think the Senator will agree that the GAO is the best agency to determine that.

Mr. JAVITS. Yes, that is true. The fact of the matter, however, is that the President is legally advised, as is the GAO, that he will have a certain arguable case in that regard. In other words, he cannot simply submit a list, as the Senator has mentioned, for the record which will necessarily be the condition precedent for further releases.

Mr. FULBRIGHT. I am not saying I can submit a list, but if the GAO says it is a clear case of impoundment, that should be decisive under the provisions of this law.

Mr. JAVITS. I see.

I yield to the Senator from Kentucky (Mr. COOPER).

Mr. COOPER. Mr. President, I am very glad the Senator from New York has raised the question of impoundment of funds. There has been a great deal of talk and loose talk this year about the impounding of funds by the administration. The largest amount of funds "impounded" was those for expenditures on the Federal-State highway system. As I recall, the total was about \$6 billion. Highway funds are not affected by the section to which the Senator has referred, but the situation is similar.

The practice of impoundment started about 10 years ago and has been continued through all administrations. One reason why funds are impounded from time to time, is in effort to halt inflation. Further, as a practical matter, funds are released as projects are approved and payments come due. And as I have stated, funds are withheld from time to time to halt inflation and because of deficits.

I think the Senator from New York is right in asking whether the withholding of such funds can be called "impounded;" that is a question about which the President has a great deal of authority in making his decision.

I realize there are many needed projects in this country which should go forward. There are hospital projects, urban developments, and others of that character. Nevertheless, I took the position in conference, and I take it again, that I do not believe the interposition of an amendment like this, which has no germaneness to the question of foreign aid, is a proper amendment. Domestic projects and foreign aid should stand on their separate merits. I thought it wrong, and I still think it wrong, to place in a bill on foreign aid such an amendment, when it has nothing to do with the question of foreign aid connected with our country's security and assistance of other countries, it is a type of threat.

Mr. FULBRIGHT. Mr. President, I did not anticipate that this issue would take any time. We actually discussed this before. The bill as it passed the Senate covered all the impounded funds. It included the \$12 billion, and in the compromise with the House, we agreed to limit it to these three executive departments.

I recognize the right and the obligation of the Senator to defend the administration, but I submit that the degree of impoundment is such by this administration that it is to a great extent unprecedented. A great deal of material has been written on it. I have an article which indicates that the mayor of San Francisco has filed suit—the date of this article is June 12, 1971—challenging President Nixon's power to withhold redevelopment and housing funds appropriated by Congress.

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

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

SAN FRANCISCO SUES PRESIDENT ON FUND FREEZE

SAN FRANCISCO, June 11.—Mayor Joseph Alioto, acting as attorney for two city agencies, filed suit today challenging President Nixon's power to withhold redevelopment and housing funds appropriated by Congress.

"We believe that this presidential policy of impounding congressional appropriated funds is unjust," Alioto, a Democrat, said in a statement. "But more importantly, we believe it to be unconstitutional—violation of the separation of powers."

Mr. FULBRIGHT. Mr. President, in addition, I have a very interesting article by the Senator from Idaho (Mr. CHURCH) entitled "Impounding Congressional Policy."

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

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

IMPOUNDING CONGRESSIONAL POLICY

(By Senator Frank Church)

WASHINGTON.—The executive branch's insatiable appetite for power is now undermining the last bastion of Congressional strength, control of the purse strings. This development—effected by the impounding of funds—underscores the fact that far too much power is concentrated in the modern Presidency for the good health of constitutional government.

Historically, the rapid growth of Presidential power links directly with the shaping experiences of the 20th century—two World Wars, the Great Depression and a protracted cold war. Unfortunately, the Congress itself has accelerated the trend by tamely yielding its power and responsibility. As a consequence, increasing executive authority has overshadowed the separation of powers prescribed by the Constitution to the point where we must ask whether we are witnessing a permanent decline of constitutional government.

Most authority over foreign policy, including the warmaking power that the Constitution vests in Congress, has already passed to the President. Now, on the domestic side, Congress is steadily losing its constitutional grip on the public purse. The disastrous impact of this development can be felt only when one realizes that appropriating money is the most important business assigned to Congress by the Constitution.

The appropriation power, however, lies to-

day as much within the executive domain as within the Congressional. In part, this was inevitable. The increased complexity of governmental transactions, combined with a concomitant need for flexibility, has understandably led to more executive involvement in budgeting for public spending. However, recent Presidents have reached far beyond these bounds toward unrestricted impoundment of appropriated funds—that is, the outright refusal by the President to expend funds in accordance with the will of Congress. (The money, if blocked, remains in the General Fund at the end of the fiscal period.)

Although Democratic Presidents engaged in impoundment in no small way, the Nixon Administration has gone all out. At last count, impounded funds this year total nearly \$13 billion; under Johnson the high was an estimated \$10.6 billion; under Kennedy, \$6.5 billion. Every day, news stories describe discussions within the Nixon Administration as to whether funds Congress has appropriated for housing, pollution control and health services ought to remain impounded or be released from the executive snare. Commonplace are such news items as: The Administration "may be ready to release the \$586 million in extra funds voted last year by Congress for the fight against water pollution"; or "under Congressional pressure, the Budget Bureau released a backlog of 56 [civilian projects]."

There are occasions, certainly, when the impoundment of appropriated funds is legitimate. For example, if only part of an appropriated sum is needed for, say, an irrigation project, then duty dictates that the remainder not be spent. Or, if Congress, as it sometimes does, makes an appropriation permissive, the President is obviously free to spend or save the money as he chooses. Or impoundment may be expressly directed as in Title 6 of the 1964 Civil Rights Act, where Congress mandates the executive branch to withhold certain funds from localities practicing unlawful discrimination. The area of dispute does not involve such categories but rather executive impoundment made in defiance of Congressional intent.

Obviously the Constitution did not mean to allow the President complete control over spending. It gives him no item veto—if he finds a specific spending item unpalatable, he is obliged to veto the entire appropriation bill in which the item is contained. Furthermore, his veto may be overridden by a two-thirds vote of both sides of Congress.

As Sen. Charles Mathias (R., Md.), recently observed, respecting the impoundment practice:

"We cannot allow . . . the President or the executive branch to have an informal line item veto of appropriated money which cannot be overridden. This is, in effect, to impound declared Congressional policy and threaten Congress' very existence. It is clearly in violation of the spirit and intent of our Constitution."

It should be understood that a vital ingredient of our democracy is the opportunity afforded diverse political interests—farmers, businessmen, veterans, the elderly and others—to appeal in a meaningful way to Congress on behalf of programs they favor. Once it becomes recognized that any given program may be entombed by the President—even when Congress has authorized it and appropriated the money for it—the American people will sense the futility of turning to their elected representatives. This will compound an already discernible sense of frustration, even helplessness, that many social observers find today among Americans. The public will conclude that the executive branch, largely beyond local reach, is wholly in charge. Confidence and respect for representative government will evaporate and the stage could be set for the coming of an American Cromwell.

What is to be done? Senators of both parties and of differing political outlook have become increasingly concerned. Senator Mansfield, the Majority Leader, recently proposed that the House, where appropriation bills customarily begin their legislative journey, institute a court suit to challenge Presidential action. Legal scholars have concluded that no court decisions to date pass directly upon the issue and that decisions of tangential relevance leave the matter in doubt. Some specialists would hesitate to resort to the courts, on the ground that the relationship between the President and Congress is essentially political and not susceptible to judicial remedies.

As for other means, Congressional recourse to the process of impeachment is clearly too harsh to be practical. More realistically, Congress can deny funds requested by the President for programs he may strongly favor, and thus bring pressure on the Chief Executive to implement Congressional intent in other areas. This tack was suggested in March by Sen. Allen Ellender, chairman of the Appropriations Committee.

The most dramatic expression of Senate restiveness over the impoundment issue occurred earlier this fall. The Foreign Relations Committee, when reporting out a foreign aid bill, included a provision forbidding expenditures abroad until the President had released selected urban-development funds impounded last year.

As a minimum, in any struggle for rectification, Congress must strengthen and regularize its review of executive compliance with Congressional appropriations. At present, once an appropriation is passed, Congress usually loses sight of it. The duties of the General Accounting Office, an arm of the legislative branch, should be augmented to include supervision of expenditures in order to identify when impoundment occurs. The appropriations committees of both House and Senate might be required to follow appropriations through the executive branch to insure that they have been allocated and spent as directed. Going further, legislation might be enacted requiring the Office of Management and Budget, formerly known as the Budget Bureau, to inform Congress whenever funds are embargoed.

Sen. Sam Ervin of North Carolina, chairman of the Separation of Powers Subcommittee of the Judiciary Committee, recently introduced a bill, S. 2581, requiring the President to notify each body of the Congress by a special message of every instance in which he impounds funds, or authorizes such impoundment by any officer of the United States. The message must specify the amount, the projects or functions affected, and the reasons. Another provision specifies that the President shall end the impoundment of such funds within sixty calendar days of a continuous session after the special message is received by Congress—unless the impoundment shall have been ratified by Congress.

Of course the most desirable general solution of the problem would be for the executive branch to discipline itself by recognizing that the dominant Presidential initiative in the budgetary process must be matched by meaningful Congressional control. But President Nixon seems insensitive to the problem. In March, when asked about the impoundment issue by Howard K. Smith during an interview on ABC Television, the President replied:

... when I was a Senator and a Congressman, particularly when I was a Senator and a Congressman with a President of the other party in the White House, I played all of these games, with very little success. These games are going to be played. . . .

But the issue is not a matter of "games." It goes to the heart of the separation of powers, the principal accomplishment of the founding fathers.

As such, the matter deserves more respectful attention; then it can be resolved. It need not lead to a fierce collision between the two branches of the federal government. Solutions are available—and should be mutually worked out. For it is clear that the Congress cannot regain its rightful role under the Constitution without a resolution of the impoundment issue.

More recently there was a very scholarly study by Mr. Louis Fisher of the Congressional Research Service of the Library of Congress on this matter. I read one paragraph of it, as follows:

In the cases cited thus far, funds were withheld either in response to specific statutory directives or on the grounds of good management of funds for weapons procurement.

He is talking primarily about weapons. Then he gets into the impoundment problem:

A different situation has developed under the Nixon Administration, where funds have been withheld from domestic programs because the President considers those programs incompatible with his own set of budget priorities. In the spring of 1971, the Nixon Administration announced that it was withholding more than \$12 billion, most of which consisted of highway money and funds for various urban programs. When Secretary Romney appeared before a Senate committee in March, he explained that funds were being held back from various urban programs because there was no point in accelerating programs that were "scheduled for termination." He was referring to the fact that Congress had added funds to grant-in-aid programs which the Administration wanted to consolidate and convert into its revenue sharing proposal. To impound funds in this prospective sense—holding on to money in anticipation that Congress will enact an Administration bill—is a new departure for the impoundment technique. Impoundment is not being used to avoid deficiencies, or to effect savings, or even to fight inflation, but rather to shift the scale of priorities from one Administration to the next, prior to congressional action.

I submit that the degree and extent to which this administration has used the power of withholding of appropriated funds, commonly called impoundment, is unprecedented; and I personally think it is to bring pressure upon Congress to go through with, among other things, the program for revenue sharing, which is very controversial.

But I do know from my own experiences with these programs which affect the small communities that there was no excuse for withholding these funds. Those programs had been approved; they had met all the requirements of eligibility, and the President decided to impound the funds.

They give as grounds the argument about controlling inflation, but the reason that that argument is wholly without merit is that when they come along with a program as far out and remote from our interests as going to the moon, there is no disposition to impound funds, or when they want to build an SST, they bring all the power and force that they can muster to promote the building of an SST, which is a most wasteful and questionable activity. But, as Mr. Fisher has said, the President has used it simply to establish his own set of budget priorities.

The Senator from North Carolina (Mr. ERVIN) has raised the question most seriously, in his subcommittee, about the constitutionality of the President to do this; the President is sworn to uphold and execute the laws of the United States. The Congress having passed an appropriation bill, the President signs it but then decides the money will not be spent.

We agree that, in a very moderate amount and for purposes of good management, and so on, impoundment might be acceptable to a reasonable degree. But I think the record indicates that he went far beyond any of the practices heretofore applied in this field.

I did not wish to make a big point of it, but this was not put in here for political purposes; it was for a very practical purpose of trying to get relief in those areas of this economy where we would think we needed it. Congress itself has said we need it, and I regret that there is apparently an intimation that this is put in for political purposes to embarrass the President. I can assure the Senator from Kentucky that there is no such purpose; it is simply to get actual results on this very modest number of projects of a domestic nature which are fundamental to the strength of our own economy.

Mr. President, I ask unanimous consent, in order to complete the record, to have printed in the RECORD at this point, from the committee report, section 108, entitled "Limitation on Use of Funds," which describes this matter in greater detail.

There being no objection, the excerpt from the committee report (No. 92-432) was ordered to be printed in the RECORD, as follows:

SECTION 108—LIMITATION ON USE OF FUNDS

This section focuses attention on domestic vs. foreign needs. It calls upon the President to release by not later than December 31, 1971 all of the funds that were appropriated for domestic programs but later impounded during FY 1971. If the President does not release these funds by the December 31 deadline, then he is prohibited after that date from obligating or expending any funds appropriated pursuant to the Foreign Assistance Act or the Foreign Military Sales Act. The prohibition would continue to apply until the impounded funds were released and the Comptroller General so certified to the Congress.

The provisions of this section shall not apply to funds being withheld in accordance with specific legal requirements.

The latest information that the Committee was able to collect on the impounded funds issue indicates that the total amount of these funds is about \$12 billion. Of this total, more than \$10 billion for domestic programs was still impounded as of May 14, 1971, with the Office of Management and Budget estimating that perhaps half the amount would be released by June 30, 1972. In terms of the precise amounts now impounded, the Committee will rely on the determinations made by the General Accounting Office.

The objective of this amendment is to give the American public some indication that the Committee is just as aware of our domestic needs as it is of the needs of other countries. The provisions of the section say to the taxpayers of this country, "You will be assured of getting the funds appropriated by Congress for domestic programs and projects before additional foreign aid funds can

be obligated for similar programs and projects in Rio de Janeiro, Nairobi or New Delhi."

In addition to focusing attention on domestic vs. foreign needs in the context of the whole national priorities debate this section of the bill also addresses the separation of powers issue and the Constitutional responsibilities of the Legislative and Executive Branches of our Government.

If the President is left free to impound funds appropriated by the Congress, this could result in an even greater imbalance between the two Branches than has developed in the field of foreign affairs. If the Congress' power of the purse is infringed or restricted in any way—such as through the impoundment of appropriated funds—Members of Congress might as well pack their bags and go home. This is the only real power the Congress has left and it must be guarded and protected, and kept whole and intact. The Committee believes that the requirements of this section are consistent with this goal.

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

Mr. FULBRIGHT. I yield.

Mr. JAVITS. With further reference to Senator Cranston's point on the United Nations development program, what did the conferees decide on that?

Mr. FULBRIGHT. \$138 million. That includes funds for all United Nations programs; the conference agreement does not specify specific amounts for specific programs but the overall amount is very close to what the administration requested. I think they requested \$141 million, and the House approved \$143 million. Anyway, our total amount is \$138 million.

Mr. JAVITS. The reason I ask is because the continuing resolution, which is tied to this, has nothing for the United Nations development program. I wish the record to be clear that the conferees did contemplate that there would be provision for the UNDP, because it will be possible to reach that question again in the January supplemental.

Mr. FULBRIGHT. I anticipate that if we pass this matter today, the House conferees said they believed that they would be able to pass the authorization bill very shortly after their return on the 18th, within a few days. The continuing resolution is already here, so the President can act on that very quickly, and we will get an appropriation which will supplant the continuing resolution, I expect, before February 1.

Mr. JAVITS. I thank my colleague very much.

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

Mr. FULBRIGHT. I yield.

Mr. CRANSTON. I would simply like to express my admiration for the extremely effective leadership the Senator has provided in a vitally important cause which relates to the issue of peace, to the issue of careful use of the taxpayers' money, and to the matter of congressional committee powers, prerogatives, and procedures that are vitally important, if each of us and the appropriate committees are to have a proper role in determining what happens on legislation that comes before the Senate.

It was claimed and reported that a small group of willful men, led by the distinguished chairman of the Committee on Foreign Relations, was obstructing the will of the Senate. The fact is that

it was not a small group of willful men, it was a large group of determined men led by the Senator from Arkansas, from both sides of the aisle, and many Senators. I was impressed with the fact that there were many Senators on both sides of the aisle, and I know how many believed in what the Senator from Arkansas was seeking to accomplish here.

It is also a fact that those with appropriate leadership responsibilities in this body were in agreement with the Senator from Arkansas. The distinguished majority leader (Mr. MANSFIELD) expressed on nationwide television his concurrence with the goals of the Senator from Arkansas. And not only the Senator from Arkansas, as chairman of the Foreign Relations Committee, but the Senator from Louisiana (Mr. ELLENDER) as chairman of the Appropriations Committee, and the Senator from Wisconsin (Mr. PROXMIER) as chairman of the relevant subcommittee of the Appropriations Committee, were in agreement with what the Senator from Arkansas was seeking to accomplish.

So what we have here is a very important effort, involving the leadership and troops behind that leadership, in seeking to achieve something that is very important.

The Senator from Arkansas, as the leader of that group, hung tough when it was necessary to hang tough, but was willing to seek to achieve compromises when compromises of a reasonable nature were offered.

Finally, I believe that we achieved some tremendously important accomplishments that will have a very great deal to do with achieving a far more wise and sensible foreign aid program in the time immediately before us. I, perhaps, differ with the Senator from Arkansas in only one important respect, and I am not sure I differ even here, but I, perhaps, have greater hope than he does of what can be achieved through a peaceful, sound, economically oriented foreign aid program, designed to get help directly to those who need it through multilateral approaches.

I share the Senator's grave concern and doubt about the overwhelming military nature of foreign aid up to this point, and I hope we will succeed in turning it to far sounder directions.

Mr. FULBRIGHT. I thank the Senator. I appreciate his kind words, and especially the fact that he was willing to cooperate in an effort to maintain the Senate's role in this area. Without the Senator's assistance, I would not have had the courage to ever attempt it. I was ready, as the Senator knows, to prolong the session if necessary. But as it happened, yesterday afternoon, very unexpectedly, we were able to reestablish the legislative procedure, and I think to achieve, to some extent, what the Senator has said about the role of the Senate.

I agree with him that the policy provisions here are probably more significant than the amounts. I also have to say that in spite of our best efforts, there is more money in this bill for the military programs than there is for the economic aspects. I tried to tip the balance, but the

Senator will note that there is still more money for the military; and when you take this on top of the \$80 billion that the Defense Department gets directly, it is a grave distortion of our priorities. For all practical purposes, this is a lot of our money, in addition to the Defense Department's own programs.

I do not like it, and I did the best I could to restrain that aspect of it, and to turn it around more toward development programs, which I think are constructive rather than destructive.

Mr. CRANSTON. I trust that this is only the beginning, and that in the days, months, and perhaps years ahead, we will achieve further changes that will get us away from military aid programs that sustain dictators who embroil us in the threat of wars that we have no business being involved in, and that instead we will be moving toward economic aid of a proper nature.

Mr. FULBRIGHT. I thank the Senator.

Mr. COOPER. Mr. President, I join others in saying that I appreciate very much the work of the chairman of the Committee on Foreign Relations, Senator FULBRIGHT, in developing the bill before us.

For weeks we struggled with a foreign aid bill, prior to reporting the first bill to the Senate, and it represented the judgment of the committee. It was defeated on the floor. The committee then sought on the basis of the amendments which had been approved on the floor to design a bill which would be acceptable.

Two bills were reported, one dealing with economic and humanitarian aid, and one with military aid. The total authorization was \$2,647,000,000.

The Senate approved those bills; and when we went to conference, tried to reach agreement. Practically every one of the Senate conferees stood with the distinguished majority leader in attempting to persuade the House conferees to agree to a vote upon the Mansfield amendment.

On the other hand, during that long process, due, I believe, to the willingness of our chairman and the ranking Republican member, Senator AIKEN, who always has fine judgment and patience, and also the tenacity of Representative MORGAN, the chairman of the House Foreign Affairs Committee, we continued to work upon other sections of the conference report. When we were able to reconvene yesterday, practically all the groundwork had been laid.

We had agreed upon many sections, and because of our prior work were able, within two and a half hours, to agree upon the conference report before us. It was a good example of the legislative process.

Great credit and tribute are due the chairman of the committee and to Senator AIKEN. There was good attendance on both sides, and we worked hard to secure a report.

The majority leader worked faithfully to secure a vote upon the Mansfield amendment, because he considers, as many of us do, that the war in Indochina is still the prior matter before

our country; but when it was finally voted upon in the House, he was willing that the conference complete its work.

It was another example of the breadth and greatness of Senator MANSFIELD.

Mr. PASTORE. Mr. President, I am very happy that the House yesterday finally decided to do what they could well have done about a month ago. In view of the fact that the Mansfield resolution passed this body with such an overwhelming vote, I think we could expect no less than that the House should promptly and properly submit that amendment to the entire body and vote it up or down that is all we ever asked. This, of course, they have done, though tardily.

The delaying tactics raised, of course, a serious question. While the authorization for the foreign aid bill was in conference, we were confronted with the practical question of deciding whether or not there should be a continuing resolution. That created a very unusual situation and might have set a precedent that I feel we would have lived to regret. There is no question about that, because there was a conference in progress. So there should have been a resolution by the conferees one way or the other, before we got ourselves down to the element of either an appropriation bill or an extension of an appropriation by a continuing resolution.

I am happy that the matter has been resolved, and I hope not only that the authorization will be accepted today but that we will accept the continuing resolution as well.

I thank the Senate conferees for their patience. I congratulate the distinguished majority leader for his forbearance in this situation. I hope that now we have reached the point of understanding cooperation in the important legislation that is before us.

Mr. BYRD of Virginia. Mr. President, if I may have the attention of the distinguished Senator from Arkansas, I should like to ask him a question.

The total authorization for fiscal 1972 is \$2,752 million. Is that correct?

Mr. FULBRIGHT. That is correct.

Mr. BYRD of Virginia. The conference agreement also includes an authorization of slightly under \$1 billion; namely, \$984 million, for fiscal 1973.

Mr. FULBRIGHT. That is correct.

Mr. BYRD of Virginia. Is it normal procedure to have two authorizations in a single foreign aid authorization bill?

Mr. FULBRIGHT. The last one was for 2 years. It is not unusual. The House wanted 2 years for both these programs, and we wanted 1. Sometimes we have had to give in to the House and give them 2 years. They frequently plead that 2 years gives them time to study the program further, or they have an election coming up. But the position of the Senate for a number of years has been a 1 year annual authorization, and the position of the House has been for 2 years. This year, we compromised. We gave them 1 year on the military and 2 years on the economic.

Mr. BYRD of Virginia. It seems to me

that a 1-year authorization is better than a 2-year authorization.

Mr. FULBRIGHT. Is seems that way to me, too; but we get into these conferences, and there are a number of things in here that I do not agree with. We compromised.

Mr. BYRD of Virginia. I understand. Mr. FULBRIGHT. We proposed 1 year. We tried to get it. But this was the compromise—2 years on economic programs and 1 year on the military.

Mr. BYRD of Virginia. I think the Senator from Virginia and the Senator from Arkansas are in agreement on that matter.

With respect to page 2 of the report, I am not sure that I understand just what is being done in regard to the possible transfer of funds to the international financial institutions. If I read this correctly, it would appear to me that Congress is giving the President the authority to take funds from title I when he so desires and give those funds to international financial institutions. Am I correct in that assumption?

Mr. FULBRIGHT. That is right. It gives the President the discretion to do that.

The committee agreed upon a policy that there should be a gradual phaseout of the bilateral program by 1975. As a part of that provision we give the President that authority, if he, in his discretion, chooses—if he believes it would be better administered—to transfer some of the funds, or all the funds, from the bilateral loan fund into one of the international lending agencies, which we support under other authorizations, as the Senator knows.

There is a difference of opinion on this. I believe that the multilateral agencies are superior agencies. They do not identify us with the thing I was discussing earlier, of preserving the status quo. We do not get mixed up in their internal political matters. I cannot say that they are any more efficient in the actual administration than our own agency. I do not think either is noted for its efficiency. The programs are difficult. But I do not think any of the development agencies are noted for their efficiency. However, the International Bank for Reconstruction and Development does have an excellent record. It has no defaults. Generally speaking, the reports we have had are that they have expert technicians and administrators as good as one can get.

The ACTING PRESIDENT pro tempore (Mr. METCALF). The hour of 11 o'clock having arrived, pursuant to the previous order—

Mr. MANSFIELD. Mr. President, how much time does the Senator from Virginia want, as we are trying to accede to the convenience of a large number of Senators?

Mr. BYRD of Virginia. I do not want to delay the proceedings but I would like to have a little better understanding of this report. Three minutes will suffice.

Mr. MANSFIELD. Mr. President—

Mr. CHURCH. Mr. President, I should like to have 2 minutes, please.

Mr. MANSFIELD. Mr. President, I ask

unanimous consent that the Senator from Virginia (Mr. BYRD) may proceed for 3 additional minutes, and then that the Senator from Idaho (Mr. CHURCH) may proceed for 2 minutes before the vote occurs.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of Virginia. Mr. President, it seems to me that this is going directly counter to what the Senate, I thought, has been trying to do for the past few years. We had been saying that the President has assumed too much authority which Congress was giving him and that we want to reverse that, and now we come along again and say that we will let the President decide.

Mr. FULBRIGHT. This is in accordance with the policy direction emphasized here before. We have said on other occasions and there have been other reports about the necessity or the advisability or the wisdom of emphasizing the multilateral lending organizations. We had a big debate on IDA, on appropriating funds for IDA. We believe that is a pretty good bargain. IDA is multilateral. We pay only 40 percent instead of 100 percent.

We figure that we get more for our money with IDA. If we put in \$40, we get \$60 which is contributed by other countries. Congress approved that. The Senate voted for the money. We are not saying to the President, "You go do as you please with this money." We say that if he wishes to carry out this policy, we give him the right to do it. This gives him the authority to carry out the expressed policy of Congress which has authorized the money and the policy. I do not think this is giving him anything more.

Mr. BYRD of Virginia. Why does not Congress put the money into the funds themselves?

Mr. FULBRIGHT. We put a good deal of money in the bilateral program and we say here that over time it should be phased out. That means a gradual transfer. That is the only reason—

The ACTING PRESIDENT pro tempore. The time of the Senator from Virginia has expired.

Mr. MANSFIELD. I ask unanimous consent that the Senator from Virginia may proceed for 1 additional minute.

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

Mr. BYRD of Virginia. Because of the multinational nature of this, I point out that for the soft loan window of the Inter-American Bank the United States has put up 77 percent. I do not see that that is any substantial improvement.

It is wrong, if we are going to try to settle this matter of Presidential authority versus the Congress, and we have made great progress on it, and then Congress comes in on this foreign aid bill and takes a reverse turn and says that we will let the President make the decision where he wants this money to go.

In amount, this authorization bill is essentially the same bill the Senate rejected on October 29, only 6 weeks ago.

Besides that, the amount authorized is nearly \$1 billion more than the fiscal year 1970 appropriation.

I shall vote against this legislation.

ON VOTING AGAINST FOREIGN AID BILL

Mr. CHURCH. Mr. President, on October 29, when the Senate voted 41 to 27 to reject the foreign aid authorization bill, I addressed myself at length to the reasons why I could no longer support the foreign aid program. I called, at that time, for a drastic reduction in military assistance, a phaseout of the bilateral development loan fund, and a shift to the multilateral approach for long-term economic development in the future. I indicated my continuing support for technical assistance, which is grant aid, as well as for generous American donations for the relief of war refugees and the victims of natural disasters. I also called for fulfilling our commitment to pay our agreed share of the cost for the United Nations, and its affiliated agencies.

The bill we are asked to approve today contains some improvements in the foreign aid program, as we have previously known it. These include a ceiling on spending for personnel in Cambodia; certain limitations on the President's discretionary authority to transfer aid funds from country to country and to waive congressionally imposed restrictions; a requirement for a modest cut-back in military personnel assigned to MAG missions abroad; annual authorizations for the State Department and the USIA to make them more responsive to Congress; and requirements for the release of funds impounded for certain domestic programs, as a condition prerequisite to spending the money authorized for foreign aid in this bill.

These reforms, though welcome, fall far short of the kind of restructured foreign aid program that I could support. I say this without derogating, in any way, the effort made by the Senate conferees to achieve more far-reaching changes. As one of those conferees, I can say that we made the strongest possible effort. The bill we bring back to the Senate represents, in my judgment, the best compromise we could obtain.

The ACTING PRESIDENT pro tempore. The time of the Senator from Idaho has expired.

Mr. CHURCH. Mr. President, I ask unanimous consent for 1 more minute.

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

Mr. CHURCH. Mr. President, the bill has had its most important policy provision, the Mansfield amendment, stricken from it, as a result of the refusal of the House of Representatives, in a vote of 130 to 101 taken yesterday afternoon, to instruct their conferees to accept this provision. The refusal of the other body to adopt a legislative policy for ending American involvement in the war in Indochina, represents a larger backward step than all the forward steps achieved in conference taken together. For this reason alone, I would vote against the bill.

Moreover, the total amount authorized by the pending bill is only about \$150 million below that which the Senate rejected

on October 29. The ratio of economic to military aid in this bill has not been appreciably altered. In sum, this bill too closely resembles the rejected measure to warrant a reversal in my position. Accordingly, I will cast my vote against this bill.

Mr. HUMPHREY. Mr. President, I regret that in voting for this conference report on foreign aid, we are not voting for the Mansfield amendment because time and time again this has been the expressed will of the Senate. The majority of the American public wants a quick and complete withdrawal of our military forces from Vietnam and Southeast Asia.

I also regret that the Senate has accepted the view of the House Appropriations Committee to delete the funding of \$100 million for United Nations development program.

But I am pleased to find that the Senate conferees did accept the House amendment to cut off military assistance and military credit sales to Greece, unless the President finds it absolutely essential. There is also a ceiling on spending and personnel to Cambodia. This could have been lower but the principle is a good one.

I am pleased that supporting assistance to Israel—\$50 million, which I have strongly supported and worked with Senator JAVITS to have reinstated in the continuing resolution has been included.

The conference report represents a compromise but also it includes some significant and long overdue changes and improvements. I shall vote for it.

FOREIGN ASSISTANCE: WORLD POPULATION PROGRAMS

Mr. CRANSTON. Mr. President, I am particularly gratified the Senate conferees were successful in retaining the Senate provision earmarking \$125 million for fiscal year 1972 and also extending the same earmarking to fiscal year 1973 for programs relating to world population growth. This provision was originally included in the Senate bill as a result of an amendment offered by the Senator from Ohio (Mr. TAFT) and myself. The conferees acceptance of this provision will insure the continuation of critically needed population programs at an adequate level for the next 2 years.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to vote on the question of agreeing to the conference report.

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 New Mexico (Mr. ANDERSON), the Senator from Texas (Mr. BENTSEN), the Senator from Nevada (Mr. BIBLE), the Senator from North Dakota (Mr. BURDICK), the Senator from Florida (Mr. CHILES), the Senator from Mississippi (Mr. EASTLAND), the Senator from Louisiana (Mr. ELLENDER), the Senator from North Carolina (Mr. ERVIN), the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Indiana (Mr. HARTKE), the Senator from

South Carolina (Mr. HOLLINGS), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Washington (Mr. MAGNUSON), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Minnesota (Mr. MONDALE), the Senator from New Mexico (Mr. MONTAYA), the Senator from Maine (Mr. MUSKIE), the Senator from Rhode Island (Mr. PELL), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Mississippi (Mr. STENNIS), the Senator from Illinois (Mr. STEVENSON), the Senator from California (Mr. TUNNEY), and the Senator from Oklahoma (Mr. HARRIS) are necessarily absent.

I further announce that the Senator from Louisiana (Mr. LONG), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Georgia (Mr. TALMADGE) are absent on official business.

On this vote, the Senator from Rhode Island (Mr. PELL) is paired with the Senator from South Carolina (Mr. HOLLINGS).

If present and voting, the Senator from Rhode Island would vote "yea" and the Senator from South Carolina would vote "nay."

On this vote, the Senator from Colorado (Mr. ALLOTT) is paired with the Senator from Georgia (Mr. GAMBRELL). If present and voting, the Senator from Colorado would vote "yea" and the Senator from Georgia would vote "nay."

On this vote, the Senator from Texas (Mr. TOWER) is paired with the Senator from Alaska (Mr. GRAVEL). If present and voting, the Senator from Texas would vote "yea" and the Senator from Alaska would vote "nay."

I further announce that, if present and voting, the Senator from Illinois (Mr. STEVENSON) would vote "yea."

On this vote, the Senator from California (Mr. TUNNEY) is paired with the Senator from North Dakota (Mr. BURDICK). If present and voting, the Senator from California would vote "yea" and the Senator from North Dakota would vote "nay."

On this vote, the Senator from Georgia (Mr. TALMADGE) is paired with the Senator from Connecticut (Mr. RIBICOFF). If present and voting, the Senator from Georgia would vote "nay" and the Senator from Connecticut would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. BENNETT) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Connecticut (Mr. WEICKER) is absent because of illness in his family.

The Senator from Colorado (Mr. ALLOTT), the Senator from Oklahoma (Mr. BELLMON), the Senator from Tennessee (Mr. BROCK), the Senator from Massachusetts (Mr. BROOKE), the Senator from New Hampshire (Mr. COTTON), the Senator from Kansas (Mr. DOLE), the Senator from Arizona (Mr. FANNIN), the Senator from Hawaii (Mr. FONG), the Senator from Florida (Mr. GURNEY), the Senator from Oregon (Mr. PACKWOOD), the Senator from Ohio (Mr. SAXBE), the Senator from Maine (Mrs. SMITH), the

Senator from Vermont (Mr. STAFFORD), the Senator from Alaska (Mr. STEVENS), and the Senator from Texas (Mr. TOWER) are necessarily absent.

If present and voting, the Senator from Massachusetts (Mr. BROOKE), the Senator from Hawaii (Mr. FONG) and the Senator from Maine (Mrs. SMITH) would each vote "yea."

On this vote, the Senator from Colorado (Mr. ALLOTT) is paired with the Senator from Georgia (Mr. GAMBRELL). If present and voting, the Senator from Colorado would vote "yea" and the Senator from Georgia would vote "nay."

On this vote, the Senator from Texas (Mr. TOWER) is paired with the Senator from Alaska (Mr. GRAVEL). If present and voting, the Senator from Texas would vote "yea" and the Senator from Alaska would vote "nay."

The result was announced—yeas 33, nays 21, as follows:

[No. 455 Leg.]

YEAS—33

Aiken	Hart	Pearson
Baker	Hughes	Percy
Beall	Humphrey	Proxmire
Boggs	Jackson	Roth
Buckley	Javits	Schweiker
Cannon	Mathias	Scott
Case	McGee	Sparkman
Cooper	Metcalf	Taft
Cranston	Miller	Thurmond
Dominick	Moss	Williams
Griffin	Pastore	Young

NAYS—21

Allen	Eagleton	Jordan, Idaho
Bayh	Fulbright	Mansfield
Byrd, Va.	Goldwater	McClellan
Byrd, W. Va.	Hansen	McGovern
Church	Hatfield	Nelson
Cook	Hruska	Randolph
Curtis	Jordan, N.C.	Spong

NOT VOTING—46

Allott	Fong	Packwood
Anderson	Gambrell	Pell
Bellmon	Gravel	Ribicoff
Bennett	Gurney	Saxbe
Bentsen	Harris	Smith
Bible	Hartke	Stafford
Brock	Hollings	Stennis
Brooke	Inouye	Stevens
Burdick	Kennedy	Stevenson
Chiles	Long	Symington
Cotton	Magnuson	Talmadge
Dole	McIntyre	Tower
Eastland	Mondale	Tunney
Ellender	Montoya	Welcker
Ervin	Mundt	
Fannin	Muskie	

So the conference report was agreed to. Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the conference report was agreed to:

Mr. SCOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ESTABLISHMENT OF DATE OF SECOND SESSION OF 92D CONGRESS

Mr. MANSFIELD. Mr. President, I send to the desk a joint resolution on behalf of the distinguished minority leader and myself, and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The joint resolution will be read for the information of the Senate.

The joint resolution (S.J. Res. 186) was read the first time by title, and the second time at length, as follows:

S.J. RES. 186

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second regular session of the Ninety-second Congress shall begin at noon on Tuesday, January 18, 1972.

The ACTING PRESIDENT pro tempore. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the joint resolution (S.J. Res. 186) was considered, ordered to be engrossed for a third reading, was read the third time, and passed.

FURTHER CONTINUING APPROPRIATIONS, 1972

The ACTING PRESIDENT pro tempore. Under the previous order, the Chair lays before the Senate the continuing resolution, which the clerk will state.

The legislative clerk read as follows:

Calendar No. 555, H.J. Res. 1005, making further continuing appropriations for the fiscal year 1972, and for other purposes.

The ACTING PRESIDENT pro tempore. Debate is limited and controlled. Who yields time?

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from West Virginia.

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the 20-minute provision which is applicable to amendments in the first degree be likewise applicable to amendments in the second degree, motions, appeals, and points of order, with the exception of nondebatable motions.

Mr. PROXMIRE. Mr. President, reserving the right to object, I think the major amendment to be discussed is in the second degree and, therefore, only 20 minutes would be allowed.

Mr. MANSFIELD. There is time on the resolution.

Mr. PROXMIRE. I can yield time from that?

Mr. MANSFIELD. That is right.

Mr. PASTORE. If we are going to have a yea-and-nay vote on this matter, let us get an order for the yeas and nays now. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, reserving the right to object, how does the time stand in toto?

The ACTING PRESIDENT pro tempore. Not to exceed 1 hour on the bill, 20 minutes on amendments in the first degree, and 20 minutes on amendments in the second degree, motions, and appeals.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. JAVITS. Is any amendment to the amendment to be proposed by the Senator from Wisconsin in the second degree?

The ACTING PRESIDENT pro tempore. The Parliamentarian advises me that the Proxmire amendment is in the second degree.

Mr. JAVITS. So no amendment to that amendment would be in order?

The ACTING PRESIDENT pro tempore. The Parliamentarian advises me that there is a possibility that an amendment to parts of the committee amendment to be stricken out by the amendment would be in order.

Mr. JAVITS. And that would be in order during consideration of the Proxmire amendment after the time on the Proxmire amendment has expired?

The ACTING PRESIDENT pro tempore. The Parliamentarian would have to examine the amendment.

Mr. JAVITS. He would have to examine it as to whether it is a perfecting amendment?

The ACTING PRESIDENT pro tempore. Yes.

Mr. JAVITS. I thank the Senator.

Mr. MANSFIELD. Time is running.

The ACTING PRESIDENT pro tempore. Yes. The unanimous-consent request is before the Senate, as proposed by the Senator from West Virginia.

Is there objection to the unanimous-consent request? Without objection, it is so ordered.

Mr. SCOTT. Mr. President, I yield myself 2 minutes, and thereafter I will turn over my time to the distinguished ranking minority member of the Committee on Appropriations, the Senator from North Dakota (Mr. YOUNG).

Mr. President, I rise for the purpose of asking the distinguished minority leader, with a lilt of hope in my voice, if this is to be the final vote, as I understand it, in the first session of the 92d Congress. The inquiry is prompted at this time so that Senators may make plans accordingly.

Mr. MANSFIELD. Yes, it will be the last vote, provided it is a vote of approval. If it is not, then I guess all bets are off.

So in view of the outstanding attendance of Senators today, I hope no Senator would leave—really not leave the Chamber, and certainly not leave the city or the area close to Capitol Hill. It is getting too close for comfort. Both of us would like to see Senators start on their way home or wherever they are going, just as we would like to leave, but the number is now at 51, so we ask Senators to stand by and we will do our best.

Mr. SCOTT. The majority leader is the best lobbyist for affirmative action I have heard yet.

I take this occasion to wish all Senators a Merry Christmas, a happy adjournment, and a Happy New Year.

Mr. PROXMIRE. Mr. President, I call up an amendment which is at the desk.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The ACTING PRESIDENT pro tempore. The Senate is not in order. The Senate will please be in order so that we may hear the reading of the amendment. Time is not running until the Senate is in order.

The clerk may proceed.

The amendment was read as follows:
H.J. RES. 1005

On page 3, strike out lines 19 and 20 and insert the following: "February 22, 1972";

(2) by amending section 108 to read as follows:

"Sec. 108. Notwithstanding any other provision of this joint resolution, obligations incurred hereunder and under prior year balances for the activities hereinafter specified shall not exceed the annual rates specified herein during the period beginning December 9, 1971, and ending February 22, 1972."

TITLE I—FOREIGN ASSISTANCE ACT ACTIVITIES

Item	Annual rate
Economic assistance:	
Worldwide, technical assistance	\$165,272,000
Alliance for Progress, technical assistance	79,105,000
American schools and hospitals abroad	15,000,000
International organizations and programs	41,282,000
Indus Basin Development Fund, grants	5,000,000
Indus Basin Development Fund, loans	6,000,000
Contingency fund	31,300,000
Refugee relief assistance (East Pakistan)	100,000,000
Alliance for Progress, development loans	226,693,000
Development loans	530,779,000
Administrative expenses, Agency for International Development	47,000,000
Administrative expenses, Department of State	4,280,000
Military and supporting assistance:	
Military assistance	522,500,000
Supporting assistance	649,721,000
Other: Overseas Private Investment Corporation, reserves	18,750,000

TITLE II—FOREIGN MILITARY CREDIT SALES

Foreign Military Credit Sales	\$400,000,000
-------------------------------	---------------

TITLE III—FOREIGN ASSISTANCE (OTHER)

Item	Annual rate
Peace Corps, salaries and expenses	\$72,000,000
Peace Corps, limitation on administrative expenses	24,500,000
DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS	
Ryukyu Islands, Army, administration	\$4,216,000
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE	
Assistance to refugees in the United States	\$139,000,000
DEPARTMENT OF STATE	
Migration and refugee assistance	\$5,706,000
INTERNATIONAL FINANCIAL INSTITUTION	
Inter-American Development Bank, paid-in capital	\$13,240,000
Inter-American Development Bank, callable capital	136,760,000
TITLE IV—EXPORT-IMPORT BANK	
Export-Import Bank, limitation on program activity	\$7,323,675,000
Export-Import Bank, limitation on administrative expenses	8,072,000

Provided, That of the amount that may be obligated hereunder for security supporting assistance, not less than a sum computed at the annual rate of \$50,000,000 shall be available for obligation for such purpose solely for Israel: *Provided further*,

On page 4, strike out lines 1 through 12. On page 4, line 13, strike out "Sec. 110" and insert in lieu thereof "Sec. 109".

On page 5, line 3, strike out the period and the quotation marks, and insert in lieu thereof a comma and the following: "except that notwithstanding section 102 of this joint resolution, as amended, emergency school assistance activities for which an appropriation was made in the Office of Education Appropriation Act, 1971, may continue to be conducted at an annual rate for administra-

tive operations not to exceed the fiscal year 1971 rate."

Mr. PROXMIRE. Mr. President, I yield myself 5 minutes.

The ACTING PRESIDENT pro tempore. The Senator is recognized for 5 minutes.

Mr. PROXMIRE. Mr. President, the amendment which I have sent to the desk represents a compromise which we worked out over the past 24 or 48 hours of almost continuous negotiations with House appropriations leaders and with Senators on both sides of the aisle. It appears that we have a compromise which does seem to be satisfactory. It covers only a very short period of time. It is a continuing resolution—it is not an appropriation—based on what we passed.

We now appear to have a new foreign assistance authorization bill—the House has acted on the fiscal year 1972 appropriation bill—and, therefore, the Senate can now promptly act on the regular 1972 appropriation bill shortly after we reconvene. I see no reason why we cannot have a regular bill enacted into law by February 1, 1972.

In the meantime, the proposed continuing resolution would provide obligatory authority at no higher than the annual level authorized and, in many cases, below it. To detail the action taken, I ask unanimous consent to include at this point in my remarks a table reflecting (a) new obligatory authority authorized, (b) new obligatory authority included in the continuing resolution, and (c) the difference between the two.

There being no objection, the tabulation was ordered to be printed in the Record, as follows:

Item	Authorization act	New obligatory authority	Difference	Annual rate
TITLE I—FOREIGN ASSISTANCE ACT ACTIVITIES				
Economic assistance:				
Worldwide, technical assistance	\$175,000,000	\$150,000,000	\$-25,000,000	\$165,272,000
Alliance for Progress, technical assistance	88,500,000	75,000,000	-13,500,000	79,105,000
American schools and hospitals abroad	30,000,000	15,000,000	-15,000,000	15,000,000
International organizations and programs	138,000,000	41,000,000	-97,000,000	41,282,000
Indus Basin Development Fund, grants	15,000,000	5,000,000	-10,000,000	5,000,000
Indus Basin Development Fund, loans	6,000,000	6,000,000		6,000,000
Contingency fund	30,000,000	30,000,000		31,300,000
Refugee relief assistance (East Pakistan)	250,000,000	100,000,000	-150,000,000	100,000,000
Alliance for Progress, development loans	206,500,000	150,000,000	-56,500,000	226,693,000
Development loans	250,000,000	250,000,000		530,779,000
Administrative expenses, Agency for International Development	50,000,000	45,000,000	-5,000,000	47,000,000
Administrative expenses, Department of State	PA	4,255,000		4,280,000
Military and supporting assistance:				
Military assistance	500,000,000	500,000,000		522,500,000
Supporting assistance	618,000,000	600,000,000	-18,000,000	649,721,000
Other: Overseas Private Investment Corporation, reserves	PA			18,750,000
TITLE II—FOREIGN MILITARY CREDIT SALES				
Foreign Military Credit Sales	400,000,000	400,000,000		400,000,000
TITLE III—FOREIGN ASSISTANCE (OTHER)				
Peace Corps, salaries and expenses	77,200,000	72,000,000	-5,200,000	72,000,000
Peace Corps, limitation on administrative expenses	(28,400,000)	(24,500,000)	-(3,900,000)	(24,500,000)
Department of the Army—Civil functions: Ryukyu Islands, Army administration	PA	4,216,000		4,216,000
Department of Health, Education, and Welfare: Assistance to refugees in the United States	PA	139,000,000		139,000,000
Department of State: Migration and refugee assistance	PA	5,706,000		5,706,000
INTERNATIONAL FINANCIAL INSTITUTION:				
Inter-American Development Bank, paid-in capital	25,000,000	13,240,000	-11,760,000	13,240,000
Inter-American Development Bank, callable capital	136,760,000	136,760,000		136,760,000
TITLE IV—EXPORT-IMPORT BANK				
Export-Import Bank, limitation on program activity	(7,323,675,000)	(7,323,675,000)		(7,323,675,000)
Export-Import Bank, limitation on administrative expenses	(8,072,000)	(8,072,000)		(8,072,000)
Total	3,149,137,000	2,742,177,000	-406,960,000	3,213,604,000

Mr. PROXMIRE. I might point out that on almost every item we are below the authorization and in no case above the authorization.

Inasmuch as the total level of operation would also include certain unobligated carryovers from previous years' appropriations, there is a fifth column in-

dicating this amount, which would constitute the maximum level of operation permitted under the continuing resolution.

It should be pointed out that in the continuing resolution as proposed \$300 million in military credit sales is earmarked for Israel and \$50 million in supporting assistance is earmarked for Israel.

In addition to Foreign Assistance Act activities, the continuing resolution provides for an annual level of operation of \$72 million for the Peace Corps. This is an increase of \$4 million over the annual basis under the continuing resolution as passed the House.

Also provided is \$139 million for Cuban refugees. This is an increase of \$39 million over the operating level authorized by the House continuing resolution. It is the amount which the Department of Health, Education, and Welfare advises is necessary to continue the reduced program due to interruption of the airlift over the past several months.

The proposal also would provide \$150 million for the Inter-American Development Bank, of which \$13,240,000 shall be for paid-in capital and \$136,760,000 shall be for callable capital.

In addition, the limitation on program activity of the Export-Import Bank is increased to \$7,323,675,000—the full amount requested under the administration's revised budget estimate.

I would like to say that a part of the changes that have been accomplished since we had our last negotiations are very largely the responsibility of the Senator from New York (Mr. JAVITS), who has shown a great interest in this matter. He was very concerned about the Inter-American Bank. I want him to know we did put in the \$150 million, which I understand is satisfactory, for the Inter-American Development Bank. He was also concerned, as we should all be, about supporting assistance for Israel that had not been earmarked. That was a point of disagreement. I agreed to put in that earmarked amount.

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

Mr. PROXMIRE. I yield.

Mr. JAVITS. I am grateful to my colleague. He has done what needs to be done. The reason for the urgency in both is, first, that the subscription to the Inter-American Development Bank, if it had not been made before the 31st of December, would have involved the possibility of adverse action by many other nations. As to Israel, I think this action is necessary for this beleaguered nation because of the threat of the renewal of war, which we all deprecate. This does not mean peace on either side's terms, but the threat of war by the end of the year, so clearly voiced, and now underwritten by the Soviet Union in behalf of the United Arab Republic, is so worrisome that this action is necessary as an indication that the intention to work for peace and economic help for either side is highly desirable and this is a high policy question. So I think what the committee has decided is very intelligent in the interim, and I thank my colleague.

Mr. PROXMIRE. Mr. President, I believe that the continuing resolution as proposed will serve to satisfy the need for operating funds for the short time before the regular 1972 bill can be enacted.

I further believe that if it is possible for the Senate to adopt it as proposed, in turn it will be accepted by the House and, therefore, entail no extended conference period.

Of course, that is to our great interest, in view of the great difficulties of keeping both Members of the Senate and of the House of Representatives in town.

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

Mr. PROXMIRE. I yield.

Mr. DOMINICK. As I read the amendment, it would restrict aid to Israel to \$50 million a year. Is that correct?

Mr. PROXMIRE. There are two provisions as to Israel. One is credit sales of \$300 million. The other is supporting assistance of \$50 million. We cannot go above the \$50 million because that is the amount in the authorization bill. We could go above it, but it would be a vain act, because when the authorizing bill is adopted by the other body, the ceiling of \$50 million would be in effect.

Mr. DOMINICK. I thank the Senator.

The ACTING PRESIDENT pro tempore. The time of the Senator from Wisconsin has expired.

Mr. PROXMIRE. Mr. President, I yield myself 3 additional minutes.

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

Mr. PROXMIRE. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I first want to thank the Senator from Wisconsin not only for his work on this resolution but for his support of the authorization which we just passed. He is to be commended. He has shown the greatest cooperation in supporting the effort to get an authorization bill, and now the continuing resolution, which is essential because of the situation in the House. I want to congratulate and commend him for what he has done. I think he has done an excellent job on this bill as well as in his efforts on the authorization bill. I am particularly pleased that he has seen fit to keep these figures generally in line with the authorization figures and, in fact, in some instances, below them. I think that is very much in the national interest. I think the Senator, just as he did about a year ago, has rendered the country a great service.

Mr. PROXMIRE. I thank the Senator from Arkansas very much. He has been a prime influence in my attitude on so many of the items that are in the bill. I regret very much that there is such a heavy concentration of military assistance here. That is unfortunate. It was a point of disagreement with the House. We were able to reduce the amount they insisted on for credit sales only because the authorization was \$400 million. Otherwise we would not have been successful in that regard.

Mr. FULBRIGHT. I want to comment on some of the other items. One does not come before the Foreign Relations Committee, but affects the general principles of our economic situation. I would hope that in the future—and that is not in criticism of this bill—the amount for the Export-Import Bank is going to be cut, and I hope that some of the other activities can be cut. I shall not delay

the Senate now by talking about them, but I think the Senator has done everything he could possibly do.

Mr. PROXMIRE. I agree that the Export-Import Bank has been a sacred cow. It has not been examined as it should be. It has a tremendous impact on borrowing in this country and on the level of interest rates, because it represents billions of dollars of credit which are exempt from the budget, and are outside the restraints of our monetary policies. It has a seriously adverse effect on housing. This has not been taken into consideration. It cannot be done today, but it should be done.

I yield now to the Senator from Idaho (Mr. CHURCH).

Mr. CHURCH. Mr. President, first of all, I want to thank the Senator for having included the \$150 million for the Inter-American Development Bank. It not only fulfills the obligation to the Bank and enables it to go forward with its planning for the coming year, but it is in line with my own feeling that our contributions to long term economic development ought to be more and more channeled through multilateral agencies. I commend him for seeing that this provision is included in the continuing resolution.

Second, I want to compliment the Senator from Wisconsin for having stood behind the legislative committee. He represents the appropriation process, but from the beginning he has stood solidly behind the Foreign Relations Committee.

The ACTING PRESIDENT pro tempore. The time of the Senator from Wisconsin has expired.

Mr. PROXMIRE. May I have 5 minutes on the bill?

Mr. MANSFIELD. We have only 1 hour on the resolution.

Mr. PROXMIRE. My time has almost expired on the amendment, which is the principal amendment.

Mr. YOUNG. Mr. President, I yield 5 minutes to the Senator on the amendment.

Mr. CHURCH. The Senator from Wisconsin has insisted upon a legitimate procedure, and thus reinforced the hands of the policy committee of the Senate.

Finally, I would ask the Senator, if this bill does not pass, it would really mean chaos, would it not, because the entire apparatus would come to a halt, and all money would be cut off immediately for all programs and all salaries, and that really makes it essential that the Senate act responsibly?

Mr. PROXMIRE. Exactly. A great many people whose judgment about foreign policy I admire, and whose experience is far greater than mine, believe that this foreign aid program ought to be ended completely; but it certainly should not die on the floor of the Senate in 1 day. That would be disastrous, and, as the Senator from Idaho, who opposes the bill for other reasons, pointed out a minute ago, it would cause great suffering.

Mr. CHURCH. I support the Senator's amendment.

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

Mr. PROXMIRE. I yield.

Mr. HUMPHREY. May I ask the Senator one question? On the \$50 million of supporting assistance to Israel, is this separate and distinct from other authorizations and appropriations?

Mr. PROXMIRE. What we did in this amendment was provide the precise limit provided in the conference authorization bill, so there is \$50 million solely for Israel.

Mr. HUMPHREY. In supporting assistance.

Mr. PROXMIRE. In supporting assistance, that is correct.

Mr. HUMPHREY. And that is for current purposes in supporting assistance?

Mr. PROXMIRE. That is my understanding.

Mr. HUMPHREY. And is over and above the—

Mr. PROXMIRE. \$300 million of credit sales.

Mr. HUMPHREY. Of credit sales, and over and above items such as food and humanitarian assistance?

Mr. PROXMIRE. Yes, indeed.

Mr. HUMPHREY. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin. Who yields time?

Mr. YOUNG. Mr. President, I yield myself 5 minutes.

Mr. President, this is probably the most "cussed" and discussed appropriation bill that the Senate has considered this session, but it has received careful consideration, and finally, I believe it has received the approval of every Member of the Senate who believes in any kind of a foreign aid program.

I have been voting against practically every foreign aid appropriation bill in the last 20 years, but I plan to vote for this measure. I believe it represents the minimum in most categories of foreign aid that we can appropriate. Most of it is very necessary.

It includes such items as famine relief. Pakistan is a good current example of the need for this program. It includes the all-important and necessary funds for helping us get out of the war in Southeast Asia. It includes funds for some of our better allies, such as Korea, Turkey, and Greece. These funds are absolutely necessary. There is a long list of these items, such as economic assistance to needy, deserving, and friendly countries.

One item in which I am particularly interested is that it increases the borrowing authority of the Export-Import Bank. For the past fiscal year, this was \$4,082,531,000. This bill increases that amount to \$7,323,675,000.

The Export-Import Bank has been instrumental and very helpful to industry in exporting their commodities all over the world, and I understand that much of this increase in funds will go to help in exporting farm commodities. The Export-Import Bank advises that it could mean additional farm exports of \$2 billion to \$3 billion during the next fiscal year.

We have a tremendous surplus of farm commodities. We have a great adverse balance-of-payments situation with the

rest of the world. So this exporting of farm commodities for dollars is particularly in our best interests. And I might say that the Export-Import Bank has been one of the few profitable international organizations that we have had. They have consistently made a profit, and they have paid back sizable amounts of money to the Treasury of the United States.

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

Mr. YOUNG. I yield.

Mr. HRUSKA. Mr. President, I rise to join and associate myself with the remarks of the Senator from North Dakota on the subject to which he has just addressed himself.

There are many items, a variety of items, in the continuing resolution which require attention if the activities involved are to go forward at all. That applies, also, to the military and the economic assistance, which is the primary burden of the continuing resolution. No more than an hour ago, I voted against the conference report on the authorization bill. I have done so because that is consistent with my previous position on this subject. It may be that the proper appropriation bill on that subject will receive another negative vote from this Senator. That will depend upon a number of considerations, some of which are inherent in the appropriation bill as it will ultimately be constituted in its final form.

However, this continuing resolution involves in other fields what it will mean in the field of Export-Import Bank activity. Heretofore the amount involved has been in the range of \$4 billion. Unless this continuing resolution is approved, would it not mean, I ask the Senator from North Dakota, that there would be a cessation of activities of the Export-Import Bank activities or a very serious reduction therein?

Mr. YOUNG. Yes, I understand it would curtail their activities by as much as 40 or 50 percent.

As I have pointed out, they have been doing a good job for a long while in helping with exporting industrial commodities, but now they are getting more into the field of helping export farm commodities for dollars.

Mr. HRUSKA. So two things are done by this continuing resolution in regard to the Export-Import Bank: not only is there a continuance of their activities made possible, but the borrowing authority is increased from roughly \$4 billion to \$7.23 billion, is that correct?

Mr. YOUNG. That is correct, and this is a kind of borrowing we will not lose money on, unlike the experiences we have had in the past with many other somewhat similar activities.

Mr. HRUSKA. It is my understanding that there will be in the range of \$2 billion to \$3 billion granted the Export-Import Bank for export of farm commodities during the next fiscal year.

Mr. YOUNG. That is my understanding, after talking with officials of the Export-Import Bank.

Mr. HRUSKA. They gave the Senator that information, and he understands that to be the fact?

Mr. YOUNG. That is correct.

Mr. HRUSKA. In the light of that, Mr. President, it would appear most urgent that this continuing resolution be approved, because there is that impact upon the farm situation here within America, and there will also be a corresponding and even greater favorable impact on our recovery of the trade balance, which currently is very, very much against this country.

Mr. YOUNG. I agree completely with the Senator from Nebraska.

Mr. HRUSKA. I thank the Senator for bringing the subject up and engaging in this colloquy.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. YOUNG. How much time does the Senator wish?

Mr. BYRD of Virginia. Four minutes?

Mr. YOUNG. I yield the Senator 4 minutes.

Mr. BYRD of Virginia. Mr. President, on page 2 of the committee report, on further continuing appropriations, I note, in the first column, that available under the continuing resolution which expired December 8, 1971, the grand total was \$2,698,552,000.

Now, I note in the fifth column, under the "Total Available Under House Joint Resolution 1005 as passed by the House," that the total is \$3,100,932,000.

That represents an increase of \$402,380,000. I ask the Senator from Wisconsin whether my understanding of those figures is accurate.

Mr. PROXMIRE. The Senator from Virginia is comparing the continuing resolution as it expired December 8 with what the House has proposed, not with what I am offering here, and the Senator's figures are correct.

Mr. BYRD of Virginia. How do the figures offered today, on which the Senate will now vote, differ from the \$3.1 billion which the House passed?

Mr. PROXMIRE. As the Senator knows, when we go to conference with the House, we have to compromise somewhere in between. We would like to get everything we propose, but that was impossible. So that the amount that we compromised on was \$2.842 billion, which is somewhat closer to the Senate figures than the House figures. This includes carryover in both cases. If carryover is deleted, these figures are substantially smaller.

Mr. BYRD of Virginia. The Senator from Virginia is not comparing the figures with what the Senate approved. The Senator from Virginia is comparing the figure with what was available for foreign aid under the continuing resolution which expired December 8. That was just a week ago. Since that time, the amount available, using the new figures submitted by the Senator from Wisconsin, will be approximately \$150 million more than was available at that point.

Mr. PROXMIRE. The one major difference—it is not the only difference—is the Pakistan relief, which, as the Senator recognizes, is something that developed recently. This accounts for a very substantial proportion of it.

In addition, the House simply came in with a continuing resolution at a higher

level under the authorization which has just been agreed to.

Mr. BYRD of Virginia. The point I am suggesting is that the amount available for foreign aid through December 8, which was last week, was \$2.7 billion, and in just 1 week's time, it will be increased by \$150 million.

Mr. PROXMIRE. It is not 1 week's time. That increase developed between the time when foreign aid was last extended by continuing resolution which was some time in November, to be extended to December 8.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. PROXMIRE. I yield 2 minutes on my amendment.

So I think that the difference is partly accountable by what happened in the last month or so.

I worked hard, as did other members of the conference—Senator Young agrees with me, I am sure, and the other members of the Senate Appropriations Committee. We wanted to hold it down to the December 8 figure. That is what Senator ELLENDER wanted to do. But when we get to conference with the House, as the Senator knows from his own experience, we are not able to simply maintain our position. We have to give.

Mr. BYRD of Virginia. I appreciate that. But I think the Senate should know that when we vote on this, we are voting for an amount substantially above what was available only a week ago. I am not saying whether it is right or wrong. I am saying that is what the facts appear to be.

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

Mr. PROXMIRE. I yield.

Mr. YOUNG. One reason is that the Senate, by about an 80-to-18 vote, I believe it was, put \$500 million in the defense appropriation for Israel. We had that increase. This bill contains \$300 million as against the \$500 million they voted only 2 or 3 weeks ago.

Mr. BYRD of Virginia. The same figure was the amount available as of December 8, also.

Mr. YOUNG. But we had \$500 million in the defense bill.

Mr. BYRD of Virginia. I am not sure that that fundamentally changes the picture. I should like to get an understanding of the total amount that the Senate will be called upon to vote for foreign aid on this continuing resolution when it comes to a vote in a short time. As I understand it, it is \$2.842 billion. Is that correct?

Mr. PROXMIRE. Including carryovers, the Senator is correct.

Mr. BYRD of Virginia. I point out to the Senate that that is a billion dollars more than Congress appropriated for fiscal 1970. So we are going in the opposite direction on foreign aid.

Mr. PROXMIRE. The Senator could not be more right. We argued this over and over again in committee, with the House conferees. But we are in the position now, when we go to conference, as the Senator knows, that we are limited. We are limited by what we go to conference on. The Senate Appropriations Committee gave us \$2.7 billion, the House

had \$3.1 billion, and we went to \$2.8 billion.

Mr. BYRD of Virginia. I am not expressing criticism of the conferees in any way. I am merely trying to point out what appear to be the facts—namely, while Congress has led the people to believe, by the votes which were taken a few weeks ago, that Congress is cutting down on foreign aid, the fact is that when this resolution is passed, Congress will be appropriating \$1 billion more than it appropriated for fiscal 1970.

I am not saying whether it is right or wrong. All I want to do is to let the people know the facts of the case. The fact is that we are not cutting down on foreign aid; we are increasing foreign aid.

Mr. PROXMIRE. May I say that the amendment we have here is \$400 million below what the Senate authorized less than an hour ago.

The ACTING PRESIDENT pro tempore. All time on the amendment has expired.

Mr. YOUNG. Mr. President, I yield myself 2 minutes on the bill.

I should like to say to the Senator from Virginia that no one fought harder to reduce the funds than the Senator from Wisconsin. Having been against most foreign aid bills in the past, I tried to help him a little.

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

Mr. YOUNG. I yield.

Mr. FULBRIGHT. I agree with the Senator from Virginia. The Senator from Wisconsin and I tried this, but we were overridden. I used the same argument.

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

Mr. YOUNG. Mr. President, how much time do I have?

The ACTING PRESIDENT pro tempore. The Senator still has time on the bill. All time on the amendment has expired.

Mr. YOUNG. I yield the Senator 3 minutes.

Mr. JAVITS. I thank the Senator.

I should like to ask the Senator a question relating to the Inter-American Development Bank, which is provided for by his amendment.

It is my understanding that the \$150 million provided under this joint resolution for the Inter-American Development Bank ordinary capital would be in addition to the \$225 million provided for that purpose in the second supplemental appropriation act of last May.

Mr. PROXMIRE. Yes. The \$150 million in this bill would be additional. It would be combined with the previous amount and used toward our total requirements of \$386.7 million for initial subscription payments. A further \$11,760,000 would be needed to make up the full amount contemplated for those installments under the U.S. subscription.

Mr. JAVITS. But that is not provided.

Mr. PROXMIRE. That is correct.

Mr. JAVITS. I wish to make a few observations.

First, I should like to express what I know to be the thanks of the country and the Senate to Senator PROXMIRE, Senator YOUNG, Senator ELLENDER, Sen-

ator CRANSTON, Senator FULBRIGHT, Senator COOPER, Senator CASE, Senator AIKEN—all those who participated in bringing about this meeting of the minds on what seemed absolutely insoluble. I think it is a triumph for the Senate. I think the majority leader and the minority leader are entitled to take great satisfaction from our ability to extricate ourselves from a seemingly hopeless situation. It is something that should inspire the confidence of our country and of the world in America's ability to govern itself.

I should like to note that a very important international activity in technical assistance, the United Nations Development program, is omitted from this solution. I understand the reasons, but I think it is very important to point out that it is omitted. The reason for its omission is that the House did not make a provision for it in the continuing resolution. The House explanation as to why that was not done is contained in the House report on foreign assistance and related programs and appropriations on pages 11 and 12, I ask unanimous consent that they be printed in the RECORD.

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

*International organizations and programs*¹
Fiscal year 1971 appropriation... \$103,810,000
Fiscal year 1972 estimate..... " 141,000,000
Recommended in the bill..... 41,000,000

¹ In last year's appropriation bill, this was listed as "Multilateral organizations."

² Includes \$13,300,000 for the United Nations Relief and Works Agency which was funded from "Supporting assistance" in fiscal year 1971.

The Committee recommends an appropriation of \$41,000,000, a reduction of \$100,000,000 below the budget estimate and \$62,810,000 below the fiscal year 1971 appropriation.

The budget proposed a total program of \$141,135,000, to be financed by \$141,000,000 in new appropriations and \$135,000 in recoveries of prior year obligations. Included in the estimate of \$141,135,000 are the following programs:

Item	Proposed fiscal year 1972 program
Multilateral technical assistance:	
U.N. development program...	\$100,000,000
U.N. Children's Fund.....	13,000,000
U.N. population program...	7,500,000
U.N. fund for drug abuse control	2,000,000
International Atomic Energy Agency—operational program	1,550,000
World Meteorological Organization—voluntary assistance program.....	1,500,000
U.N./FAO world food program	1,500,000
U.N. Institute for Training and Research.....	400,000
World Health Organization—medical research.....	312,000
International Secretariat for Voluntary Service.....	73,000
U.N. Relief and Works Agency	13,300,000

Total, fiscal year 1972 proposed program.... 141,135,000

During Committee hearings, several points of interest were noted concerning the United

Nations Development Program. It was stated in the hearings that certain recommendations which were suggested by the so-called "Jackson capacity study" had been implemented but it would be several years before concrete results could be seen.

The following testimony appeared on page 653, part 2 of the fiscal year 1972 hearings:

Mr. LONG. * * * the Jackson report says you are going to have improved financial and budget planning, at least implementation of it would suggest that and these improvements have been implemented. How long before we see the results of this budget planning?

Mr. DE PALMA. Congressman Long, I think in all honesty I have to say it will take 2 or 3 years to see concrete results. The results we can show now are the administrative reorganization, and the start in preparation of country plans. But the results in terms of accomplishments are going to take at least 2 or 3 years.

Another point of interest discovered during the testimony before the Committee was that the United Nations Development Program had available a large reserve because it had been decided to abandon the practice of full funding of projects. It was estimated that this reserve would amount to \$343.3 million in 1970. The following testimony appeared on page 675 of part 2 of the hearings:

Mr. PASSMAN. * * * You have built up a \$343 million reserve. It is so far in excess of your needs until you are going to pull \$150 million out and put that in a single account or dormant reserve and then you are going to take the other \$193 million in reserve, add that to what you requested, and enlarge upon the program?

Mr. DE PALMA. Yes, sir.

Mr. PASSMAN. How much of the \$193 million are you going to use?

Mr. DE PALMA. I don't know how much of it will be programmed.

Mr. PASSMAN. In fact, you could actually operate a full year without any money? That is just about the present funding level out of this reserve?

Mr. DE PALMA. Yes, sir.

The UNDP reserve situation was discussed with the Administrator of the Agency for International Development (AID) and he categorically stated that no bilateral aid program had this type of reserve on hand. It was also verified that the UNDP reserve would finance the expanded UNDP program for one year. The following information was supplied by the agency concerning this reserve which was created by switching the project funding to an annual basis:

"The Jackson Capacity Study went on to note that the switch to an annual basis would free—on a one-time basis—funds which could be available for a one-time burst of additional activity."

The Committee has specifically denied the entire budget request of the United Nations Development Program (UNDP) but the budget requests for all the other programs carried in this appropriation title have been recommended for approval in the full amount requested for fiscal year 1972. In denying the funds for the UNDP, the Committee justified this action on the basis that the practice of fully funding projects has been abandoned and now these projects will be funded on an annual basis. This change of funding procedure has resulted in the "freeing up" of large amounts of funds which the Committee feels should be utilized before additional contributions are solicited from the various countries involved.

It should also be noted that the total program levels for the UNDP have increased over the past several years by substantial amounts. The program levels are as follows: 1970—\$257.3 million, 1971—\$308.3 million, 1972—\$358.6 million.

The Committee understands the Executive Branch is studying the possibility of reducing the U.S. assessed contribution to the regular budget of the United Nations to no more than 25 percent of the total assessed cost of all members for any single budget year. The Committee would also urge the Executive Branch to study the possibility of reducing the U.S. voluntary contributions to various UN agencies to 25 percent of the total contributions pledged for any single budget year.

Mr. JAVITS. Mr. President, the allegation is that they have enough money and do not need the U.S. subscription, and that they have a big reserve. But Paul Hoffman, whom we respect too much, in a cablegram to me, has explained that that is not true, that the amount of reserves that would be left—based on the alleged reserves—roughly the \$343 million mentioned in the testimony before the House committee, comes down to \$80 million. I think even that depends on voluntary contributions, so that with all the enormous transactions it carries on, that is a slim reserve. Therefore, the amount we are asked to provide; to wit, something in the area of \$100 million is urgently necessary for this activity. So that when the appropriation comes up I want to do my utmost in the conference report to bring about a suitable appropriation for the United Nations development program.

I should like to ask the Senator from Wisconsin (Mr. PROXMIRE), as the manager of this question, is it not a fact that when, as, and if we consider the regular appropriation for foreign aid, which will probably be in January or early February, based on the new authorization, which it is expected the President will sign into law, and if it comes before February 22, it will supersede in respect of whatever area it covers—to wit, foreign aid—the interim resolution which we will pass, or the continuing resolution, by virtue of adoption of the Proxmire amendment?

Mr. PROXMIRE. Yes, indeed, it certainly would supersede the resolution, and we would hope it would go into effect by February 1. We will try to act as rapidly as we can. For this Senator it will be the first order of business after we return January 18. The House will act promptly, I am sure.

It will be helpful if the Senator from New York would give us as much documentation on this matter as he can, because although the House objection seems logical, it may be wrong. But they say there is \$343 million in reserves which the U.N. people are not going to spend. Under those circumstances, it is hard for us to provide more money. We should get some answers here, so that we will be in a much better position to act.

Mr. JAVITS. I thoroughly agree with the Senator from Wisconsin on that. That is why I did not complain, but sought only to give the facts.

Mr. President, I ask unanimous consent to have printed in the RECORD Mr. Hoffman's answer and his conclusion that they have actually only \$80 million in reserves. That, if anything, will be too little for the nature of the operation, if the facts on which the House action was premised are incorrect. For that reason

I hope it would be done differently in January.

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

The Honorable JACOB JAVITS,
U.S. Senate, Old Senate Office Building,
Washington, D.C.:

DEAR JACK: Your support of United Nations development program appropriations is most appreciated. In my opinion it is of particular importance that the United States increase its pledge for 1972 over 1971. Our carefully screened program for 1972 calls for expenditures exceeding 350 million dollars. Although contributions are made annually, the process of continuous programing requires commitments to be made several years ahead. Of the 343 million dollars unexpended balance available at beginning 1971, when new funding scheme started in response to capacity study, we have already undertaken firm program commitment of 193 million dollars.

The remaining 150 million dollars is the net reserve now available to stand behind a program entirely dependent on voluntary rather than mandatory contributions. However, the 150 million dollar reserve is not all in readily useable form. For example, the United States contribution is made to UNDP in letters of credit cashable only when needed for immediate use and agreed with the United States Government. About one-third of the reserves consists of these U.S. letters of credit. Actually only about 80 million dollars is on hand in reasonably liquid form to cover uneven cash flows and provide for advance payments to executing agencies and for all types of contingencies.

This is the lowest possible figure to ensure that UNDP can continue to operate on a sound business basis. 119 countries have already shown their continuing and long-term support by pledging 172 million dollars for 1972, representing a 17-percent increase over 1971. If the United States fails to contribute the recommended amount of 100 million dollars, or close to it, the effects are bound to be disastrous for the businesslike operation of the program. In addition, UNDP successful efforts to get other nations to share the development burden would receive a serious setback.

More than that, such failure would be regarded by the rest of the world as evidence that the United States has lost interest in joining virtually all members of the world community in contributing towards an expanding world economy. Finally, at a time when needs are greater than ever before, it would be tragic if United States action compelled UNDP to take steps sharply to reduce its assistance to over 100 developing countries. Have discussed my concern with Rudolph Peterson who agrees fully with the above. Best regards.

PAUL HOFFMAN.

Mr. JAVITS. Mr. President, I strongly support the amendment to the pending continuing resolution reported to the Senate by the Committee on Appropriations as offered by Senator PROXMIRE. This amendment concerns U.S. subscriptions to the ordinary capital stock of the Inter-American Development Bank, and it is necessary in order to prevent the U.S. Government from being placed in the position of renegeing on an internationally agreed deadline of December 31, 1971.

Some background information is required to clarify what appears to be a highly complicated formulation. First let me recall to my colleagues that in December a year ago the Congress approved

H.R. 18306, which was enacted as Public Law 91-559, dated December 30, 1970. This was the so-called omnibus international financial institutions bill, providing U.S. support for the International Monetary Fund, the World Bank and Inter-American Development Bank. It will also be remembered that, in approving this legislation, the Congress refused to authorize \$1 billion of appropriations for so-called soft lending by the Inter-American Development Bank and by the Asian Development Bank. Therefore, Public Law 91-559 contained authorization for no more than \$100 million for soft loans, and this sum was entirely confined to the Fund for Special Operations of the Inter-American Bank. I stress this point in order to make it fully evident that my proposed amendment has nothing to do with so-called soft loans in any shape or form.

Public Law 91-559 authorized appropriations for the Inter-American Development Bank ordinary capital operations—or hard loans—in the total amount of \$823.5 million. This sum was divided into \$150 million of paid-in capital and \$673.5 million of callable capital.

However, actual appropriations to be sought from the Congress were spread over a 3-year period. The paid-in capital was divided into three equal installments of \$50 million each to be appropriated in fiscal years 1971-73, respectively; the callable capital was divided into two installments of \$336,760,000, one installment to be appropriated in fiscal year 1971 and the other to be sought in fiscal year 1973.

Thus, the administration last spring requested appropriations of one \$50 million installment of paid-in capital and one installment of \$336.76 million in callable capital, both to be made available during fiscal year 1971. The Appropriations Committees, however, before the end of the last fiscal year actually appropriated only one-half—that is, \$25 million—of the \$50 million paid-in capital requested and only \$200 million of the \$336.7 million requested callable capital. The two sums which were not then appropriated added together amount to \$161,760,000. While it would be preferable to obtain this total amount, at this late hour of this session I believe it to be the course of wisdom to appropriate the same amount as is in the House continuing resolution. Senator Proxmire's amendment does just that.

Mr. President, all too often during the last 2 to 3 years the United States has been compelled to return to its partners in these multinational financial institutions to ask for an extension of a deadline which we have been unable to meet. In the present instance, while there was some doubt displayed by the Congress last December regarding soft loan contributions to two of these institutions, there was no serious question raised during the authorization debate regarding the hard capital operations. The Secretary of the Treasury last December accordingly was fully authorized to agree on behalf of the United States to make these contributions to the ordinary capital operations of the Inter-American Bank.

There was every expectation that this country would comply with the agreed deadlines established by the member countries of the Bank and specifically that these ordinary capital subscriptions would be fulfilled by the end of this month. In that expectation, all 22 Latin American member countries of the Bank completed their parliamentary processes and made their contributions to the hard-loan window of the Bank. However, if the United States does not take action before the end of this year, we will have a situation in which our country will have reneged on an agreement and in which the hard-loan window of the Inter-American Bank in effect will be closed for new lending operations as of the beginning of 1972.

Mr. President, in order to try to prevent this unfortunate development Members of the House of Representatives made provision for the Inter-American Bank in the foreign assistance appropriations bill pending before that body. In the absence of an authorization, however, the House then proceeded to amend the continuing resolution on foreign aid to make the sum of \$150 million available for appropriation of the United States share in the ordinary capital stock of the Bank. Amendment now adds this amount to the Senate's continuing resolution. Again, it is my view that it would have been preferable to appropriate the full amount of \$161,760,000 actually required for the United States to fulfill its part of the agreement entered into by the Secretary of the Treasury with the full authority of the Congress 1 year ago rather than \$150 million. Accordingly, I trust the Congress will appropriate this full negotiated amount next year.

Mr. President, the Proxmire amendment is most important to our relations with Latin America. But I am very disturbed by the current state of those relations, which have been marked by an attitude of not very benign neglect on the part of the administration and the Congress. I refer to many factors not least the inaction on the generalized preference scheme, cutting the Alliance for Progress authorization and appropriation. The inequitable effects of the import surcharge, and the lack of action on the full funding requests for the Inter-American Development Bank. So while I very much welcome and support the Proxmire amendment, it would be my hope that action could be taken on these items of unfinished business when the Senate reconvenes next year.

Let me also add that I am responding to a request of the Nixon administration forwarded by means of letters from Secretary of the Treasury Connally to the Chairmen of the Senate and House Appropriations Committees. It is my view that many of these issues like the question of funding the IADB are non-partisan issues which deserve the support of all Members who believe in continuing and improving our friendly relations with the countries of Central and South America.

Mr. BYRD of Virginia. Mr. President, I have one or two brief questions I should like to ask. I notice that in the continuing resolution there is \$2.5 billion

for an Overseas Private Investment Corporation. May I ask the distinguished Senator from Wisconsin if he happens to know how much the American taxpayers have lost through the OPIC as a result of the takeover of American property in Chile?

Mr. PROXMIRE. When they appeared before the committee in June, they had \$4 million in claims. Today it is over \$240 million. Much of that—I wish I could tell the Senator how much—but I am sure that a great portion of that is because of the Chilean situation.

Mr. BYRD of Virginia. So, as a practical matter, what is happening, when another country such as Chile takes over American property, the American taxpayers, under this program, will be paying for it.

Mr. PROXMIRE. The Senator is absolutely correct.

Mr. BYRD of Virginia. I thank the Senator. I am glad to establish that point.

I have another question. I notice in the continuing resolution that there is an amount—I am not clear which figure I should use—but it is about \$4.5 million for the Ryukyu Islands—and I assume that is Okinawa, as the dominant island in the Ryukyus.

Mr. PROXMIRE. The Senator is correct.

Mr. BYRD of Virginia. I am wondering why we should be appropriating funds for Okinawa when the Senate has just passed a treaty giving Okinawa back to the Japanese.

Mr. PROXMIRE. The answer is that they have not formally ratified that treaty. This is on an annual basis, a continuing basis during these few days, and it would only carry through, of course, until the treaty is signed.

Mr. BYRD of Virginia. I understand that.

Mr. PROXMIRE. We have these obligations.

Mr. BYRD of Virginia. The treaty will be signed. The Senate has passed it. The President wants it. The Japanese want it. Yet we are still pouring taxpayers' money into Okinawa. I think that is wrong.

Mr. PROXMIRE. The answer is that much of the money will be used to bring American personnel home, with the understanding that this will be terminated. It is automatic the day the treaty is signed. It will take 6 to 8 months before it is terminated.

Mr. BYRD of Virginia. This is not for the purpose of bringing troops home, as I understand it.

Mr. PROXMIRE. The staff on the Appropriations Committee, whom I have found to be accurate on this information, advised me that bringing American personnel home is a purpose.

Mr. BYRD of Virginia. To bring our troops home?

Mr. PROXMIRE. Not to bring our troops home but to bring American personnel home.

Mr. BYRD of Virginia. But not to put additional installations on Okinawa?

Mr. PROXMIRE. Absolutely not.

Mr. YOUNG. Mr. President, we still have some continuing administrative

work there and we will have for some time, as long as we have a base there.

Mr. JAVITS. Mr. President, I would like to make a fact clear on the Overseas Private Investment Corp., and not just advance a theory, that there will not be \$100 million in claims but \$200 million. The fact is that that is true in any insurance company situation. They have lost \$1 million that they have made. That is a profit. That is pretty good for a U.S. corporation—\$30 million in the last 2 years. If it is a going concern, it will result in doing for foreign aid exactly what its opponents want done—that is, to obviate much of it; but I will deal with that question at another time. I did not want the record to stand bare on the fact of the loss, but these are claims. They have lost \$1 million, but they have made \$30 million.

The PRESIDING OFFICER (Mr. NELSON). The question is on agreeing to the amendment of the Senator from Wisconsin (Mr. PROXMIER).

The amendment was agreed to.

The PRESIDING OFFICER. The joint resolution is open to further amendment.

Mr. CRANSTON. Mr. President, rumors and reports that a group of Senators including myself, were "filibustering" against foreign aid were doubly inaccurate.

First, there has been no filibuster. As a Senator who called a filibuster a filibuster when engaged in one against the draft extension bill, I know a filibuster when I see—or should I say, when I hear one. This has not been a filibuster. The situations might have developed into one—but it did not.

Second, I am not against foreign aid. I support a strong foreign aid program.

I want to see it work better.

That is why I voted with the majority of my colleagues to defeat H.R. 9910, the original aid bill which perpetuated so many undesirable programs and concepts. I supported instead the promising start toward a more balanced approach to foreign aid begun by the Committee on Foreign Relations.

The committee, by reporting out two bills in place of a single catch-all bill, moved toward returning to first principles in aid-giving.

I subsequently voted against the military aid bill. But I supported enthusiastically the economic and humanitarian assistance act. It was a major step in the right direction.

But both measures were passed by the Senate and the continuing resolution for the foreign aid program that came before this body a few days ago was an affront to the constructive initiatives the Senate has taken in foreign aid and in trying to influence administration policy in Southeast Asia.

The Senate rejected the original foreign aid bill because of wide dissatisfaction with the procedure of holding certain programs hostage unless other programs were also included. I had a great many objections to the bills. But in separating military aid from economic and humanitarian aid, the Senate gave clear indication that for the first time it wanted to consider foreign aid outside the

context of the cold war. The Senate wanted the opportunity to determine the value of each specific program as it related to the real interests and responsibilities of the United States in the world of the 1970's.

I am all for sensible foreign aid, but I cannot condone its present structure or the assumptions which underlie it. Our foreign aid program was born with the Marshall plan and our aid to Greece and Turkey.

Our problems began when the program was expanded to include the whole world, and sanctified as a legitimate weapon in an anti-Communist crusade. During the early 1960's a new justification for the program was developed. Foreign aid became not only a crusade against the Communists but also a highly manipulative approach to development throughout the third world. Policymakers postulated that if we turned the right dials and adjusted the right screws with the dollars from our foreign aid program we could avoid the violence and turmoil that radical social change in any society always seems to engender in the third world.

Neither of these justifications for foreign aid can be supported. What we need to find is a new approach to foreign aid that serves both our national interests and the interests of the people of the developing world.

The original continuing resolution asked us to persist in viewing foreign aid in terms of competition between the great powers. It, in effect, insisted that we perpetuate the policies of the past. This injected a sense of urgency and crisis into the debate that was fallacious and misleading. The remarks of Mr. Paul C. Warnke, former Assistant Secretary of Defense for International Security Affairs, before the recent conference on foreign military aid, sponsored by the Council for a Livable World, are especially instructive on this point.

I regard it as both unfortunate and inaccurate.

Mr. Warnke declared:

That the insistent administration response to the Senate vote (that is, to defeat H.R. 9910) is to characterize it as a threat to our national security and a blow to our hopes of bringing about a peaceful world through negotiations. I don't believe that either our own security or the interests of peace are served by continued shipment of weapons of war to every corner of the globe. Neither do I agree that more military aid to small American allies is necessary to permit us to withdraw our forces overseas. If our own security requires strong military capability in some area, we cannot leave our fate even in friendly foreign hands. If our security is not endangered, we should be shown some very good reasons for fueling some one else's fight.

I would submit that the real issue here, Mr. President, is not whether or not we are weakening the overall strength of the United States by questioning these programs. The real issue is whether the Senate is willing to continue funding programs which send sophisticated weaponry to underdeveloped nations which are, in any event, incapable of defending themselves from an assault by one of the other major powers and will only use these weapons for establishing

their prestige or to repress internal insurgent movements.

My objections, however, go beyond just the military aid programs.

We have been asked to support those programs whose real intent is to provide business for American firms. This may work out probably in some cases, such as when the commodities needed are not available from other industrial nations. In many cases, however, American firms charge more, sometimes of necessity, than foreign firms. In these instances if we require that the goods be bought in the United States, the immediate reaction cannot help but be outrage on the part of those we seek to help.

Is it really such a wonder that American aid is decried as a tool of imperialist businessmen? Whether we like it or not, our aid program can be accurately described, in some areas, as imperialistic.

Finally, we need to take a much more positive approach toward aid-giving through multinational efforts, such as the United Nations development program, the several international development banks, and other such agencies. Through these programs our aid dollar goes further, matched by contributions from other partners; more importantly, the recipient country can more readily accept the aid without fear that it comes with strings attached, imperialist or otherwise.

Mr. President, foreign aid is needed and, in fact, is required by the current desperate straits of many countries in the third world. Apart from the need, however, the willingness of the American people to support the program is in serious doubt. I am convinced that without a major rethinking of the program and a thorough-going restructuring, foreign aid will receive an increasingly strident vote of "no confidence" from the American people. They are tired of seeing their tax dollars devoured by the huge cost of military aid and they are disgusted at witnessing anti-American riots which are fostered, in part, by an aid program committed to bolstering American business and are thus perceived as exploitive by those they are supposed to help.

The Senate is a particularly appropriate body for the necessary rethinking given this very basic problem. The Senate is traditionally oriented toward national rather than local considerations. On the other hand, it is more representative of the people than the administration bureaucracy. The Senate is admirably suited to tackle this major problem. We know what the people in our home States think of the program but we are also in a position to know what is required by the realities of international politics. I think the Senate as a body can provide an invaluable service if the administration and those who would guard their special security privileges will let us.

For these reasons I opposed the continuing resolution in the form in which it was reported from the Appropriation Committee. It was based upon policies long since made irrelevant by a rapidly changing world. The Senate took a major step toward reevaluating all this when it passed the two interim measures re-

ported out by the Foreign Relations Committee. By separating military aid from development and humanitarian aid we began what I now hope—in the light of yesterday's events will be a continuing process of innovation and creativity in this vitally important area.

We are, at long last, through the action the Senate will today take on our way to a far wiser foreign aid program.

Mr. TAF'T. Mr. President, I call to the attention of the Senate a serious question in the continuing resolution, House Joint Resolution 1005, which should be corrected at the earliest possible opportunity. It relates to the funding of the voluntary population control program in the economic development portion of the foreign aid program. When the authorizing legislation for this program was before the Senate as H.R. 9910, I offered an amendment which earmarked \$125 million for this program. This followed earmarking of the same sort for \$100 million each in 1970 and 1971. The 1971 expenditures of the Agency for this purpose are estimated to be at an \$86 million rate.

The effect of House Joint Resolution 1005 as I understand it will now be to protect such earmarking from the funds listed. Hopefully this matter can be clarified further early in the next session.

TOWARD A NEW FOREIGN POLICY

Mr. McGOVERN. Mr. President, on October 29, 1971, the Senate made a historic decision. It voted to end a foreign aid program which was principally a conduit for military assistance. It voted to end the kind of bilateral economic aid programs which create more problems than they solve. That decision represented a turning point in the development of American foreign policy since World War II.

Now we see that the forces opposing change are attempting to nullify that decision. In the name of our continued responsibility to the international community, they say that we must extend the existing foreign aid program. While the Senate's action did not mean that the United States should cease its foreign aid program, it most certainly did mean that it should immediately halt the program now in existence and replace it with something better.

It would be a pity if we allowed the pressure of an adjournment date to undo the Senate's earlier decision. It would be highly regrettable if a move of historic importance is swept away, as though it had never happened, just because it is more expedient to extend the present foreign aid program than to agree on an alternative.

There is a path out of this situation. If the Congress cannot now adopt a progressive foreign aid bill, then we should choose the course proposed by Senator FULBRIGHT. His amendment would extend the present foreign aid program only as it relates to salaries and necessary expenses, and it would provide \$300 million in military credits to Israel. These are matters on which almost all Members of Congress can agree. We can pass the continuing resolution in that form now. Then, in the next session, we

can return to the important work of creating a new foreign aid policy.

The alternative before us is an extension of the present foreign aid program which, in many respects, is a mask for military aid to repressive regimes and an attempt to buy political support from countries dependent on our help. That approach to foreign aid is sterile, immoral, and ineffective.

We may want to extend military assistance to certain countries. Such aid should not be a part of our general foreign aid program but should be considered in each individual case and decided on the merits. The net result of such scrutiny of proposed military aid programs will be, I believe, a substantial reduction of military assistance.

The bulk of our foreign assistance should be aimed at the economic development of those countries which are struggling to give their people a better life—adequate food and medical care, more efficient agricultural production, the beginning of an industrial capability. We should be moving toward a multilateral approach to such aid. By pooling our resources with those of other countries we can insure that economic assistance is a cooperative effort not a competitive one. Our experience of the past 25 years should have taught us that competition for political support through foreign aid is unlikely to achieve its purpose. At the same time, recipient nations are likely to be suspicious of the donor.

Two days after the Senate decision to reject the present approach to foreign aid, I introduced a bill, S. 2796, which embodies the kind of foreign aid program I have been discussing. It included those provisions of the Senate Foreign Relations Committee bill relating to economic and technical assistance. It contained the full administration request for multilateral agencies, including those of the United Nations, the full amounts for economic development loans and technical assistance requested by the administration and the phase-out of the bilateral program by June 30, 1973. It contained the McGovern-Hatfield formula for congressional action to set a date for the withdrawal of American forces from Indochina. And it retained many other features including those relating to control of the international drug traffic and population control.

Most important, that proposal dealt with the proper relationship between the executive and legislative branches in the determination of our foreign policy.

That is the direction in which we should be headed. That is the direction indicated by the Senate vote of last October. That is the direction of hope.

An extension of the present foreign aid system would be a rejection of that approach. Most importantly, it would further weaken the powers of Congress in the determination of American foreign policy.

If the continuing resolution were to pass, it would extend almost to the end of the current fiscal year. Thus, the foreign aid program that had been rejected by the Senate would be extended another year by default. The work of the various

committees of Congress and of the Senate itself would be ignored. The continuing resolution would not include the Mansfield amendment, spending controls on both military and nonmilitary aid, limits on funding for specific programs such as in Cambodia, or overall funding at a lower level as would have probably emerged from the Congress.

We should adopt the more limited Fulbright amendment. There is more than \$4 billion in the aid pipeline, so that foreign assistance will not come to a halt.

We have the opportunity to confirm our intention to alter our foreign aid policy by rejecting the full-scale continuing resolution. We can let the administration know that the Senate means to play its constitutional role in the formulation of foreign policy and that it is going to insist on a new look for our foreign aid program. If we are forced to vote on the continuing resolution, I shall vote against it, just as I would vote against any other measure harmful to the best interest of the United States and to the cause of peace.

The PRESIDING OFFICER (Mr. NELSON). The question is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER (Mr. NELSON). The question is on the engrossment of the committee amendment as amended and third reading of House Joint Resolution 1005.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time.

The PRESIDING OFFICER. The question is, Shall the joint resolution pass? On this question the yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Texas (Mr. BENTSEN), the Senator from Nevada (Mr. BIBLE), the Senator from South Dakota (Mr. BURDICK), the Senator from Florida (Mr. CHILES), the Senator from Mississippi (Mr. EASTLAND), the Senator from Louisiana (Mr. ELLENDER), the Senator from North Carolina (Mr. ERVIN), the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Washington (Mr. MAGNUSON), the Senator from New Hampshire (Mr. McINTYRE), the Senator from Minnesota (Mr. MONDALE), the Senator from New Mexico (Mr. MONTGOMERY), the Senator from Maine (Mr. MUSKIE), the Senator from Rhode Island (Mr. PELL), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Mississippi (Mr. STENNIS), the Senator from Illinois (Mr. STEVENSON), and the Sen-

ator from California (Mr. TUNNEY) are necessarily absent.

I further announce that the Senator from Louisiana (Mr. LONG), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Georgia (Mr. TALMADGE) are absent on official business.

On this vote, the Senator from South Carolina (Mr. HOLLINGS) is paired with the Senator from Illinois (Mr. STEVENSON). If present and voting, the Senator from South Carolina would vote "nay" and the Senator from Illinois would vote "yea."

On this vote, the Senator from Rhode Island (Mr. PELL) is paired with the Senator from North Dakota (Mr. BURDICK). If present and voting, the Senator from Rhode Island would vote "yea" and the Senator from North Dakota would vote "nay."

I further announce that, if present and voting, the Senator from New Hampshire (Mr. MCINTYRE) and the Senator from California (Mr. TUNNEY) would each vote "yea."

On this vote, the Senator from Georgia (Mr. TALMADGE) is paired with the Senator from Connecticut (Mr. RIBICOFF). If present and voting, the Senator from Georgia would vote "nay" and the Senator from Connecticut would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. BENNETT) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Connecticut (Mr. WEICKER) is absent because of illness in his family.

The Senator from Colorado (Mr. ALLOTT), the Senator from Oklahoma (Mr. BELLMON), the Senator from Tennessee (Mr. BROCK), the Senator from Massachusetts (Mr. BROOKE), the Senator from New Hampshire (Mr. COTTON), the Senator from Kansas (Mr. DOLE), the Senator from Arizona (Mr. FANNIN), the Senator from Hawaii (Mr. FONG), the Senator from Florida (Mr. GURNEY), the Senator from Oregon (Mr. PACKWOOD), the Senator from Ohio (Mr. SAXBE), the Senator from Maine (Mrs. SMITH), the Senator from Vermont (Mr. STAFFORD), the Senator from Alaska (Mr. STEVENS), and the Senator from Texas (Mr. TOWER) are necessarily absent.

If present and voting, the Senator from Colorado (Mr. ALLOTT), the Senator from Massachusetts (Mr. BROOKE), the Senator from Hawaii (Mr. FONG), the Senator from Maine (Mrs. SMITH), and the Senator from Texas (Mr. TOWER) would each vote "yea."

The result was announced—yeas 45, nays 9, as follows:

[No. 456 Leg.]

YEAS—45

Aiken	Griffin	Nelson
Baker	Hansen	Pastore
Bayh	Hart	Pearson
Beall	Hruska	Percy
Boggs	Hughes	Proxmire
Buckley	Humphrey	Randolph
Byrd, W. Va.	Jackson	Roth
Cannon	Javits	Schweiker
Case	Jordan, Idaho	Scott
Church	Mathias	Sparkman
Cooper	McGee	Spong
Cranston	McGovern	Taft
Curtis	Metcalf	Thurmond
Dominick	Miller	Williams
Eagleton	Moss	Young

NAYS—9

Allen	Fulbright	Jordan, N.C.
Byrd, Va.	Goldwater	Mansfield
Cook	Hatfield	McClellan

NOT VOTING—46

Allott	Fong	Packwood
Anderson	Gambrell	Pell
Bellmon	Gravel	Ribicoff
Bennett	Gurney	Saxbe
Bentsen	Harris	Smith
Bible	Hartke	Stafford
Brock	Hollings	Stennis
Brooke	Inouye	Stevens
Burdick	Kennedy	Stevenson
Chiles	Long	Symington
Cotton	Magnuson	Talmadge
Dole	McIntyre	Tower
Eastland	Mondale	Tunney
Ellender	Montoya	Weicker
Ervin	Mundt	
Fannin	Muskie	

So the joint resolution (H.J. Res. 1005) was passed.

Mr. YOUNG. I move to reconsider the vote by which the resolution was agreed to.

Mr. SCOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE—
ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 10604) to amend title II of the Social Security Act to permit the payment of the lump-sum death payment to pay the burial and memorial services expenses and related expenses for an insured individual whose body is unavailable for burial.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. METCALF).

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, before I present a resolution, along with other Members of the joint leadership, I yield to the distinguished Senator from West Virginia, the assistant majority leader, to make a unanimous-consent request on behalf of the joint leadership.

THE U.S. FOREIGN AID APPROPRIATIONS, 1972—A UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at such time as the bill making appropriations for foreign aid is called before the Senate there be a time limitation on the bill of not to exceed 6 hours, to be equally divided between the manager of the bill (Mr. PROXMIRE) and the ranking minority member (Mr. YOUNG); that time on any amendment in the first degree be limited to 1 hour, and time on any amendment in the second degree, motion, appeal, or point of order, with exception of nondebatable motions, be limited to one-half hour, the motions to be equally divided with respect to all of the aforementioned between the mover of such and the manager of the bill: *Provided further*, That no amendment not germane be in order; *And ordered fur-*

ther, That Senators in control of time on the bill may yield therefrom to any Senator on any amendment, motion, or appeal, except a motion to lay on the table.

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

NOTIFICATION TO THE PRESIDENT

Mr. MANSFIELD. Mr. President, I submit a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 215) as follows:

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join a similar committee of the House of Representatives to notify the President of the United States that the two Houses have completed their business of the session and are ready to adjourn unless he has some further communication to make to them.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

The PRESIDING OFFICER. The Chair appoints the Senator from Montana (Mr. MANSFIELD) and the Senator from Pennsylvania (Mr. SCOTT) as the two Senators to notify the President.

THANKS OF THE SENATE TO
VICE PRESIDENT

Mr. MANSFIELD. Mr. President, I send a resolution to the desk and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The assistant legislative clerk read the resolution (S. Res. 216) as follows:

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Spiro T. Agnew, Vice President of the United States and President of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the first session of the Ninety-second Congress.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

THANKS OF THE SENATE TO THE
PRESIDENT PRO TEMPORE

Mr. SCOTT. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 217) as follows:

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Allen J. Ellender, President pro tempore of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the first session of the Ninety-second Congress.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

THANKS OF THE SENATE TO THE ACTING PRESIDENT PRO TEMPORE

Mr. BYRD of West Virginia. Mr. President, I submit a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 218), as follows:

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Lee Metcalf, Acting President pro tempore of the Senate for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the first session of the Ninety-second Congress.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

AUTHORITY FOR THE PRESIDENT OF THE SENATE TO MAKE APPOINTMENTS TO COMMISSIONS AND COMMITTEES

Mr. GRIFFIN. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 219), as follows:

Resolved, That, notwithstanding the final adjournment of the present session of the Congress, the President of the Senate be, and he is hereby, authorized to make appointments to commissions or committees authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

AUTHORITY FOR THE PRESIDENT OF THE SENATE, THE PRESIDENT PRO TEMPORE, OR THE ACTING PRESIDENT PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS AFTER SINE DIE ADJOURNMENT

Mr. MANSFIELD. Mr. President, I submit a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 220) as follows:

Resolved, That the President of the Senate, the President pro tempore, or the Acting President pro tempore of the Senate be authorized to sign duly enrolled bills and joint resolutions notwithstanding the sine die adjournment of the Senate.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, appoints the following Senators as advisers to the United Nations Conference on the Human Environment to be held in Stockholm, Sweden, being held June 6-16, 1972: the Senator from Washington (Mr. MAGNUSON) and the Senator from New Jersey (Mr. CASE), with the following Senators acting as alternates: the Senator from Maine (Mr. MUSKIE), the Senator from New Jersey (Mr. WILLIAMS) and the Senator from Colorado (Mr. ALLOTT).

AN ALL-TIME RECORD—423 ROLL-CALLS THIS SESSION

Mr. SCOTT. Mr. President, this last rollcall marks, as nearly as my record shows, the 423d rollcall of the session, which is an all-time record and I think should be noted accordingly in the CONGRESSIONAL RECORD. It is evident that the Senate has worked very hard and very diligently and, if I may, I would like to express my thanks to all my colleagues for their many courtesies to me, and to yield at this time to the distinguished Senator from Kentucky (Mr. COOPER) 3 minutes or as much time as he desires.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 186) to provide for the beginning of the second session of the 92d Congress.

The message also announced that the House had agreed to the amendment of the Senate to the joint resolution (H.J. Res. 1005) making further continuing appropriations for the fiscal year 1972, and for other purposes.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 498) providing for the sine die adjournment of the first session of the 92d Congress, in which it requested the concurrence of the Senate.

The message also announced that the House had appointed a committee of two Members to join a similar committee appointed by the Senate to wait upon the President and inform him that the two Houses have completed their business of the session and are ready to adjourn, unless the President has some other communication to make to them.

PAKISTAN AND INDIA

Mr. COOPER. Mr. President, I would like to speak briefly on the situation in India and Pakistan.

I ask unanimous consent to have placed in the RECORD at the conclusion of my remarks two editorials, one in today's Washington Post and one from the New York Times, and an article by the esteemed columnist, Mr. James Reston.

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

(See exhibit 1.)

Mr. COOPER. Mr. President, one can disagree with some of the statements and conclusions in these articles, but, in general, they present issues that very well may arise in the future because of the war in Southeast Asia. I stated in the Senate several days ago that I thought my country had acted properly when it laid before the Security Council and the General Assembly of the United Nations the question of the war in Southeast Asia between India and Pakistan. More diplomatic language might have been used. It would have been better not to have charged aggression before the consideration of the issue on the Security Council. Nevertheless, beyond the matter of tone and of language, some country had the duty, under the Charter of the United Nations, to lay this matter before the United Nations. It was evident that France and the United Kingdom, as members of the Security Council, would not do so. It was evident that the Soviet Union, which eventually would veto any resolution, would not do so. It was the responsibility of the United States, which it discharged.

The war in East Pakistan is over, and it is hoped that the war in West Pakistan will soon close. While I must say I do not think our country today has great influence in dealing with problems which are arising out of the war between India and West Pakistan, nevertheless I believe that, as a member of the United Nations and as a country which more than any other country in the world has given of its means and from conscience to peoples and humanitarian causes, it should join with other nations to assist in the repatriation and resettlement of refugees in India, and in providing food and clothing for the refugees in India and the starving millions in East Pakistan. I have no doubt that we will do this. The United States has already done more than all other countries in the world combined in this cause.

I hope, too, that measures will be found to bring the war in West Pakistan to a close so that any possibility of its broadening may be eliminated.

I am conscious of the fact that the people and the Government of India do not approve the position of our country in recent months. I believe we should have expressed openly our concern over the repression and slaughter of the people of East Pakistan last March. But over the long run, since India's independence there had never been a time of crisis in India when the United States has not responded.

I recall immediately after the independence of India, when there was desperate need for food, that the administration of President Truman made available to India, admittedly by sale \$300 million of wheat and feed grains. In 1956, when I had the honor of being the representative of this country for India, we were able to provide to that country, without charge, \$300 million of wheat and food grains. In the present refugee crisis over \$100,000 has been provided and today the Senate authorized an additional \$250.

In 1959 and 1960, the late John F. Kennedy, then in the Senate, and I joined in introducing a resolution, which was approved by the Congress, proposing that the Congress ask the World Bank to organize a consortium to provide economic aid to India and Pakistan upon a permanent basis to assist in their economic and social development. That was done, and the consortium is still operating.

The United States and its people have provided some \$9 to \$10 billion of aid to the people of India.

In India's war with China, our country provided military assistance, when its security was threatened.

I do not argue that the provision of aid and money and arms is of greater importance to India than its national interests and concern, but I feel that I should recount the story to indicate that our interest in India has been great and constant.

I believe our Government attempted, after the slaughter and repression in East Pakistan, in March, to do what it could to rectify that awful situation. I must say I never thought there was any possibility of a settlement without political autonomy for East Pakistan which would assure the refugees who had fled into India that they could return to East Pakistan in safety.

Nevertheless, in all justice—and I have had access from time to time to the official records and reports—I know that our Government attempted to secure a settlement, and thus to help India as well as Pakistan.

But that is past, and I hope very much now that the world community and our Government will use their efforts to assist in the closing down of the last vestiges of the war, and in the humanitarian and economic efforts and tasks that lie ahead.

There is a matter which concerns me—and that is the reported movement of U.S. naval forces into the Bay of Bengal. At one point, it could be said that, if necessary, we had to be prepared to help in the evacuation of our nationals. But that time is past, and it passed very soon. Our nationals who wanted to leave, and all the official personnel but 17, were evacuated even before the close of the war.

As always, some who would not be evacuated were the missionaries, just as they had refused to be evacuated from China and other countries where they had gone to fulfill their duty, as they saw it, to their God.

But that is past, and I would hope that our vessels will be removed, for several reasons. First, I think movements which could be construed to be a show of force and a demonstration are valueless; and second there is always the possibility of military involvement. Soviet naval forces, though there is no protest about their movement are approaching the Bay of Bengal, and in larger number than American naval units. The last thing the people of this country want is any incident which would involve this country or its people in military action.

I know this is not the purpose of the U.S. Government. I know it is not. But

we should avoid the appearance of any situation which might involve us in some kind of provocation one side or the other; and I hope these forces will be quickly withdrawn.

The Soviet naval forces are moving in many areas. They are in the Mideast, they are in the Mediterranean, they are in the Indian Ocean. Let world opinion look at them, and consider their provocative movements, and not the United States.

So, Mr. President, I felt compelled to make this statement, because of my interest in and concern for the area, and my interest and concern for this country above all. Our country did not start the war, and in my judgment did what it could to prevent war in a situation which was insolvable without autonomy for East Pakistan.

EXHIBIT 1

[From the Washington Post, Dec. 17, 1971]

PAKISTAN SURRENDERS

Once the war began, the best thing that could have happened was a swift Indian victory in East Pakistan. Therein lay the victory in East Pakistan. Therein lay the best promise of limiting further suffering and carnage preventing spread of the war in the West, and creating a political authority in the East to express Bengali national aspirations. That "best" has now come to be. Pakistan has surrendered in the East. Political and diplomatic work can proceed at full steam to ensure the safe repatriation of both the surrendering Pakistani soldiers and the Bengali refugees in India. With the surrender, India has no further reason to tighten military pressure in the West. Its unilateral cease-fire pronouncement there and Mrs. Gandhi's assurances that India has no territorial designs East or West are welcome in that regard. One must hope that Pakistan, in its bitterness, retains the sense not to attempt a retaliatory strike.

India is the immediate winner. It humiliated and cut in half its arch rival Pakistan, fathered the new client state of Bangla Desh, positioned itself to unload the intolerable refugees, and secured from all of this considerable lifts of spirit and pride. The costs will not be measured until they materialize, as they will, later: the impetus to separation within India itself, the drain on Indian resources which a desperately poor and unstable Bangla Desh will surely be, and the jeopardy to its traditional profitable friendship with the United States.

Pakistan, not only defeated but dismembered, must make painful adjustments in its self-image, domestic policies and subcontinental and world roles. The Bengalis may not be the last of the dominant Punjabis' subjects to demand autonomy. Islamabad is not likely to appreciate soon the possible advantages in being trimmed back to more appropriate size.

The Soviet Union, which had spent a decade working to loosen Delhi's ties to Washington and to harden India's detachment from Peking, consummated this effort in a geopolitical coup. Moscow supplied India with the arms and political protection which ensured its triumph. It did this, moreover, while Washington and Peking strove ineffectively in their respective ways to relieve Pakistan. The Kremlin will now doubtless incur the "benefits," questionable as they are, of great-power success: pressure from its own flag-wavers to throw more weight around in India and the Indian Ocean, and pressure from its debtors in Delhi to supply them with more aid.

Where the United States comes out is hardest of all to figure. South Asia's general pov-

erty and its remoteness from major areas of great-power concern makes a decline of American influence tolerable—some would say desirable. Anyway, as suggested by Mrs. Gandhi's letter to Mr. Nixon, excerpted on this page today, Delhi needs Washington—to offset Moscow and for aid—a lot more than Washington needs Delhi. That alone makes it doubtful that we have "lost" India, much as some might like to at the moment. That Mr. Nixon seemed indifferent to Bengali and Indian distress during the "refugee phase" hurt him politically at home and hurt the United States internationally. That American diplomacy was shown to be futile and American friendship for Pakistan ineffective are additional debits. Whether American political and moral influence was enhanced by the administration's condemnation of the Indian cross-border attack remains to be seen.

The whole sequence beginning (to be arbitrary) last March and ending (to be arbitrary again) with Pakistan's surrender in the East yesterday has been an immense tragedy. Regardless of whether any of the parties emerges with any real or geopolitical gain, none of them emerges with any particular honor. Nations and men acted out of narrowly conceived self-interest. The common interest, if such exists, was degraded. Too much suffering, too much violence, was committed and condoned. The disintegration of the subcontinent took eight months. Putting the pieces back together will take a much longer time.

[From the Washington Post, Dec. 17, 1971]

TIME TO TALK

Shortly before the surrender of the Pakistani forces in Dacca, capital of emerging "Bangladesh," the commander of Indian forces in the eastern region said of the West Pakistani troops: "They are very gallant fighters with good discipline. But there is no hope for them. The people are against them."

That is the hard reality in East Bengal that no amount of military courage and determination on the part of West Pakistan could change. It is a reality with which peacemakers must now deal; a reality which must finally be faced in Islamabad—and in Washington.

In their own stubborn and expanding resistance over the last eight months and in the wildly enthusiastic welcome they have given to their Indian "liberators," the people of East Bengal have made unmistakably clear their determination no longer to be dominated by their Moslem brothers from the West.

The division of Pakistan has only been accelerated by India's unseemly military intervention. The separation of East Pakistan from the West, rooted in geography, history and culture, had already been made irrevocable by the brutal military crackdown which Islamabad initiated last March 25, dissolving the bonds of Islamic brotherhood in blood.

Having forced the issue, India has a heavy responsibility now to move swiftly toward a magnanimous peace. New Delhi's unilateral declaration of a cease-fire on the western front and the pledges of Indian and Bengali leaders of protection for the defeated foe are welcome initiatives in this direction. It is particularly important for India and for the future of the entire region that these pledges be strictly honored to avert any further bloodbaths and that Indian troops be withdrawn from East Bengal as quickly as possible.

President Yahya Khan's stubborn call for continuing war is a self-defeating prescription for more bloodshed, destruction and division throughout the subcontinent. It is time for new leaders to come forward in Islamabad who will end the fighting and open a dialogue with India and with the

elected leaders of East Bengal, including the imprisoned Sheik Mujibur Rahman.

In this connection, there may be some encouragement in a remark made here this week by Zulfikar Ali Bhutto, Deputy Premier and Foreign Minister of Pakistan and the leading civilian politician in West Pakistan. "I think the secessionist leaders will find it in their interest not to close the door on Pakistan," he said. "They will want to talk with both India and Pakistan." It is in the best interest of all three parties to begin talking with each other in order to open doors that have been too long closed by communal animosities and war, and to form new ties that are essential for a peaceful and prosperous subcontinent.

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

WHO WON IN INDIA?

(By James Reston)

UNITED NATIONS, N.Y.—India has won the battle for East Pakistan, but in the larger perspectives of world politics, this is not the main thing. For the Soviet Union has emerged from this avoidable and tragic conflict as the military arsenal and political defender of India, with access for Moscow's rising naval power to the Indian Ocean, and a base of political and military operations on China's southern flank.

This was the big background question in the Indo-Pakistani war. It was not only a local war between India and Pakistan, not only another phase in the long religious conflict between the Muslims and the Hindus, not only a moral conflict between Pakistan's vicious suppression of the Bangladesh rebels and India's calculated military aggression to dismember the Pakistani state. Back of all this, there was a power struggle between China and the Soviet Union, and a strategic struggle between Moscow and Washington, and at this point in the story, which is not the last chapter, Moscow has probably gained more than anybody else.

Everybody has been so preoccupied with the struggles, blunders and tragedies of the Indians and Pakistanis, who cannot even share their common misery, that they have forgotten these larger world strategic struggles between Washington and Moscow. But the leaders in Moscow have obviously not forgotten the larger question, or allowed their arguments in the Middle East or their efforts to reach a strategic arms agreement with the United States to get in the way of their nationalistic interests in the Indian subcontinent.

In the strategic arms talks with the United States in Vienna and Helsinki, and in the Middle East debates between Israel and the Arab states, the Soviet diplomats have been arguing for compromise and accommodation. Their propaganda is plain: The great powers must work together for peace, military power must not be used to achieve political objectives, and when it is—as in the case of Israel in the war with the Arab states—the territory captured by military aggression must be given up.

But when the United States invoked these principles in an effort to force the Indians and the Pakistanis to stop the fighting and withdraw within their own borders, the Soviet Union switched. It was not interested in compromise or accommodation with the United States and the other permanent members of the U.N. Security Council. It went against the will of the overwhelming majority of both the Security Council and the General Assembly, and cast its veto against a cease-fire and withdrawal.

In short, Moscow reverted to Russia's historic ambitions. It saw a chance to weaken Washington's long association with India and India's democratic experiment in Asia, to create a new alliance with India and weaken China, to dismember Pakistan, and to do so at a time when the passes between China

and India were choked with snow and Peking could not easily counterattack in the North.

Well, maybe all these cunning tactics will work, and India will be able to encourage independence for one faction in Pakistan without encouraging independence for other factions in India itself, including the powerful Communist faction in the Indian state of Kerala, but the success of India and the Soviet Union in this squalid tragedy is not the end of the story.

They could, by their momentary triumph, have created the things they fear the most. Moscow has certainly encouraged by this calculated power play a closer relationship between Washington and Peking just before President Nixon's visit to China.

Also, India, which won with Soviet military arms and Soviet diplomatic vetoes in the United Nations, is now dependent on aid from the Soviet Union, rather than from the United States, and in the long run, this could be a more awkward alliance.

Somebody is now going to have to pick up the pieces, finance the repatriation of the Pakistani refugees and rebuild the Indian Army; and Moscow will probably pick up the bill. For this was not only, and maybe not even mainly, an Indo-Pakistani conflict, but a Soviet-Chinese conflict, and the Soviets now have the possibility of bases in India, south of China, in addition to their million men on the Sino-Soviet border in the north.

This is really what the Nixon Administration had in mind when it sided with Pakistan against India. Washington was late and dense in reacting to Pakistan's violent repression of the Bangladesh rebels and the tragedy of the ten million Pakistani refugees driven into India, and it might have avoided the worst of the tragedy if it had reacted sooner; but in the middle of the Indo-Pakistani crisis, it finally understood the larger strategic challenge of Moscow's power play.

Maybe this puts the confrontation of the United States, the Soviet Union and China in Asia in terms that are too bleak and pessimistic, but the Indo-Pakistani war should not be underestimated. It is not merely a political, religious and geographical struggle in the subcontinent of India but part of a much wider conflict in a rapidly changing world.

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

Mr. COOPER. I yield.

Mr. PERCY. Mr. President, I am very pleased that someone saw fit, in the closing hours of this session of the Senate, to mention a matter of great urgency and great importance to the future of the free world and the future of our relationship with India, the largest democracy on earth.

I would first like to say that no Member of this body is better qualified, in fact few men in the world are better qualified, to comment on Indian and American relationships, than the distinguished senior Senator from Kentucky. I have been to India a number of times, and each time I am there, I am impressed with the fact that no matter whom you talk with, the name of JOHN SHERMAN COOPER, former Ambassador from the United States to India, inevitably arises.

Senator COOPER has a unique qualification for speaking on this matter, and I know he does so with great restraint and with deep feeling.

I do not in any way wish what I am going to say to detract from what I consider, on the whole, the brilliant execution of our foreign policy under the Nixon administration. What we have ac-

complished in withdrawing our forces from Vietnam and getting out of that war honorably—and I trust that effort will be continued and accelerated, and that the withdrawal will be total and complete—and what we have done to bring about a cease-fire in the Mideast, and in attempting to be in a position where we can bring about a face-to-face consultation among the powers there, has been constructive. What we have done to consult with our allies in NATO and bring them into our planning and consultation before we take action, both from the standpoint of strengthening and improving NATO and also of improving our relationships with the nations of Europe, has been exceedingly well done by President Nixon, and I hope what will be accomplished in the SALT talks will be another great step forward in the hope that, once and for all, we can find a way that the two superpowers can restrain themselves and stop the nuclear arms race.

When I was in India for a month during the Senate recess in August, I felt that in the long relationship of a quarter of a century that we have had with India as an independent nation, the quality of that relationship had never been lower, and I did not see how our relations could be worse. Yet I do feel today they actually are worse, because of the tragic incidents that have occurred in the past few weeks.

I certainly agree with my distinguished colleague that the Soviet Union's swiftly moving in and taking advantage of every opportunity is power politics of the highest order, and the stakes are very big. I would hope that, with the treaty that has been signed between the Soviet Union and India, there was a realization by India, and I said so at the time publicly to the President of India and other leaders of India with whom I consulted, that they should never be deluded into feeling that this was done by the Soviet Union out of a great humanitarian feeling.

I know of no country that has dealt more swiftly and surely with communism in its own country than India, or that has jailed those who would try to overthrow its Government more swiftly, surely, or effectively than the Government of India has, whether under the present administration or under Prime Minister Nehru. They have been realistic about the fact that there is little altruism in the area of world politics and power politics, and they have preserved the right to govern themselves in their own interest.

So I hope they are under no illusions that the Soviet Union will not seek a price for the treaty that has been signed and whatever representations and assistance have been provided, where we have asked for nothing for our continuing and steady friendship and support of India for the past 25 years, which has been great, in terms of the resources and manpower that have been contributed and some \$10 billion that have been spent for no purpose other than to insure that this country, this great country, can live in freedom and independence and can have a program of its own creation with our help, with their leadership but with our

support, that will enable them to meet the rising aspirations of their people and to provide adequately for their own defense.

Certainly, when we moved in swiftly in 1962 to offer support, there was no question in anyone's mind that the people of the United States stood behind India. I hope there is no question in anyone's mind in India that the people of the United States and this administration continue to stand behind them. We do.

It has been my urgent hope that whatever we might do with other friends and allies, such as Pakistan, would not be done in such a way as to implicate ourselves in this situation or indicate that we are taking sides. We want to maintain friendly relationships with both countries. But I feel that there has been, regretfully, the appearance of diplomatic and moral support for Pakistan in recent months, and this implication—right or wrong—has been made by the Indian people.

Mr. President, I should like to indicate that in the trips and visits I have made to South Asia, going back for two decades, I have done so with the thought in mind that it is literally impossible for us to be very knowledgeable about the whole world; that each of us should try to specialize in some area—as has the distinguished Senator from New York (Mr. JAVITS), with the Middle East, developing great expertise in that area.

I have modestly tried to follow in the footsteps of the distinguished Senator from Kentucky. I have taken an interest in India by study trips that have lasted 6, 7, or 8 weeks at a time; by the production of a sound and color film that my wife and I did years ago, of which prints were taken by the USIA, to show how an American sees another important country. We recorded the sounds and the music and the feeling of that country, as we tried to interpret to our fellow Americans what India was all about and what its future was likely to be.

With that background of a number of studies, I recently visited the Himalayan areas, traveling with the Indian Army, seeing the areas on the border of Tibet, talking with the military and observing their training, to determine what kind of will there was to defend India. I would not underestimate the effective power of India, and none of us should.

I now turn to my distinguished colleague, SAM COOPER, and ask what we as citizens, what we as a country, can do now to continue our record of offering fellowship and friendship to the people in India and the Government of India. What can we, as individuals, what can we as a Senate, do to somehow insure that the people of India know that there are friends of that great country here, and that this administration does believe in the people and the Government of India? There may be differences of opinion expressed over certain actions taken by that Government and what our role should have been to have prevented this war and what we could or could not have done. But I think it would be constructive and helpful if the distinguished Senator

from Kentucky could offer any suggestions, or the distinguished Senator from New York, also a member of the Foreign Relations Committee, could offer any suggestions, as to what we might do to indicate to our friends in India that we do believe in them; that we believe in their future; that we do want to see a peaceful solution, a political solution, to all problems, not a continued military solution; that we are pleased at least that there is now a cease-fire; that we hope to see an end to the human misery and suffering that those people have suffered for so many years, the most recent instances of it that I saw in visiting seven refugee camps in India. I do hope there is a way we can demonstrate our friendship for them and our desire to assist wherever we possibly can.

Mr. COOPER. Mr. President, I believe that two incorrect positions which have been taken should be cleared away.

A week ago, I was asked by several newspaper reporters—and there were similar questions in the newspapers—whether the United States in some way had started the war or had kept the war going. Of course, that position is utterly fallacious and foolish. The Soviet Union has supplied arms to both India and Pakistan.

Second, it has been stated that the United States could have prevented the war. That was utterly impossible. No country can force another country to adopt a policy which it does not consider to be in its national interest. The United States should have protested Pakistani action, but it did try in a hopeless cause to urge change in East Pakistan.

My own judgment is that the best thing at this time for the United States is to maintain a low profile, and to move our naval forces away from the Bay of Bengal. The facts speak better than any protestations of friendship.

We have contributed more to the relief of the Bengali refugees, and have continued to do so, than all the other nations of the world combined, and we will continue to do that. That will speak for itself.

I think we simply should be willing to aid in any kind of way we can to bring about the cessation of the war in West Pakistan and the repatriation and rehabilitation of the refugees. I think our role now is one of constructive action, but low-key action.

Mr. JAVITS. Mr. President, I should like to respond to Senator PERCY by saying, first, I am glad that Senator COOPER raised the subject. There is no finer character and no finer authority here than his on this subject.

Second, for myself, I believe that we need a low profile militarily and that we need a very high profile economically and socially, and that is essentially what Senator COOPER has said.

I believe that Mrs. Ghandi was ill-advised to take on the President on this subject, whatever may have been our policies or their mistakes; and probably it was ill-advised to brand India as aggressor, even though a spokesman, and equally ill-advised to rush naval forces into the Bay of Bengal. I join Senator

COOPER and Senator PERCY in the expectation that they will be pulled out promptly.

But I think that Mrs. Ghandi, as distinguished as she is, and on the crest of victory, should also feel that the low profile is best in political and diplomatic terms, and that we had better get to work on binding up the wounds of this agonizingly hurt subcontinent, which lost a half million in a cyclone and God spuesnoq jo spærpmuq luvu moq smouq in the brutal repression by the Pakistani army, and now in the struggle which has just been completed.

Because I have been a long-standing friend of foreign military and economic aid, I should also like to address a plea to President Yahya Khan. It is too long for a Western-oriented nation to be a military dictatorship. That may have had something to do with what happened and with the fact that the mandate of the people of East Pakistan, who elected a government which was a majority, was not obeyed; and if that had taken power, it would not have been nearly the calamity that I think the President of Pakistan believed it would have been; that it would have worked out. Democracies have a way of doing that. Nothing in a democracy is ever quite as hot as it is cooked, and in a dictatorship it is likely to be hotter than it is cooked.

In other words, a lot more happens than meets the eye. In addition, Pakistan has much to gain from a Western-oriented feeling in the world as to peace and security and democracy and development as against the dictatorships which took sides in this thing, both Mainland China and the Soviet Union. The Chinese are now looking for another chance to have their inning, which promises no good for either Pakistan or India. So I think that our best role, as has been developed by both colleagues, is to stick to substantial social and economic welfare, the succor of the refugees, and repairing the wounds of war with constructive development in both countries economically, including the constructive development of Pakistan in a democratic direction. In no case should we get militarily involved.

Mr. PERCY. Mr. President, I did not put on the record—although the Senator from New York (Mr. JAVITS) properly surmised that I did support the position of the Senator from Kentucky (Mr. COOPER)—that we should promptly withdraw our naval forces from that area. I want at this time to make perfectly clear that I do support that position and I am delighted to have the Senator from Kentucky joined by another important member of the Committee on Foreign Relations, the Senator from New York (Mr. JAVITS), in this recommendation.

It is my understanding that a United Nations representative in Dacca made it perfectly clear to the U.S. Government that there was no possible way to evacuate, in their judgment, at that time, any missionaries or civilian personnel unless it was done by helicopter, that, after all, the runways were being bombed right there at the airport in Dacca—where I was only a few months ago—and

it would be very easy to knock that airport out of commission, so that it was possible, and it was essential and necessary, that we could rush a number of helicopters there, and a platform, for them—not to evacuate just dozens or scores or hundreds, but thousands of people if the situation deteriorated into human carnage. So that, with the ceasefire now, it is eminently clear we can withdraw our fleet and show that we are not trying to have a naval confrontation nor are just there to have a massive show of force in the area.

I have maintained steadily and consistently for months that we should maintain a position of neutrality in this area.

How tragic it would be to get out of one war we should not have been in in the first place and somehow get involved in this one.

I would suggest one very important thing that we should do: We could try to persuade the Pakistan Government to release Mujibur Rahman at an early date. In August, in East and West Pakistan, I told the Government of Pakistan that the release of this political leader would be the litmus test that would do more good to relieve tensions in a bad situation than anything else. But, by not having anyone permitted to even see him, or to certify that he was alive, and by carrying on a secret military trial, they contributed great, additional tension to the situation.

Think of this man, who, as a result of a free election, was slated to be the next Prime Minister of all Pakistan, and think of him in jail, tried in a secret trial, kept in isolation.

At this stage, if he were released, it would do more good than any other single thing to somewhat normalize the situation.

I thank my distinguished colleague for his comments. I think we should make the record clear that the United States has clearly stood behind providing whatever aid is needed for the refugees. The \$250 million in authorizations for that purpose were approved without reluctance or opposition in the U.S. Congress.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. MANSFIELD. Mr. President, on behalf of the distinguished minority leader and myself—of course, he can speak for himself—we report from the committee appointed to notify the President of the United States that Congress has concluded its business and is ready to adjourn unless he has further communications to make at this time.

We report that the committee has performed its duty.

The President has informed us that he has no further communications to make to Congress this session, and wishes us to extend to the Senate his thanks for what we have done.

To the House and Senate, he wishes a merry Christmas and a happy and peaceful New Year.

Mr. PERCY. Will the Senator from Montana yield for a question?

Mr. SCOTT. Mr. President, as the dis-

tinguished majority leader has just said, that is what we did, all right, and the President, in turn, said that he wished all of us a very merry Christmas and a happy New Year.

He said he felt that Members of Congress would benefit from the month's rest. I am sure, on our return to our constituents, it will be beneficial to us. Who knows, it may even be beneficial to them. They will be the judge of that.

Mr. PERCY. Mr. President, I do not like to put in a discordant note in such a harmonious atmosphere, but I would like to ask one question that deeply bothers the people in the Midwest and the west coast as well, from which I have just returned.

The Taft-Hartley Act runs out on December 24, so far as the west coast dock strike situation is concerned, and I can find no evidence that the parties in their private negotiations have reached an agreement.

I can only urge in the national interest that they use every means at their disposal to come to an agreement; but so far, there has not been any disposition to do so or to seek out what other steps can be taken. So that once again we have the prospect of a crippling strike if, on December 28, goods again begin to pile up on the docks and cause another economic crisis at the very time this country is getting its economy moving in a vigorous fashion. So that it would be a disruptive note, which certainly would be a discordant note for many Americans next year.

Mr. MANSFIELD. Mr. President, we have no information to offer in that respect. I am sure that the President is aware of the approaching situation which the Senator from Illinois has just described. I cannot make any comment on it at this time, because it is a matter which was not discussed in the very, very brief conversation we had.

Mr. PERCY. I thank the distinguished majority leader.

HOUSE CONCURRENT RESOLUTION 498—PROVIDING FOR THE SINE DIE ADJOURNMENT OF THE FIRST SESSION OF THE 92D CONGRESS

Mr. MANSFIELD. Mr. President, on behalf of the joint leadership, I ask the Chair to lay before the Senate a message from the House of Representatives on House Concurrent Resolution 498.

The PRESIDING OFFICER (Mr. NELSON). The Chair lays before the Senate a message from the House on House Concurrent Resolution 498, which the clerk will state.

The legislative clerk read as follows:

H. Con. Res. 498, Resolved by the House of Representatives, the Senate concurring, that the two Houses of Congress shall adjourn on Friday, December 17, 1971, and that when they adjourn on said day, they stand adjourned sine die.

Mr. MANSFIELD. I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to consideration of the concurrent resolution?

There being no objection, the resolution was considered and agreed to.

AUTHORIZATION FOR SECRETARY OF THE SENATE TO RECEIVE COMMUNICATIONS, REPORTS, AND ALL OTHER SIMILAR MATERIAL FROM THE HOUSE DURING THE PERIOD OF ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive communications, reports, and all other similar material from the House during the period of adjournment.

The date of our return will be noon on January 18, 1972.

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

Mr. MANSFIELD. Mr. President, the fact that the sine die resolution has been adopted does not mean that there will be no further business to be transacted by the Senate. There can be more speeches, statements, and the like.

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. To everyone I wish a peaceful New Year.

AMERICA'S FINANCIAL CRISIS

Mr. BYRD of Virginia. Mr. President, the Senate will adjourn in a few minutes. Prior to adjournment, however, I would like to again invite the attention of the Senate and the Congress to what I think is a most important matter facing our Government.

I have been trying to emphasize these facts almost daily for some months now and, with great frequency, for some years. The situation is getting worse.

I refer, Mr. President, to the Government's financial position. It is my judgment that both Congress and the administration are living in a fool's paradise in regard to the Government's finances. It is beginning to come to a head. There will be a formal devaluation of the dollar next year. However, that merely formalizes what has been happening over the years.

The American dollar has been losing its value. So, what the President proposed the other day is of deep concern to me. I think it may do more good than it will do harm. It merely formalizes what has been happening to the American dollar.

The American dollar is devaluating for the very simple reason that the Government through the years has been operating on a deficit spending program, and that deficit spending program has been accelerating.

Mr. President, in the last 20 years the Federal Government has balanced its budget only three times. It has balanced its budget in the years 1956, 1957, and 1960.

I might say that during each of those 3 years the late Dwight D. Eisenhower was the President. As one Senator I pay tribute to the late President Eisenhower for having brought about balanced budgets in those 3 years. However, beginning in the fiscal year 1961 and continuing through fiscal year 1972, a period of 12 years, there has been a heavy Government deficit every year.

Even that would not be so bad, Mr. President, if the amount of the deficits

was decreasing. However, the fact is that the amount of the deficits is increasing.

It is no wonder that the dollar is being devalued. It is bound to be devalued.

The people in Germany, Belgium, Jamaica, Japan, and all over the world do not want the American dollar at the same value they had to pay for it before for the simple reason that the American dollar will not buy as much as it formerly did.

I think the housewives of this country know a great deal more about finances than do the people in Washington. When the housewives go to the grocery stores, they see how the dollar has devalued and deteriorated.

It gets back entirely though, or for the most part, to the unwillingness of the Congress and the administration to put its financial house in order.

This is a very difficult subject. Everyone wants to spend money. That makes people happy. Congress likes to appropriate money. I as a Senator like to vote to appropriate money because it makes the people happy. However, when we do that, then we will have to pay for it some day. And the only way we can pay for it is either through more taxes or more inflation. It is that simple. And the people have been paying for it by inflation.

The President himself recognized that fact on August 16 when he instituted wage and price controls.

I think it was a good thing for him to dramatize the situation that the country is in financially. However, I do not believe we are going to solve this problem by saying to the workingman, "You hold down your wages and you hold down your demand for wages," and saying to the corporations, the companies, and the merchants, "You hold down your prices." It is all right to do that. However, that is not going to solve the matter unless the Congress and unless the President and his Cabinet are willing to say, "We, too, are going to make our sacrifices. We are going to cut down on this swollen Government spending and on the smashing deficits."

Of course, a great many economists will say that the thing to do is to have heavy deficits. Maybe theoretically they are right. However, I have seen these economists wrong so many times and I have seen the experts in Washington wrong so many times on so many things, including on the war in Vietnam, that I am not going to go by what the experts say. I am going to go by what seems logical and sound insofar as a smalltown newspaper editor, who is now U.S. Senator, views these problems.

I do not think it is logical to say that we are going to solve all of our problems by Government spending and spending more and more money. If that could be done, why would not every country in the world be prosperous? Why would not every government be prosperous? If we can create prosperity with a \$35 billion deficit, which we will have for this current fiscal year, then why can we not create a little more prosperity by increasing that figure to \$40 billion or \$50 billion and get some positive results over a short period of time?

Mr. President, this is not something that is done only for a short period of time. It is not a temporary expedient.

This Government deficit spending has been going on, but not to the extent that it is now, for more than 30 years.

As I have said, only three times in the last 20 years has the Federal Government's budget been balanced. But what is bringing it to a head and what is causing the President to put on wage and price controls, and what is causing foreign nations to say, "I do not want your dollars at the same value as in the past," and what is causing the President to ask for a formal devaluation of the dollar is what has happened in only 3 years.

In the first 3 years of President Nixon's administration the accumulated Federal funds deficit of the Federal Government will be at least \$78 billion. Now, let us compare that to the accumulated Federal funds deficit of the last 3 years of President Johnson's administration. The accumulated deficit of the last 3 years of President Johnson's administration was \$49 billion.

Mr. President, you can see that in that 6-year period the accumulated Federal funds deficit of the Government will be \$127 billion. As time goes on the American people will have to pay for that. They will have to pay for that through inflation or through higher taxes or both.

On this last day of the session in this calendar year 1971, Mr. President, I want to do something that I do not believe in doing, and very seldom do. I am going to predict that in 1973, regardless of who is elected President, the people of this country, are going to be called upon to pay a smashing increase in Federal taxes. And where does that money come from? The bulk of that money comes from those in the middle economic group. They are the ones hurt the hardest by both inflation and by taxation. Those in the middle economic bracket are hurt the most. They are the ones who pay the bulk of the taxes. Those who are living in very deep poverty will not be adversely affected because they, unfortunately, are in very unfortunate circumstances already.

Those who have great wealth have a way of protecting themselves. I am not concerned about them. But it is the average guy, the man who goes out to make a living, who works in the factories, who works on the farms, who works in the stores, who works for the various governments of our Nation. They are people who are going to be the most severely affected by this reckless program of Government financing that has been embarked on by both administrations, by both Republicans and Democrats. It is not a party matter for both of them have the same desire to spend public funds. But those who are going to be most adversely affected are those hard working people of our Nation who are trying to earn a living for themselves and who are trying to accumulate enough money to take care of their children and to educate their children.

I must say the Senator from Virginia is discouraged insofar as seeing any evidence that this Congress or this administration is prepared to face up to this very, very serious financial problem facing the United States.

The people living outside the United States see it far better than we see it right here in our country, and that is

why these foreign bankers are demanding a devaluation of the dollar.

The President in August, very wisely in my judgment, cut the Nation loose from gold. Now, why did he do that? He did that for the very simple reason that the United States only has \$10 billion in gold and yet our liquidated liabilities to foreigners, for which presumably they can demand gold in return, or theoretically they can, are \$46 billion.

So the President was very wise in what he did in that regard in August, it seemed to me. Our financial situation is getting worse. Perhaps the devaluation of our currency will cause the American people to have some concern for the future. Perhaps it will cause Congress and the administration to attempt to straighten out this matter. But I must say that there is nothing I have seen in Washington that indicates that this may be the situation.

Mr. President, if we do not reverse our procedures in this regard then we will continue to have inflation, we will continue to have a devalued currency, and we will, sooner or later, have a smashing tax increase.

Mr. President, I have prepared some tables showing what I regard as the desperate financial situation facing the Government of the United States. I ask unanimous consent that the three tables may be printed in the RECORD at this point.

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

TABLE 1.—U.S. GOLD HOLDINGS, TOTAL RESERVE ASSETS AND LIQUID LIABILITIES TO FOREIGNERS
[Selected periods, in billions of dollars]

	Gold holdings	Total assets	Liquid liabilities
End of World War II.....	20.1	20.1	6.9
1957.....	22.8	24.8	15.8
1970.....	10.7	14.5	43.3
October 1971.....	10.1	12.1	146.0

¹ Estimated figure.

Source: U.S. Treasury Department.

TABLE 2.—DEFICITS IN FEDERAL FUNDS AND INTEREST ON THE NATIONAL DEBT, 1961-72 INCLUSIVE
[In billions of dollars]

	Receipts	Outlays	Deficit (-)	Debt interest
1963.....	83.6	90.1	-6.5	10.0
1964.....	87.2	95.8	-8.6	10.7
1965.....	90.9	94.8	-3.9	11.4
1966.....	101.4	106.5	-5.1	12.1
1967.....	111.8	126.2	-15.0	13.5
1968.....	114.7	143.1	-28.4	14.6
1969.....	143.3	148.8	-5.5	16.6
1970.....	143.2	156.3	-13.1	19.3
1971.....	133.6	163.8	-30.2	20.8
1972 ¹	143.0	178.0	-35.0	21.2
10-year total....	1,152.7	1,304.0	151.3	150.2

¹ Estimated figures.

Source: Office of Management and Budget, except 1972 estimates.

TABLE 3.—FEDERAL FINANCES, FISCAL YEAR 1971
[In billions of dollars]

	Revenues	Outlays	Deficit (-) or surplus (+)
Federal funds.....	133.6	163.8	-30.2
Trust funds.....	54.7	47.8	+6.9
Unified budget.....	188.3	211.6	-23.3

Source: U.S. Treasury Department.

AMERICAN PRISONERS OF WAR

Mr. BYRD of Virginia. Mr. President, before Congress adjourns I wish to call to the attention of the Senate and the American people, the prisoners of war and those missing in action as the result of our involvement in Vietnam. At this Christmas season, when most of us hope to be home with our families, a large group of Americans are being held captive in a foreign land and others are missing in action as the result of being sent to a foreign land to fight a war on behalf of the American people.

I think it is very important, Mr. President, that we who are fortunate enough to be here at home not forget the plight of our prisoners of war and our missing in action at this Christmas season, and that we have them especially in our thoughts.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NELSON). 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.

EQUAL EMPLOYMENT OPPORTUNITIES ENFORCEMENT ACT OF 1971

Mr. BYRD of West Virginia. Mr. President, in accordance with the previous order, I ask that the Chair lay before the Senate Calendar No. 412, S. 2515, and that it be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

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

A bill (S. 2515) to further promote equal employment opportunities for American workers.

The Senate proceeded to consider the bill, which had been reported with an amendment.

ADJOURNMENT SINE DIE

Mr. BYRD of West Virginia. Mr. President, with best wishes for a pleasant and reflective holiday season to my distinguished counterpart, Senator GRIFFIN, my namesake from Virginia (Mr. BYRD), the Presiding Officer, Senator NELSON, the Senator from Vermont (Mr. AIKEN), and all Senators, pages, and the ever

watchful eye of the fourth estate, I move, in accordance with the provisions of House Concurrent Resolution 498, that the Senate stand in adjournment sine die.

The motion was agreed to; and (at 1:32 p.m.) the Senate adjourned sine die.

MESSAGE FROM THE HOUSE RECEIVED SUBSEQUENT TO SINE DIE ADJOURNMENT—ENROLLED JOINT RESOLUTIONS SIGNED

Under authority of Senate Resolution 220, the Secretary of the Senate, on December 17, 1971, received the following message from the House of Representatives:

That the Speaker had affixed his signature to the following enrolled joint resolutions:

S.J. Res. 186. Joint resolution to provide for the beginning of the second session of the Ninety-second Congress; and

H.J. Res. 1005. Joint resolution making further continuing appropriations for the fiscal year 1972, and for other purposes.

Under authority of Senate Resolution 220, the Vice President, on December 17, 1971, signed the enrolled joint resolutions.

ENROLLED JOINT RESOLUTION PRESENTED SUBSEQUENT TO SINE DIE ADJOURNMENT

The Secretary of the Senate reported that on December 17, 1971, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 186) to provide for the beginning of the second session of the 92d Congress.

MESSAGE FROM THE PRESIDENT RECEIVED SUBSEQUENT TO SINE DIE ADJOURNMENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

The President of the United States, subsequent to the sine die adjournment of the first session of the 92d Congress, notified the Secretary of the Senate that he had approved and signed the following acts and joint resolutions:

On December 15, 1971:

S. 952. An act to declare that certain public lands are held in trust by the United States for the Summit Lake Paiute Tribe, and for other purposes;

S. 1116. An act to require the protection,

management, and control of wild free-roaming horses and burros on public lands;

S. 1866. An act for the relief of Clayton Bion Craig, Arthur P. Wuth, Mrs. Lenore D. Hanks, David E. Sleeper, and DeWitt John;

S. 2248. An act to authorize the Secretary of the Interior to engage in certain feasibility investigations; and

S.J. Res. 149. Joint resolution to authorize and request the President to proclaim the year 1972 as "International Book Year."

On December 17, 1971:

S. 1938. An act to amend certain provisions of subtitle II of title 28, District of Columbia Code, relating to interest and usury.

On December 18, 1971:

S. 29. An act to establish the Capitol Reef National Park in the State of Utah;

S. 113. An act for the relief of certain individuals and organizations;

S. 248. An act for the relief of William D. Pender;

S. 1237. An act 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; and

S. 2042. An act to provide for the apportionment of funds in payment of a judgment in favor of the Shoshone Tribe in consolidated dockets numbered 326-D, 326-E, 326-F, 326-G, 326-H, 366, and 367 before the Indian Claims Commission, and for other purposes.

On December 22, 1971:

S. 2429. An act to amend the District of Columbia Unemployment Compensation Act in order to conform to Federal law, and for other purposes;

S. 2891. An act to extend and amend the Economic Stabilization Act of 1970, as amended, and for other purposes;

S.J. Res. 176. Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to interest rates on insured mortgages, to extend and modify certain provisions of the National Flood Insurance Act of 1968, and for other purposes;

S.J. Res. 184. Joint resolution extending the dates for transmission of the Economic Report and the report of the Joint Economic Committee; and

S.J. Res. 186. Joint resolution to provide for the beginning of the second session of the Ninety-second Congress.

On December 23, 1971:

S. 1828. An act to amend the Public Health Service Act so as to strengthen the National Cancer Institute and the National Institutes of Health in order more effectively to carry out the national effort against cancer;

S. 2878. An act to amend the District of Columbia Election Act, and for other purposes; and

S. 2887. An act authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and for other purposes.

HOUSE OF REPRESENTATIVES—Friday, December 17, 1971

The House met at 12 o'clock noon. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

We have seen His star in the east and have come to worship Him.—Matthew 2: 2.

O Lord, our God, like the wise men of old we turn our faces toward the star of Bethlehem and with reverent hearts begin our pilgrimage once again to Him who came to bring light and life to men.

As we respond to the spirit of Christmas may we realize that in truth we are responding to Thee and that here alone

is the promise of peace on earth and good will among men. Grant that we may so commit ourselves to Thee and to our country that we may hasten the dawning of a new day of justice, peace, and good will on our planet.

Now may the love of God, which is broader than the measure of man's mind, the grace of the Lord Jesus Christ, which is sufficient for every need and the fellowship of the Holy Spirit which strengthens us for every noble endeavor, lead us all into the love of life and the life of love. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of