SENATE—*Monday, March 29, 1971*

The Senate met at 12 o'clock meridian and was called to order by the President pro tempore (Mr. ELLENDER).

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

Eternal Father, giver of all good things, we thank Thee for life and health, for home and family, for this Nation, its diverse peoples and abundant resources, and for the privilege of public office. At this time and in this place we pray for strength and guidance. Spare us from scorn of the past or fear of the future. Give us minds open to new insights as to Thy will and purpose for our times. Give us grace to be tolerant of the thoughts and attitudes of others and hospitable to such light as comes from those with whom we differ. In all our efforts unite us in the stewardship of high office that we may devise those measures which lead to the fulfillment of the good life for all people in that higher kingdom whose builder and maker is God. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, March 25, 1971, be dispensed with.

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

EXECUTIVE REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of March 25, 1971, sundry nominations in the U.S. Coast Guard were reported on March 26, 1971, by Mr. MAGNUSON, from the Committee on Commerce.

(For nominations reported, see the end of Senate proceedings.)

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session, the President pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received today, see the end of Senate proceedings.)

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

WAIVER OF THE CALL OF THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

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

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, not to exceed 30 minutes, with statements therein limited to 3 minutes.

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

POUNDAGE QUOTAS FOR BURLEY TOBACCO

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at the conclusion of the period for routine morning business today, the Senate proceed to the consideration of Calendar No. 49, S. 789, pertaining to amendment of the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

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

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations.

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

The PRESIDENT pro tempore. The nominations on the Secretary's desk will be stated.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE COAST GUARD

The assistant legislative clerk proceeded to read sundry nominations in the Coast Guard, which had been placed on the Secretary's desk.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. BYRD of West Virginia. Mr. President, I ask unaminous consent that the President be immediately notified of the confirmation of these nominations.

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

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate resume the consideration of legislative business.

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

CIVILIAN PILOT TRAINING PROGRAM DURING WORLD WAR II

Mr. MOSS. Mr. President, I would pass along to my colleagues some welcome good news. A long-missing chapter in our World War II history has finally been written and it well merits reading.

That chapter is the story of the civilian pilot training program and its war training program which spanned the years 1939–44. It all began with remarkable civilian vision and incentive which soon rallied stanch support in the Congress.

We need no reminders that 1938 was an uneasy year. Hitler began taking over neighboring countries, using his steadily growing Luftwaffe as a club. In September that year British Prime Minister Neville Chamberlain thought his meetings with the German Chancellor had brought "peace for our time."

In this country one farsighted American was not so sure. He was well aware that our military air strength left much to be desired in event of any emergency. He likewise knew that our air industry, factories, and transport could do with more support. Was there a way to deal with both matters?

To advocate training more military pilots would have been disastrous at the time when isolationist sentiment was strong throughout the land. On the other hand, teaching more civilians to fly promised to benefit plane manufacturers as well as airlines. Then if the Axis ever menaced the United States, there would be a larger pool of experienced civilian pilots to draw on in any military crisis.

The idea was conceived by Robert H. Hinckley, at that time Chairman of the Civil Aeronautics Authority. It was well received at the White House and in the Cabinet. Early in 1939 the CPT program began at 13 colleges and attracted 330 students. It was to expand enormously, not only at educational institutions but also in existing flight schools, at public and private airfields as well.

Come May 1940, President Roosevelt made his stirring call for the production of 50,000 planes a year and an expanded air arm.

The question became painfully obvious now. Where were the pilots to man the planes? The regular military services were far from prepared to do the job. The Army Air Corps, for instance, had only 21 installations in 1939 and its training programs up to that year had averaged only 300 pilots annually.

On the other hand, the CPTP was gaining good momentum. Its courses, too, expanded from pilot training to include aircrews, maintenance personnel, and numerous other support specialties. The students could concentrate entirely in the field of aviation expertise. Should a time come in the Nation's affairs that they would need to add some military knowledge, the military could supply that.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

After Pearl Harbor, the CPTP changed its name to the War Training Service but continued doing its magnificent job. CAA's Chairman Hinckley kept tirelessly at his task of directing all efforts. Before the program ended in the summer of 1944 it had turned out 435,165 trainees who had qualified as pilots or in some other aviation specialty.

Those one-time trainees acquitted themselves handsomely around the globe, serving with our regular military air units and winning vast numbers of decorations.

The whole inspiring story has just been published as a book by the Federal Aviation Administration under the title. "The Putt-Putt Air Force." Its able author is Patricia Strickland, a member of the CAA staff while all these things were happening. She knew what was going on behind the scenes, as well as in front of them.

I can assure you, Mr. President, that you will find her account absorbing reading.

SUPREME COURT DECISION REQUIRES UNITED STATES TO ENTER INTO ADJUDICATION OF RESERVED WATER RIGHTS

Mr. MOSS. Mr. President, on March 24, 1971, the U.S. Supreme Court handed down a most significant decision in the case of United States against District Court in and for the County of Eagle et al. This is a case which involves the so-called reservation doctrine by which the United States lays claim to undefined amounts of the waters of a great number of Western streams.

The Eagle River system in Colorado is one of the stream systems within which the United States holds implied water rights to an unstated amount of water which are construed under the reservation doctrine to have been reserved for the use of the White River National Forest which was established in 1905. Adjudication proceedings were initiated in State court to establish the rights of various parties claiming water from the system, and the United States as one of the claimants was joined as a defendant in the proceedings. Despite the provisions of the United States Code (43 U.S.C. 666) which give consent to join the United States as a defendant in suits for the adjudication of water rights, the Justice Department contended that the Government's rights under the reservation doctrine were exempt from adjudication in State courts.

This is a clear example of the serious situation which exists in the Western States. Clearly the adjudication of the rights of water users on the Eagle River system would be of little value so long as the rights of the United States to a portion of the available flow remains undetermined and are not considered in the apportionment. A cloud would always remain on the rights of other water users. In the arid West, a valid water right is often the sole factor which differentiates between valuable and worthless property or between an attractive economic venture and an impossible scheme. A cloud on a water right while often an intangible factor difficult to establish is inevitably a real damage to the owner of the right. In the public land State where nearly every stream system included reserved lands, the uncertainties introduced by the reservation doctrine are tremendously significant.

For these reasons, I have urged for years that the Congress take action to compel the reserved water rights of the United States to be defined. And for the same reasons, I was gratified that the Supreme Court in its March 24 decision rejected the contention that the reserved water rights of the United States are exempt from adjudication suits. The Court in requiring the United States to be joined in this suit recognized that unless all of the parties on the stream file a statement regarding all of water rights claimed by them and unless the subsequent decree considers all the claims, it will be of little value to any one.

The rights of the United States under the reservation doctrine are not diminished by this decision. The Court recognizes that the volume and scope of the rights are Federal questions and that the Colorado court's judgment in this regard may subsequently be reviewed. The decision merely requires that the United States present its specific claims upon the waters of the Eagle River for adjudication.

This decision, while it is welcome, does not resolve the continuing problems created by the reservation doctrine. The bill, S. 28, which I cosponsored with a number of my colleagues on January 25, and which is similar to bills I have supported in previous Congresses, is still an urgently needed measure. This legislation would require the United States to acquire subsequent water rights in accordance with State water law and to compensate the owners of existing water rights when they are taken under the authority of the United States.

Legislation of this kind must be enacted to remove the uncertainty which presently impedes non-Federal water users from enjoying their full legal rights as established under State law, to a resource which is essential to any kind of economic activity in the arid West. It must be enacted also to forestall the injustices which must surely result when the United States seeks to exercise unlimited rights to the scarce water resources of western streams despite the existence of prior established uses by others who are dependent upon the same waters for a livelihood.

The Public Land Law Review Commission in its monumental report of last year clearly stated these considerations and recommended as follows:

> The implied reservation doctrine of water rights for federally reserved lands should be clarified and limited by Congress in at least four ways: (a) amounts of water claimed, both surface and underground, should be formally established; (b) procedures for contesting each claim should be provided; (c) water requirements for future reservations should be expressly reserved; and (d) compensation should be awarded where interference results with claims valid under state law before the decision in Arizona v. California.

I am hopeful that the Court's decision and the Commission's recommendations will help to emphasize the serious nature of this problem and that the Congress will recognize its responsibility to our citizens to insure that their rights to water are as valid as the other property rights guaranteed by the Constitution. I hope that hearings can be held very soon.

Mr. President, I ask unanimous consent that the text of the Supreme Court opinion, the text of S. 28, and the section of the Public Land Law Review Commission report dealing with reserved water rights be printed in the RECORD.

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

WATER RESOURCES

Federal lands are the source of most of the water in the 11 coterminous western states, providing approximately 61 percent of the total natural runoff occurring in the region. Most of this runoff comes from land withdrawn or reserved for specific purposes. Forest Service and National Park Service reservations contribute about 88 and 8 percent, respectively, of the runoff from public lands and more than 59 percent of the total yield from all lands of those states. Other public lands, such as the vast acreages administered by the Bureau of Land Management, do not contribute much to the overall yield of western streams, but are so situated that they influence water quality.

The importance of the water yield from public lands to the economy, present and future, of the 11 western states is clear: Approximately $12.5 billion has been invested by public and private sources in water storage facilities, and additional billions have been invested to irrigate 23 million acres of land dependent in major part on public land water yields; about 96 percent of the region's 32 million people and most of its major cities and metropolitan areas are dependent in some degree on public land water; and the virtually entire hydroelectric capacity of 23.6 million kilowatts (as of 1968) is dependent upon water which originates on public lands.

While water and land use problems are closely, almost inextricably, interwoven, this Commission is charged only with recommendations relative to public land policy.[1] Therefore, we have confined our deliberations and recommendations to those significant water matters which have a direct relationship to public land policy.

First, in the controversial field of Federal-state water rights, the Commission has examined the legal basis for the use of surface and underground water on the public lands in connection with programs for the disposal or retention and management of the public lands. Attention has been focused on the implied reservation doctrine of Federal water rights, which is based on withdrawals of public domain lands from the operation of some or all of the public land laws.

Second, we have reviewed the various watershed protection and management programs designed to regulate streamflow and maintain or improve its quality or, to a lesser degree, to increase water yield on the public lands.

Third, we have considered whether due regard is given to impacts on public land resources and values in multi-purpose water project planning and operation.

Fourth, we have given attention in our chapters on individual commodities and environmental policy to those public land programs which may have polluting effects on public land water, and have made recom-

Footnotes at end of article.

mendations concerning statutory and administrative policies designed to prevent or minimize such adverse effects.

THE IMPLIED RESERVATION DOCTRINE OF FEDERAL WATER RIGHTS

As successor to the sovereigns from which the United States obtained the vast areas of the western public domain, the Federal Government by the mid-19th century possessed complete power over the land and water of that region. Because the courts have settled the issue, there is little to be gained in academic arguments as to whether that power derives from concepts of "ownership" as distinguished from "sovereignty": the power is plenary, whatever its conceptual basis.

By a series of acts in 1866, 1870, and 1877,[2] when Federal policy stressed the disposition of the public domain under the homestead, public sale, and other settlement and disposal laws, Congress provided that such Federal land disposals would not carry with them an accompanying water right. Rather, the water on the public lands was declared open to use, and property rights to its use were to be obtained under the laws and customs of the states and territories. As to lands retained in Federal ownership, there were none of the public land management programs we know today requiring water use on Federal lands by the Federal Government or its agents, e.g., mineral leasing operations, recreation facility management, fish and wildlife protection and habitat enhancement, and so forth. Accordingly, the Federal Government did not then have to face up to whether it would comply with state water laws.

By the turn of the century, the Federal Government had started reserving public lands from disposition by setting aside national forests and parks, creating wildlife refuges, and making large-scale withdrawals for other purposes. With respect to the water needs associated with programs on these lands, the usual practice during the first half of this century was for permittees, licensees, etc., to acquire necessary water rights under state law in accordance with the policy stated in the 1866, 1870, and 1877 acts. The Federal agencies generally followed that same practice for their program needs.

In the 11 western states the predominant water right system is the law of prior appropriation, which was adopted as being most suitable to a water-short region. Under this system prior use establishes priority of right, and nonuse for prescribed periods will cause a forfeiture. In times of shortage, uses are curtailed in inverse order of their priorities. The riparian law of water rights[3] which prevailed in the more humid eastern states was rejected as unsuitable. Its principal vice was that an upstream riparian owner could do nothing indefinitely while his neighbor downstream put water to use and became dependent thereon, yet at any time the upper riparian could assert his equal right and destroy or impair the effort and investment of his neighbor.

An appropriative water right may be acquired only for a beneficial purpose, and even if the proposed type of use is beneficial under state law, it must usually also be a reasonable use in the light of other demands for water. While there are diversities among the water laws of these states, they are generally consistent in recognizing, by statute or decision, domestic and municipal purposes, irrigation, mining, power, and manufacturing, as well as other similar uses, as beneficial.

Although the decided court cases indicate that there is no serious problem in obtaining rights for recreation and fish and wildlife conservation, several of these states do not expressly specify such uses as beneficial in their water statutes.

Nearly all state appropriative water laws also establish a system of preferences under which certain beneficial uses are preferred over others. In most of these 11 states, domestic, stock-watering, and municipal uses appear to have preferred status over irrigation, and irrigation is preferred over all the remaining uses. Recreation and fish and wildlife uses are not preferred uses in these states. This has caused concern that Federal program needs, particularly for fish and wildlife, may not be fully served if the Federal Government must rely on these state laws. However, while problems for Federal agencies may yet develop because of state laws relating to beneficial use or preferences, none has been brought to our attention.

In nearly 100 years of development, state water law has achieved a reasonable certainty of results which has permitted substantial public and private development in the West. While sometimes necessarily complex, state administrative and judicial procedures have provided a means to determine security of rights to the use of water.

However, in 1955, the Supreme Court in the *Pelton Dam* decision[4] indicated that the withdrawal or reservation of Federal lands for specified purposes also reserved rights to use water on such lands, even though the legislative or executive action made no mention of water or its use. Under this doctrine such reserved water rights would carry a priority as of the date of the reservation or withdrawal of the lands.

Although the possible consequences of the decision that state law need not control the acquisition of water rights for such "reserved" lands were disturbing to many in the western public land states, under the facts of the case the *Pelton Dam* decision itself did not require infringement of water rights previously vested under state law. The limits and impact of the newly enunciated application of the reservation doctrine were left uncertain. However, some of the Federal agencies began to rely on this doctrine for water rights in addition to their customary compliance with state law.

In 1963, any lingering doubts about most of the implications of the reservation doctrine as a source of water rights were removed in the Supreme Court's decision in *Arizona v. California*.[5] By analogy to earlier Indian cases, and in partial reliance on the *Pelton Dam* decision, the Court sustained the conclusions of its Special Master in that case that certain reservations of public domain land for particular purposes, *i.e.*, wildlife refuges, a national forest, and a national recreation area, carried with them an "implied" reservation of sufficient unappropriated water to satisfy the reasonable requirements of those reservations without regard to the provisions of state law.

Since then, the Forest Service and the military departments have indicated that they will no longer comply with state law in acquiring rights for the use of water on reserved lands, and will rely on Federal claims arising out of the reservation or withdrawal of the public lands they administer. Other Federal agencies, such as the National Park Service, still have a policy of compliance with state appropriation procedures, but whether this will continue is uncertain.

The result has been apprehension in the western public land states that the doctrine will have the effect of disrupting established water right priority systems and destroying, without compensation, water rights considered to have vested under state law. Moreover, the uncertainty generated by the doctrine is an impediment to sound coordinated planning for future water resources development.

Legislative proposals that Congress either affirm, abolish, or clarify the reservation doctrine have been the subject of numerous hearings and discussions during the last decade, but Congress has taken no action on the matter. The issue has been one of the most controversial before the Commission.

The Commission gave much attention to the question of whether this controversy might be only a doctrinal legal argument with little substantive impact. We conclude it has substance.

Although most of the current concern relates to the doctrine's potential future impact, such potential impacts could be major.[6] This would be particularly likely on specific streams or systems where water is now virtually completely appropriated under state law.

We recommend legislative action to dispel the uncertainty which the implied reservation doctrine has produced and to provide the basis for cooperative water resources development planning between the Federal Government and the public land states.

The reservation doctrine has several advantages for the Federal Government. (1) As reservation needs develop, uses under it can expand indefinitely without regard to state law water requirements that water be put to beneficial use within a reasonable time. (2) Vast reserves created around the turn of the century carry advantageous early priority dates vis-a-vis state-determined priorities. (3) The Federal Government need not pay any compensation for divested non-Federal rights initiated after the date of the withdrawal or reservation, however long the water may have been beneficially used. (4) The Federal use need not be "beneficial" under state law if it is within the scope of the purposes for which the reservation or withdrawal was created.

While the advantages of the reservation concept to Federal agencies are apparent, there are problems which must also be considered from the Federal standpoint. (1) In *Arizona v. California*[7] the Master required some evidence of intent for each land reservation before he would sustain an implied reservation of water. It is not clear whether such an intent would be implied for all reservations and withdrawals, although to date it appears this should ordinarily be no problem if water is essential to the express purposes of the reservation. (2) There is some doubt whether any use will be implied other than those expressly stated at the time of withdrawal. (3) It appears that where the purpose of a withdrawal or reservation is changed, the priority date of the new use will be the date of the use change and not that of the earlier use. (4) Without litigation or agreement it is not possible to determine what the maximum permissible amount of water would be for any given use. In *Arizona v. California*, for example, the amount allowed for irrigation uses was based on irrigable acreage and then current Bureau of the Budget standards of economic feasibility. The effect of future changes in feasibility standards is uncertain. (5) It is not clear what the physical relationship of the reserved land must be to the source of the water supply, *i.e.*, whether a reservation right is available for land outside the natural watershed of the river system from which the water would be drawn. (6) It is not clear whether acquisition of a state appropriative right by the Federal Government or its lessees, licensees, and permittees has the effect of waiving any reservation right to additional water for that particular use. (7) It has not been determined whether termination of a land withdrawal or reservation also terminates the reserved water right, even when the particular use continues thereafter.

LIMITATION OF RESERVATION DOCTRINE

Recommendation 56: The implied reservation doctrine of water rights for federally reserved lands should be clarified and limited by Congress in at least four ways: (a) amounts of water claimed, both surface and underground, should be formally established;

Footnotes at end of article.

(b) procedures for contesting each claim should be provided; (c) water requirements for future reservations should be expressly reserved; and (d) compensation should be awarded where interference results with claims valid under state law before the decision in Arizona v. California.

Although state law appears to be generally adequate as a basis for water rights for uses on reserved public lands, the reservation doctrine should not be abrogated. To do so and to require the public land agencies to rely solely on state law for the acquisition of water rights for reserved land uses presents several problems:

(1) In some states important Federal uses, such as for recreation or fish and wildlife purposes, are either not recognized as beneficial uses or have low preferences vis-a-vis other competing uses.

(2) The implied reservation doctrine provides the necessary water rights for certain Federal uses and future needs for which state law has not been complied with for one reason or another. To discard the reservation doctrine might well place the validity of those rights in question and inject further uncertainty into this area.

Nevertheless, the implied reservation doctrine as announced and applied in *Arizona v. California*[8] has created many problems. Numerous unanswered questions about its scope and impact remain. The two most important questions which Congress should resolve, however, center on (1) the uncertainty which the doctrine has engendered, and (2) the equity of holders of water rights vested under state law, whose rights may be curtailed without compensation through its strict application. Solutions of these two critical problems will permit reliance on the reservation doctrine where necessary to assure adequate Federal water rights for the reserved public lands, and at the same time minimize disruption to existing state administrative machinery, promote more effective water resources planning, and provide equitable treatment to holders of water rights vested under state laws. Consequently, we recommend that Congress take the following legislative actions:

(1) *Provide a reasonable period of time within which Federal land agencies must ascertain and give public notice of their projected water requirements for the next 40 years for reserved areas, and forbid the assertion of a reservation claim for any quantity or use not included within such public notice.*

Some Federal agencies, in particular the Forest Service, are endeavoring to refine their data on present uses and future requirements and to provide such information to state water authorities. However, there is nothing in the present legal system which requires this or makes such qualification binding on the agencies, and they would be free to enlarge these projections in the future as they deem fit.

Most of the present uncertainties should be removed by requiring a binding quantification and delineation of Federal claims, particularly such questions as quantities of water reserved, priority of right, permissible purposes and places of use, etc. These determinations might be made as part of the review of existing land withdrawals which we recommend elsewhere in this report, although a shorter time period for this effort seems desirable. In those cases where it seems likely that existing uses on reserved lands will increase to significantly larger estimated future requirements at a relatively modest rate over the 40-year period, Congress may wish to provide a means for the agencies to permit interim use of reserved water until it is needed for Federal purposes. This would promote maximum beneficial use of water and could be done through formal arrangements with the states.

(2) *Establish a procedure for administrative or judicial determination of the reasonableness of the quantity claimed, or the validity of the proposed use under present law.*

This would give an opportunity for timely contest by present users or appropriate state agencies of the quantity or legality of the use, such as whether the use is properly implied from the creation of the withdrawal or reservation. At the present time there is no procedure for doing this.

There is no effective judicial machinery to permit the resolution of the many issues raised by the reservation doctrine, even if a case-by-case approach to its clarification and refinement were desirable, and we do not believe that it is. Although the United States is free to initiate such a suit, the doctrine of sovereign immunity bars such actions by non-Federal water users or state administrative agencies unless Congress has consented to such a suit. The McCarran Act,[9] which on its face consents to certain kinds of water adjudications, is an unsatisfactory vehicle for obtaining definition of Federal reservation claims. The courts have held that *all* water users on a river system must be joined under that Act,[10] and this is not always possible or feasible. Moreover, the issue of whether the McCarran Act permits adjudication only of rights held under state law and not of Federal reserved rights, as the Department of Justice contends, is now before the United States Supreme Court.[11]

Although we elsewhere recommend that Congress provide for judicial review of public land decisions by aggrieved parties, we are not prepared to go that far with respect to all Federal water right questions. Not only are the questions more complex, but they go far beyond this Commission's jurisdiction, since they usually affect multiple-purpose project developments having little or no public land connection and are best dealt with by the National Water Commission. However, we do recommend provision for judicial review of at least the limited questions of the reasonableness of the quantity claimed under the reservation doctrine, its priority date, and the purposes for which the reserved water may be used.

(3) *Provide that procedures for creation of future withdrawals and reservations require, as a condition to claims of reserved water rights, a statement of prospective water requirements and an express reservation of such quantity of unappropriated water.*

This would have the effect of requiring an administrative or legislative review of these claims and substitution of express water rights reservations for potential implied claims. Coupled with the previous recommendation concerning existing reserved rights, most of the uncertainty generated by the reservation concept should be eliminated.

(4) *Require compensation to be paid where the utilization of the implied reservation doctrine interferes with uses under water rights vested under state law prior to the 1963 decision in Arizona v. California."*

When reliance is placed on Federal water rights impliedly reserved along with the reservation or withdrawal of public lands, the effect may be to displace, without compensation, other non-Federal public and private uses under water rights acquired under state law subsequent to the date when the water was impliedly reserved for the Federal lands, but prior to the date the water was actually put to use by the Federal agencies. This is the principal vice of the doctrine from the viewpoint of individual water users. Prior to the Supreme Court's decison in *Arizona v. California* cited above in 1963, no water user could have been on actual or constructive notice of the existence of such an "implied" Federal water right. The same is true of the state administrative agencies, since as a matter of formal policy and actual practice, the public land agencies generally adhered to state law in acquiring water rights for reserved lands prior to 1963.

As a practical matter, use of the doctrine to cause actual injury to water rights vested under state law without compensation has been rare to date, and the likely future impact is uncertain. However, as a matter of policy Congress has generally provided in the Reclamation Act of 1902[12] and the Federal Power Act of 1920[13] that compensation be provided to holders of water rights vested under state law when they are interfered with by projects authorized or licensed under those two acts. We find no reason for a different policy where public land programs are involved. As a matter of fairness and equity, it is appropriate to compensate holders of vested state water rights whose uses are curtailed through Federal reliance on the implied reservation doctrine. We believe that the potential costs to the Federal Government would be relatively low. In any event, the social costs of displacing existing uses for the benefit of national programs should be borne by the Federal taxpayers, and not by the affected individual users.

FOOTNOTES

[1] The National Water Commission was created by Congress (Act of September 26, 1968, 82 Stat. 868) to study and make recommendations concerning broad national water policy problems, e.g., the Federal water resource development programs administered by the Bureau of Reclamation and the Corps of Engineers.

[2] The relevant portion of the acts are codified as 43 U.S.C. §§ 321, 661 (1964).

[3] The riparian system has three major features, all of which are the antithesis of the appropriation doctrine. First water may be used only by a riparian landowner, on riparian land, and within the natural drainage basin of the stream from which it is taken. Second, it is neither acquired by use nor lost by nonuse. Third, it is correlative, in that all users share shortages ratably.

[4] Federal Power Commission v. Oregon, 349 U.S. 435 (1955).

[5] 373 U.S. 546 (1963).

[6] Even though Federal departments and agencies were requested to estimate future water needs for the use in our contract water study, the estimates provided were obviously rough, not all-encompassing, and, therefore, unconvincing. We also note that the needs expressed could not be considered as maximums.

[7] n. 5, supra.

[8] n. 5, supra.

[9] 43 U.S.C. § 666 (1964).

[10] Miller v. Jennings 243 F. 2d 157 (5th Cir.), *cert. denied*, 355 U.S. 827 (1957).

[11] U.S. v. Colo. Dist. Ct. for Eagle City, 453, P. 2d 760 (1969, *cert. granted*, 38 U.S. Law Week 3377 (Mar. 30, 1970, No. 1178).

[12] 43 U.S.C. §§ 371 et seq. (1964).

[13] 16 U.S.C. §§ 791–825 (1964).

S. 28

A bill to clarify the relationship of interests of the United States and of the States in the use of the waters of certain streams

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That, subject to the exceptions stated in section 5, the withdrawal or reservation of surveyed or unsurveyed lands of the United States, heretofore or hereafter made, shall not affect any right to the use of navigable or nonnavigable water acquired pursuant to State law either—

(1) before the establishment of such withdrawal or reservation, or

(2) after the establishment of such withdrawal or reservation, unless, in the latter event, a Federal statute, or an officer of the United States authorized to make such a withdrawal or reservation, shall have promulgated the purpose, quantity, and priority

date of the water right reserved to the United States or otherwise established under its own laws, and such promulgation shall have antedated the initiation of the conflicting right under State law: *Provided*, That if such promulgation shall be made otherwise than by an Act of Congress, it shall not become effective until sixty days after it shall have been furnished to the Governors of affected States and published in the Federal Register and transmitted by the head of the department having jurisdiction of the lands affected to both Houses of Congress (counting only days on which both Houses are in session); and it shall be vacated if disapproved within said sixty days by resolution of the Committee on Interior and Insular Affairs of either House.

SEC. 2. Any right to the diversion, storage, distribution, or use of water which the United States or those claiming under the United States assert to have been established under the laws of a State shall be neither greater nor less than those accorded by the laws of that State to uses of water by others than the United States (including the State itself) in like circumstances, and shall be initiated and perfected in accordance with the procedure established by the laws of that State: *Provided*, That this section shall not affect any authority which the United States may have to establish water rights under its own laws, heretofore or hereafter enacted.

SEC. 3. No vested right to the diversion, storage, or use of any waters, navigable or nonnavigable, acquired under the laws of a State and recognized by the laws in force as of the effective date of this Act in that State as being compensable if taken or used by or under the authority of the State, shall be taken or used by or under the authority of the United States without just compensation. "Vested right" shall mean either (1) an appropriative right initiated in accordance with the general laws of the State applicable to the appropriation of waters rights, which has been exercised either by the commencement of actual diversion, storage, or use of water, or by the commencement of construction of works for such purposes, and which is thereafter maintained with reasonable diligence in the completion of such works and application of water to such purposes, or (2) a riparian, overlying, or pueblo right, to the extent that such laws of the State recognize such rights, or (3) a prescriptive right or any other water right to the extent that water has been put to beneficial use.

SEC. 4. If works hereafter constructed by or under the authority of the United States impair or interfere with the utilization of any right to the diversion, storage, or other use of water which is vested and compensable under section 3, and if agreement with the owner of said right as to the compensation due for such impairment or interference has not been reached by the time of the initial interference with such right, the United States shall initiate and diligently prosecute proceedings to condemn the same under appropriate Federal or State laws of eminent domain. If it shall fail to do so, no statute of limitations shall apply against a suit by the injured party against the United States for compensation for such impairment or interference in a Federal court of competent jurisdiction; but nothing in this Act shall authorize an action to enjoin such impairment or interference, if such an injunction action could not be maintained in the absence of this Act.

SEC. 5. Nothing in this Act shall be construed as—

(1) modifying or repealing any provision of any existing Act of Congress relative to acquisition by the United States of rights to the use of water pursuant to State law;

(2) permitting appropriations of water under State law which interfere with the provisions of international treaties of the United States;

(3) amending, altering, or repealing any provision of any law which limits the acreage in single ownership that may be served with water made available under the reclamation law;

(4) affecting, impairing, diminishing, subordinating, or enlarging (a) the rights of the United States or any State to waters under any interstate compact or existing judicial decree, (b) any obligations of the United States to Indians or Indian tribes, or any claim or right owned or held by or for Indians or Indian tribes, (c) any water right heretofore acquired by others than the United States under Federal or State law, (d) any right to any quantity of water used for governmental purposes or programs of the United States at any time prior to the effective date of this Act, (e) any right of the United States to use water which is hereafter lawfully initiated in the exercise of the express or necessarily implied authority of any present or future Act of Congress or State law when such right is initiated prior to the acquisition by others of any right to use water pursuant to State law, (f) any preference accorded by Federal or State law to any public agency with respect to electric power.

SEC. 6. This Act may be cited as the "Water Rights Act of 1971."

UNITED STATES v. DISTRICT COURT IN AND FOR THE COUNTY OF EAGLE ET AL., CERTIORARI TO THE SUPREME COURT OF COLORADO

NO. 87. ARGUED MARCH 2, 1971—DECIDED MARCH 24, 1971

This case arises from the attempted joinder pursuant to 43 U.S.C. § 666 of the United States as a defendant in a proceeding in state court for the adjudication of water rights covering the Eagle River system in Colorado. Under § 666(a) "[c]onsent is given to join the United States as a defendant in any suit (1) for the adjudication of rights to the use of water of a river system or other source or (2) for the administration of such rights, where it appears that the United States [owns] or is in the process of acquiring water rights by appropriation under State law, by purchase, by exchange or otherwise . . ." The United States contended that § 666 applies only to water rights that it had acquired under state law and does not constitute consent to have adjudicated in a state court the Government's reserved water rights arising from withdrawals of land from the public domain. Its objection was overruled by the trial court and the Colorado Supreme Court denied the Government's motion for a writ of prohibition. *Held:* Section 666(a) is an all-inclusive statutory provision that subjects to general adjudication in state proceeding all rights of the United States to water within a particular State's jurisdiction regardless of how they were acquired. Any conflict between adjudicated rights and reserved rights of the United States, if preserved in the state proceeding, can ultimately be reviewed in this Court. Pp. 2–5.—Colo.—, 458 P. 2d 760, affirmed.

MR. JUSTICE DOUGLAS delivered the opinion for a unanimous Court. MR. JUSTICE HARLAN, though joining in the opinion, filed a concurring statement.

[No. 87.—OCTOBER TERM, 1970]

SUPREME COURT OF THE UNITED STATES

UNITED STATES, PETITIONER, V. DISTRICT COURT IN AND FOR THE COUNTY OF EAGLE AND STATE OF COLORADO ET AL., ON WRIT OF CERTIORARI TO THE SUPREME COURT OF COLORADO [MARCH 24, 1971]

MR. JUSTICE DOUGLAS delivered the opinion of the Court.

Eagle River is a tributary of the Colorado; and Water District 37 is a Colorado entity encompassing all Colorado lands irrigated by water of the Eagle and its tributaries. The present case started in the Colorado courts and is called a supplemental water adjudication under Colo. Rev. Stat. 1963, 148–9–7. The Colorado court issued a notice which, *inter alia*, asked all owners and claimants of water rights in those streams "to file a statement of claim and to appear . . . in regard to all water rights owned or claimed by them." The United States was served with this notice pursuant to 43 U.S.C. § 666.[1] The United States moved to be dismissed as a party, asserting that 43 U.S.C. § 666 does not constitute consent to have adjudicated in a state court the reserved water rights of the United States.

The objections of the United States were overruled by the state District Court and on a motion for a writ of prohibition the Colorado Supreme Court took the same view. ——— Colo. ———, 458 P. 2d 760. The case is here on a petition for certiorari, which we granted. 397 U.S. 1005.

We affirm the Colorado decree.

It is clear from our cases that the United States often has reserved water rights based on withdrawals from the public domain. As we said in *Arizona* v. *California*, 373 U.S. 546, the Federal Government had the authority both before and after a State is admitted into the Union "to reserve waters for the use and benefit of federally reserved lands." *Id.*, at 597. The federally reserved lands include any federal enclave. In *Arizona* v. *California* we were primarily concerned with Indian reservations. *Id.*, 598–601. The reservation of waters may be only implied and their amount will reflect the nature of the federal enclave. *Id.*, 600–601. Here the United States is primarily concerned with reserved waters for the White River National Forest, withdrawn in 1905, Colorado having been admitted into the Union in 1876.

The United States points out that Colorado water rights are based on the appropriation system which requires the permanent fixing of rights to the use of water at the time of the adjudication, with no provision for the future needs, as is often required in case of reserved water rights.[2] *Arizona* v. *California*, at 600–601. Since those rights may potentially be at war with appropriated rights, it is earnestly urged that 43 U.S.C. § 666 gave consent to join the United States only for the adjudication of water rights which the United States acquired pursuant to state law.

The consent to join the United States "in any suit (1) for the adjudication of rights to the use of water of a river system or other source" would seem to be all-inclusive. We deem almost frivolous the suggestion that the Eagle and its tributaries are not a "river system" within the meaning of the Act. No suit by any State could possibly encompass

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[1] 43 U.S.C. § 666(a), 66 Stat. 560, provides:

"Consent is given to join the United States as a defendant in any suit (1) for the adjudication of rights to the use of water of a river system or other source, or (2) for the administration of such rights, where it appears that the United States is the owner of or is in the process of acquiring water rights by appropriation under State law, by purchase, or otherwise, and the United States is a necessary party to such suit. The United States, when a party to any such suit, shall (1) be deemed to have waived any right to plead that the State laws are inapplicable or that the United States is not amenable thereto by reason of its sovereignty, and (2) shall be subject to the judgments, orders, and decrees of the court having jurisdiction, and may obtain review thereof, in the same manner and to the same extent as a private individual under the circumstances: *Provided*, That no judgment for costs shall be entered against the United States in any such suit."

[2] See *Soffin* v. *Left Hand Ditch Co.*, 6 Colo. 443, 446; *Mason* v. *Hill Land & Cattle Co.*, 119 Colo. 404.

all of the water rights in the entire Colorado River which runs through or touches many States. The "river system" must be read as embracing one within the particular State's jurisdiction. With that to one side, the first clause of § 666(a)(1), read literally, would seem to cover this case for "rights to the use of water of a river system" is broad enough to embrace "reserved" waters.

The main reliance of the United States appears to be on Clause 2 of § 666(a) which reads:

"...for the administration of such rights, where it appears that the United States is the owner of or is in the process of acquiring water rights by appropriation under State law, by purchase, by exchange, or otherwise."

This provision does not qualify §666(a)(1), for (1) and (2) are separated by an "or." Yet even if "or" be read as "and," we see no difficulty with Colorado's position. Section 666(a)(2) obviously includes water rights previously acquired by the United States through appropriation or presently in the process of being so acquired. But we do not read §666(a)(2) as being restricted to appropriated rights acquired under state law. In the first place "the administration of such rights" in §666(a)(2) must refer to the rights described in (1) for they are the only ones which in this content "such" could mean; and as we have seen they are all inclusive, in terms at least. Moreover, (2) covers rights acquired by appropriation under state law and rights acquired "by purchase" or "by exchange," which we assume would normally be appropriated rights. But it also includes water rights which the United States has "otherwise" acquired. The doctrine of *ejusdem generis* is invoked to maintain that "or otherwise" does not encompass the adjudication of reserved water rights, which are in no way dependent for their creation or existence on state law.[3] We reject that conclusion for we deal with an all-inclusive statute concerning "the adjudication of rights to the use of water of a river system" which in §666(a)(1) has no exceptions and which, as we read it, includes appropriate rights, riparian rights, and reserved rights.

It is said that this adjudication is not a "general" one as required by *Dugan* v. *Rank*, 372 U.S. 609, 618. This proceeding, unlike the one in *Dugan*, is not a private one to determine whether named claimants have priority over the United States. The whole community of claims is involved and as Senator McCarran, Chairman of the Committee reporting on the bill said in reply to Senator Magnuson:[4] "S. 18 is not intended . . . to be used for any other purpose than to allow the United States to be joined in a suit wherein it is necessary to adjudicate all of the rights of various owners on a given stream. This is so because unless all of the parties owning or in the process of acquiring water rights on a particular stream can be joined as parties defendant, any subsequent decree would be of little value."

It is said, however, that since this is a supplemental adjudication only those who claim water rights acquired since the last adjudication of that water district are before the court.[5] It is also said that the earliest priority date decreed in such an adjudication must be later than the last priority date decreed in the preceding adjudication.[6] The last water adjudication in this water district was entered on February 21, 1966, and the United States was not a party to that or to any prior proceeding in this water district. The United States accordingly says that since the United States cannot be barred by the previous decrees and since the owners of previous decreed rights are not before the court, the consent envisaged by 43 U.S.C. § 668 is not present.

We thing that argument is extremely technical; and we decline to confine 43 U.S.C. § 666 so narrowly. The absence of owners of previously decreed rights may present problems going to the merits, in case there develops a collision between them and any reserved rights of the United States.[7] All such questions, including the volume and scope of particular reserved rights, are federal questions which, if preserved, can be reviewed here after final judgment by the Colorado court.

Affirmed.

Mr. JUSTICE HARLAN's concurring statement follows the opinion in No. 812.

[3] See Note, 48 Cal. L. Rev. 94, 111 (1960).

[4] S. Rep. No. 755, 82d Cong., 1st Sess., p. 9. And see *Pacific Live Stock Co.* v. *Oregon Water Bd.*, 241 U. S. 440, 448.

[5] Rev. Stat. § 148–9–7.

[6] *Id.*, § 148–9–13.

[7] The Colorado court stated:

"We are not determining whether the United States has reserved water rights in connection with lands withdrawn subsequent to August 1, 1876, the date of Colorado's admission to the Union; nor, if so, whether these rights have priority over previously adjudicated rights. These questions properly should be decided after the United States presents its specific claims for adjudication and the issues of fact and law are clearly drawn." 458 P. 2d, at 770.

GENERAL ACCOUNTING OFFICE REPORT ON "SHOULD COST" METHOD OF PROCUREMENT

Mr. PROXMIRE. Mr. President, In May of 1969, the Subcommittee on Economy in Government of the Joint Economic Committee, under my chairmanship, issued a report entitled "The Economics of Military Procurement." We made a series of recommendations among which was the following:

GAO should study the feasibility of incorporating into its audit and review of contractor performance the should-cost method of estimating contractor costs on the basis of industrial engineering and financial management principles.

This recommendation was one of the many we made after a series of hearings which took place between November 1968 and the spring of 1969. It was in those hearings that public attention was first focused on the $2-billion overrun on the C–5A and what Deputy Secretary of Defense Packard has called the "mess" in procurement.

I am pleased to announce that the General Accouuting Office, under the excellent leadership of Comptroller General Elmer Staats, has, in fact, carried out that recommendation. They have made four trial reviews of negotiated contracts using the "should cost" method to help determine the costs of weapons.

In each case they found that lower costs could be achieved. They found, in addition, that improvements were needed in production and control, that there was a great need for more competition in procurement of material from subcontractors, and that there was often a higher quality of engineering in the production stage than was required. This latter is referred to generally as "gold plating."

In addition, the Army has now begun to use the "should cost" method with considerably more emphasis than before and to a much greater degree than the other services.

This system, combined with the new uniform accounting procedures when they are finally put into effect, should make some substantial improvement in defense procurement.

I ask unanimous consent that an item from the March 15 General Accounting Office Newsletter entitled "Should Cost" Concept and Weapons Procurement be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. PROXMIRE. Mr. President, meanwhile, I want to commend the GAO for their four trial reviews and for carrying out the recommendation of the subcommittee report.

EXHIBIT 1

"SHOULD COST" CONCEPT AND WEAPONS PROCUREMENT

Four trial GAO reviews of negotiated defense contracts using the "should cost" method for determining costs of weapons have demonstrated, GAO believes, the worth of this approach in reducing the cost of weapons systems.

A February report noted congressional concern that the traditional method of pricing negotiated defense contracts—primarily on the basis of past cost—has not protected the Government sufficiently.

The "should cost" method tested by GAO attempts to determine contractor costs by estimating what weapons ought to cost, given attainable efficiency and economy of operation.

In the four GAO reviews, areas were found at each of the contractor plants where lower costs to the Government could be achieved. GAO found—Improvements were needed in production and control; There was a need for increased competition in procurement of material from subcontractors; and Higher quality engineering talent was being used in the production stage than required.

It was not possible to determine the total savings that could result if improvements in contractor and Government management practices were carried out as GAO suggested. However, determinable savings could amount to nearly $6 million.

Incidentally the report showed that some Government contracting practices added to cost: for example, instances, for excessive packaging and testing requirements, and failure to consolidate purchasing.

Success of future GAO should-cost reviews will depend, the report predicted, almost entirely on the cooperation of contractors and the extent to which Department of Defense contracting officials apply GAO findings and recommendations during negotiation of contracts. B–159896, February 26.

QUORUM CALL

The PRESIDENT pro tempore. Is there further morning business?

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

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

The second assistant legislative clerk called the roll.

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

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

THE GENOCIDE CONVENTION AND INTERNATIONAL COOPERATION

Mr. PROXMIRE. Mr. President, the Convention on the Prevention and Punishment of the Crime of Genocide will shortly come before this body for a vote. If we are truly interested in promoting world peace and cooperation, we can begin to do so by giving our advice and consent to this human rights covenant.

Some have suggested that it is futile and a waste of time to go through with the formality of making genocide an international crime. Many of the opponents of this Convention have asked that before we ratify this covenant, we must be assured in advance that there will be enforcement of the treaty provisions. Unfortunately, we cannot assure, in advance, that the nations of the world will observe the law as proposed in the Genocide Convention, just as a law prohibiting and punishing homocide is not based on the condition that all murder will be stopped.

Article VIII recognizes that any party may call upon "the competent organs of the United Nations to take such action under the Charter as they consider appropriate for the prevention and suppression" of the crime.

But even more powerful is the moral force implicit in such an international agreement. The requirements of morality are more likely to be recognized and observed if they are also the requirements of the law.

Mr. President, the pursuit of peace and fraternity will be served by our ratification of the Genocide Convention.

IMPOUNDED PUBLIC WORKS APPROPRIATION FUNDS FOR FISCAL YEAR 1971

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I have submitted to the committee presided over by the Senator from North Carolina, the Subcommittee on Separation of Powers.

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

FUNDS IMPOUNDED BY THE PRESIDENT, FROM APPROPRIATIONS CONTAINED IN THE PUBLIC WORKS APPROPRIATION ACT FOR FISCAL YEAR 1971

Statement of Senator ELLENDER

Mr. Chairman, I appreciate the opportunity to express my views on the impoundment of funds by the President of appropriations made by the Congress for Public Works for fiscal year 1971.

The Subcommittee on Public Works of the Committee on Appropriations held 42 sessions between March 4 and June 30 for the purpose of taking testimony from Government and non-Government witnesses. During that period the Committee heard testimony or received statements from 914 individuals or organizations. The hearings were printed in eight volumes containing some 7,981 pages. I think this record is very significant, Mr. Chairman. It is evidence that the Committee did not consider this subject lightly. In each and every case there was sound evidence to support the recommendations of the Committee. I would like to particularly emphasize the fact that not one dollar was recommended in excess of an amount the responsible agency testified that they could economically and efficiently utilize.

Before discussing the merits of a few of the Congressional increases, I would like to bring to your attention the cavalier manner in which the Administration treated the considered judgment of the Congress. Not one single new start, or one single increase of a budgeted amount for planning or construction of a water resource project in the entire bill was apportioned for use in fiscal year 1971. The entire amount was placed in budgetary reserve.

Most, but not all, of these funds are presently scheduled for release in fiscal year 1972. However, the funds in budgetary reserve from 1971 add-ons to a great extent are being used to finance the program in fiscal year 1972, and thereby reducing the Administration's request for fiscal year 1972 funds.

The Executive action shows a complete and utter disregard for the expressed will of the Congress in expressing its judgment on priorities.

From time to time the Administration refers to expenditure limitation. The Congress last year appropriated $3,491,829,930 less than the President requested. The final Public Works bill was $25.1 million below his estimate. So, it was not a case of Congressional irresponsibility.

Attached to my statement is a list of projects and amounts placed in budgetary reserve. I would like to comment on just a few of these items.

Gila River and Tributaries Downstream from Painted Rock Dam—$500,000. In addition to the flood control benefits for which the project is justified on a benefit-to-cost ratio of 3.2 to 1.0, the urgency of early construction has international aspects. The United States and Mexico consummated an agreement in March of 1965 to achieve a solution to the Colorado River salinity problem which has caused strained international relations. Completion of the project will reduce the saline water volume from flood flow to about five to ten percent of that under existing conditions. The United States Commissioner on the International Boundary and Water Commission, United States and Mexico, has urged early initiation of construction.

Lock and Dam 26, Alton, Illinois—$351,000. This was an increase in the allocation for planning. The existing dam is continuing to deflect and will become an increasing problem in the next few years. The structural integrity of the dam is questionable since it is resting on the edge of a scour hole that is deeper than the tips of the wood friction pile supporting the dam. The Committee considered it was imperative that the design and construction of the replacement dam be completed as rapidly as possible. It is expected that before the dam can be replaced, commerce through the lock will increase to about 60,000,000 tons a year.

Lake Pontchartrain and Vicinity, Louisiana—$3,000,000. The budget estimate last year was $8,250,000 with completion of the project scheduled for December of 1978. This is a hurricane protection project. If the path of Hurricane Camille had been 50 miles west of its actual course, it would have scooped up the waters of Lake Pontchartrain and flooded the City of New Orleans. The damage and loss of life would have been tremendous. The engineers testified that they had a capability of $12,000,000 on this project for fiscal year 1971. The Committee felt that they could not and should not gamble on the lives and security of the people of New Orleans. The unidentified bureaucrats in the Office of Management and Budget were willing to take that gamble. Not only that, but the recommendation for fiscal year 1972 is only $4,555,000 which, when supplemented by the $3,000,000 in budgetary reserve, will still be $695,000 below the budget request of last year. The result of this short-sightedness is a three-year delay in completion of the protective works from December 1978 to December 1981.

Wynoochee River Dam and Lake—$1,900,000. The Committee heard testimony from Members of Congress, local interests and the contractor regarding the inadequacy of the budget request to fund the required work on the main dam. The contractor was issued a notice that the Corps is out of funds, and still the Congressional add-on is held in budgetary reserve.

Central Valley Project, California—$10,000,000

Of this amount, Congress provided $8,500,000 for two new contracts on the Westlands distribution system and $1,500,000 for the Pleasant Valley Canal. The entire amount is being reprogrammed to reduce the funding requirements in fiscal year 1972 for budgeted items in the fiscal year 1971 program.

Columbia Basin Project, Washington—$1,460,000

These funds were provided for the Bacon Tunnel and Siphon and for Block 251 laterals. The entire amount will be reprogrammed to assist in financing the ongoing project drainage and supplemental construction program.

Mr. Chairman, up to this point in my remarks I have been speaking as the past Chairman of the Senate Appropriations Subcommittee on Public Works, a position which I occupied for many years. As suggested in your correspondence to me concerning these hearings, however, I think it might be well to expand my comments to include some of the broad Constitutional questions involved in the Executive "impoundment" of appropriated funds.

This was a subject which was giving me considerable concern long before I assumed Chairmanship of the Senate Committee on Appropriations. Looking back over my tenure in the Senate, stretching from 1937 to the present, it is easy to see the expansion of Executive activity in this area during those years. It is equally easy to perceive a corresponding decrease in the powers of the Congress.

It has become a cliché to observe that the last three of four decades have brought about a tremendous increase in Executive power, generally at the expense of the Congress. The trend started with our Great Depression, when a strong and effective central authority was thought to be necessary for the survival of our form of government. The trend was given impetus by the Second World War when a concern with foreign affairs first gained a foremost place in the national attention. Here again, a strong central authority, able to act with dispatch and secrecy, was thought to be necessary for our national survival or at least to insure our victory in a worldwide conflict. Under pressures of the Cold War, and our international position, an Executive dominance in foreign affairs has become so buttressed by precedent, largely approved by the Congress, that I doubt anything approaching parity can be regained by our National Legislature except, perhaps, over an extended period of time.

This is not necessarily the case in domestic affairs however. Here we find that Executive dominance has grown up gradually. In my estimation, its growth has been brought on by the expansion in the Federal bureaucracy. The increase in the domestic power of the Executive *vis-a-vis* the Congress has been aided by ideas such as "efficiency in government" and "technological complexity." None of these reasons, however, provide a substantive basis for allowing the continued encroachment by the faceless minions of the Executive bureaucracy into the Constitutional preserves of the Congress. In short, there is no need for the individual, specific priorities of the Nation to be established by a desk-found bureaucratic elite, rather than the collective judgment of the Congress. I am referring here to the growing direct involvement of the Executive in the ap-

propriations and expenditure processes of Congress and the nation.

It seems to me that this is one of the most important areas to be considered by the Subcommittee on Separation of Powers. The Constitutional provisions drafted so painstakingly by our founding fathers in 1787, contain several attempts to provide a lasting guarantee that the Powers of Government in the American system will in fact be separate. Among these we find, of course, the different constituences for the House, the Senate, and the President assured by the Constitution. We find the principle of staggered terms, the advise and consent function of the Senate, and, of course, the Power of the Purse. Yet it is widely recognized today that the Judiciary "legislates" as much as it judges (whether we like it or not), and that through its regulatory powers the Executive agencies not only legislate but assume quasi-judicial functions. It has also finally come to be admitted that there is as much "politics" involved in administration as there is in legislation.

Looking beyond the Constitutional provisions, we find other traditions and procedures which are perhaps more important in maintaining some semblance of an independent legislature as the function of government changes over time. Among these I would list the seniority system in the House and Senate which insures against Party Government and Executive control. I would also list our committee system which may work either in opposition to or in concert with the Executive will, but at least provides points at which Congressional attitudes may be focused.

It may be felt that I am going far afield in these remarks, but the point I desire to make is that the absolute guarantees for legislative independence or a separation of powers between the Congress and the Executive are actually few and far between. In today's America, they are indeed frail reeds for one to rely on as a bulwark of protection for the Congressional preogatives. For that reason, those that do have vitality and substance remaining in them today deserve our utmost attention to see that they are preserved.

One of the few Constitutional provisions in which we can say there is still some semblance of vitality is the appropriations process—that which I referred to earlier as the Power of the Purse.

I said earlier that the diminution of this power over the last three decades has caused me concern. That is so because I have watched the Executive move to surreptitiously expand his control over the ultimate use of appropriated funds under the guise of the national emergency of the Second World War on the one hand, and national economic policy on the other.

The Constitution provides no provision giving to the Executive the right of item veto. We cannot suppose that this was by chance, for the question was hotly debated during the Constitutional Convention and rejected by the Founding Fathers. Yet, in the last few decades, we have seen the item veto used more and more. Whether it is called a budgetary impoundment, budgetary reserve, or by some other euphemism, the result is the same. It is the frustration of the Congressional will by the substitution of the Executive will.

At this point, Mr. Chairman, I would like to refer to a study on this subject by Professor J. D. Williams, entitled "The Impounding of Funds by the Bureau of the Budget," and published in 1955. Professor Williams points out that authority to impound funds was used before the Second World War entirely in connection with the quarterly allotments established by the Bureau of the Budget to prevent deficiencies among the agencies, and to effect savings where work authorized by the Congress was accomplished at less expenditure than anticipated.

It was during the Second World War that the practice of establishing reserves to cancel specific projects gained acceptance in our government. President Roosevelt was able to delay expenditures on individual projects for which funds had been appropriated, and successfully defended this action against the Congress. The authority used by the President at this time was based on his war powers and he stipulated on several occasions that funds approved by the Congress would not be used for projects not considered to have "important value in the national defense." Nineteen hundred forty-three saw the high point in the Congressional counter-attack against this usurption of its powers by the Executive. Senator McKellar of Tennessee, who was then Chairman of the Senate Appropriations Committee, led the fight. In cooperation with others he sought to overturn this assumed power of the Bureau of the Budget, even in time of war. Legislative language designed to reassert the authority of the Congress in the area of appropriations was approved by the Senate, but failed passage in the House. The failure was primarily because of the emergencies facing the nation, according to Williams.

After the Second World War was concluded, representatives of the Executive Branch recognized the shaky grounds they were occupying should it be necessary to continue the practice of "impounding" funds by the establishment of "reserves" in times of peace. Accordingly, after considerable debate within the Bureau of the Budget, specific legislative authority was sought for such actions. This approval was granted, perhaps unwisely, by the Congress in the General Appropriations Act of 1951. It will be recalled that the Korean Conflict was then upon us. Section 1211 of that statute became part of the U.S. Code (Title 31, Section 665(c)). I ask consent that the pertinent language from the Code, under the heading: "Apportionment of appropriations; reserves; distributions; review" be included at this point in my remarks. This language today forms one basis for the Executive's action in the instances which I described at the beginning of these remarks.

The point here is this, Mr. Chairman. Congressional action in the past, twenty years ago, gave specific legislative authorization for the Executive and the Bureau of the Budget to do exactly what is being done by the current Executive and his Office of Management and Budget today. If we want to begin a serious attempt to restore the prerogative and powers of the Congress, this is a specific point at which to start. Twenty-three years ago, a past Chairman of the Senate Appropriations Committee took up the battle and won the approval of the Senate. He saw the beginnings of the trend and attempted to nip it in the bud, but the trend toward Executive control has continued to gather strength.

Mr. Chairman, that concludes my remarks on this subject. The study to which I have referred, done by Professor Williams and printed as a case study by the University of Alabama in 1955, is today out of print. A member of my staff came upon it while researching another subject early in 1969 before the question of budgetary reserves began to receive national attention. Professor Williams' work has now come to be extensively cited by other students of the subject, but it is still difficult to find. I am informed that the Library of Congress has only one original copy. For that reason, Mr. Chairman, I ask unanimous consent that his work be printed at the conclusion of my remarks. It is not very long and I believe it should be made more widely available to interested members of the public.

Mr. Chairman, thank you for this opportunity to present my views. I will be most anxious to obtain the results and conclusions of your inquiry into this important subject.

The case study is as follows:

THE INTER-UNIVERSITY CASE PROGRAM—THE IMPOUNDING OF FUNDS BY THE BUREAU OF THE BUDGET

(By J. D. Williams)

I. INTRODUCTION

This is the story of the efforts of the Budget Bureau to impound funds appropriated by Congress for public works projects during World War II in an effort to lessen inflationary pressures and to check the diversion of scarce materials from defense production. It is also a brief life history of a policy and its political and administrative repercussions.

If the makers of the Constitution had given the President an item veto over appropriation acts, the policy on which this case focuses would never have been initiated. Under the Constitution, Congress is empowered to pass laws and to appropriate money. But the public usually holds the President responsible—particularly at election time—for the nation's economic health as well as for its security. As the federal government's role in economic affairs increased during the 1930's, it was inevitable that a President would some day have to find a means to avoid spending money appropriated by Congress for projects which, in his view, were not in the national interest.

President Roosevelt was confronted with such a situation following his re-election to a third term in 1940. As the nation's economy shifted to defense production and as the price index began to rise, it became apparent that nonessential expenditures would have to be curtailed to prevent inflation and to check the diversion of scarce materials from defense production. For this reason the Budget Bureau drafted the following policy statement which the President included in his budget message of January 3, 1941:

"During this period of national emergency, it seems appropriate to defer *construction projects* that interfere with the defense program by diverting manpower and materials. Further, it is very wise for us to establish a reservoir of post-defense projects to help absorb labor that later will be released by defense industry."

However, the President's message did not stop congressmen from pressing for appropriations for public works projects in their own districts, just as it did not convince the constituents of these congressmen that their local public works projects, along with hundreds of others, constituted a threat to the defense effort or to the economic stability of the nation.

What, then, was the President to do when wartime appropriation acts, containing funds for local public works projects, came to him for signature? He could not veto the unwanted items without vetoing the entire appropriation. The Budget Bureau proposed a solution: put the funds for objectionable projects in a reserve, "frozen" so that the spending agency cannot touch them.

This case describes the formulation and adoption of the policy of impounding; it then depicts the efforts of the Bureau to impound funds for two projects and to deal with the strong congressional criticism which resulted; and it recounts how Congress and the Bureau ultimately sought to settle the matter.

Development of impounding practices

Long before the establishment of the Bureau of the Budget, Congress had provided for an apportionment procedure in the Anti-Deficiency Acts of 1905 and 1906. Agencies were required by those laws to divide their annual appropriations into quarterly allotments or three-month expenditure ceilings

which were not to be exceeded. In those quarterly allotments lay the rudiments of appropriation reserves, the *sine qua non* of the impounding process.

The original purpose of the allotment procedure was to prevent agencies from spending their entire appropriations before the end of the fiscal year; in other words, to *prevent deficiencies*. A second purpose—*to effect savings*—was added in 1921 in Budget circular #4, issued by the first Director of the Budget, Charles G. Dawes. Since 1921 the reserve device has been used extensively by the Bureau of the Budget to adjust spending to actual needs in achieving the program objectives of the Congress. (For example, where Congress appropriated a million dollars to control the Mediterranean fruit fly, and the Department of Agriculture accomplished the task for half a million dollars, impounding the balance prevented waste of public funds.)

An important issue since the twenties has been the nature of a congressional appropriation act: is it simply authority to spend a certain sum of money for a specified purpose, or is it a directive to spend? Willoughby, writing in 1927, seemed to prophesy the struggle that was to ensue fifteen years later. A few appropriations, he thought, were mandatory: e.g., "appropriations for the payment of claims, pensions, interest on the public debt, and the like." Others, he said, for *political reasons*, must be regarded as mandatory:

"There are other appropriations such, for example, as those for the erection of a particular public building or the improvement of rivers and harbors, which if not put into effect would undoubtedly cause resentment on the part of Congress and action by it that would make the expenditure obligatory."

The hand of the Bureau of the Budget in post-appropriation control was strengthened on June 10, 1933, when authority to make, waive, or modify the quarterly apportionments was transferred from the agency heads to the Bureau by Executive Order 6166. With the transfer of the Bureau itself to the Executive Office of the President six years later, the stage was set for a systematic effort by the President and his budget staff to achieve improved central control over expenditures. That effort was to be marked in part by putting the impounding process, employed during the '30s to effect savings by controlling the *level of programs*, to a new use: *viz.*, impounding funds for entire *public works projects* which lacked Presidential approval. (The two types are referred to as program control and project control.) President Roosevelt's 1941 budget message, which emphasized the need "to defer construction projects that interfere with the defense program", seemed to require more stringent impounding than merely establishing reserves to effect savings.

II. THE POLICY IS ADOPTED

Four days before he declared an unlimited national emergency late in May, 1941, President Roosevelt was faced with the first test of his announced budget policy. Congress had just forwarded for his approval the War Department Civil Appropriation Act for 1942 (Public Law 71), containing funds for flood control and some $1.6 million for certain river and harbor projects which had not received Executive approval as important to national defense. Lacking the item veto, the President had to sign the Act. During the two months that elapsed before the War Department could submit to the Bureau of the Budget its request for apportionment of the newly-appropriated funds, the Bureau sought a tool that would halt the objectionable projects.

In the meantime a flood control authorization bill (H.R. 4911) was moving toward final passage in the Congress. The House version of the bill provided that projects contained in the measure "shall be prosecuted and speedily as may be consistent with budgetary requirements. . . ." On July 3, the President wrote the President of the Senate that the House had ignored the fact "that initiation of new construction projects without defense values should be deferred until the end of the present international emergency." Mr. Roosevelt suggested an amendment to section 3 of the bill to read: "That during the unlimited emergency . . . no construction work shall be initiated on any project hereby authorized unless the President should find that the proposed work is of important value to the national defense."

The President was turned down. Congressman Whittington explained early in August, 1941, that the proposed amendment was killed because Congress did not want to surrender absolutely to the Executive the right to determine which projects had defense value. Anyway, he said, "if the President . . . is not satisfied . . . he can veto the bill."

Whittington and his colleagues did not anticipate the means the Executive Branch would use to nullify the appropriations in excess of the President's requests. Mr. Roosevelt did not veto the authorization bill. However, in signing it on August 18, he warned:

"I wish to make it clear that during the present emergency I do not intend to submit estimates of appropriations or approve allocations of funds for any project which does not have important value in the national defense."

By the time the President signed the bill, the Bureau of the Budget had decided that impounding was the only means to halt projects which had no defense value but which had been tucked into appropriation bills that the President had to sign. The decision of Budget Director Harold Smith at the end of July, 1941 to halt War Department construction of certain flood control projects for which Congress had appropriated money in Public Law 71, was the result of four weeks of intermittent discussion and head-scratching within the Bureau:

On July 7, Budget Examiner Charles Curran of the War-Civil Unit in the Estimates Division called his superiors' notice to the impending authorization by Congress of public works projects, some of which the President had not approved. Curran had recently returned from a tour of some civil and military projects of the War Department and had been struck with the waste of money and effort on projects which could never be completed because they did not carry a priority rating to obtain scarce materials. Why, he asked, should not the Bureau of the Budget impound funds for nonessential projects to keep them from getting started in the first place?

Similar concerns were felt by most others in the Bureau, beset on all sides with demands for money to meet the emergency. There was, consequently, at least a partial attitude of receptiveness when Curran proposed that for the first time the Bureau should halt entire public works projects by impounding.

Hertofore the Bureau had impounded funds almost solely to effect savings in programs undergoing readjustments which Congress could not have fully foreseen in making appropriations available. A number of times during the course of 1941, reserves were established to effect savings in the traditional manner. The programs of the Civil Aeronautics Administration for civilian pilot training, of the Civilian Conservation Corps and the National Youth Administration for the surplus labor force, and of the Surplus Marketing Corporation for surplus crops, all had begun to fell the pinch of the defense effort. Military pilot training, selective service, war production, and rising food needs demanded curtailment of these peacetime programs. To force curtailment in expenditures, the Budget Bureau impounded funds appropriated to each agency in amounts ranging from $1.6 million to $95 million.

Reducing the *level of programs* in this way was much safer politically than halting completely a specific *project* authorized and financed by Congress. To attempt the latter would place the Bureau in the risky position of running directly counter to the will of Congress—and of damaging the standings of individual Congressmen in their home districts, which stood to gain by these projects. A Congressman might easily give way on a question of broad national policy. But to cancel public works projects in his particular district was to hit him personally—and in his most vulnerable spot, his reputation as a good provider for his constituents. It was to threaten the Pork Barrel principle.

Mindful of these considerations Curran's chief, Colonel C. L. Dasher, suggested that he sound out Fred Bailey, the Assistant Director for Legislative Reference. Curran recounts the story this way:

"Bailey gave me the impression that he thought I was trying to go a little too far. He pointed out that, in the past, reserves had been set up in order to prevent unapproved use of funds within an appropriation when a change in law had eliminated some requirement otherwise provided for or in order to give effect to the anti-deficiency law. Then he said, in effect, that the appropriation of money did not carry a mandate to spend . . . Now if Congress in its wisdom appropriated more for some program than the Budget thought necessary, there was a question of soundness in attempting to reverse Congress by impounding a part of the appropriation. Certainly, at least the proper segment of the Appropriations Committee should be consulted. Perhaps a case could be made and defended for holding back funds beyond those which could be expected to be used efficiently. But any reduction would need to be made on a program basis. *The executive or administering agency should determine where and how the program was to be modified.* . . .

"He went on to point out that deliberately stopping specific *projects* went far beyond general economy and efficiency. It was approaching an item veto. It was one thing to shrink a whole program, but quite another thing to go into the program and eliminate specific items—items individually endorsed or perhaps inserted by Congress. But he said all he would do was advise. It was up to me to put the issue to the Director."

Consideration of the proposed policy became a matter of immediate importance with the arrival in the Bureau of the War Department's request for apportionments for funds appropriated in Public Law 71. Hopefully, the hot issue was tossed to the National Resources Planning Board. But back it came; as far as NRPB was concerned, the question of project control via impounding was strictly a budgetary matter.

The bureau acts to impound

Budget Director Harold Smith accepted the project impounding suggestion. In his letter to Secretary Stimson on July 29th, after quoting the President on the necessity of deferring nonessential public works, Smith went on to say:

"You are thoroughly conversant with the need of deferring the construction of public works which would interfere with the defense program through the diversion of manpower and material. Consequently you can see how the initiation of such works at this time would be out of harmony with the policy of the President *as developed since the approval of the War Department Civil Appropriation Act* (that is, since May 23, 1941) and would clearly be in conflict with his present program.

"I therefore suggest that you have placed in Budgetary Reserves, in addition to any other reserves, the sum of $1,605,000 of the

appropriation "Maintenance and Improvement of Existing River and Harbor Works" and $7,405,305 of the appropriation "Flood Control, General." The funds so placed in reserve under . . . "River and Harbor Works" would be released at such time as the President found the three projects for which the funds are earmarked to be of important defense value and the flood control funds placed in reserve would be available for initiation of authorized flood control projects when approved by the President as important to national defense."

As word spread that the Bureau of the Budget had halted certain public works projects, Congressmen began to make inquiries. Senator Wagner (Dem., N.Y.) wanted to know what constituted a defense project entitled to funds. Harold Smith replied on August 25, 1941:

"Two criteria for determination of defense value are whether the project is necessary to the armed forces and whether it is necessary to our industrial effort. The first can be determined most properly by those in command of the armed forces. The second can best be determined, particularly as to the relative present importance, by the Office of Production Management."

The bureau impounds funds for two Oklahoma projects

The Bureau of the Budget was now to discover the political consequences of curtailing public works projects designed for the constituents of individual Congressmen. A sample of these consequences is the flurry caused by impounding funds for two Oklahoma flood projects: the Tulsa levees and Markham Ferry Dam.

On March 25, 1941, the Secretary of War had submitted a report to Congress from the Chief of Engineers recommending completion of a flood control levee on the Arkansas River at Tulsa and West Tulsa, Oklahoma which had been started some years before. The Secretary admitted that the Budget Bureau regarded the proposal as out of line with Presidential policy. Congress nevertheless called for the completion of the levee project, along with others, in a flood control authorization act of August 18, 1941 (Public Law 228 of the 77th Congress).

In submitting supplemental requests for fiscal 1942, the President asked no funds for the Tulsa project. But in the Third Supplemental National Defense Appropriation Act, 1942, passed December 17, 1941, $300,000 (which had been added in the Senate) was appropriated for the Tulsa levees. In the following year, $213,000 more was added, upon Senate initiative, in the War Department Civil Functions Bill for 1943, making a total of $513,000 of unrequested funds for the Tulsa project.

A $15.4 million power and flood control reservoir at Markham Ferry on the Grand Neosho River in Oklahoma was also authorized by Public Law 228. The Federal Power Commission had included the project in its defense program as a source of additional electric power, but the Office of Production Management (OPM, predecessor of the War Production Board) believed (a) that the surrounding area could not absorb the additional energy, and (b) that there was no defense need for the reservoir. No funds were requested by the President, but at Senate behest, $1.5 million was made available in the Third Supplemental, 1942.

On December 18, 1941, the day after Congress provided funds for the two disapproved projects at Tulsa and Markham Ferry, the attention of the Assistant Budget Director for Estimates was called to the two projects. A budget examiner explained to him that the request for funds for the projects had originated with Senator Elmer Thomas (Dem., Okla.), and not with any federal agency. Thomas had introduced into the hearings a number of letters from manufacturers in the area of Sand Springs and West Tulsa citing defense work and warning of the flood danger to their operations. Among the companies were Sheffield Steel, National Tank, and Wheatley Brothers Pump and Valve. The budget examiner recommended asking OPM about the defense necessity of the Tulsa levee project before allowing the Corps of Engineers to proceed. He recommended also that the Markham Ferry and Tulsa funds be placed in reserve.

Budget Director Smith notified the Secretary of War on February 5, 1942, that $1.8 million for the Markham Ferry and Tulsa projects had been placed in reserve until evidence was received from OPM indicating that the projects had some defense value. Smith's impounding letter seemed only to spur the War Department, for on February 9, it requested $213,000 for the Tulsa project for fiscal 1943.

Not long afterwards a news item appeared in the Tulsa *Tribune* reporting the resentment of local officials over the stoppage of the levee project. Senator Thomas next informed the Tulsa *Tribune* (which printed the story on page one) that release of the funds depended upon the recommendation of the district engineer of the Corps of Engineers in the Tulsa area. (Actually, the decision on the defense value of any project had to come from the War Production Board or from the higher echelons of the War Department.) From the 16th through the 20th, Tulsa papers reported that the Chamber of Commerce was taking action to prove the defense worth of the levee project.

On February 18, the same day that budget examiners were recommending retention of the impounded funds, the president of the Tulsa Chamber of Commerce, N. R. Graham, sent a letter to the Budget Director:

"We wish to respectfully protest this decision. This decision overrules the judgment of Congress. Our people feel that we are having far too much government by decree rather than by law; and we have had many expressions of dissatisfaction over the action of your Bureau in this particular instance." Graham went on to emphasize the importance of the levee and reservoir projects for preventing a recurrence of the crippling flood experienced in November, 1941, and for providing additional power. Copies of his letter were sent to the Oklahoma delegation in Congress.

Undaunted, the Budget Bureau notified the War Department on February 24: no release of funds for Tulsa or Markham Ferry. Harold Smith replied to Graham on March 6, also sending copies to the Oklahoma Congressional delegation. He emphasized that when he approved the legislation authorizing Markham Ferry and other projects, the President had stated that funds would neither be requested for, nor allocated to, projects not important to national defense. Smith then explained the problem of materials shortages:

"The manufacture of hydroturbines (which would be needed were Markham Ferry to be undertaken) is in direct competition with the manufacture of guns and forgings. It is impossible for us to undertake at this time the construction of all those multiple-purpose flood control and hydroelectric power development projects which are desirable and economically justified."

On March 10, Director Smith informed Senator Josh Lee (Dem., Oklahoma, up for re-election that year) that the brief of the City of Tulsa in behalf of the levee project had been received and was under study, adding: "In this study, in addition to considering the views of local interests, the relative importance of any project as determined by the federal agencies directly charged with prosecution of the war effort must be obtained."

About this time, the WPB, which had also received the Tulsa brief, indicated concern over the political ramifications of the Tulsa decision. It sent a legal aide to ask the Budget Bureau: since the levee project called primarily for earth-moving and would not require scarce materials, could funds be released simply on certification from WPB that it had no objection to the project?

No, WPB was told, the President's policy called for a positive statement that a given project was essential to the war effort. Furthermore, the materials question did not exhaust the burdens that the Tulsa project would place on the war economy, since it would require funds, machinery, and skilled personnel which should not be diverted from more essential war activities.

On February 20, when Congress was being petitioned for additional funds for certain flood control projects, Director Smith explained in a letter to Congress that the required sum to be appropriated might be reduced by $7.1 million by drawing upon existing appropriations held in reserve from the projects for which they had originally been intended. Included in the $7.1 million were the reserves for Markham Ferry. Congress acquiesced by appropriating amounts in line with the recommended transfer of reserves, thus "plowing under" the Markham Ferry project among others.

On the House floor on April 2, Congressman Jerry Voorhis of California protested the impounding of $37 million of Agriculture Department funds for the school lunch program since the start of fiscal 1942. Under questioning from surprised colleagues, Voorhis said he understood that the Budget Bureau claimed legal authority to impound funds under the Anti-Deficiency Act and Executive Order 6166. Voorhis disagreed that these justified the impounding of funds and pointed out two possible dangers: the Bureau might impounded funds for the Legislative Branch, threatening representative government; or it might increase other appropriations by transferring funds placed in reserve. "When that time comes, the power of the purse of Congress will be gone," he warned.

On April 9, Donald Nelson, chairman of WPB, informed the Budget Bureau that a study of the Tulsa project "fails to establish that the project may properly be described as essential to the national defense." "*However*," Nelson went on, in view of the small amount of materials and equipment involved, WPB "has no objection to the release for this purpose of $300,000 from the appropriation for 'Flood Control, General' of the Act of December 17, 1941."

After this finding by WPB, it was recommended within the Bureau that the $300,000 already appropriated for Tulsa should be kept in reserve and that $213,000 about to be appropriated should be put there.

A feeling of uneasiness seemed to come over the Bureau officials as the impounding process bit deeper. In a memorandum dated April 16, 1942, to Martin, Assistant Director for Estimates, Dr. R. D. Vining, a group head in that division, expressed doubt about the Bureau's legal authority to impound funds. Beyond that, he worried about the political wisdom of holding up projects for which Congress had appropriated funds. Vining felt that there was room for debate about the necessity of the Tulsa project, but even if it were clearly an unwise venture, responsibility for it would not rest with the Bureau. On the other hand, for the Bureau to impound the Tulsa funds was a sure way to court criticism that it had set itself above the law.

Soul-searching was going on at all levels within the Estimates Division.[1] While Vining

[1] As Vining put it years later, "There was unanimous opinion in the Bureau that no statutory authority existed for impounding funds under 'continuing' appropriations for specific projects as distinguished from annual appropriations for maintenance and operation of government agencies where apportionment was required under the Anti-Deficiency Act of 1906."

was writing to his chief, Curran was writing Vining (Curran's group head). Called upon by Vining to find a legal basis for impounding funds, Curran turned first to some suggestive, if not permissive, language in certain Congressional reports and statutes. Specifically noted was the sentence in the Flood Control Act of 1941 (the sentence which the President had wanted strengthened): "The following works of improvement . . . shall be prosecuted as speedily as may be consistent with budgetary requirements." Curran noted also that the House Appropriations Committee had recently spoken of appropriations as "*authority* to enter into contracts and incur bills," (his emphasis) rather than as mandates to do so.

Curran then turned to a second source of authority for the Bureau's action the war power of the President. Recognizing that the Bureau's right to stop specific projects during peacetime might be questionable, he contended that the President's war power permitted "the President to prosecute (the) war in all its ramifications by all the machinery available to him." [2]

The President agrees:

Meanwhile the Civil Functions Appropriations bill for 1943 had gone over to the Senate Appropriations Committee, where Senator Thomas introduced more evidence from industrial plants along the Arkansas River of the need for flood protection. A short while later Curran called Assistant Director Martin's attention, to the fact that the bill was through conference, containing funds for a whole group of projects (including Tulsa) which had never received Presidential approval. With his memo, the budget examiner forwarded a draft of a letter ordering the impounding of certain funds which he hoped the President would sign and send to the Secretary of War at the same time he signed the Bill.

Martin, however, had many doubts, including those which his assistant chief, Vining, had planted in his mind a week earlier. He ordered that the draft letter be submitted to the National Resources Planning Board, the second time in ten months that the issue had been shifted in its direction. With a few changes called for by the NRPB, the letter was cleared by the Budget Bureau and sent on to the President.

Casting an eye in the direction of Capitol Hill, the President's political advisers could discern both favorable and unfavorable portents. Four Months earlier, Judge Tarver, chairman of the House Appropriations Subcommittee on Agriculture, had criticized the Budget Bureau for impounding $3.4 million for the Soil Conservation Service in 1941. On the other hand, the House Appropriations Committee as a whole had subsequently hinted that it would go along with the President in holding up non-essential public works. In a House report of March 6, 1942, the Committee stated that the President alone had the power to determine priorities among construction projects. This was important, coming from the committee which originated all appropriation measures and which focused upon government-wide problems in contrast to the narrower scope of the substantive program committees.

So the President went ahead. On April 28, he signed the Civil Functions Appropriation Act and immediately blocked the projects of which he did not approve by signing the impounding letter to the Secretary of War which the Bureau had drafted. Noting that Congress had made certain appropriations for public works in excess of his budget requests, the President asked the War Department to establish, in cooperation with the Budget Director, "administrative reserves in the amount which can be set aside at this time by the deferment of construction projects not essential to the war effort and by the suspension of the survey program." He said he would have no objection to a subsequent release of funds for any projects which are shown to be of importance for national defense.

The President's letter settled the internal problem within the Bureau of the Budget. On April 30, Assistant Director Martin issued a directive to the staff of the Estimates Division, referring to the letter as a "declaration of policy on the part of the President." The Bureau proceeded immediately to implement the policy, after discussions with the Corps of Engineers, by impounding $17.8 million of the new appropriations for civil works, including $213,000 for Tulsa. The Corps was informed that no funds could be earmarked for Tulsa or Markham Ferry, among other projects.

The Fight for the Tulsa project

The Bureau had now to defend its new impounding policy against the rising protests of Congressmen and their hurt constituents. Early in June, Budget Examiner Curran inspected the Sand Springs area near Tulsa. He found that the industries there, like most industries in the country at that time, did have some war contracts. But so far as he could tell, the real pressure for the levee project stemmed from the inhabitants of inexpensive cottages in the lowlands near the river. Estimating that the levee would cost twice the $513,000 held in reserve, Curran reiterated his conviction that the Tulsa project was not essential to the war effort and therefore should not be started.

The boosters of the levee project received unwelcome support when torrential rains caused the Arkansas River to flow over its banks on June 24, inundating Sand Springs. The damage gave new impetus to the demand for completion of the flood control levees. The Tulsa *Daily World* of June 26 pointed to the Budget Director as the culprit responsible for freezing the funds. The newspaper said that the Oklahoma delegation in Congress "will again be bombarded with 'demands for action' in the hope that the budget director can be persuaded to release the frozen funds so vitally needed here."

The flood seemed to nourish every type of grass root activity. The pastor of a Tulsa Baptist Church, along with many others, wrote Senator Lee urging release of the funds. The Senator talked to the Budget Bureau. But on the 13th, acting director Coy, politely rebuffed him:—no funds unless and until the war necessity of the Tulsa project was certified by the proper authorities.

Senator Elmer Thomas wrote the Bureau the next day protesting that he had been given the "run-around." He enclosed a letter of July 26 from General W. B. Persons of the Office of the Chief of Staff and photographs of the flood waters at West Tulsa. Oddly enough, the Persons letter said that "There are no important products produced in the protected area with which the War Department has direct concern." The question of necessity for the war effort, the General continued, "is one for determination of the War Production Board or other Federal Agency directly concerned with the use of the products of this area."

At this point another member of the Senate Appropriations Committee, Richard Russell (Dem., Ga.), wrote a letter to the President, criticizing The Budget Bureau's attempt to curtail—not to halt completely—the food distribution programs of the Agricultural Marketing Administration.

Chief Examiner James Scott who had fought for reserves in what he regarded as inflated appropriations for various agriculture programs, felt that Russell's letter deserved a strong reply. His draft was ultimately signed by the President and sent to Senator Russell on August 18, 1942. It said in part:

"It should, of course, be clearly understood that what you refer to as "the practice of the Bureau of the Budget of impounding funds duly appropriated by the Congress" is in fact action by the Chief Executive, and has two purposes. The first purpose is compliance with the Anti-Deficiency Act, which requires that appropriated funds be so apportioned over the fiscal year as to insure against deficiency spending. This step, of itself, has for many years resulted, and will continue to result, in important savings of appropriated funds. Secondly, the apportionment procedure is used as a positive means of reducing expenditures and saving money wherever and whenever such savings appear possible.

"While our statutory system of fund apportionment is not a substitute for item or blanket veto power, and should not be used to set aside or nullify the expressed will of Congress, I cannot believe that you or Congress as a whole would take exception to either of these purposes which are common to sound business management everywhere. In other words, the mere fact that Congress, by the appropriation process, had made available specified sums for the various programs and functions of the Government and is not a mandate that such funds must be fully expended. Such a premise would take from the Chief Executive every incentive for good management and the practice of commonsense economy. This is particularly true in times of rapid change in general economic conditions and with respect to programs and activities in which exact standards or levels of operation are not and cannot well be prescribed by statute."

The President's letter put a timely prop under the Bureau at a time when Congressional criticism was beginning to rise.

In October, with election day a month off, Senator Josh Lee wired Donald Nelson at WPB that a steel mill near Tulsa had been flooded during the summer because a flood control project had been held up by the Budget Bureau. Four days later the president of the Shefield Steel Corporation, R. L. Gray, informed WPB that summer flood water coming through an uncompleted levee on the Arkansas had caused a shutdown of one of his plants handling war contracts at West Tulsa.

Then came a direct assault. On October 13, Senator McKellar (Dem., Tenn.) served notice in the Senate of his intention to introduce several amendments to H.R. 7672, the Supplemental National Defense Appropriation Bill. One of the amendments would have required the Budget Bureau to release $513,000 of impounded funds for the Tulsa-West Tulsa project.

Reaction within the Budget Bureau indicated that McKellar's threat was not taken lightly. Once again the Estimates heads asked for a review of the whole Tulsa impounding. On October 15, Assistant Director Coy informed Lawton and Martin that he had talked with Senator Barkley (Dem., Ky.), the majority leader, on how to deal with the McKellar amendment. Barkley was pessimistic about the chance of defeating it once it was introduced. Budget Director Smith suggested that, if the amendment passed the Senate, one of the House conferees should be approached by the Bureau. Smith's plan again showed the Bureau's reliance on the House Appropriations Committee.

While preparing to meet the McKellar amendment, the Bureau received word from Donald Nelson on October 16, that the Tulsa project was now regarded by WPB as essential to the war effort. The first paragraph of Nelson's letter sounded as if he had never heard of the Tulsa issue before and was totally unaware of WPB's refusal to certify the project on April 9, 1952:

[2] A year later Chief Justice Stone was to say for the Supreme Court, "The war power of the national government is 'the power to wage war successfully.'" (Hirabayashi v. U.S. 320 U.S. 81, 93)

"Senator Josh Lee in a telegram dated October 8th has brought to my attention the fact that the money to finish a certain levee on the Oklahoma [sic] River for protection of the town and steel mill is frozen because your Bureau has not been advised that protection of the steel plant and rolling mill of the Sheffield Steel Corporation at Sand Springs is necessary for war purposes. . . . The War Production Board therefore certifies to you that proper protection from floods is necessary to assure the continued operation of this particular plant."

"I am taking the liberty," Nelson said in his final paragraph, "of sending copies of this letter to Senators Lee and Thomas of Oklahoma, and to Congressman Wesley E. Disney of the First District of that same State."

While a reply was being prepared, the Bureau informed the Secretary of War that since WPB had now certified the necessity of the Tulsa project, the Bureau would release the $513,000 from reserve on receipt of the proper form from the War Department. Three days later, the amendments mentioned by McKellar on October 13 were passed, except for the amendment on the Tulsa project which was not even called up.

Coy replied to Nelson's letter on October 19, informing WPB that the funds for Tulsa would be released. Coy asked, "In order that our records may be complete, what circumstances have arisen to change the character of this project so that it now has become important to national defense?" He concluded tartly: "Your thoughtfulness in sending copies of your letters to Senators Lee and Thomas of Oklahoma and Congressman Wesley E. Disney of that State is appreciated."

Nelson replied evenly on October 29, that during the investigation in the spring of 1942:

"There was no evidence that the possibility of floods in the Arkansas River seriously endangered the operation of war plants in the vicinity. We have only recently been advised that in July of this year apparently because of a new break in the levee, the Sheffield Steel plant at Sand Springs was flooded and shut down for about a week. This occurrence convincingly demonstrated that there is, in fact, flood danger to war plants in the area and prompted my request for release of the funds."

Not long afterwards, the Corps' request for release of the $513,000 for the Tulsa project was granted. Thus, in 1942, the Bureau kept the Markham Ferry project from going through but lost on the Tulsa project.

III. DEFENDING IMPOUNDING IN 1943

A Senate Appropriations subcommittee headed by Senator Pat McCarran (Dem., Nev.) opened hearings in January, 1943, on the Civil Aeronautics Administration appropriations for fiscal 1944. McCarran asked CAA Administrator Charles Stanton why appropriated funds for two airports in Nevada had been impounded by the Budget Bureau. Stanton's story ran as follows: in July, 1942, Congress had passed appropriations for construction of a large number of airports. $800,000 was specifically included for two CAA airports to be built at Winnemucca and Lovelock, Nevada, communities in the northwestern part of the state having about 2500 and 1300 people, respectively. Some time in August or September, 1942, the Budget Bureau had initiated what was a new practice for Stanton, apparently on instructions from the President. Agencies with construction projects were called back before the Bureau's examiners to rejustify projects for which funds had already been appropriated, "with a view to determining projects that might be deferred or eliminated" through the process of impounding funds. After listening to CAA's rejustification of the airport program, the Budget Bureau had impounded funds including the $800,000 for the two airports in Nevada.

CAA then had specifically requested the release of funds for the Winnemucca project. On November 3, 1942, L. C. Martin of the Bureau of the Budget had informed CAA that Presidential policy forbade the construction of projects not essential to the war effort; in view of that policy, funds would not be released for Winnemucca unless additional evidence could be furnished showing its necessity. On November 7, Stanton said, he wrote to the chief of buildings and grounds of the Army Air Forces about the two airport projects. Col. James B. Newman had replied that they were not regarded as essential.

Knowing that the Bureau would have to give McCarran its own explanation, Assistant Director Martin again requested a comprehensive review of the impounding procedure. A memorandum by Curran concluded that while the Bureau of the Budget had no legal power to halt construction of projects for which Congress had appropriated money, nevertheless, acting for the President it could establish priorities for the initiation of those projects. In the absence of any Congressionally-designated date, and as long as he does not violate the specific intent of Congress, the President has the discretionary authority to decide when projects shall be undertaken. In wartime, the memorandum continued, there can be little question of the President's power to defer or suspend construction under his authority to prosecute the war. With this review, Martin readied himself for interrogation by McCarran and his colleagues.

In his testimony before the committee, Martin frankly admitted that he knew of no law specifically authorizing the Budget Bureau to set up reserves. "However, it has been the practice of the Bureau for many years to set up reserves to prevent a deficiency or to effect savings under programs where the requirements have materially changed since the submission of the appropriation estimate to Congress."

McCarran asked how the Budget Bureau, acting in the name of the President, could impound funds in an appropriation bill which the President himself had signed. Martin replied that since the President's policy was to restrict all non-essential construction projects, the Bureau had to have War Department certification that the projects were necessary for the war effort.

Senator McCarran countered: "Congress must have thought these airports essential, or they would not have made an appropriation of $800,000 for them, part of which has already been—I won't say allocated, but the bids have been taken and preliminary surveys made."

Martin said he thought it was a question "of the authority of the President to set up reserves under policies which he has enunciated respecting public works." The Senator replied:

I think it is deeper than that, if I may say so. I think it goes to the question of whether or not the Congress of the United States governs appropriations, or whether those appropriations, after they have been molded into law and approved by the President, can then be thereafter vetoed.

. . . And I believe that either the Congress of the United States has to be the lawmaking body, and its law has to be carried out, or else we are going to have to regard the abrogation of the Constitution of the United States, and then Congress has no place in this set-up whatsoever. It is either one of the two. Either Congress is responsible for the expenditure of the taxpayers' money, which the Constitution provides, or else the Congress has little or no place in the picture. Now, if the Army can override that, if the Budget can override it, the sooner we know it, the better.

Four months later, on May 28, 1943, Stanton of CAA appeared again before McCarran's subcommittee and revealed that the Budget Bureau had released the $800,000 for the Nevada airports. Whatever pressures the Nevada Senator had applied had proven irresistible. But, though victorious in the case of his own State's projects, McCarran had not frightened the Bureau out of continuing to impound funds for other non-essential projects.

The Roads Bill

In the early summer of 1943 Congress proceeded to consider H.R. 2798, a bill to provide federal aid for state construction of rural post roads. In the Senate Committee on Post Offices and Post Roads (Sen. McKellar, chairman), the following language was added as Section 9:

"No part of any appropriation authorized in this act shall be impounded or withheld from obligation or expenditure by any agency or official other than the Commissioner of Public Roads."

During the floor debate Senator Vandenberg asked Senator Hayden whom the sponsors of this section were trying to by-pass. Hayden said it was the Director of the Bureau of the Budget, who had been impounding public road funds. When Vandenberg asked under what authority the Budget Director had done this, Senator McKellar replied:

"That is exactly what we want to ascertain. We inserted this inhibition for the purpose of determining whether the will of the Congress shall be supreme, or whether the will of the Bureau of the Budget shall be supreme. I think that if the Congress shows that it is in favor of having its own views carried out, they will be carried out. That is my judgment. But if we supinely let the Bureau of the Budget veto any provision it pleases in any bill, it will not be long before it will be vetoing more than the road bills. It has been vetoing road bills for several years, and we think that such legislation ought not to be vetoed in that way."

Vandenberg then said that he was under the impression that there was a Presidential directive ordering cutbacks in nondefense highway expenditures and that probably the Bureau of the Budget was merely attempting to carry out that directive. "It seems rather curious," he said, "that we should attempt to enact legislation which seeks to withdraw some of the obvious checks and balances which evidently now exist and have heretofore existed. Apparently, however, I am not getting to the bottom of the question."

When the bill reached conference, the House managers opposed the Senate amendment. They finally compromised by allowing funds to be impounded only on WPB certification that a given project would impede the war effort. The bill passed the Committee of the Whole House, 147 to 10, was approved by the Senate, and was signed by the President on July 13. Senator McKellar, one of the grand old spoilsmen, had curtailed by law the authority of the Budget Bureau to impound in at least one area of government expenditure. The professional civil servants in the Budget Bureau, however, regarded his rider as little more than a temporary injunction against impounding.

Smith is criticized in hearings

Following the McKellar rider, opponents of impounding shifted from legal restrictions to the weapon of committee interrogation. A group of them attacked Budget Director Smith in hearings on a supplemental defense appropriation bill in the fall of 1943.

Senator Overton (Dem., La.) began by asking Smith: "Now, where is the law that authorizes either the Executive or the Bureau of the Budget to impound funds that have been appropriated by Congress?" As Smith began to explain that the power rested largely on the apportionment statutes, Senator McKellar entered the fray. The Senator re-

called the impounding of certain funds appropriated for roads. He then asked: had either Mr. Smith or Mr. Lawton (both present before him) drafted Executive Order 6166 in 1933 transferring the apportionment authority from agency heads to the Budget Director? Neither had been with the Budget at that time. But McKellar drew the inference that the Bureau had wangled the apportionment power for itself and had then illegally extended that power to include the impounding of funds.

Senator Nye (Rep., N. Dak.) offered an example involving the "Turtle Mountain appropriation" for the purchase of certain lands in his state by the Indian Bureau. The funds were impounded, he said, before Pearl Harbor. Then Senator Hayden (Dem., Ariz.) added the case of an appropriation for a bridge over the Gila River, Arizona, which the Indian Bureau refused to spend.

"Senator Holman: Then how does the Congress express itself or announce a Congressional policy? After all, we represent the people.

"Mr. Smith: . . . There may have been instances that look arbitrary. But in most cases where something has been set aside, it is because it cannot be efficiently spent, or it is because the situation had changed. I think, as far as the Budget Bureau is concerned, we have tried to be very conscientious in going back and looking at the Congressional policy. Sometimes it may look as if we have done something, when material has been held up by the War Production Board or some other agency, with the Budget Bureau being uniformly damned I think for everything."

At a later point Smith put the case for impounding in one sentence: ". . . If you desire central control on the part of the administration, improved control of these expenditure matters, someone has to have some authority." Senator McKellar retorted: "That has to be somebody competent to deal with them."

Then Senator Thomas (Dem., Okla.) said that after getting the "runaround" in trying to get the Tulsa funds unfrozen,

"I introduced an amendment directing the Budget Bureau to release those funds and I submitted the amendment on that to the committee at that time, and thought it was a good idea. Some way the Budget Bureau got hold of this amendment and during the night they unfroze the funds, and since that time the work has been progressing as fast as the engineer could do the work."

Apparently the Senator was referring to the amendment which Senator McKeller gave notice of introducing on October 13, 1942.

There was little doubt in the minds of the committee that impounding of funds by the Budget Bureau was, in effect, an item veto of appropriation bills. As Senator McKeller put it:

"Of course if the President wanted to do it, why, he has got a right to veto any bill, and that is the time for him to veto it. That is the authority the Constitution gives him to stop appropriations, but after the appropriation is made and signed by the President and becomes a law, why, to my mind any executive officer that attempted to interfere with it in the slightest degree renders himself liable for illegal action."

In response to a committee request, the Bureau submitted a memorandum of November, 1943, gave a comprehensive history of the establishment of reserves, touching on the Anti-Deficiency Act of 1905, General Dawes' Budget Circular No. 4 of July 1, 1921, Executive Order 6166 of 1933, Reorganization Plan 1 of 1939, etc. Two Court of Claims decisions were cited which connoted the idea that appropriations are authority, not mandates, to spend. The memorandum referred to the role of the President as responsible manager of the Executive Branch as an additional justification for the impounding power. Reference was made to the President's letter of August 18, 1942, to Senator Russell of Georgia. If appropriations were to be regarded as mandates to spend every appropriated cent, the President had said, it would take away all incentive "for good management and the practice of common sense economy." Toward the end of its memorandum the Budget Bureau suggested the practical argument for the impounding power: it "is the most immediate and effective means by which the President, as the responsible manager of Government, can prevent useless outlay of the public funds."

McKellar's second rider

McKellar was unimpressed. With the help of a number of other members of the Senate Appropriations Committee who were provoked at the Budget Bureau, he won committee approval for a legislative rider to the National Defense Appropriation Bill. The proposed Section 305 read as follows:

"That no appropriation or part of any appropriation heretofore, herein, or hereafter made available for any executive department or independent establishment to construct *any particular project* shall be impounded, or held as a reserve, or used for any other purpose, except by direction of the Congress, and any part of such appropriation not needed to complete such project, or the part thereof for which appropriation has been made, shall be retained by the Treasury. (Emphasis added.)"

The rider was approved by the Senate Appropriations Committee. Among the supporters the Bureau lined up in opposition to the rider was second-termer Harry S. Truman (Dem., Mo.), who obligingly delivered a speech based on arguments presented to him by the Bureau. The Senator suggested that the McKellar proposal would weaken fiscal flexibility, which was essential to the prosecution of the war. The government, he pointed out, cannot undertake everything at once. Since conditions change between the time Congress appropriates and agencies spend, the President should be allowed to determine spending priorities. He then reminded the Senate that another Congressional committee, the newly-established Joint Committee on Reduction of Nonessential Federal Expenditures (the "Byrd Committee"), did not agree with the recommendation of the Appropriations group. The Joint Committee, in its first report, had recommended "that legislation be enacted which would authorize the Director of the Budget to set up reserves out of any future appropriation, at such times and in such amounts as the Director may determine."

Later Senator Byrd (Dem., Va.) expressed his own doubts about the McKellar proposal:

"I have some question in my mind with respect to the latter part of the amendment . . . which provides that no funds appropriated can be impounded except by the direction of Congress. I think there are probably some construction appropriations which have been made, and perhaps it might be wise that those appropriations revert to the Treasury, especially in this emergency, and could be deferred by the action of the Bureau of the Budget, and that the Bureau of the Budget should have the authority in those cases, of actually making a reversion of the money into the Treasury."

But the arguments for Section 305 carried the day. Passing the Senate by voice vote on December 8, 1943, it was the first across-the-board curtailment of the Budget's impounding procedure to be accepted by either house of Congress. The Bureau hoped, however, that the measure would fail in the House.

Three days after Senate passage of Section 305, the Washington *Star* editorialized against McKellar's proposal. The *Star* admitted strong constitutional arguments against the impounding of funds, but felt they were outweighed by such practical necessities of fiscal management as controlling projects detrimental to the war effort and giving flexibility to government operations:

"Critics might say that the background of the Senate amendment encompasses not only principle but at least the shadow of the pork barrel as well. Thus, it appears to be aimed in part at pushing through to completion more than a score of civilian airports of dubious essentiality at this time."

On December 13, Smith conveyed the Budget Bureau's opposition to the rider to Senator McKellar and to Representative Cannon (Dem., Mo.), chairman of the House Appropriations Committee. He called attention to the fact that, for the years 1940 through 1943, savings achieved through impounding ranged from $174 million to $405 million. Enactment of Section 305, Smith warned, would destroy central control of expenditures. Each individual agency would then become sole judge of the timing and amounts of its expenditures. This section would end the present practice of placing appropriated funds in reserve at a time when agencies and the Bureau "believe they may not be needed," and would force a return to the practice of not effecting savings "until it is definitely known that (the funds) are not needed."

As in times past, the Bureau found ready allies in the House Appropriations Committee. Cannon spoke against Section 305 and then Congressman Taber (Rep., N.Y.) took the floor. The second half of the amendment, he said, "would prevent the Budget from impounding any funds appropriated for the construction of a particular project. This would result in the waste of millions and millions of dollars and is inserted in the bill for the purpose of preventing the Bureau of the Budget from impounding funds at the time when we need the exercise of that power more than any other in the history of our country. The sands are shifting very rapidly and as we approach nearer and nearer to the end of the war, it is going to be absolutely necessary for the Budget to impound funds on all sorts of projects, or we are going to face financial bankruptcy. The second part of the proviso of this amendment would prevent the Budget from impounding the funds that need to be impounded."

The McKellar amendment was rejected 283 to 18 (128 not voting). By the end of 1943, $500,000,000 appropriated for programmed public works had been impounded.

McKellar seeks the last word

Senator McKellar sought revenge in grilling Director Smith early in 1944 during hearings on the Independent Offices Appropriation Bill for 1945:

"You are operating this practice absolutely without authorization of law. You are treating the Congress of the United States with absolute—not disrespect—but contempt, when you undertake to say, after the Congress has made an appropriation of money and directed the executive officers what to do with it; when you come along and overrule the Congress and put it in a place where the executive officer whose duty it is to expend this money cannot expend it. You put yourself in the place of the Congress, Mr. Smith, I want to say with all due respect that you have no legal right, moral right, or any other right, to overturn the action of the Congress that has been approved by the President of the United States. Now, you cannot do that, and so far as I am concerned, I am going to devote a good deal of time to preventing that in the future. I hope it won't occur again. I hope that you won't undertake the place of Congress and pass upon these things that it is necessary for the Congress to pass upon. If you had thought that necessary by reason of not being able to get the proper materials; if you had come up here and appeared before the Congress, the Congress might have sustained you. I do not know what the facts were about it. But, when you

undertake to assume the authority yourself to overrule the decision of Congress made with regard to that appropriation, you are assuming authority that you do not have under the law, you do not have under our institutions, and I am very much opposed to that action on your part. . . . And I hope it will not occur again. I want to say right now that those funds ought to be released and it ought not to occur again. I am just merely giving my judgment."

Mr. SMITH: Mr. Chairman, I would hesitate very much to have this record show, without any response from me, that I treated the Congress with contempt or that I am violating the law.

Senator MCKELLAR: You are doing both. . . .

Mr. SMITH: We could disagree as to the law, which is a matter that can be corrected; but I certainly have no spirit of contempt for Congress, and I have the most deep appreciation of the problems that Congress and this committee face, and I think that we are carrying out the will of the Congress in this very respect and the powers of the President with respect to appropriations. I am sure that this committee does not want us to countenance the expenditures of funds even though appropriated, which would be wasted.

Senator MCKELLAR: You have no more authority in reference to appropriations that are made by the Congress, that the President has signed, and that our administrative officers have been directed as to what to use them for; you have no more authority over those appropriations than you have got over the man in the moon; not a particle.

Mr. SMITH: The issue, Mr. Chairman, has not gone to the Supreme Court, but there are court decisions on it, and, as I said, I think the last time I was here, I would be happy to have this issue cleared up. I think I am carrying out the law. . . . Mr. Chairman, I am sure that this is not anything between us personally.[3]

Senator MCKELLAR: Oh, no.

Mr. SMITH: It is purely a matter of what we operate under in the way of legal authority.

Senator MCKELLAR: Yes. . . . I will ask you this——

Mr. SMITH: I think we can talk in generalities——

Senator MCKELLAR: Just one moment. I am going to ask you a question. You do not even give the chairman of this committee an opportunity to ask you a question.

Mr. SMITH: Pardon me.

Senator MCKELLAR: You go on talking; and I do not think you mean to be disrespectful.

IV. IMPOUNDING AFTER THE WAR

The obvious usefulness of impounding for halting of cutting back appropriations no longer required for prosecution of the war led Congress to take a more favorable view of the policy late in 1944 and in the immediate post-war period. In the Federal Employees Pay Act of 1945, Congress gave the Budget Bureau authority to impound unneeded personnel funds in order to deal with demobilization. Harry S. Truman, defender of project control as a Senator, found an early use for that instrument as President. In May, 1946, he ordered the Director of the Budget to impound funds appropriated in the War Department Civil Functions Appropriation Act, 1947, for the Kings River project, pending final determination of costs and repayment provisions.[4] An important use of impounding for program control occurred in 1949 when the President ordered into reserve the $615 million which Congress had appropriated, above his request, for a 48-group Air Force.

Neither the President's attitude nor the temporary inclination of Congress to use the policy could resolve doubts in the minds of some of the officials in the Budget Bureau about its legal authority to impound funds in peacetime when the war power of the President could no longer be relied upon. Largely on the insistence of some of the officials in the Estimates Division—who were vigorously disputed by others in the Bureau—it was decided to seek statutory approval from Congress for impounding: not for project control, but for program control. Since the Budget Bureau and the General Accounting Office were collaborating in suggesting improvements in fiscal management to Congress, a reference to impounding was included in this report. A draft bill, submitted with the report on June 5, 1947, to the Senate Appropriations Committee, contained the following provision:

"In apportioning any appropriation, reserves may be established to provide for contingencies, or to effect savings whenever savings are possible by or through changes in quantitative or personnel requirements, greater efficiency of operations, or other developments subsequent to the date on which such appropriation was made available."

The bill was ignored that year, but two years later the Hoover Commission urged Congress to confirm the President's authority "to reduce expenditures under appropriations, if the purposes intended by the Congress are still carried out." Occasional efforts were made within Congress to grant the President an outright item veto, but though these were unsucecssful, receptiveness to impounding appeared to mount. On May 11, 1949, for example, Senators Gordon (Rep., Ore.) and Knowland (Rep., Cal.) both expressed a belief that the President "may refuse to spend any of the money provided by appropriation bills if he wishes to do so. The fact that the appropriation has been made does not carry with it any mandate to spend the money."

Legislative approval came finally in a rider (Section 1211) attached to the General Appropriations Act of 1951. It followed closely the 1947 Budget Bureau-General Accounting Office draft

"In apportioning any appropriation, reserves may be established to provide for contingencies, or to effect savings whenever savings are made possible by or through changes in requirements, greater efficiency of operations, or other developments subsequent to the date on which such appropriation was made available . . .

"Any appropriation subject to apportionment shall be distributed by months, calendar quarters, operating seasons, or other time periods, or by activities, functions, projects, or objects, or by a combination thereof, as may be deemed appropriate by the officers designated . . . to make apportionments and reapportionments. Except as otherwise specfied by the officer making the apportionment, amounts so apportioned shall remain available for obligation, in accordance with the terms of the appropriation, on a cumulative basis unless reapportioned. (31 USC 665)"

Paragraph (4) of the same section provided for quarterly review of apportionments, at which times reapportionments may be made "or such reserves established, modified, or released as may be necessary to further the effective use of the appropriation concerned."

In addition to these provisions, the Act went on in Section 1214 to order the reduction by Executive action of $550 million from the amount appropriated by the Act. The reduction was to be accomplished "through the apportionment procedure provided for in Section 1211 of this Act." On October 10, 1950, in pursuance of Section 1214, the Budget Bureau announced that it had cut a total of $580 million from nondefense appropriations.

To some Bureau officials, the new law afforded welcome relief from the uncertainties and attacks which had plagued them during the war. Section 1211 of the 1950 Act seemed a firmer ground for impounding than authority inferred from the Anti-Deficiency Acts of 1905–06. But other officials disagreed. Was it a good thing, they asked, to have Congress define a power which the Bureau had exercised up to that point without such explicit definition? "He who can give, can take away". Officials inclined to "strict interpretation" emphasized that Section 1211 reduced rather than expanded the Bureau's authority by stating only two purposes for which reserves might be established: to provide for contingencies or to effect savings (and savings only in those situations where there was a change in requirements, greater efficiency of operations, or other developments subsequent to the date on which the appropriation was passed). Would either stated purpose have authorized the Bureau to halt construction of the two Nevada airports because certain agencies did not share Senator McCarran's views about proper airport location?

The Budget Bureau officially has taken the conservative view of its peacetime authority to impound. The 1952 edition of the Examiner's Handbook, the Bureau's "Bible", states:

"Reserves must not be used to nullify the intent of Congress with respect to specific projects or level of programs."

Project Impounding Since 1950

According to Carl H. Schwartz, Jr., Chief of the Resources and Civil Works Division of the Bureau, project control by impounding has not been attempted since 1950. He writes (1955):

"The Bureau since establishment of reserves under Section 1214 of the General Appropriation Act, 1951, has not impounded funds on any civil works projects for the purpose of preventing construction of improvements on which this Bureau had raised objections but for which appropriations had been made by the Congress. There have been instances where funds have temporarily been placed in reserve pending the fulfillment of requirements prescribed by the Congress to be met before construction could start."

The disuse of project impounding since 1950 is due partly to the fact that during the period of the Korean conflict and immediately after the armistice the administration operated a "no new starts" rule for public works. Emphasis was on developing power projects at a more rapid rate in areas important to defense production. Most of these projects had been started before the Korean conflict broke out. A second reason for the avoidance of project impounding has been the general philosophy of the Eisenhower administration not to precipitate disputes with Congress.

However, on July 19, 1955, President Eisenhower was reported in the Washington *Post* to have threatened to impound funds appropriated by Congress to the Corps of Engineers for navigation and flood control projects, pending completion of cost and engineering studies. The *Post* reported adverse reactions from Senators O'Mahoney, Morse, Mansfield, and Humphrey, with Senator O'Mahoney say-

[3] Dr. Vining is not so sure. "I never knew," he says, "why McKellar was so hostile to Harold Smith but I always thought that Smith rather than the Bureau was the object of his hostility." Smith may have rankled the Senator because he was a symbol of the rising influence in government of the professional career civil servant.

[4] See Arthur Maass: "The Kings River Project" in the ICP Series, also published in Harold Stein: *Public Administration and Policy Development* (N.Y., Harcourt Brace, 1952).

ing that the President's decision would "transfer to the Bureau of the Budget and its anonymous assistants the legislative power that exists in the Congress of the United States." Senator Humphrey was quoted as saying that the Budget Bureau is "taking on the aspect of a second parliament."

Whatever interpretation is placed by the Budget Bureau on the powers accorded it in Section 1211, strong Presidents, relying in peacetime on their responsibilities as general managers of the Executive Branch, are as likely in the future as in the past to order impounding of funds for projects which they believe to be inimical to the national interest. No provision of statutory law is likely to settle permanently the question of whether Congress can force the Persident to allow the expenditure of appropriations against his will.

When the strong President of the future does order public works project impounding, certain differences in congressional reaction to project and program control are likely to continue to manifest themselves. While the establishment of reserves to reduce the level of military budgets, foreign aid, or crop support may evoke disagreement from Congressmen who strongly believe in these programs, such impoundings are likely to be tolerated. They will not appear to be personal insults or attacks. But when the President halts a miniscule flood control project in the home district of an individual Congressman, a reputation as a "go getter" with his constituents may suddenly be shattered and chances for reelection imperiled. Project impounding is likely to continue to produce outraged charges of Executive usurpation of the spending power of Congress and demands to know "Who's Boss?"

Mr. ELLENDER. Mr. President, I point out that the Subcommittee on Public Works of the Committee on Appropriations held 42 sessions last year between March 4 and June 20 for the purpose of taking testimony from Government and nongovernment witnesses. During that period the committee heard testimony or received statements from 914 individuals or organizations. The hearings were printed in eight volumes and contained some 7,981 pages.

I think this record is very significant. It is evidence that the committee did not consider the subject lightly. In each and every case there was sound evidence to support the recommendations of the committee.

I would like particularly to emphasize the fact that not $1 was recommended in excess of an amount the responsible agencies testified that they could economically and efficiently utilize.

Yet, Mr. President, with all of that testimony, I point out that not one single new start or one single increased of a unbudgeted amount for the planning or construction of a water resource project in the entire bill was apportioned for use in fiscal year 1971. The entire amount was placed in budgetary reserve.

Most, but not all, of these funds are presently scheduled for release in fiscal year 1972.

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

Mr. BYRD of West Virginia. Mr. President, if the Chair will recognize me, I will be glad to yield my 3 minutes to the distinguished senior Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for an additional 3 minutes.

Mr. ELLENDER. Mr. President, I thank the Senator from West Virginia.

I point out that even after these lengthy hearings and after having received the testimony of men and women from all over the country, the President did not see fit to authorize the expenditure of a single dollar to initiate an unbudgeted start, or to speed up projects badly needed for the welfare of the people. I think that comes in bad grace. The effect will be that when the President presents his budget for 1972, the amounts he has in reserve will be deducted from the amount we should spend during 1972, so that we will actually have a slowdown, or a reduction in these programs in fiscal 1972.

I think Congress is as efficient and as qualified as are the bureaucrats of the executive branch to state what should and should not be done with public funds.

I point out that in the past the committee of which I was chairman, the Public Works Subcommittee of the Appropriations Committee, did approve funds for quite a few unbudgeted items. That action made it possible for us to provide navigation for our national commerce from the Gulf of Mexico clear up to Pittsburgh, Pa. We have had the same thing occur in respect to navigation on the Arkansas and White Rivers up to Tulsa, Okla. and elsewhere in the tremendous Mississippi River Basin.

Many of these projects were started without budget estimates. Fortunately, in the past these congressional actions were honored by the President, and the funds were obligated as intended. Lately, however, they have been put in reserve and not spent. I wonder what would have happened to our transportation program if Congress had not made it possible to have navigation on the Arkansas River, the Ohio River, the Monongahela River, the Mississippi River, and the other rivers that empty into the gulf. Our transportation system is now in bad shape because our railroads are in a state of financial disorder.

Mr. President, it is not just our public works program that is suffering because of this highhanded, shortsighted action by the President and his Office of Management and Budget. This altitude by the Executive, showing a complete disregard for the will of Congress, is present throughout the activities undertaken to benefit the people. This is particularly true with regard to those programs affecting our urban areas.

Mr. President, at this point in my remarks I would like to have printed a table setting forth the total amount in frozen funds as of February 23, 1971, as it appears in the record of hearings I chaired earlier this year on the President's budget.

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

Frozen 1971 Appropriated Funds

[In millions of dollars]

Human resources:	
Special milk program, Agriculture	2
Community education	5
School assistance in Federally affected areas	10
Higher education	13
Health Services and Mental Health:	
Regional medical programs	34
Buildings and facilities	4
Indian health facilities	1
Medical facilities construction	2
National Institutes of Health:	
Buildings and facilities	7
Research institutes	10
Rehabilitation services and facilities	2
Programs for the aging	1
HEW trust fund (permanent)	21
National Science Foundation	10
Economic development:	
Appalachian regional development	191
Regional development programs, Commerce	1
National security:	
Foreign military assistance	200
Department of Defense—Military	1,334
Other:	
Executive Office of the President	*
Foreign economic assistance	215
Agriculture:	
Farmers Home Administration	180
Other Agriculture:	
Current	81
Permanent	236
Commerce	8
Corps of Engineers	43
Panama Canal and other civil functions	1
Housing and Urban Development:	
Basic water and sewer facilities grants	200
Urban renewal	200
Interior:	
National Park Service road construction	71
Indian Affairs road construction	64
Reclamation loan program	19
Other Interior:	
Current	33
Permanent	56
Transportation:	
Federal Aviation Administration	970
Federal Highway Administration:	
Current	411
Permanent: Highway trust fund	5,852
Federal Railroad Administration	39
Coast Guard	1
Atomic Energy Commission	170
General Services Administration	71
National Aeronautics and Space Administration	20
Farm Credit Administration	260
District of Columbia	87
Other agencies	9
Total	11,145

Mr. ERVIN. Mr. President, I am much interested in what the distinguished senior Senator from Louisiana has had to say. During last week the Subcommittee on Separation of Powers, of which I have the honor to be chairman, held 3 days of hearings on the general subject of the impoundment of congressionally appropriated funds by the executive branch of the Government.

The executive branch of the Government has now impounded approximately $12 billion of appropriated funds. Moreover, the executive branch of the Government has undertaken to put an absolute end to excavation of the barge canal across Florida.

Mr. President, under the Constitution the Congress is supposed to have the power of the purse. But if Congress permits the President to impound or place in budgetary reserves such sums as he pleases, the President in effect is exercising an item veto which is denied him

by the Constitution. He is also usurping the power of establishing priorities for expenditures. If Congress permits this, it will lose the power of the purse, which is one of the few powers of consequence that it has left.

I think it would have been better if the Constitution had given our President an item veto, but the Constitution does not. I am studying this question with a view to offering a statute which will require the President, whenever he impounds funds appropriated by Congress for a specific project, to report his action to Congress and to let his action lie before Congress for a certain number of days—say 60 days—and with the further provision that if Congress votes to veto the impoundment that it becomes the duty of the President in the execution of his constitutional obligation to see that the laws are faithfully executed to carry out the specific expenditure.

I believe in a balanced budget. But I do not believe that the President should, in effect, exercise what amounts to an item veto without some method by which Congress can reassert its will.

I think it has become serious when the President impounds about $12 billion of appropriated funds in one fiscal year without any method being available to Congress to reverse his action if it so wills. I would go along with the President's action if it were taken to balance the budget, but it is not done to balance the budget. It is done to keep Congress within the limits of the budget submitted by the President and to require Congress, if it does anything at all, to let the President dictate the priority of expenditures for the country as well as the amount of expenditures.

Mr. President, this is a serious matter which deserves prompt consideration on the part of Congress.

AMENDMENT OF RURAL ELECTRIFICATION ACT OF 1936, AS AMENDED

Mr. TALMADGE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 70.

The Presiding Officer (Mr. ALLEN) laid before the Senate the amendment of the House of Representatives to the bill (S. 70) to amend the Rural Electrification Act of 1936, as amended, to provide additional sources of financing for the rural telephone program, and for other purposes.

Mr. TALMADGE. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives and ask for a conference with the House on the disagreeing votes thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. TALMADGE, Mr. ELLENDER, Mr. MCGOVERN, Mr. ALLEN, Mr. MILLER, Mr. AIKEN, and Mr. DOLE conferees on the part of the Senate.

1971 ANNUAL REPORT OF THE ECONOMIC COMMITTEE

Mr. PROXMIRE. Mr. President, this afternoon the Joint Economic Committee will release its economic report.

The Joint Economic Committee report is based on the President's report, the testimony of administration and expert witnesses, and the analysis of the economy by its members and staff.

The report shows that it was the virtually unanimous opinion of the independent economists of all political views and all economic persuasions that the administration's projection of a $1,065 billion GNP for this year, given the economic policies proposed, is too optimistic, particularly the assumption that the economy will enjoy a growth in constant dollars of 5 percent. But even if this growth were achieved, the economy would still suffer from unemployment in excess of 5 percent and from inflation at a rate of 4 percent or more.

If the administration does not achieve its goal our economy may go about the way the economists estimate.

All the objective evidence for the first quarter of 1971 indicates that a GNP in the neighborhood of $1,045 billion is a more accurate projection of the real circumstances for 1971 and that the economy will need greater stimulus than the administration proposes if a figure in excess of that amount is to be achieved. This means that unemployment will continue at a very high and wholly unacceptable level for the remainder of the year.

The report of this committee, therefore, concentrates on what could and should be done in the event that this dismal outlook continues to prevail.

To me, the principal economic problem now is how to get the economy moving ahead: providing more jobs, producing more goods, generating the revenue basis for the localities and States and Federal Government to meet their obligations.

Economic expansion is clearly our No. 1 problem. We should recognize it as such and put a top priority on it. While some statistics in the first quarter of 1971 compare favorably with the last quarter of 1970, if we discount for the effects of the General Motors strike, there is too little evidence of economic recovery.

I have strongly shared the view expressed by the Senator from Louisiana (Mr. ELLENDER), the chairman of the Committee on Appropriations, and the Senator from North Carolina (Mr. ERVIN) that the administration should unfreeze the billions of dollars of funds appropriated by Congress which the administration said it will not spend. These funds include moneys for housing, mass transit, urban renewal, and funds that the people in our towns and cities today need.

We are proposing a series of actions to create jobs and to reduce unemployment, to increase production and the rate of economic growth, and to get the economy moving again.

We propose that among the actions which could be taken are these:

Unfreeze the $1.3 billion of funds for housing, mass transit, and urban renewal.

Speed up and put into effect this year the increase in personal exemptions and the reduction of personal income taxes scheduled for next year.

Persist in the congressionally enacted social security benefit increase of 10 percent with the increase in taxes delayed until January 1972. The administration proposal to increase the social security base retroactively to January 1, 1971, should be denied.

Together these two actions would decrease taxes by over $7 billion this year and could add, through the multiplier effect, more than $20 billion to the GNP than would otherwise be the case. This is true because these amounts would go in large proportion to low- and middle-income families where the proportion of consumption expenditures is high. Most of it would be spent.

As a first step, pass the Nelson public service employment bill now. This would not only put unemployed men and women to work but would provide useful and badly needed services to our cities and States.

Spend in this fiscal year those funds for model cities, water and sewer projects, urban programs, and other social services which the administration has frozen.

Fund the Emergency Housing Act which for a relatively small amount of money could provide a large number of jobs.

Press the monetary authorities, and the Treasury in its refunding operations, to pursue policies to reduce the long-term interest rate in order that housing, State and local government financing needs, and industrial production may be met through a significant reduction in money costs.

Not in the report but very helpful in stimulating the economy would be passage of the Proxmire variable reserve requirement bill, hearings on which will begin Wednesday.

These steps could add significantly to demand and hence stimulate the economy. As the period of demand inflation has long passed, and as we are in a period of cost-push or administered price inflation, these actions can be taken without inflationary effect.

In order to deal with the cost-push inflation now endemic in the economy, and to put the economy on the road to the goal this committee proposes of an annual unemployment rate of 3 percent and of an increase in the GNP deflator of 2 percent or less, we propose a series of actions which the administration should take.

1. An incomes price board should be set up along the lines discussed in the report.

2. Pending the establishment of such a board, the President should consult with business and labor and should issue interim price and income guidelines designed to contribute toward a significant reduction in the rate of inflation.

3. Import restrictions which can be modified or removed by Executive order should be relaxed. This applies to "voluntary" as well as mandatory restrictions. Increased imports of commodities such as steel, oil, textiles, beef, and sugar could make a major immediate contribution to price stability.

4. Government procurement policy should make a more active contribution to price stability. The 50-percent preference given domestic over foreign sup-

pliers of defense equipment should be reduced.

5. Materials should be sold out of Government stockpiles.

6. The antitrust laws should be vigorously enforced.

7. The regulatory agencies should be encouraged to allow more price competition in regulated industries, especially in the transportation sector.

8. The General Services Administration should be instructed to serve as a purchasing agent for State and local governments on request.

I would also like to draw attention to certain other areas in the report; namely, the section on priorities which indicates that spending for human needs is considerably lower than the budget charts would lead one to believe, to the section on national security which indicates that overall spending for defense and national security is more than $110 billion, to the section on agriculture which shows that while farm prices last year went down the price of food to the consumer went up and that the increase in the cost of living would have been even greater than it was except for the fact that farmers took it on the chin, and to the proposals that aid to State and local governments take the form of assumption of welfare costs and an income support program rather than revenue sharing.

Taken together, we believe the proposals we make to stimulate the economy and to reduce cost-push inflation are the means by which the goals of the Employment Act can be reached.

I would like to point out another matter. I have been informed by the chairman of the Committee on Appropriations that the President is asking for three-quarters of a billion dollars of additional money to finance foreign banks. We should put that in perspective when the administration is freezing funds desperately needed here for cities and localities, funds necessary to put people to work now in this country. [Applause.]

Mr. BYRD of West Virginia. Mr. President, may we have order in the galleries?

The PRESIDING OFFICER. The galleries will be in order.

LIMITATION OF DEBATE ON APPROPRIATION BILLS—ADDITIONAL COSPONSOR

Mr. GRIFFIN. Mr. President, I rise to commend the distinguished majority whip, the Senator from West Virginia (Mr. BYRD), for sponsoring a resolution seeking to expedite consideration of appropriation bills in the Senate.

I ask unanimous consent that my name be added as a cosponsor of the resolution.

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

Mr. GRIFFIN. Mr. President, I have long favored a reasonable limitation of debate on appropriation bills, and when the distinguished majority whip the Senator from West Virigina (Mr. BYRD) first outlined his proposal last December, I indicated my general agreement with and support for his proposal.

After last December's legislative logjam, with one filibuster piled on top of another, it seems to me that it should be apparent to all there is need for reform of the Senate rules as to debate, particularly with respect to appropriation bills.

Of course, appropriation bills differ from authorizing legislation in one obvious respect. Timely funding is absolutely necessary if the departments and agencies of Government are to function.

If a prolonged debate, or even a filibuster, is ever justified, it would be during consideration of the authorizing legislation. At that point, one may expect disagreement and sharp controversy over basic policy and direction.

But once a program has been approved and authorized, it seems to me that it should be possible, after a reasonable period of debate for the Senate to get to a vote on the amount of money to be appropriated.

The reform resolution offered by the distinguished majority whip would change rule XVI to include the following provisions: A motion for immediate consideration of an appropriation bill would be decided without debate; debate on such a bill would be limited to 2 hours on each amendment and 10 hours on final passage; debate on an appropriation conference report would be limited to 1 hour on each matter reported in disagreement and 10 hours on the adoption of the report; and a motion to limit for the debate on such a report would be decided without debate.

Mr. President, I agree completely with the Senator from West Virginia as to the desirability of these provisions. As to one point in his resolution I might suggest what I believe would be an improvement.

Under his proposal, the limitation on debate with respect to appropriation bills would not be triggered until August 1 of each year. In my mind, I believe it would be better to provide for July 1 as the triggering date because July 1 is the beginning of the new fiscal year. In other words, if by the time a fiscal year has begun, appropriations for that year have not yet been enacted, then it would seem that the reform proposed should be in effect. However, the triggering date is a detail which can be considered by the committee.

I want to indicate my support for this reform proposal, not only in my leadership capacity, but also as a member of the Committee on Rules and Administration.

Mr. President, I ask unanimous consent, with the concurrence of the distinguished Senator from West Virginia (Mr. BYRD) that my name be added as a cosponsor of Senate Resolution 73.

Mr. BYRD of West Virginia. Mr. President, I thank the able assistant Republican leader for his support and for his cosponsorship of Senate Resolution 73, the resolution which I have offered to amend rule XVI of the Standing Rules of the Senate. I am today writing a letter to every Member of the Senate asking cosponsorship on the part of all Senators of this amendment to the rule. I believe it will be a decidedly good reform of the rules.

It seems to me that, as we look back to the bottleneck which occurred last year and which kept us in session until January 2 of this year, it should be obvious that rule XXII—which is a red flag to many Senators who have a sort of built-in resistance to any modification of that rule—is not really the culprit in the difficulties that seem to confront the Senate from year to year. However, appropriation bills and/or conference reports thereon have, certainly in the most recent instance, appeared to be the principal obstacles that have delayed adjournment.

So with this thought in mind, the resolution was introduced.

I intend, as chairman of the Subcommittee on Rules, to conduct early hearings on the proposal, at which all Senators will be invited to appear and in which they will be invited to participate.

It is my plan to press this matter. I would hope that with the contributions that will be made by other Senators, we can bring to the floor and place on the calendar an amendment to rule XVI which will be feasible, practical, workable, and wise.

The suggestion which has just been made by the distinguished minority whip may be a good one. Appropriation bills are supposed to be passed by July 1 of every year. The August 1 deadline, therefore, is not one to which I am wedded. It is just a takeoff point for discussion.

I certainly do welcome the suggestion by the Senator. I welcome his cosponsorship. I hope other Senators will join in cosponsoring the amendment in an effort to bring about a workable, meaningful, practical reform of the Senate rules.

Mr. President, I yield the floor.

IN DEFENSE OF CAPT. EUGENE M. KOTOUC

Mr. CURTIS. Mr. President, I rise in defense of a distinguished Nebraskan who has served his country well. The court-martial charges against Capt. Eugene M. Kotouc should be dropped.

Captain Kotouc has served in combat for the United States of America in Vietnam. He is a good soldier. He is honorable. He is honest. He has given dedicated service to his country.

Some months back Captain Kotouc was charged with the murder of Vietnamese civilians. This announcement being made at the time it was made caused Captain Kotouc to be branded as a murderer, not only throughout this country but around the world.

Captain Kotouc did not murder anybody. He was not even in My Lai at the time of the alleged massacre. Recently the murder charges against Captain Kotouc have been dropped. The reason given was "insufficient evidence." The information I have is that there was no evidence whatever to support a charge of murder against Captain Kotouc. Yet this good man has been punished, he has suffered humiliation, and he has been blackened by this charge.

It now develops that the military authorities are going to try Captain Kotouc in a court-martial proceeding on some lesser charge.

Mr. President, I do not believe that Capt. Eugene Kotouc is guilty of this lesser offense or any other offense. However, even if he were, this man has been punished enough. The murder charge against him was unjustified and inexcusable.

Mr. President, simple justice and common decency demand that Captain Kotouc be released from all charges and exonerated. He should not be further mistreated.

This case is one of the most outrageous that I have ever heard of. The military and civilian authorities pushing this injustice against Captain Kotouc know that the basic article 32 investigation, which is similar to a grand jury proceeding in nonmilitary courts, wound up last December with a recommendation that all charges against Captain Kotouc be dropped.

Mr. President, why is not this recommendation that all charges against Captain Kotouc be dropped carried out? Captain Kotouc should be treated as a soldier and not as a criminal.

I will have more to say about this later on if it becomes necessary.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

RESERVE FORCES

A letter from the Secretary of Defense transmitting, pursuant to law, a report entitled "Annual Report on Reserve Forces for Fiscal Year 1970" (with accompanying report); to the Committee on Armed Services.

PROPOSED DEPARTMENT OF HUMAN RESOURCES ACT

A letter from the Director of the Office of Management and Budget, submitting a draft of proposed legislation to promote more effective management of the Executive Branch by reorganizing and consolidating certain related functions of the Government in a new Department of Human Resources, and for other purposes (with accompanying papers); to the Committee on Government Operations.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on more competition in emergency defense procurements found possible, Department of Defense (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 and recommendation to the Congress concerning the claim of Mr. Salman M. Hilmy against the United States (with an accompanying report); to the Committee on the Judiciary.

PROPOSED LEGISLATION PROVIDING CONGRESSIONAL REPRESENTATION FOR GUAM AND THE VIRGIN ISLANDS

A letter from the Assistant Secretary of the Interior, submitting a draft of proposed legislation to provide the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT OF THE FOUNDATION OF THE FEDERAL BAR ASSOCIATION

A letter from the Secretary, the Foundation of the Federal Bar Association, transmitting, pursuant to law, an audit report of the Foundation of the Federal Bar Association for the fiscal year ending September 30, 1970 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON WELFARE AND PENSION PLANS DISCLOSURE ACT

A letter from the Special Assistant for Legislative Affairs, Office of the Secretary, U.S. Department of Labor, transmitting, pursuant to law, an annual report on the administration of the Welfare and Pension Plans Disclosure Act covering the calendar year 1970 (with an accompanying report); to the Committee on Labor and Public Welfare.

REPORT ON THE YOUTH OPPORTUNITY PROGRAM

A letter from the Secretary of Transportation, transmitting, pursuant to law, a report on the Youth Opportunity Program (with an accompanying report); to the Committee on Labor and Public Welfare.

PROPOSED LEGISLATION TO LIBERALIZE ELIGIBILITY FOR COST-OF-LIVING INCREASES

A letter from the Chairman, United States Civil Service Commission, to liberalize eligibility for cost-of-living increases (with accompanyng papers); to the Committee on Post Office and Civil Service.

REPORT OF THE JOB EVALUATION AND PAY REVIEW TASK FORCE

A letter from the Chairman, United States Civil Service Commission, transmitting, pursuant to law, an interim progress report of the Job Evaluation and Pay Review Task Force (with an accompanying report); to the Committee on Post Office and Civil Service.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A House Concurrent Resolution adopted by the Legislature of the State of South Dakota; to the Committee on Agriculture and Forestry:

"HOUSE CONCURRENT RESOLUTION NO. 522

"A concurrent resolution, memorializing the Secretary of Agriculture to reconsider the changes in policy placed in effect by the United States Department of Agriculture with the adoption of the 1970 Agricultural Act and protesting any possible action to eliminate the United States Department of Agriculture from its Cabinet-level status.

"Be it resolved by the House of Representatives of the State of South Dakota, the Senate concurring therein:

"Whereas, the changing of the Agricultural Conservation Program (A.C.P.) to the Rural Environmental Assistance Program (R.E.A.P.) may cause the present program to lose its identity; and

"Whereas, consideration is being given to the elimination of the Cabinet-level status of the United States Department of Agriculture and combining its functions with another department, which would be very detrimental to the interests and needs of agricultural states such as South Dakota:

"Now, therefore, be it resolved, that the Legislature of South Dakota hereby vigorously protests any possible action to eliminate the United States Department of Agriculture from its present Cabinet-level status; and

"Be it further resolved, that copies of this Concurrent Resolution be transmitted by the Chief Clerk of the House of Representatives of the state of South Dakota to the offices of the President and Vice President of the United States, the Secretary of Agriculture and the Congressional Delegation of the state of South Dakota.

"Adopted by the House March 10, 1971.

"Concurred in by the Senate March 12, 1971."

Three resolutions adopted by the Legislature of the Virgin Islands; to the Committee on Interior and Insular Affairs:

"RESOLUTION NO. 523

"Resolution To Petition the Ninety-second Congress of the United States of America To Amend Certain Provisions of the Revised Organic Act of the Virgin Islands, Pertaining to Qualifications of Candidates for Public Office in the Virgin Islands

"Whereas Subsection (b) of Section 6 of the Revised Organic Act of the Virgin Islands now specifies the qualifications of candidates for membership in the Legislature of the Virgin Islands including the requirement that no person shall be eligible for the Legislature who has not attained the age of twenty-five years; and

"Whereas the Ninety-First Congress of the United States of America amended the Revised Organic Act of the Virgin Islands to provide that the Legislature of the Virgin Islands, after a referendum, may lower the voting age in the Virgin Islands; and

"Whereas Federal Law now provides that persons 18 years of age and older may vote in all Federal elections; and

"Whereas it is the determination of the Legislature of the Virgin Islands that the elected representatives of the people of the Virgin Islands should have the requisite power to determine the qualifications of all candidates for public office in the Virgin Islands; and

"Whereas it is the further determination of the Legislature of the Virgin Islands that young men and women of the Virgin Islands are capable of and qualified for public office at an age lower than the arbitrary age of 25 which is now prerequisite for membership in the Legislature of the Virgin Islands; Now, Therefore, be it

"Resolved by the Legislature of the Virgin Islands:

"That the Legislature respectfully petitions the Congress of the United States to adopt an amendment to the Revised Organic Act of the Virgin Islands granting to the Legislature of the Virgin Islands the authority to set qualifications for all candidates for public office in the Virgin Islands or in lieu of such an amendment that an amendment be adopted to lower the age at which persons shall become eligible for public office to 21 years of age, except for the Offices of the Governor and Lieutenant Governor which shall continue at 30; and be it further

"Resolved, that copies of this Resolution be transmitted to the President of the United States, to the Secretary of the United States Department of the Interior, to the Presiding Officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to the Chairman of the Committee on Interior and Insular Affairs of the Senate of the United States, to each member of said Committee, to the Chairman of the Committee on Interior and Insular Affairs of the House of Representatives of the United States, and to each member of said Committee.

"Thus passed by the Legislature of the Virgin Islands on January 26, 1971.

"RESOLUTION NO. 524

"Resolution to Petition the 92nd Congress of the United States of America to Amend Certain Provisions of the Revised Organic Act of the Virgin Islands Pertaining to the Place of Holding Sessions of the Legislature of the Virgin Islands

"Whereas the Revised Organic Act of the Virgin Islands now provides that sessions of the Legislature shall be held in the Capitol of the Virgin Islands at Charlotte Amalie, St. Thomas; and

"Whereas the Territory of the United States

Virgin Islands is an island Territory comprising three major Islands; and

"Whereas it is necessary for residents of the Islands of St. Croix and St. John to travel by air or by water to attend sessions of the Legislature on the Island of St. Thomas; and

"Whereas the people of the Virgin Islands are vitally interested in the operations and the workings of their Legislature; and

"Whereas all residents of the Virgin Islands should be afforded the opportunity to attend the sessions of the Legislature of the Virgin Islands from time to time without inconvenience or travel expense; Now, Therefore, be it

"Resolved by the Legislature of the Virgin Islands:

"That the Legislature, on behalf of the people of the Virgin Islands, respectfully petitions the Congress of the United States to adopt an amendment to the Revised Organic Act of the Virgin Islands which would permit the holding of formal sessions of the Legislature of the Virgin Islands at any appropriate place on the Islands of St. Croix and St. John as well as in the Capitol of the Virgin Islands at Charlotte Amalie; and be it further

"Resolved, that copies of this Resolution be transmitted to the President of the United States, to the Secretary of the United States Department of the Interior, to the Presiding Officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to the Chairmen of the Committee on Interior and Insular Affairs of the Senate and of the House of Representatives of the United States, and to each member of said Committees.

"Thus passed by the Legislature of the Virgin Islands on January 26, 1971.

"RESOLUTION No. 533

"To Petition the Ninety-Second Congress of the United States of America To Amend Certain Provisions of the Revised Organic Act of the Virgin Islands Which Now Requires the Approval of the President of the United States or his Designated Representative Prior to the Obligation or Expenditures of Monies Out of the Internal Revenue Matching Fund in the Treasury of the Virgin Islands

"Whereas section 28(b)'c'(ii) of the Revised Organic Act of the Virgin Islands provides that certain Internal Revenue collections deposited in the Internal Revenue Matching Funds in the Treasury of the Virgin Islands may be obligated or expended only for emergency purposes and essential public projects 'with the prior approval of the President or his designated representative'; and

"Whereas it is the determination of the Legislature of the Virgin Islands that it is unnecessary and unwarranted with the present level of self-government and local autonomy enjoyed by the people of the Virgin Islands to require the approval of the President of the United States or his designated representative, the Secretary of the Interior, prior to the expenditure or obligation of funds in the Treasury of the Virgin Islands; and

"Whereas the Congress of the United States has recently expressed its confidence in the maturity and responsibility in the people of the Virgin Islands by its passage of the Virgin Islands Elective Governor Act; and

"Whereas it is the considered position of the Legislature of the Virgin Islands that the Legislature and the Governor of the Virgin Islands, as the elected representatives of the people of the Virgin Islands, should have full authority to obligate and expend public monies for emergency purposes and essential public projects without the prior approval or intervention of the President of the United States or the Secretary of the Interior; Now, Therefore, be it

Resolved by the Legislature of the Virgin Islands:

"That the Legislature respectfully petitions the Congress of the United States to adopt an amendment to the Revised Organic Act of the Virgin Islands which would permit the obligation or expenditure of monies deposited in the Treasury of the Virgin Islands pursuant to the provisions of section 28(b) of the Revised Organic Act of the Virgin Islands without the prior approval of the President or his designated representative; and be it further

"Resolved, that copies of this Resolution be transmitted to the President of the United States, to the Secretary of the United States Department of the Interior, to the Presiding Officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to the Chairman of the Committee on Interior and Insular Affairs of the Senate of the United States, to each member of said Committee, to the Chairman of the Committee on Interior and Insular Affairs of the House of Representatives of the United States, and to each member of said Committee.

"Thus passed by the Legislature of the Virgin Islands on February 9, 1971."

A joint resolution of the General Assembly of the State of Tennessee; to the Committee on the Judiciary:

"HOUSE JOINT RESOLUTION No. 1

"A resolution to ratify the proposed amendment to the Constitution of the United States of America extending the right to vote to citizens 18 years of age or older

"Whereas, The Ninety-Second Congress of the United States of America, at its First Session in both houses by a constitutional majority of two-thirds (⅔) thereof, has made the following proposition to amend the Constitution of the United States of America in the following words, to wit:

"'JOINT RESOLUTION

"'Proposing an amendment to the Constitution of the United States extending the right to vote to citizens eighteen years of age or older

"'Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (Two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress:

"'ARTICLE—

"'SECTION 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

"'SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

"'Be it resolved by the House of Representatives of the Eighty-seventh General Assembly of the State of Tennessee, the Senate concurring, That the said proposed amendment to the Constitution of the United States of America is ratified; and

"'Be it further resolved, That certified copies of this Resolution shall be forwarded by the Secretary of State of Tennessee to the Governor of Tennessee, to the Administrator of General Services, Washington, D.C., to the President of the Senate of the United States of America, to the Speaker of the House of Representatives of the Congress of the United States, to the Secretary of the Senate of the United States of America, to the Secretary of the House of Representatives of the Congress of the United States, and to each member of the Tennessee Congressional Delegation.

"'Adopted: March 23, 1971.'"

A concurrent resolution of the Legislature of the Commonwealth of Massachusetts; to the Committee on the Judiciary:

"RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROPOSE A CONSTITUTIONAL AMENDMENT AUTHORIZING PUPILS TO PRAY AND HAVE BIBLE READINGS IN THE PUBLIC SCHOOL

"Resolved, That the General Court of Massachusetts respectfully urges the Congress of the United States to propose an amendment to the federal constitution so that pupils whose parents do not object may listen to Bible verses and recite a prayer while in our public schools; and be it further

"Resolved, That copies of these resolutions be transmitted by the State Secretary to the President of the United States, to the presiding officer of each branch of Congress and to each member thereof from this Commonwealth."

A resolution of the Legislature of the State of Minnesota; to the Committee on the Judiciary:

RESOLUTION No. 3

"A resolution ratifying a proposed amendment to the Constitution of the United States of America, extending the right to vote to citizens eighteen years of age and older

"Whereas, both Houses of the Congress of the United States by a joint resolution proposed an amendment to the Constitution of the United States which reads as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"'ARTICLE—

"'SECTION 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

"'SEC. 2. The Congress shall have power to enforce this article by appropriate legislation."

"Now, therefore, be it resolved by the Legislature of the State of Minnesota that the proposed amendment to the Constitution of the United States is hereby ratified by the Legislature of the State of Minnesota.

"Be it further resolved that the Secretary of State of the State of Minnesota is directed to forward copies of this resolution to the administrator of the General Services Administration, to the presiding officer of the Senate of the United States and the speaker of the House of Representatives of the United States and transmit an official notice of this resolution to the Secretary of State of the United States as provided by the law of this state.

BILLS INTRODUCED

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

By Mr. DOMINICK (for himself, Mr. ALLOTT, Mr. BENNETT, Mr. BIBLE, Mr. HOLLINGS, Mr. SCOTT, and Mr. WILLIAMS):

S. 1385. A bill to designate the first Monday after the first Sunday of November as Election Day; to provide for a uniform clos-

ing time for polling places in Federal elections; and for other purposes. Referred to the Committee on Rules and Administration.

By Mr. MATHIAS:

S. 1386. A bill to amend the act to regulate the practice of the healing art and other purposes. Referred to the Committee on the District of Columbia.

By Mr. MATHIAS (for himself and Mr. RANDOLPH):

S. 1387. A bill to amend the Internal Revenue Code of 1954 to require the consent of the taxpayer concerned before a person who prepares a taxpayer's income tax return may use or disclose for other purposes any information furnished for the preparation of such returns. Referred to the Committee on Finance.

By Mr. MONDALE:

S. 1388. A bill to authorize the Secretary of Agriculture to carry out a special research program on wild rice. Referred to the Committee on Agriculture and Forestry.

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

S. 1389. A bill to promote the foreign policy and best interests of the United States by authorizing the President to negotiate a commercial agreement including a provision for Most-Favored-Nation status with Romania. Referred to the Committee on Finance.

By Mr. MONDALE:

S. 1390. A bill for the relief of Dr. Alberto Aranibar; and

S. 1391. A bill for the relief of Mrs. Alicia Zavala (Leal) and two children, Liliel and Ivette Perea. Referred to the Committee on the Judiciary.

S. 1392. A bill to provide certain services for Government employees in order to assist them in preparing for retirement. Referred to the Committee on Post Office and Civil Service.

By Mr. BURDICK:

S. 1393. A bill to donate to the Devils Lake Sioux Tribe, Fort Totten Reservation, some submarginal lands of the United States, and to make such lands part of the reservation involved. Referred to the Committee on Interior and Insular Affairs.

S. 1394. A bill to amend the Bankruptcy Act to abolish the referees' salary and expense fund, to provide that fees and charges collected by the clerk of a court of bankruptcy in bankruptcy proceedings be paid into the general fund of the Treasury of the United States, to provide salaries and expenses of referees be paid from the general fund of the Treasury, and to eliminate the statutory criteria presently required to be considered by the Judicial Conference in fixing salaries of fulltime referees;

S. 1395. A bill to amend section 48 of the Bankruptcy Act (11 U.S.C. 76) to increase the maximum compensation allowable to receivers and trustees; and

S. 1396. A bill to amend section 35 of the Bankruptcy Act (11 U.S.C. 63) and sections 631 and 634 of title 28, United States Code, to permit full-time referees in bankruptcy to perform the duties of a United States magistrate. Referred to the Committee on the Judiciary.

By Mr. CHURCH:

S. 1397. A bill to amend the United States Information and Educational Exchange Act of 1948 to impose restrictions on information activities outside the United States of Government agencies. Referred to the Committee on Foreign Relations.

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

S. 1398. A bill to amend the Water Resources Planning Act to authorize increased appropriations;

S. 1399. A bill to establish within the Department of the Interior the position of an additional Assistant Secretary of the Interior; and

S. 1400. A bill to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives. Referred to the Committee on Interior and Insular Affairs.

By Mr. JACKSON (for himself, Mr. ALLOTT, and Mr. Moss):

S. 1401. A bill to establish a national Indian education program by creating a National Board of Regents for Indian Education, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. BEALL:

S. 1402. A bill for the relief of Sofie Calotes Baquial; and

S. 1403. A bill for the relief of Maria Adela Binett. Referred to the Committee on the Judiciary.

By Mr. BYRD of Virginia:

S. 1404. A bill to amend the United Nations Participation Act of 1945 to prevent the imposition thereunder of any prohibition on the importation into the United States of any strategic and critical material from any free world country for so long as the importation of like material from any Communist country is not prohibited by law. Referred to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS

By Mr. DOMINICK (for himself, Mr. ALLOTT, Mr. BENNETT, Mr. BIBLE, Mr. HOLLINGS, Mr. SCOTT, and Mr. WILLIAMS):

S. 1385. A bill to designate the first Monday after the first Sunday of November as election day; to provide for a uniform closing time for polling places in Federal elections; and for other purposes. Referred to the Committee on Rule and Administration.

Mr. DOMINICK. Mr. President, on behalf of myself, Mr. ALLOTT, Mr. BENNETT, Mr. BIBLE, Mr. HOLLINGS, Mr. SCOTT, and Mr. WILLIAMS, I introduce for appropriate reference a bill to provide for the conduct of national elections on the first Monday after the first Sunday in November, to establish that day as a national holiday, and to provide for the closing of all polls simultaneously.

This bill would increase voter participation not only by making it much easier for Americans to vote, but by making election day a national holiday, it would help focus attention on the importance of the voting process. The right to vote is at the heart of our democratic process. Yet, its exercise remains a big hassle for many Americans. About 47 million qualified voters, or 39 percent of the electorate, failed to vote in the 1968 national elections. Making election day a legal holiday would eliminate the situation where many qualified voters do not vote because they would lose wages by taking time off from their jobs, and it is too difficult to get to the polls before or after working hours. Others are unable to vote because their occupations require them to travel on that day. Although the holiday I am proposing would technically affect only Federal employees and the District of Columbia, the States could be expected to follow suit. About two-thirds of the States have already designated election day as a legal holiday.

The purpose of moving election day from Tuesday to Monday is to assure that the new holiday would cause the least possible interference with business. It would avoid stop-start production costs due to midweek shutdowns. And since Monday is the slowest day for many types of businesses, a holiday on that day should have the least adverse economic impact. Additionally, many salesmen who are paid on a commission basis and must travel substantial distances find it very inconvenient to vote on Tuesday. This inconvenience would be minimized by enabling them to vote on Monday and travel the remainder of the week.

Mr. President, the reasons why Tuesday was long ago established as election day are inapplicable now. The selection of the first Tuesday after the first Monday in November for national elections was based on several considerations. Article II, section 1, of the Constitution provides:

> The Congress may determine the Time of choosing the Electors, and the Day on which they shall give their votes, which Day shall be the same throughout the United States.

A law was approved March 1, 1792, fixing the first Wednesday in December as the day for the electors to meet and cast their votes for President and Vice President. The law also provided that the electors should be "appointed" in each State "within 34 days preceding the first Wednesday in December in every fourth year succeeding the last election."

In the early days, the legislatures of many of the States chose the presidential electors and the exact date on which the electors of the States were chosen was not important. After the election of 1832, nearly all the States that had not already done so gave up the old method of choosing presidential electors by the legislature. With a few exceptions the presidential electors have since been chosen by popular vote in all States. Before 1845, there was no national election day and each State fixed its own date for "appointment" of presidential electors within 34 days prior to the meeting of electors. All the States chose their electors in November, but the dates varied. New York held its election for electors on the first Tuesday after the first Monday; New Jersey, on the first Tuesday and the day following. In two States the second Monday was election day; in 14, the first Monday; in two, the second Tuesday; and in two, the Friday nearest the first of November.

This lack of uniformity led to abuses. The results in one State were used to influence those in other States. In contiguous States "repeating" was easy and common. By traveling from State to State, one person could vote for presidential electors several times. This practice led to what were known as the "pipelaying scandals" of 1840 and 1844, when both the Democrats and Whigs were accused of sending gangs of voters across State lines. The frequency of such election frauds created a popular demand for a uniform national election day.

In 1845, a law was enacted providing that:

> The electors of President and Vice President shall be appointed in each state on the Tuesday next after the first Monday in the month of November of the year in which they are to be appointed.

The act of 1792 still required the electors to meet on the first Wednesday in December, and in fixing a uniform day Congress wished to make the time as close as possible to 30 days before that date. Public sentiment was opposed to holding elections on Sunday or traveling to the polls on that day. Therefore, it was desirable to have one day intervene between Sunday and election day because many voters lived far from the polls, and in those days, it was often necessary to start out the preceding day. Since many voters would object to traveling on Sunday to go to the polls, Monday was excluded. The first Tuesday was excluded because it might fall on the first of the month and inconvenience businessmen. The second Tuesday might fall on the 14th, which would leave only 22 days between election day and the meeting of the presidential electors. It was discovered that the first Tuesday after the first Monday in November, the date already chosen in New York, therefore, would always place election day not later than November 8 and always about 30 days before the meeting of the electors on the first Wednesday in December.

I might also add that the author of the election bill of 1845 said in the debate on the subject that "public sentiment has appointed this time" because harvesting is over by November and winter weather has not yet made the roads impassable. He objected to the first Tuesday in November because it "might in some cases be more than 30 days from the first Wednesday in December." The first Tuesday after the first Monday in November was accordingly accepted.

Mr. President, so it is apparent that the original considerations in designating the first Tuesday after the first Monday in November as national election day are no longer applicable, and should not deter us from changing to Monday now. The time for the meeting of presidential electors has been changed several times. And the time involved in traveling to the polls is no longer enough of a factor to require holding elections on Tuesday to avoid traveling on Sunday.

By establishing a time for the simultaneous closing of all polls, this bill would eliminate the possibility that predictions based on early returns from one area may affect election results in areas where the polls have not closed. There has been increasing concern that computer projections of election results by the electronic media influence the way many votes are cast, and cause people not to vote because they believe the outcome has already been decided.

Mr. President, solving this problem through a uniform closing time for all polls would be better than trying to restrict the flow of information about election returns. I don't think there is any constitutional question about the power of Congress to establish a uniform poll closing time. Article II, section 3, gives Congress the power to determine the time of choosing the electors for President and Vice President. Article I, section 4, gives Congress power to regulate the time, places, and manner of holding elections for Senators and Representatives, and the Supreme Court has indicated this may apply to presidential elections.

Under this bill, in Federal elections all polls would close at the same Greenwich mean time across the Nation. They would close at 11 p.m. eastern standard time; 10 p.m. central standard time; 9 p.m. mountain standard time; 8 p.m. Pacific standard time; 7 p.m. Yukon standard time; 6 p.m. Alaska-Hawaii standard itme; and 5 p.m. Bering standard time. Since this would require some polls to close earlier than they have in the past, all polls would be required to stay open at least 12 hours.

Mr. President, the ideas of establishing a national holiday for Federal elections and providing for a uniform poll closing time were endorsed by the National Governors Conference in 1966. I ask unanimous consent that a copy of the proposal and resolution of the Governors Conference in that regard be included in the RECORD at this point.

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

A PROPOSAL TO ESTABLISH A UNIFORM, SIMULTANEOUS, NATIONWIDE 24-HOUR VOTING DAY IN YEARS OF FEDERAL ELECTIONS

Voting is the most important function in a democracy. Yet, generally speaking, many of our election customs are a throwback to the days when it took hours and even days to get to the polling booth. By a determined avoidance of improvements we have done little to ease—and much to impede—the voting process.

Among our archaic election customs is adherence to Election Day itself, first designated in 1845 as "the Tuesday next after the first Monday in November." This day was chosen by Congress largely because public sentiment was against traveling on Sunday and it was necessary to allow an entire day and night for many voters to get to the polls.

A second anachronism in the electoral process is the system of widely divergent hours in which the polls are open across the country in federal elections. The polls in the West are open many hours after they are closed in the East. And opening and closing hours vary, not only within time zones, but also within individual states. The system grew without much design or direction as the nation expanded to the Pacific and through four time zones. In our own time we have seen the boundaries of electoral participation extended even further, from West Quoddy in Maine to Attu in Alaska, across six time zones.

In recent years technological progress—particularly in the area of computers and communications—has highlighted the archaic nature of our voting procedures. For example, polling places have traditionally closed early to allow time for counting the votes, but today ballots can be tabulated in a matter of seconds using computer systems. And modern communications permit speedy transmission of returns to collection centers.

Various proposals have been made to bring election day procedures into line with 20th century realities. One appears to meet the test of equity, and of logic, and appears to present no constitutional problems: A common, simultaneous, nationwide, voting day of 24 hours length for federal elections. There is much to recommend that this day also be a national holiday.

The advantages of such a uniform voting period are many:

It would give every qualified voter in the nation the time and the opportunity to vote.

A uniform 24-hour voting day would provide all voters with the identical real-time hours in which to vote; and although the polls would open at different hours in different time zones, the voters of every community in the nation could vote at whatever local time of day or night that was most convenient for them.

It would relieve the pressure in urban and suburban voting districts where long, slow-moving waiting lines have discouraged many voters from casting ballots.

It would put an end to unsupported speculations that reports from one area of the country, with all its polls closed, can affect voting in another area where they are open.

Computers would enable a fast, accurate tally of the national vote immediately after the polls had closed, and thus do away with the confusion and uncertainty generated by delayed and partial returns.

No constitutional barrier exists to prevent the Congress from instituting a universal, 24-hour voting period. Indeed, Article I of the Constitution specifically gives the Congress the authority to make regulations concerning the holding of elections. Nor has anyone suggested that such a period would not be in the best interests of the voter himself. The only significant argument against it is made in terms of expense.

Against this argument, consider that the United States has the least impressive voting record in federal elections of any democracy in the world. In 1964, only 62 percent of eligible Americans cast a ballot for one of the Presidential candidates. In off-year congressional elections, the record is even worse—less than 50 percent of Americans over 21 vote. In Europe, on the other hand, where uniform, nationwide voting hours are common practice, the percentages range from 87 in Denmark to 72 in France. It is difficult to defend the position that the most affluent democracy with the sorriest voting record cannot afford to keep the polls open for a few additional hours every two years.

Principle aside, there is no real evidence to indicate that costs would rise unreasonably. In recent years election costs have been dramatically reduced in some states through the use of electronic voting systems. For example, Orange County in California spent $235,869 on the June 2, 1964, primary, at which 273,756 ballots were cast and tabulated without the electronic system. On General Election Day, 1964, Orange County used an electronic system encompassing both the voting and counting. The cost, with 416,136 votes cast, was $118,428. The saving here was $117,441—cutting the bill in half, even without allowing for the greatly increased number of votes cast. Actually, the cost per ballot cast declined by over two-thirds, from 90 cents to 28 cents.

Looking ahead, we can anticipate additional savings through the use of the instruments and techniques which science has made possible. In addition, urban polling places may be able to operate on a more efficient basis when voting is spread over a 24-hour period, while polling places in small communities can close after the last registered voter has cast his ballot.

The need for election reforms in many areas is urgent: the Presidential campaign period is too long; residency requirements prevent millions of citizens in our mobile population from casting a vote even in Presidential elections; much of the apparatus we use for registering and counting votes was contrived for another age.

But electoral procedures must be brought into line with the realities of the 20th century. A start must be made. It is the conviction of this conference that a logical and proper place to begin is with the most serious consideration of a biennial national vot-

ing holiday during which the polls would be open across the nation for a uniform period of 24 hours.

A RESOLUTION

Whereas it is the sense of the National Governors Conference that the most serious consideration should be given to the proposition that in federal elections the electorate would benefit from the establishment of a "national voting holiday" during which the polls would be open across the nation for a uniform period of 24 hours—that is, regardless of time zone the polls would be open simultaneously, and close simultaneously 24 hours later;

Be it resolved that the National Governors Conference forward to the President of the United States the respectful suggestion that he initiate a study, by whatever means he deems appropriate, of the feasibility of instituting a uniform, nationwide, 24-hour voting period for federal elections, and its designation as a biennial national holiday.

Mr. DOMINICK. Mr. President, I think the reforms suggested in this bill merit our consideration. They are relatively noncontroversial and would not be difficult to implement. I have chosen January 1, 1974, as the effective date for this legislation in order to give the States adequate time to enact implementing legislation.

By Mr. MATHIAS (for himself and Mr. RANDOLPH):

S. 1387. A bill to amend the Internal Revenue Code of 1954 to require the consent of the taxpayer concerned before a person who prepares a taxpayer's income tax return may use or disclose for other purposes any information furnished for the preparation of such returns. Referred to the Committee on Finance.

CONFIDENTIALITY OF INFORMATION FURNISHED FOR INCOME TAX RETURNS

Mr. MATHIAS. Mr. President, I introduce for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to require the consent of the taxpayer concerned before a person who prepares the taxpayer's income tax return may use or disclose for other purposes any information furnished for the preparation of such return.

This legislation is prompted by new developments with serious implications for individual privacy. Growing numbers of banks, department stores, and other companies with large computer facilities are offering tax-preparation services to their customers and the general public. Conversely, many income tax preparation firms and services are beginning to move into other fields, such as the selling of mutual funds, insurance, and other financial services, and are using for these marketing purposes the detailed knowledge of their customers gleaned in the course of preparing income tax returns.

As reported in the Wiesenberger Financial Services newsletter of last August 12:

H & R Block, which started in the tax preparation business with a single Kansas City office in 1955, had over 4,000 offices in operation during the past tax season through which it was expected that fully 10% of the nation's tax returns would pass. Growth and earnings of the company (listed on the NYSE) came from tax business receipts. However, shortly before this year's tax season, this grandaddy of all tax preparation firms announced its intention of putting its multi-million customer roster to new use, of forming a joint subsidiary with Pennsylvania Life Insurance Co. of Los Angeles to sell mutual funds and insurance to tax clients.

Even financial service sales organizations that have not set up their own tax return preparation units or joined with existing ones have been quick to realize the "gold" in the detailed and pertinent individual information such units gather in the course of their work. Los Angeles' 210-branch State and Federal Computerized Income Tax Consultants reports, "We never intended to sell this information, but at least eight mutual fund firms have offered to buy."

Mr. President, it has been estimated that of the approximately 75 million individual and joint Federal income tax returns filed last year, nearly half were prepared by someone other than the taxpayer himself. In some cases assistance may have been provided by a relative or friend, or by a neighborhood lawyer or accountant. But in more and more instance, harried taxpayers are seeking the help of large organizations which offer, for a fee, to transform the individual's raw financial data into a finished tax return, often with the aid of a computer.

Federal law, of course, places the stamp of strict confidentiality on Federal tax returns once they have been submitted to the Internal Revenue Service. Knowing this, many, if not most taxpayers, assume that the same information is equally confidential when it is in the hands or files of a tax preparation service. Such an assumption is natural but quite naive. There are, in fact, no Federal laws restricting in any way the uses which such services may make of the financial information entrusted to them for tax preparation purposes.

As businesses explore the full range of marketing possibilities which automation has opened to them, the individual who seeks professional help with his income tax may find himself receiving, along with his finished tax return, offers of investment counseling, insurance, credit loans, and other financial services, attractively tailored to fit his personal economic situation. He may discover long after April 15 that his name and financial history have been sold, as part of a massive mailing list, to a mutual fund, a bank, an insurance company, or other organization.

In short, the taxpayer may discover that by the innocent act of seeking income tax assistance, he has delivered up the most intimate details of his financial position into the burgeoning national network of computers which already hold, trade, sell, and analyze far too much information about individual Americans.

To me it is both ludicrous and alarming to have the Internal Revenue Service holding a tax return in the strictest secrecy while private firms are shipping and selling the same information all over the country without the taxpayer's knowledge or consent. Yet, this is all too possible today.

It is not my intent today to place an absolute prohibition on the use of tax return information for other purposes by private firms. Some of the financial services involved may be extremely helpful or desirable to individuals, and most are certainly legitimate business propositions. I do believe, however, that the taxpayer should know precisely what other uses a tax-preparation firm intends to make of its copy of his tax return. Further, I believe that the taxpayer should have the opportunity to veto such other uses if he so desires.

Accordingly, the legislation I am introducing today would require that any Federal income tax return which is prepared by a person other than the taxpayer shall include an additional written declaration, under the penalties of perjury, by the person preparing the return, that either—

First, he has not used and will not use any information by the taxpayer for any purpose other than the preparation of the tax return, and has not made and will not make any such information available to any other person for such purpose, or, second, he has obtained valid consent of the taxpayer to use such information for purposes other than the preparation of the return or declaration, or to make such information available to another person or persons for such purposes.

The bill defines a valid consent form as a separate document, signed by the taxpayer, which is printed in 8-point type or larger, or typed or written in letters of comparable size, and specifies the information which may be used or made available, and the purpose or purposes for which it may be used or made available.

This provision is intended to insure that the taxpayer, if he signs a consent form, will know what he is signing. It is intended to preclude tax preparation services from including some type of blanket consent statement in small print in what may appear to the taxpayer to be a standard tax preparation contract agreement or bill.

Mr. President, I am indebted to Mr. Donald S. Grubbs, Jr., of Baltimore, for calling this problem to my attention and recommending legislation very similar to that which I introduce today.

I ask unanimous consent to have printed in the RECORD the article to which I have referred.

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

INCOME TAX PREPARATION CENTERS SPIN OFF FINANCIAL SERVICES PROSPECTS IN 100,000 LOTS. IN SEEKING APRIL 15 HEADACHE RELIEF, THEY SCREEN THEMSELVES AS POTENTIAL CLIENTS FOR MUTUAL FUNDS, INSURANCE, MONEY MANAGEMENT

In what amounts to a stampede, financial services and commercial organizations jumped into the business of helping the small man prepare his annual income tax report during the season just past. *The attraction:* Tax preparation fees garnered (generally less than $20 per return) are often of secondary interest; but substantial additional fees, commissions or what-not can be turned up in the subsequent sales (of everything from auto loans to mutual fund withdrawal plans) that the income-tax contacts make possible.

One service, at least, that's selling well: Approximately 75 million U.S. income tax returns and half that number in state and

city returns were filed this year; and in recent years their growing complexity have led to nearly half of them being prepared by someone other than the taxpayer himself.

THOUSANDS OF "BLUEPRINTS" FOR FUTURE SALES

While some service organizations such as Automated Tax Corporation, Mineola, N.Y., made the move into tax preparation service for the obvious reason—the fees the taxpayer pays for this help—many others, while doing the job and taking the fees, have their eye on bigger game.

One such, Benevest, Inc., San Francisco, a subsidiary of Beneficial Finance Co., set up an organization that in this first season processed 100,000 applicants for tax preparation, accepting preparation of returns for 40,000. *Its aim:* To subsequently contact these 40,000 pre-qualified prospects, about which detailed financial information was now known, for sale of life insurance and several brands of mutual funds. Approach, presentation and product pushed can be pre-tailored for each according to known individual needs and circumstances.

Pay dirt seen in the records of established tax preparers, too: H & R Block started in the tax preparation business with a single Kansas City office in 1955, had over 4,000 offices in operation during the past tax season through which it was expected that fully 10% of the nation's tax returns would pass. Growth and earnings of the company (listed on the NYSE) came from tax-business receipts. However, shortly before this year's tax season, this grandaddy of all tax preparation firms announced its intention of putting its multi-million customer roster to new use, of forming a joint subsidiary with Pennsylvania Life Insurance Co. of Los Angeles to sell mutual funds and insurance to tax clients.

Even financial service sales organizations that have not set up their own tax return preparation units or joined with existing ones have been quick to realize the "gold" in the detailed and pertinent individual information such units gather in the course of their work. Los Angeles' 210-branch State and Federal Computerized Income Tax Consultants reports, "We never intended to sell this information, but at least eight mutual fund firms have offered to buy."

TRAFFIC, NOT FEES, EXCITES THE BANKS

Two years ago, First National City Bank of New York became the first bank to explore the possibility of offering income tax returns prepared by computer, establishing a pilot project on New York's Staten Island.

On finding the service successful in building business also for the 22 other services the bank offered, it contracted with Tax Corporation of America, Santa Barbara, Calif., to use its computer, and this year established income tax service in 81 other branches. Scores of other banks across the country went into the business of preparing income tax returns at the same time.

Gary D. Ritter, president of Digitax, Inc., New York City, a company that makes it possible for others, including banks, to go into the computerized income tax service business, notes that banks, too, tend to see tax preparation service as a means, rather than an end in itself: "They see it much more as a vehicle for getting into other business, getting traffic, than for being profitable *per se* from the actual preparation of returns."

(When it comes to banks as tax preparers, there may be a cross-current to the comfortable feeling of the preparer being on your side. An after-tax-season opinion expressed in one big-city bank interviewed was to the effect that "People still feel a bank is an arm of the government—iron grilles, marble floors and all that.")

A READY-TO-USE TAX SERVICE—HOW IT WORKS

Digitax operates on a to-the-trade basis, initially supplying forms, promotional material and tax-preparation training materials to subscribing retailers at no cost. (A service agreement calling for a minimum of $200 business a season is required—20 cases submitted at a $10-per-case charge to the retailing organization which sets its own prices.)

The retailer (tax preparer) obtains necessary income and financial information from his client, transferring it to a specially designed input form, four 2-column worksheets. Information on the form, sent to the Digitax computer, is digested and translated into triplicate printouts of the taxpayer's return, then returned to the preparer.

Says Ritter about what it takes under the system to become an expert tax preparer, "Our experience has shown that it is not difficult to educate and train a lay person who has some business experience in extracting the proper information for the preparation of income tax returns."

SEES POTENTIAL AT BROKERS-DEALERS LEVEL

While the Digitax marketing thrust for retailers has so far been confined to members of the more historic professions, Ritter indicates that he feels broker-dealers could benefit from the local prescreened prospects they could generate from offering such a service in their own communities, has plans for pre-'71 marketing efforts in this area.

"The preparer's computer-input forms are an ideal tool in terms of financial information for a prospective insuror or a person representing mutual funds," says Ritter. "All the information that is gathered by us, the wholesaler, is of course held in strictest confidence, but what the tax preparer does with the information he gathers is up to him."

THE $15 MILLION INSTANT REFUND CAPER

In the 1970 rush to get into the income tax preparation business Montgomery Ward prepared returns in 135 of its stores, Sears, Roebuck in 88; Long Island's Teletax Systems took tax information by phone, and one auto dealer offered tax preparation as a free accessory with every new Datsun bought from him. But perhaps the most flamboyant large-scale tax preparation operation begun was that of the nationwide Beneficial Finance Co., set up for its trial run in California where flamboyant operations are the rule as much as the exception.

"Instant Refund"—within a week: Through a tax-preparation subsidiary, Benevest, Inc., San Francisco, the company offered to replace refunds found to be due with its own check in the amount due, and immediately, for clients who would come into any of 80 Benevest store-front offices between Jan. 15 and April 15 to have their state and federal income tax returns prepared. Refunds were paid at the time the Benevest customer paid his second visit to the office to pick up and sign his completed, computer figured tax forms—usually within a week.

To get his instant refund (and the Benevest chain paid out $15 million in such during the past season) a customer was required only to agree to sign over to Benevest his California and/or Federal tax refund check within five days after he received it. What's more, his acceptance of a Benevest "instant refund" did not carry with it any obligation on him for payment of interest on it regardless of whether it might take Uncle Sam or Uncle Cal six weeks or six months to forward their refunds to him (a concept one might think to be rather foreign to Beneficial Finance tennets.)

Refund magic was held out also to those prospects who hadn't really counted themselves among the chosen. Benevest literature advised them, "Even if you don't expect a refund, you may be in for a pleasant surprise this year. The Benevest system is so thorough, that many people take legal deductions they've never taken before—and end up getting a check instead of writing one."

How refund-payout losses were controlled: The Benevest entry into the field was made on a crash basis. Within a period of two months the company located, leased, opened and furnished 80 offices, hired 320 full time people to man them. Come tax time, heavy advertising brought inquiries from 100,000 potential, refund-minded clients.

It was essential in order to avoid "skips" who might feel they could hang onto their government refund check as well as Benevest's that a fast credit screening be applied, since a Benevest check could be issued within five days of the first contact with the client. A scoring system based on—Do you have telephone? How long have you been working? etc.—initially eliminated 20,000 inquirers over the telephone, then 40,000 of the remainder in the office.

Of the 40,000 left for whom tax returns were prepared, according to John M. Croxall, Benevest president, 80% had a refund coming; average refund, $500; lowest, $3; highest, $9,244. Ninety percent of those who got Benevest "refunds" later sent their government refund checks to Benevest as soon as they got them; 10% had to be followed up.

Six percent of the total and drawn from this later group paid up with a little prodding, leaving 4% of the total to be turned over for professional follow up. Croxall estimates losses within this 4% are leveling out at 1½%, a figure within the range allowed for. Both interest costs to Benevest for money tied up in payouts and its losses on paychecks are figured by the company as part of sales promotion.

Among non-paybacks, clients have been found to have died, gone to jail, moved overseas. Croxall notes that two of the collection problems that arose stemmed from (1) the government deducting back taxes and penalties for same from the anticipated refund in checks returned to clients this year and (2) the fact that in California 3% of the people move every month—that's 36% of them each year, some several times a year.

What "instant refund" did tax-return business itself: Benevest's 40,000 returns prepared were largely of the simplified type—no extra income reported or business deductions such as Schedule C—drawn from middle income ($8,000–$20,000) people. Croxall reports the average charge was $26 on billing ranging from $12 to $40. More complex returns were routed through another system: average charge, $80.

Tax-return business seen as only phase 1 of a larger plan: Croxall sees Benevest as filling the more continuous financial needs of the $8,000–$20,000 client, once his annual income tax return has been taken care of. "The rich have their consultants. The average family needs a financial center where someone can put its estate into perspective and recommend long-range objectives. Our big job is to help the man in the middle income bracket know where he is now, where he wants to go, and how to get there.

"The income tax preparation basically is a part of an overall one-stop financial planning service. It's a great prospecting tool because one of the basic principles of prospecting is to meet another person under favorable circumstances, which we do in preparing his income tax return. The natural sequence that follows is for him to become a complete client."

Benevest plans for the 320 tax preparers it hired into its California offices were for each to carry on subsequent sales of life insurance and mutual funds to the same individuals who came to them as tax preparation clients. The preparers were provided with a profile (financial analysis sheet) that they offer to complete for each client as a service.

The client is first told about it when he comes in with his original income information. He is then told when he comes in to collect his completed return that he will be

contacted after tax season for an appointment to complete it.

At this first after-season appointment information is gathered from the client, and a profile is later completed. At still another profile-review meeting the completed profile is discussed and accompanying financial recommendations are made to the client.

"It takes an hour-and-a-half to do a profile," Croxall notes, "and we found that by doing this profile the salesman gets involved with the person, his needs and his wants. As a result, the person feels that involvement, and our chances for getting a complete sale from this person is far greater than just going out and trying to sell mutual funds or insurance."

In recruiting its tax preparer-salesmen, Benevest ran employment ads indicating they could expect to earn $1,500 a month in commissions. Company expectations were that the tax service would bring a man $5,000 or $6,000, tiding him over until commission income took over.

Unfortunately, tax time and tide wait for no plan: As a result of the "crash" nature of its entry into the field, most of the salesmen Benevest hired came in with neither insurance nor mutual fund background. And there was time before the tax rush to do little more than train them in tax procedures. Too late for "instant follow up" to follow "instant refund" as hoped, the company had to undertake another after-season crash program instead—this time to license its new people in sales of insurance and mutual funds.

The company is still in the process of training and trimming, and its men have only recently gotten their starts with client profiles and profile reviews.

AN UNMANNED PIPELINE TO THE COMPUTER

Perhaps a major drawing card new companies and financial services organizations coming into the tax return field can show their prospects is the computer; there's a consensus among many that nervous taxpayers seem to feel more comfortable with an "institutional" sendoff behind their annual offering to Uncle Sam's computers—preferably with a computer on *their* side.

A Minneapolis computer software company, Systems, Inc., made it possible this year for numerous banks (such as Chase Manhattan in New York with 150 branches) and retail outlets (such as Carson Pirie Scott in Chicago) to offer their thousands of customers computer-calculated and imprinted income tax returns while at the same time *by-passing the personnel and space draining personal interview.*

The company's product, Tax-Pak, is a set of nine folders labeled "income", sale of property", etc., passed over the counter to taxpayers $2.50. At home, the customer fills in basic information on the front of each folder and inserts records in appropriate folders. He returns the set of sealed folders to the outlet where they were purchased; they are forwarded from there for processing; and the computer-prepared tax returns with appropriate schedules are routed back to the outlet within seven days. The customer then picks up his duplicate tax returns and mails a set to IRS.

David Buck, formers Vice President-Marketing for Fiscal Systems and now head of David Buck Associates estimates his in-house processing time per return to average a half-hour, the average fee charged the customer at the retail end to be $17.

Describing advantages of Tax-Pak to sponsoring companies, Buck says, "You get a chance to do a job without involving your own personnel, without involving your own equipment, your own facilities. You get a chance to do that job with profit. Finally, and not the least important, you get a chance to really sit down with those people that you want as your customers and find out every last thing about that customer financially."

But what about lack of hand-holding in the Tax-Pak system? Isn't that what customers want? Seemingly the giant of the industry, H & R Block, believes so; tax preparation is almost 100% a face-to-face matter with them. Buck, on the other hand, negates the therapeutic value of the typical tax preparer, and shows a not inconsiderable amount of fresh 1970 tax-return business to back up the impersonal approach. The tax preparer is often, says Buck, "a fellow whose expertise consists of a course on the 1040 in November, and who could well be dead tired from nothing to eat but apples, sour coffee and sandwiches."

By Mr. MONDALE:

S. 1388. A bill to authorize the Secretary of Agriculture to carry a special research program on wild rice. Referred to the Committee on Agriculture and Forestry.

Mr. MONDALE. Mr. President, today I am introducing legislation which will authorize the Department of Agriculture to spend $2 million over the next 10 years to conduct a research program for wild rice. In the past, various appropriations have been made by the Federal Government and some private investors for this purpose, but what is really needed to develop the full potential of this important crop is enough money and enough direction to conduct a long-term, steadily funded research project. The research would boost the economies of Michigan, Wisconsin, and Minnesota. The agriculture experiment station at the St. Paul campus of the University of Minnesota has been carrying out some research for the past few years, mostly in the development of an improved strain. Because nearly 60 percent of the world's wild rice harvest comes from the Indian Lake area of Minnesota, I hope that this area will benefit proportionately from funds allocated.

By way of background, wild rice has been harvested primarily by Indians who used their harvest as a staple food. The natural stands today are located on Indian land. According to the Bureau of Indian Affairs, there are nearly 10,744 acres of wild rice producing areas on wild rice tribal lands in Minnesota. Though annual production varies dramatically, in 1967, 1⅓ million pounds were harvested from two reservations alone. In Minnesota harvesting on the tribal lands is restricted to Indian labor. In 1968, 18,805 people harvested wild rice with an average per capita income for rice harvesters in Minnesota at about $88. There is also a ban against the use of mechanical harvesting equipment in the natural stands.

Retail prices of wild rice have fluctuated from $3.25 a pound in the mid-1950's to $15 a pound in 1966. Currently it is selling for over $5 a pound retail. The market is growing, and with a more controlled harvest could be increased still more. Wild rice mixes, frozen pouches, and casseroles are expected to increase demand and expose steadily.

But production of wild rice is hampered by some severe problems and there has been no way to date to assure the size of an annual crop. Shattering of the seed head, the wild rice worm, fungus conditions, crowding by other lake plant life, and consumption by wildlife. Wild rice ripens gradually over a period of 10 days, the ripening progressing from the top downward. As the top grains ripen, they "shatter or fall into the water. Each plant must be harvested several times to hold shattering losses to a minimum. As it is, in the natural stands where harvesting is done by hand only 5 to 10 percent of the rice is recovered. Some work has been done to perfect a noshattering seed, but the seed successfully produced is not yet available for common use. Scientists at the University of Minnesota estimate that it may take at least 10 years to develop a proven nonshattering seed for wide distribution. There is also not enough knowledge about the wild rice worm or the smut which affects the crops. These are problems which will also have to receive research attention.

The end which scientists and rice growers are looking for is a successful predictable, and profitable cultivated annual green rice crop. There is a growing demand for the rice. It is nutritious and the exposure the crop is getting through major processed food companies are making it more popular. But the inability of producers to assure a sizable crop year after year has kept sales low.

Some companies are moving toward paddy production. In paddies mechanical harvesting equipment can be used and rather than the 4 to 10 percent yield from harvesting, 30 to 40 percent of the grain can be gathered by machine. Successful experiments in paddy growing in the past 3 years have widely increased interest and enthusiasm for possibilities in the profitable production of green rice. Many Indians who have opposed paddy cultivation in the past as a threat to their economy are now looking more favorably to a more controlled harvest. There are thousands of acres which could be developed for paddy rice if the proper research is funded. The diseases which presently bother natural stands could become more severe problems as stands are heavier and fertility is higher. Successful production of green rice is dependent on specific water chemical and water level and flow conditions. Obviously when raising the crop tables on a more artificial nature, these water factors will have to be thoroughly researched. New harvesting equipment will have to be developed and processing plants will have to be established with careful attention to storage and effective commercial distribution. Of course, hand in hand with an increased ability to produce will come needs for promotion efforts.

Research can open new acres to production and increase production three to four fold. It can assure a stable crop and increased commercial sales. The possibilities for more employment and a rise in per capita income for those involved in a wider green rice production and a better life for the Indians of the areas involved more than justify the request for $2 million for research.

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

S. 1389. A bill to promote the foreign policy and best interests of the United States by authorizing the President to negotiate a commercial agreement including a provision for most-favored-

nation status with Romania. Referred to the Committee on Finance.

THE ROMANIAN TRADE ACT OF 1971

Mr. MONDALE. Mr. President, since 1949, the United States has pursued a policy designed to prevent trade with Communist nations from threatening in any way the security or national interest of the United States.

We are still pursuing this basic policy, most notably in our export controls which prohibit the export of U.S. goods or technology which could contribute to the military potential of Communist nations or in any other way be contrary to the national interest of the United States.

But in addition to policies, laws, and regulations such as these, we also carry on our books a number of other provisions which, if they ever indeed contributed to our national interest and/or military security, do not do so today. Some of these restrictions, in fact, seem actually to be counterproductive, contributing to nothing but the economic benefit of our Western competitors and the continued economic and political domination of East Europe by the Soviet Union.

One such policy—surely the most damaging symbol of irrational hostility toward the East—is the denial of most-favored-nation treatment to all nations of Eastern Europe except for Yugoslavia and Poland.

The effect of such a denial is to impose upon the products of the rest of East Europe the old Smoot-Hawley tariff rates. Given such extraordinary discrimination against their products, there is little hope for any major expansion of peaceful, nonstrategic trade in East Europe—the fastest growing market in the world. For, aside from the great political damage rendered by such discrimination, the inability to sell goods to us severely limits the amount of goods they can buy from us, and places an unnatural and irrational limit upon trade in peaceful, nonstrategic goods.

I say "unnatural and irrational" because the discrimination against imports from the East European countries makes neither economic nor political sense.

The denial of most favored nation in no way contributes to our national security. All goods bound for East Europe must be licensed, and the presence or absence of most favored nation adds absolutely nothing to this protection.

Nor does it have any significant economic effort on the nations of East Europe. The denial of most favored nation status, in fact, keeps nothing from the East Europeans which cannot otherwise find its way there from the West—legally and with full concurrence of our Government. All this denial does is to prevent the East Europeans from earning the necessary dollars with which to become customers of U.S. exports in peaceful, nonstrategic goods. It is one more explanation why in 1969, with some 16 percent of total world trade, the United States enjoyed only 3 percent of the total trade between the East and the West—$249 million out of a total of over $8 billion. In the fastest growing market in the world, we lag behind West Germany, Italy, France, Great Britain, Yugoslavia, India, Egypt, Finland, Japan, Austria, and Sweden.

Nor, should I add, does the denial of most favored nation make sense in terms of the products against which it most discriminates. If we had reason, for example, to raise special tariffs against certain products from the East European countries, then such tariffs should be imposed with some semblance of precision and reason. I do not happen to think that such discriminatory tariffs should be necessary as long as we have basic protection against dumping and foreign export subsidies. But the denial of most favored nation across the board imposes a totally capricious set of discriminatory tariffs upon the products of these nations, unrelated to specific products or to any coherent economic or trade policy.

Mr. Harold Scott, Deputy Assistant Secretary of Commerce for Domestic and International Business and Director of the Bureau of International Commerce recently visited East Europe and had this summary comment to make on the most favored nation problem:

> The lack of MFN treatment to all East European countries except Poland is the most discussed major problem. To a degree, this deterrent while real also is partly psychological. There is a strong feeling among East Europeans that the lack of MFN is a form of punishment. Importers not only pay a higher duty but view such treatment as a symbol of the "unwelcome mat." One of the major purposes of our Mission was an examination, product by product and country by country, of export potential to the United States. Indeed there were many specific product areas where the lack of MFN removed all possibilities. There were, however, many of their products with some U.S. potential, despite the lack of MFN, that had not been aggressively promoted. One can speculate that occasionally the lack of MFN represents a warm security blanket under which Eastern European export enterprises can quite easily hide their lethargy. It is safe and practical to conclude that trade relations will not grow rapidly until the MFN problem is resolved. It is equally sound to conclude that East European countries have specific trade opportunities in the United States today with the existing tariff structure that they are not exploiting to maximum potential. We in Commerce hope to be helpful in this area in the months ahead, for we believe that political awareness of the MFN problem can be heightened by trading actively with consequent agitation by the business community for even broader trade which would result with MFN.

Actually, we do give most favored nation status to two East European countries: Yugoslavia and Poland. We also grant these two nations special treatment in our export control regulations, Yugoslavia being considered as "West Europe" for such regulations, and Poland—along with Romania—being given preferential treatment over all the rest of the East European countries.

What I am proposing today, Mr. President, is that the President of the United States be given authority to negotiate a commercial agreement with Romania, extending most forward nation, to that nation in return for equivalent benefits granted us and in our national interest.

This bill cosponsored by the Senator from Massachusetts (Mr. BROOKE) would grant "most favored nation" status at least to that nation which seems to be, in fact, "most favored" in the eyes of our Government.

In the summer of 1969, after Mr. Nixon concluded his most successful visit to Romania, he and President Nicole Ceausescu issued a joint statement reading:

> The two heads of state devoted particular attention also to the economic relations between their countries. While noting the upward trend which these relations have displayed in recent years they also agreed on the need in the interests of both countries to develop and diversify the economic ties between the United States and Romania. In this connection it was agreed to look for new ways of realizing the potentialities which this important field offers.

In the President's recent foreign policy message he declared:

> There are difficulties, which we recognize, attending close political relations between Eastern European nations and the United States. But within these limits there are opportunities for economic, scientific and technological contact which we are prepared to broaden on the basis of mutual benefits.
>
> Our trade with Romania doubled in 1970. We extended credits for the purchase of agricultural commodities and liberalized certain export controls for her benefit. We expanded educational and cultural exchanges and responded with immediate relief in medical supplies, foodstuffs, and other emergency needs when Romania suffered a disastrous flood in 1970.
>
> Romania and Yugoslavia have indicated by their policies a desire for cordial relations with the United States on the basis of reciprocity. Our relations have continued to improve because the pace and scope is determined in the first instance by them. We are responsive, and other countries in Eastern Europe who desire better relations with us will find us responsive as well. Reconciliation in Europe is in the interest of peace.

Mr. President, surely the foreign policy as well as the economic interests of the United States can be furthered by granting most-favored-nation status to Romania.

In the first three quarters of last year, we exported $46,218,000 to Romania and imported from that nation $10,019,000—for a more than 4.1 trade surplus. Our exports to Romania last year will be at least triple the 1968 figure of $16,680,000—signs of a great growth potential. I ask that a table showing total exports to and from Romania be included at this point in my testimony.

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

QUARTERLY REPORT UNDER EXPORT ADMINISTRATION ACT

TABLE E.—UNITED STATES TRADE WITH PRINCIPAL COUNTRIES OF EASTERN EUROPE, 1968, 1969, AND JANUARY-SEPTEMBER 1970

[Value in thousands of dollars]

Commodity	1968	1969	Jan.-Sept. 1970
TRADE WITH ROMANIA			
Exports, total	16,679	32,394	46,218
Food, beverages, and tobacco	494	1,175	4,036
Nonfat dry milk			1,060

QUARTERLY REPORT UNDER EXPORT ADMINISTRATION ACT—Continued

TABLE E.—UNITED STATES TRADE WITH PRINCIPAL COUNTRIES OF EASTERN EUROPE, 1968, 1969, AND JANUARY-SEPTEMBER 1970—Continued

[Value in thousands of dollars]

Commodity	1968	1969	Jan.–Sept. 1970
Wheat			2,237
Barley			554
Vegetables, fresh or dried		283	122
Soybean oilcake and meal	479	787	
Crude materials	2,584	4,960	12,647
Cattle hides, undressed	570	3,091	2,930
Rubber, synthetic	87	196	171
Woodpulp, chemical, dissolving grades	1,916	1,514	1,636
Woodpulp, chemical, except dissolving grades			216
Cotton, raw, except linters			5,732
Seeds for planting	7	6	903
Mineral fuels and related materials	966	4,089	13,910
Bituminous coal	953	891	1,380
Coke of coal, lignite, or peat		3,192	12,499
Chemicals	1,197	1,141	478
Pesticides and synthetic organic agricultural chemicals	556	303	93
Organic chemicals, other	18	348	49
Polymerization plastic materials	160	164	128
Insecticides, fungicides, herbicides, and disinfectants	88		(1)
Chemicals, other	376	326	207
Manufactures classified chiefly by material	2,610	10,576	10,124
Patent leather, parchment-dressed, and metallized leather	313		
Ferromanganese			922
Ferroalloys and spiegeleisen, except ferromanganese		210	1,051
Iron or steel plates and sheets, uncoated	1,898	6,656	5,710
Iron or steel plates and sheets, coated, except tin plate		1,846	793
Oil pipe of iron or steel	79	736	
Iron or steel pipes and tubes, other than cast-iron pipe or oil pipe	1	653	
Iron or steel tubes, pipes, and fittings, other	5	3	1,062
Drill bits, percussion bits, and parts	148	306	194
Metal manufactures, other	82	11	29
Manufacturers classified chiefly by material, other	85	154	362
Nonelectric machinery	6,913	8,783	3,053
Steam generating power boilers and parts	503	698	274
Harvesting machines	200	13	
Machinery for mowing, haying, and crop preparation	276	299	2
Electronic computers, including process control computers	346		
Statistical machines used with punched cards or tape	105	612	61
Grinding and polishing machines, metalworking	40	92	247
Punching and shearing machines, metalworking		1,418	
Presses, metalworking	135	7	
Gas-operated welding and similar metalworking appliances	499	914	
Grain milling machinery	70	413	287
Power cranes, draglines, and shovels, excavator type	11	246	8
Boring, mining, and well-drilling machinery	351	167	29
Glassworking machinery	2,415	488	609
Furnaces, burners, ovens, and kilns, except metalworking	213	305	50
Refrigerators and refrigerating equipment, except domestic	111	45	140
Machines for treating foods with heat or cold	378	239	19
Pumps for liquids	171	71	6
Air and gas compressors, except refrigeration type	321	85	323
Machine tools, parts, and accessories, mineral working	7	259	33
Machine tools, parts, and accessories, woodworking	55	1,400	15
Nonelectric machinery, other	709	1,014	950
Electric machinery and apparatus	780	901	846
Single sideband high frequency transceivers	108		
Electronic navigational aids	24	271	22
Electronic search and detection apparatus, including radar	93		
Telecommunications apparatus, other	89	10	2
Geophysical and mineral prospecting instruments	40	159	499
Electric instruments for measuring or controlling nonelectric quantities, other	164	42	26
Electric machinery and apparatus, other	263	420	296
Transport equipment	137	67	641
Power cranes and shovels, wheel or truck mounted			630
Special purpose vehicles, except power cranes and other excavating or drilling type equipment	118	55	
Miscellaneous manufactured articles	927	583	349
Instruments for physical or chemical analysis	83	75	23
Parts for scientific, measuring, or controlling instruments	192	257	83
Scientific, measuring, and controlling instruments, other	112	39	49
Photographic prints	348	1	
Miscellaneous manufactured articles, other	192	211	194
Other domestic exports	20	34	70
Reexports	51	84	66
Imports, total	5,553	7,966	10,019
Food, beverages, and tobacco	887	767	474
Cheese	685	537	345
Fruit, dried	57	41	46
Paprika	52		
Coriander	60	42	32
Food, other	28	120	33
Crude materials	582	310	307
Poppyseed	406	109	143
Feathers and down, crude	149	110	140
Crude materials, other	27	90	25
Mineral fuels and related materials	848	2,708	4,143
Distillate fuel oils		87	96
Residual fuel oils	848	2,621	4,047
Chemicals	31	165	1,362
Benzene		147	102
Toluene			336
Xylene			660
Organic chemicals, other			238
Manufactures classified chiefly by material	679	832	899
Wood manufactures, except furniture	60	75	91
Cotton fabrics, woven			198
Textile fabrics, woven, except cotton	25	87	43
Made-up textile articles	98	225	100
Carpets, carpeting, and rugs	81	90	81
Drawn or blown glass, unworked	224	135	132
Glassware	185	210	243
Nonelectric machinery	91	6	
Knitting machines	57		
Electric machinery and apparatus	3	(1)	
Transport equipment		2	
Miscellaneous manufactured articles	2,366	2,978	2,802
Bentwood furniture and parts	164	176	172
Chairs of wood, other than of bentwood	505	470	489
Furniture, other	108	120	180
Clothing	88	682	855
Footwear	1,171	1,188	806
Stamps	209	169	152
Baskets, handbags, and other plaiting material articles	61	58	57
Miscellaneous manufactured articles, other	61	114	91
Other imports	66	198	31
Returned goods	36	178	6

[1] From the 4th Quarter 1970 Quarterly Report on Export Control, U.S. Department of Commerce, Feb. 22, 1971.

Mr. MONDALE. Mr. President, it is obvious, in spite of this growth in trade, that Romania, with precious few dollar holdings and almost no way to earn them in this country, cannot continue to maintain such a deficit in her accounts with the United States.

A country cannot buy if it cannot also sell. And we cannot sell if we do not also buy.

I must point out that most favored nation is not a concession to be given without compensation. The Romanian Trade Act of 1971 does not require the President to grant most favored nation. Rather, it authorizes him to negotiate a commercial agreement—our part of which would be an extension of most favored nation treatment, and Romania's part to be the granting of equivalent commercial benefits to the United States.

Mr. President, I think that enactment of this legislation would be sound economics and sound foreign policy, furthering not only the commercial returns from expanded trade, but the political returns from closer ties to this key nation of East Europe. I ask that the full text of this bill, the Romanian Trade Act of 1971, be printed at this point in the RECORD.

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

S. 1389

A bill to promote the foreign policy and best interests of the United States by authorizing the President to negotiate a commercial agreement including a provision for Most-Favored-Nation status with Romania

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SEC. 101. This Act may be cited as the "Romanian Trade Act of 1971".

STATEMENT OF PURPOSES

SEC. 102. The purposes of this Act are—

(a) to maintain United States objectives in building a peaceful, democratic world;

(b) to promote constructive relations with Romania and to provide a framework helpful to private United States firms conducting business relations in Romania by instituting regular government-to-government negotiations concerning commercial and other matters of mutual interest; and

(c) to increase peaceful trade and related contacts between the United States and Romania, and as assistance in meeting United States balance-of-payments problems, to expand markets for products of the United States in Romania by creating similar opportunities for the products of Romania to compete in United States markets on a nondiscriminatory basis.

AUTHORITY TO ENTER INTO COMMERCIAL AGREEMENTS

SEC. 103. The President may make commercial agreements with Romania providing Most-Favored-Nation treatment to the products of Romania whenever he determines that such agreements—

(a) will promote the purposes of this Act,

(b) are in the national interest, and

(c) will result in benefits to the United States equivalent to those provided by the agreement to the other party.

BENEFITS TO BE PROVIDED BY COMMERCIAL AGREEMENTS

SEC. 104. The benefits to the United States to be obtained in or in conjunction with a commercial agreement made under this Act may be of the following kind, but need not be restricted thereto:

(a) satisfactory arrangements for the protection of industrial rights and processes;

(b) satisfactory arrangements for the settlement of commercial differences and disputes;

(c) arrangements for establishing or expansion of United States trade and tourist promotion offices, for facilitation of such efforts as the trade promotion activities of United States commercial officers, participation in trade fairs and exhibits, the sending of trade missions, and for facilitation of entry and travel of commercial representatives as necessary.

(d) Most-Favored-Nation treatment with respect to duties or other restrictions on the imports of the products of the United States, and other arrangements that may secure

market access and assure fair treatment for products of the United States; or

(e) satisfactory arrangements covering other matters affecting relations between the United States and Romania, and the improvement of consular relations.

EXTENSION OF BENEFITS OF MOST-FAVORED-NATION TREATMENT

SEC. 105. (a) In order to carry out a commercial agreement made under this Act and, notwithstanding the provisions of any other law, the President may by proclamation extend Most-Favored-Nation treatment to the products of Romania.

(b) Any commercial agreement made under this Act shall be deemed a trade agreement for the purposes of title III of the Trade Expansion Act of 1962 (19 U.S.C. 1901 et seq.).

(c) The portion of general headnote 3(e) to the Tariff Schedules of the United States that precedes the list of countries and areas (77A Stat. 11; 70 Stat. 1022) is amended to read as follows:

"(e) PRODUCTS OF CERTAIN COMMUNIST COUNTRIES.—Notwithstanding any of the foregoing provisions of this headnote, the rates of duty shown in column numbered 2 shall apply to products, whether imported directly or indirectly, of the countries and areas that have been specified in section 401 of the Tariff Classification Act of 1962, in sections 231 and 257(e)(2) of the Trade Expansion Act of 1962, or in actions taken by the President thereunder and as to which there is not in effect a proclamation under section 5(a) of the Romanian Trade Act of 1971;".

(d) Nothing in this Act shall be deemed to modify or amend the Export Administration Act of 1969 (50 U.S.C. App. 2401 et seq.) or the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1611 et seq.).

REPORTS TO CONGRESS

SEC. 106. The President shall submit to the Congress an annual report on the commercial agreements program instituted under this Act. Such report shall include information regarding negotiations, benefits obtained as a result of commercial agreements, the texts of any such agreements, and other information relating to the program.

By Mr. MONDALE:

S. 1392. A bill to provide certain services for Government employees in order to assist them in preparing for retirement. Referred to the Committee on Post Office and Civil Service.

FEDERAL EMPLOYEES PRERETIREMENT ASSISTANCE ACT OF 1971

Mr. MONDALE. Mr. President, I introduce today a bill which would provide Federal employees with a comprehensive program of preretirement counseling and assistance.

I have introduced similar proposals twice before—as S. 2295 of the 90th Congress in 1967, and in 1969 as S. 2554 of the 91st Congress.

The hearings and the interest in the subject generated by these two previous bills have already brought about some positive changes in attitude within the Government. But I think it is clear that the continuing, urgent need for a legislative directive to establish comprehensive preretirement planning has been demonstrated by the situation existing today.

The needs of retirees and prospective retirees have not changed. The transition from a daily work routine to retirement is surely one of the most difficult adjustments that modern man is called upon to make. "Retirement shock" is a well-known phenomenon to doctors. A combination of confusion and anxiety upon retirement is added to declining health and reduced income to produce not only general unhappiness, but often physical symptoms as well.

In a society which is both work oriented and youth oriented, retirement can produce a real identity crisis, and often a loss of interest in living. Yet, with adequate advance preparation, retirement from a job need not mean retirement from life. Techniques of self-renewal that will enable personal growth in every situation must be fostered.

At the hearings in 1967 John Gardner, then Secretary of Health, Education, and Welfare, commented:

I would like to stress here again the importance of tailoring preretirement training to the needs of the persons about to retire. Merely offering a series of lectures or classes will accomplish little. There must be individual counseling so that the special concerns of each person may be discussed privately and dealt with. And there must be a concerted effort to maintain contact with the older person as he nears the age of retirement and after he retires.

This expresses a need that is no less today, yet few of the existing programs begin to meet it.

I was amazed and appalled in 1967 to discover that only one-third or less of the more than 400,000 Federal employees then eligible for retirement had access to more than the most basic clerical help from their employers in preparing for retirement.

In 1969, at hearings on S. 2554, we heard again of the appalling lack and the great need for broad preretirement planning. I was gratified to learn, however, that the Civil Service Commission had commissioned a study of retirement planning programs, which found the preretirement planning was something both desired and needed among Government employees.

As a result of this study, the Civil Service Commission issued in July 1969 a bulletin announcing a change in position—from a neutral posture to one of positive encouragement of preretirement planning. It subsequently announced guidelines for retirement planning programs and a continuing series of training courses for preretirement advisers.

But in 1971, I have to conclude that much more is needed, and that necessity for a legislative directive has been reinforced, not alleviated. The steps taken by the Civil Service Commission are commendable, indeed, but they go only a short part of the way toward what is needed.

The Commission reports that in fiscal 1970, 21 training institutes were attended voluntarily by 419 agency advisers. This is an impressive show of interest; however, no statistics are available to indicate how many Government agencies actually have instituted preretirement programs. Ironically, the Civil Service Commission offers no such program itself. The guidelines suggested by the Commission, in no way guarantee the personalized, psychological preparation suggested by Mr. Gardner and others.

In 1967, of 96 agencies reporting on retirement planning, 61 had no programs at all, and 75 percent of these had no plans to develop them. With the positive encouragement of the Civil Service Commission, we can hope more are planning to develop them, but records on this matter and an outright directive from Congress are clearly needed.

Of approximately 2.5 million Federal employees, an estimated 320,000 are eligible to retire now. It is expected that 63,000 will retire in fiscal 1971, as opposed to 55,000 Federal retirees in 1969.

As the numbers increase, so does our responsibility to assure the hundreds of thousands of potential retirees that they will have the necessary assistance in preparing for this very difficult decision.

I believe the Federal Government offers particular advantages in providing such programs. The groundwork has been done in researching the many alternatives available to retirees: phased retirement, trial retirement, part-time work, development of a "second career."

With its provisions for early retirement, often as early as age 50 or 55, the Federal Government can offer not only the needed psychological preparation, but leeway in trying these alternatives.

Mr. President, I would fervently hope that this bill will receive early and favorable consideration in this Congress. The interest and the need for the programs it would require have been urgently demonstrated. We should make sure now that the Federal Government does not fall behind what private industry is doing for the persons who have served long and should be prepared for a happy and fruitful retirement.

Let us put into effect now the programs that will eliminate the prevalent attitude recently expressed by the director of a leading association for the study of old age. He said of retirement:

This is an unhappy subject. You don't get into it until you have to.

Let us assure now the program that will make retirement a happy subject, one which can be prepared for with hope, and not dismay.

By Mr. BURDICK:

S. 1394. A bill to amend the Bankruptcy Act to abolish the referees' salary and expense fund, to provide that fees and charges collected by the clerk of a court of bankruptcy in proceedings be paid into the general fund of the Treasury of the United States, to provide salaries and expenses of referees be paid from the general fund of the Treasury, and to eliminate the statutory criteria presently required to be considered by the Judicial Conference in fixing salaries of full-time referees. Referred to the Committee on the Judiciary.

BANKRUPTCY REFEREE'S SPECIAL SALARY FUND ABOLISHED

Mr. BURDICK. Mr. President, a bill relating to the administration of the Bankruptcy Act is S. 1394 which also have introduced today, in order to require that the fees in bankruptcy proceedings, which now are paid into a special fund used for defraying the salaries and expenses of referees, be paid in the general fund and that the salaries

and expenses of referees be paid out of the general fund.

The Judicial Conference at its March 16–17, 1970, meeting, upon the recommendation of its Committee on Bankruptcy Administration, authorized the Director of the Administrative Office to prepare a draft of an amendment to section 40 of the Bankruptcy Act (11 U.S.C. 68), and related sections, to abolish the self-supporting bankruptcy system in accordance with the policy adopted by the Conference at its October 31–November 1, 1969, session—Conference report, page 76. In that report the action of the Conference on matter is reported as follows:

COMPENSATION FOR FULL-TIME REFEREES

Judge Weinfeld stated that a subcommittee which he had appointed reported to the full committee on the criteria and method of fixing the salaries of full-time referees. The subcommittee emphasized the statement of policy approved by the Judicial Conference at the March 1969 session to the effect that the maintenance of a self-supporting bankruptcy system, as contemplated by Section 40 of the Bankruptcy Act, is no longer possible without placing an inordinate financial burden upon bankrupts and the assets of bankrupts. Pursuant to the subcommittee's report, the committee recommended to the Conference and the Conference approved a statement of policy that the present criteria for fixing salaries of full-time referees should be eliminated from the Bankruptcy Act and all full-time referees should be paid at the same rate within the limit upon such salaries established by the President's Salary Commission.

The salaries of full-time referees and part-time referees were increased respectively from maximums of $22,500 and $11,000 per annum to the present maximums of $36,000 and $18,000 per annum, commencing February 14, 1969, upon the recommendation of the President of the United States, pursuant to Public Law 90–206. See section 40a of the Bankruptcy Act (11 U.S.C. 68).

As authorized by the Judicial Conference, the Bankruptcy Division of the Administrative Office prepared a draft of amendments to section 40 of the Bankruptcy Act (11 U.S.C. 68) and related sections, to abolish the self-supporting bankruptcy system and to eliminate the present criteria for fixing salaries of full-time referees. The Committee on Bankruptcy Administration of the Judicial Conference considered the draft at its July 8, 1970, meeting and recommended that the conference approve it and authorized the Director to seek its introduction in the Congress. The conference approved this recommendation at its October 29–30, 1970, meeting.

The proposed bill makes only two substantive amendments in the existing law. The others are conforming and perfecting changes. The substantive changes are:

First. Section 1(b) of the proposed bill would amend the second sentence of subdivision a. of section 40 of the Bankruptcy Act to eliminate the statutory criteria now required to be considered by the conference in fixing the amount of salary to be paid a full-time referee. The existing criteria would continue to be applicable in the fixing of the salary of a part-time referee and in determining whether a position shall be part-time or full-time.

Second. Section 1(g) of the bill would amend subdivision c.(4) of section 40 of the Bankruptcy Act to abolish the referees salary and expense fund established in the Treasury of the United States and provide that all fees and charges collected by the clerks in bankruptcy proceedings be paid into the general fund of the Treasury of the United States instead of the account of the referees salary and expense fund. The salaries and expenses of referees would be paid from funds appropriated from the general fund of the Treasury.

Section 9 of the proposed bill provides that the amendatory act shall take effect on the first day of the month following the day of enactment. It also provides that any funds appropriated for the salaries and expenses of referees as of the effective date, shall be chargeable to the general fund of Treasury of the United States, and that any balance in the referees' salary and expense fund shall be transferred into the general fund of the Treasury.

Salaries of referees are fixed by the Judicial Conference of the United States within the maximum limitation authorized by the Bankruptcy Act. At the close of business June 30, 1970, there were 218 authorized referee positions and of these 184 were full-time of which seven received a salary of $25,000 per annum and the remaining 177 received a salary of $30,000 each. Of the 218 referee positions, 34 were part-time referees and four of these received $18,000 per annum and the salaries of the remaining 30 ranged from $10,000 to $15,000 per annum.

The clerical staffs of referees' offices, including full-time, part-time and temporary employees, totaled 855 at the end of fiscal year 1970. The salaries of the members of the clerical staffs are fixed by the Director of the Administrative Office of the U.S. Courts.

The salaries and expenses of the bankruptcy courts are paid out of the special fund—Referees' Salary and Expense Fund—in the U.S. Treasury which is made up from a portion of the filing fees in bankruptcy proceedings and certain other charges against the assets of bankrupt estates. The table below shows the annual payments into the obligations against the fund from July 1, 1960, to June 30, 1970, as well as the accumulated surplus in the fund as of June 30, 1970:

REFEREES' SALARY AND EXPENSE FUND

Fiscal year	Receipts	Obligations	Surplus
1961	$6,694,264	$5,737,526	$956,738
1962	7,339,837	6,605,714	734,123
1963	7,849,219	7,381,413	467,806
1964	8,890,400	7,798,844	1,091,556
1965	9,840,697	9,828,677	12,020
1966	9,926,676	10,673,577	−746,901
1967	10,578,782	11,241,727	−662,945
1968	10,881,669	11,879,379	−997,710
1969	11,173,176	13,440,000	−2,266,824
1970	11,041,534	15,573,000	[1] −4,531,460

[1] Subject to adjustment.

Note: Accumulated surplus June 30, 1960: $7,470,467; accumulated surplus as of June 30, 1970: $1,526,864.

It will be observed that obligations have exceeded receipts into the referees' salary and expense fund beginning fiscal year 1966. Recognizing this situation, the Bankruptcy Committee of the Judicial Conference of the United States proposed amendments to the schedules of fees and charges in asset, nominal-asset and arrangement cases to provide increased payments into the fund. These amendments were approved by the Judicial Conference to be effective July 1, 1969—pages 22 to 24, report of March 1969 session.

A further increase in the schedules of fees and charges in asset, nominal-asset and arrangement cases was proposed and approved by the Judicial Conference of the United States at the March 1970 session to be effective July 1, 1970—pages 24 to 25, report of March 1970 session.

Inasmuch as these fees and charges are not normally paid until the final stages of administration of the cases, the increased payments will not be reflected in receipts into the fund until fiscal year 1971 and thereafter. Receipts in 1971 and thereafter will also reflect the increased volume of bankruptcy business in 1970, particularly in the classifications of business cases and chapter XI—arrangement—cases.

The Judicial Conference recognizes, however, that the increased payments into the referees' salary and expense fund resulting from these changes in the schedules of fees and charges will fall short of raising the total payments into the fund to the level of annual obligations against it. Additional increases in the schedules would place an inordinate burden upon bankrupts and the assets of bankrupt estates.

The Judicial Conference concluded at its March 1969 session—pages 23 to 24 of the report—that the principle of a self-supporting bankruptcy system is outmoded and should be abandoned. Pursuant to this policy statement, the Director was authorized—page 25, report of March 1970 session—to draft an amendment to section 40 of the Bankruptcy Act (11 U.S.C. 68) and related sections to abolish the self-supporting bankruptcy system. This bill was approved at the October 1970, session of the Judicial Conference and is submitted herewith for introduction in the 92d Congress.

By Mr. BURDICK:

S. 1395. A bill to amend section 48 of the Bankruptcy Act (11 U.SC. 76) to increase the maximum compensation allowable to receivers and trustees. Referred to the Committee on the Judiciary.

BANKRUPTCY COMPENSATION OF RECEIVERS AND TRUSTEES

Mr. BURDICK. Mr. President, I am introducing today S. 1395 which will facilitate the administration of the estates of bankrupts under the Bankruptcy Act.

It is increasingly difficult to obtain qualified persons to serve as receivers and trustees, because of the limited compensation payable for necessary services rendered by such officers.

There have been no increases in the statutory maximum allowances provided for receivers since they were first enacted in 1910 and there have been no increases in trustees' rates since 1956. In the meantime costs have increased and salaries of others have increased.

The proposed legislation would permit the court to make discretionary allowances not to exceed $150 for a receiver and $250 for a trustee in those cases where the distribution is too small to provide an adequate basis for computing a reasonable allowance for the necessary services rendered.

Under this proposed legislation, the maximum allowances which are at present permitted for a trustee will be applicable to receivers. This will represent an increase in the percentage rates for receivers and also have the effect of increasing, for receivers, the range of the application of the higher rates to the medium and larger distributions.

The maximum allowances for trustees have been increased, with this proposal, by increasing the range in which the rates for a trustee are applicable.

The proposed increase in the custodial rate would make it unnecessary for the referee to enlarge the duties of the receiver in order to fairly compensate him for his services.

The proposed increases would apply only in bankruptcy cases initiated subsequent to the enactment of the proposed legislation.

The above bill was approved by the Judicial Conference of the United States at its October 1970 session.

By Mr. BURDICK:

S. 1396. A bill to amend section 35 of the Bankruptcy Act (11 U.S.C. 63) and sections 631 and 634 of title 28, United States Code, to permit full-time referees in bankruptcy to perform the duties of a U.S. magistrate. Referred to the Committee on the Judiciary.

Mr. BURDICK. Mr. President, I introduce for appropriate reference, S. 1396, to amend the Bankruptcy Act to permit fulltime referees in bankruptcy to perform the duties of a U.S. magistrate.

The Federal Magistrates Act, approved October 17, 1968, 82 Stat. 1107, provides that with the approval of the Judicial Conference of the United States "a part-time referee in bankruptcy—may be appointed to serve as a part-time magistrate," and authorizes the Conference to "fix the aggregate amount of compensation to be received for performing the duties of part-time magistrate and part-time referee in bankruptcy", 28 U.S.C. 634. The act, however, does not authorize a full-time referee in bankruptcy to perform the duties of a part-time U.S. magistrate. In addition, section 35 of the Bankruptcy Act, pertaining to qualifications for referees in bankruptcy, provides in part that an individual shall not be eligible for appointment as a referee unless he is "not holding any office of profit or emolument under the laws of the United States or of any State or subdivision thereof other than conciliation commissioner or special master under this title." Exceptions to this provision are made only in the case of a part-time referee in bankruptcy.

In the design and organization of the new system of U.S. magistrates two difficulties have arisen which would be ameliorated in part if a full-time referee in bankruptcy were authorized to perform the duties of a U.S. magistrate. First, there is the problem of a "back-up" for a magistrate who is ill, or temporarily away from his station on business or vacation. Some courts have requested authority to appoint a second part-time magistrate at some locations at a nominal salary to arraign defendants and set bail in the absence of the regular magistrate—a function which a full-time referee in bankruptcy might well perform. Second, certain language in the Magistrates Act and in the Bankruptcy Act seems to prohibit a court from combining a position of part-time referee in bankruptcy with a position of part-time magistrate, in order that it may have one full-time officer rather than two part-time officers. It is the view of the Judicial Conference of the United States and its Committees on Bankruptcy Administration and the Implementation of the Federal Magistrates Act that it would be in the interest of good judicial administration to permit full-time referees in bankruptcy to perform magistrate duties and to authorize a full-time combination position of referee in bankruptcy.

By Mr. CHURCH:

S. 1397. A bill to amend the U.S. Information and Educational Exchange Act of 1948 to impose restrictions on information activities outside the United States of Government agencies. Referred to the Committee on Foreign Relations.

PROHIBITING THE UNITED STATES FROM ENGAGING IN PROPAGANDA ACTIVITIES FOR FOREIGN GOVERNMENTS

Mr. CHURCH. Mr. President, last year the Committee on Foreign Relations held a series of hearings on the operation of U.S. advisory and assistance programs in Vietnam. The hearings revealed a great deal concerning the nature and extent of our involvement in the internal affairs of that country. Today, I wish to discuss briefly one of the most insidious of those programs and to introduce legislation to correct the underlying policy. I refer to the propaganda services which our Government renders on behalf of Vietnam.

Traditionally, American citizens have viewed with great suspicion anything that suggests the creation of an official Government information agency. And rightfully so. They realize that Government information programs cannot be divorced from political propaganda designed to serve partisan or personal purposes. Germany's experience under Goebbels lingers in the American memory.

Yet in Vietnam the U.S. Information Agency, which was created to promote better understanding of our country abroad, is now engaged in a massive campaign, using every tool of the communication arts, to sell the Thieu Government to the people of Vietnam. Through television and radio, and newspapers, magazines, and leaflets by the tens of millions, the USIA is teamed up with military psychological warfare specialists to inflict on the people of Vietnam the kind of official propaganda system that we refuse to allow in our own country. It is the ultimate corruption in a war which has for years now eroded the moral sensibilities of our Nation.

Our Vietnam policymakers under both Presidents Johnson and Nixon have assured the American people that all we seek for South Vietnam is the right of "self-determination." But is "self-determination" really possible as long as the United States spends millions of dollars in promoting the interests of the government in power in Vietnam, doing everything possible to convince the Vietnamese people that the Thieu government is their friend and protector? When the Vietcong and North Vietnamese view the magnitude of the U.S. propaganda and aid effort in Vietnam, there is little wonder that they are skeptical about repeated promises of free elections. I think my colleagues are generally aware of the importance of the mass media in election campaigns. Does anyone believe that opposition candidates, assuming that genuine opposition candidates are allowed, will be given equal time and treatment on Vietnamese radio and television or in the other U.S.-financed information programs, when the basic purpose of all these programs has been to win the Vietnamese people over to the Thieu government's side.

It is all very well to call for free and open elections; it is an appealing slogan. But when it comes to specifics as to who controls the campaign machinery, the mass media, and the election process, "free and open" is likely to look very much like "government controlled." Lack of credibility as to U.S. intentions has always been a major problem in communicating with the other side. The contrast between what is said by our Government concerning free elections and what we, in fact, do in promoting the interests of President Thieu demonstrates that the problem is far from being resolved. The United States should make it clear to all concerned that it will take a strictly neutral position in the coming election in Vietnam. To do so it must gear its activities to aiding the people, not the government. One of the most obvious ways to demonstrate neutrality is to cease assisting the Thieu government on propaganda programs.

Mr. President, since I was first elected to the Senate, I have told the people of Idaho that I would not support legislation which would authorize the Federal Treasury to pay the campaign expenses of nationally elected officials. I do not feel that the taxpayers of this Nation should support my campaigns or the campaigns of others for public office. I feel even more strongly that our Nation's taxpayers should not provide support to foreign political leaders in their attempts to gain favor with their own people.

I ask unanimous consent to have printed in the RECORD following my remarks the transcript of the Foreign Relations Committee hearing of March 19, 1970, concerning USIA operations in Vietnam. Nowhere in that act is there authority, direct or indirect, for any government agency to engage in a propaganda compaign to increase understanding between a foreign government and the people it governs. The simple fact is

that the U.S. Information Agency has assumed authority not conferred on it by the Congress.

I am introducing today a bill that will correct some of the abuses revealed in the hearing last year. The bill contains two simple provisions:

First. It prohibits the U.S. Information Agency, or any other U.S. agency, from assisting in the preparation or dissemination of information for a foreign government; and

Second. It requires that the USIA imprint, or the imprint of the appropriate agency, appear on any publication prepared for distribution abroad. The testimony last year revealed that the USIA has published a number of propaganda booklets in English concerning Vietnam—but without any mark as to their origin.

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

(See exhibit 1.)

Mr. CHURCH. Mr. President, the Smith-Mundt Act, the basic statutory authority for operation of the Government's overeas information programs, states that the objectives of the act are "to enable the Government of the United States to promote a better understanding of the United States in other countries, and to increase mutual understanding between the people of the United States and the people of other countries."

Mr. President, it is a sign of the times that the hearing which revealed the extent of U.S.I.A.'s selling efforts in behalf of the Thieu government failed to bring any appreciable public reaction. Apparently, the war has so numbed the American conscience that it is incapable of being shocked further over anything involving Vietnam. One of the most tragic aspects of the war is that we seem to have lost our capacity for indignation and outrage over our continued involvement in a lame-duck war which has never involved our vital interests. The use of our taxpayers' millions to package and sell the Thieu government, like a bar of soap, to its own people, is the ultimate hypocrisy. It should be stopped.

EXHIBIT 1

VIETNAM: POLICY AND PROSPECTS, 1970—U.S. ASSISTANCE ON INFORMATION MATTERS AND U.S. PSYCHOLOGICAL OR PROPAGANDA OPERATIONS, THURSDAY, MARCH 19, 1970

The CHAIRMAN. The next witness is Mr. Edward J. Nickel.

Swearing in of witnesses

Mr. Nickel, in keeping with the procedure followed in the previous hearings involving personnel brought back from Vietnam, in order that I show no partiality in this matter, I will ask you and your associates who may be called upon to testify to be sworn at this point. Would you please stand and raise your right hand.

Do you solemnly swear that the testimony which you are about to give will be, to the best of your knowledge, the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NICKEL. I do.

Mr. OSBORNE. I do.

Mr. HAYS. I do.

The CHAIRMAN. You have a prepared statement, I believe, Mr. Nickel?

Mr. NICKEL. I do, sir.

The CHAIRMAN. Would you proceed, please, sir.

TESTIMONY OF EDWARD J. NICKEL, DIRECTOR, JOINT U.S. PUBLIC AFFAIRS OFFICE, SAIGON, AND OTIS E. HAYS, OFFICE OF USIA ASSISTANT DIRECTOR FOR EAST ASIA AND PACIFIC

Mr. NICKEL. Mr. Chairman, I would like first to described briefly the office in Saigon which I head. It is called the Joint U.S. Public Affairs Office or JUSPAO. This Office, which was established in 1965, includes American military and civilian personnel and its functions are:

To provide policy guidance for all U.S. psychological operations in Vietnam.

To provide media materials in support of U.S. policy in Vietnam to the U.S. Information Agency for use in third countries.

To perfom the normal USIS cultural and information mission.

To provide assistance to the Government of the Republic of Vietnam (GVN) to improve its public information programs.

Assistance provided by JUSPAO

I will confine my statement to a description of this last function. JUSPAO's efforts in this regard can be grouped in four categories:

First, assistance in the construction and operation of mass media communication facilities including the national radio network and the national television network.

Second, assistance in the improvement of personnel, training, organization, methodology, and the equipping of the Ministry of Information's field organization called the Vietnamese Information Service (VIS).

Third, assistance in the production of information materials by the Government's mass media and by the Vietnamese Information Service.

Fourth, assistance through joint planning and joint production of information materials by JUSPAO and the Ministry of Information to support the Government's pacification and development programs.

Additionally, Mr. Chairman, JUSPAO indirectly influences the psychological warfare activities of the Vietnamese Armed Forces because we provide policy guidance for psychological operations to the U.S. Military Assistance Command (MACV) which assists the Vietnamese Armed Forces in this field.

These categories of assistance cover a wide range of cooperative efforts to which the U.S. Government and the GVN contribute staff, funds, and equipment. The number of personnel and the amounts of money contributed by each side have varied from year to year. However, in the last year and a half we in JUSPAO have begun to establish terminal dates for several assistance operations and to transfer greater responsibility for others to the Government of Vietnam. This process is related to the overall effort to replace the U.S. contribution to the war effort with an increased Vietnamese contribution.

Reduction of JUSPAO contributions

JUSPAO is presently in the process of defining specific reductions in its contributions of personnel, money, and equipment. By the end of the current fiscal year American civilian positions will be reduced by 31 (from 132 to 101); American military positions by 11 (from 118 to 107); Vietnamese positions by 42 (from 385 to 343); third-country nationals by eight (from 12 to 4). As the GVN absorbs more of our currently joint operations, more American positions will be eliminated.

Our support in the information field should be completely terminated by the middle of 1972. Some projects will be completed earlier. For instance, the terminal date for the television project is June 1971. Radio construction will be completed in the spring of 1971. However, technical training needed to operate the new radio network will require an additional year.

Our role increasingly will become more and more an advisory one as our financial support and our production of media materials is reduced. But, in the category of printed material, the GVN in the near future will not be able to take over all of our present production. We believe this situation will be partially offset when the radio and television networks are completed and when more Vietnamese Information Service personnel have been trained in face-to-face communication techniques. We are planning now to increase this type of training.

For some time the GVN has lacked trained and experienced personnel needed to sustain effective information programs. Our training programs and support have helped alleviate this problem to some degree. However, many of those trained have been drafted for military service. Mass communications skills will continue to be in short supply in South Vietnam for some time.

1970 pacification and development program

Lately the GVN has manifested an increasing understanding of the importance of developing better lines of communication with the people, especially those in rural areas. The 1970 pacification and development program expresses this awareness by making the goal of establishing an effective information system one of its eight national objectives. The realization of that goal could make an important contribution to successful communication between the Government and the governed.

Other objectives of the 1970 plan are designed to encourage increased participation by citizens in the governmental process and to encourage local initiative.

Among the substantive programs of the plan are land reform; elections at the local, provincial, and national levels; recruitment of citizens in local militia forces with arms provided by the Government; and Government grants of village self-help funds to be used for development projects the villagers themselves desire. A large part of the GVN information effort in 1970 and U.S. support for it is being devoted to publicizing these programs and encouraging the South Vietnamese citizens to participate in them.

I would like to describe some of our assistance projects and to indicate our plans for reducing them as the GVN assumes increasing responsibility for them.

U.S. assistance in radio

Between the years 1952 and 1964, the U.S. financed the purchase of low- and medium-power radio transmitters to help the GVN to set up stations in various parts of the country or to increase the signal strength of existing stations. The cost to the United States of this equipment was about $1.1 million. Australia contributed a high-powered station through the Colombo plan.

However, the collection of stations was never quite a network and its range was still inadequate. As the pace of the war stepped up 5 years ago, the United States began a project aimed at providing the GVN with an integrated radio network capable of reaching 95 percent of Vietnam's population, rather than the 65 percent possibly reachable with varying quality signals and programing through the then existing group of stations. Feasibility studies were followed by preconstruction architectural and engineering studies. These were almost completed when the 1968 Tet attacks took place. In those attacks transmitters at Hue and Ban Me Thuot were badly damaged as were studios and other installations in Saigon and Qui Nhon.

As a result of those attacks, the United States and GVN decided against constructing a 12-station network in favor of a network of four stations of higher power. This change was dictated by security and manpower considerations. It was felt it would be easier to protect four installations than 12, and also to staff them. The coverage of the

population would be the same in either case—more than 95 percent.

That four-station network is now being built and will be complete 1 year from now at a cost of approximately $6.8 million in U.S. funds. Technical training for operation and maintenance of the new network will continue for 1 year after construction is completed.

An additional sum equivalent to about $1 million in GVN-owned but jointly controlled counterpart funds is being used in the project.

The rest of the GVN contribution to this project is an indirect one, largely in the form of its budget for radio operations, including the salaries of a staff of 464 personnel. In 1965, that budget was the equivalent of about $750,000. This figure has increased steadily in the past 5 years. This year the budget is the equivalent of about $1.7 million.

We believe the quality of programing has improved during that period. More and more the GVN officials concerned with radio have become aware of the concept of providing a service to the people. This has resulted in increased use of radio broadcasting to engender participation by the people in Government programs ranging from land reform and improved agriculture to self-defense.

U.S. assistance in television

In 1966 the United States agreed to install a four-station television network in Vietnam. The GVN was committed to furnishing land, buildings, staff and an operating budget.

Telecasting initially was for 1 hour nightly to the Saigon area from an airborne transmitter. Now ground stations in Saigon, Hue and Can Tho are on the air an average of 4 hours nightly. Between Saigon and Hue an airborne transmitter provides coverage for the coastal area. By early 1971, a fourth ground station—at Qui Nhon—will have replaced the air operation.

The U.S. cost will total about $8.2 million when we phase out of the operation by July 1, 1971. GVN counterpart funds amounting to the equivalent of about $2 million paid for land and building costs. In addition, the annual operating budget of GNV television has risen from the equivalent of about $400,000 including salaries of 17 employees in 1966 to more than double that amount including salaries of 139 employees in the current year.

The CHAIRMAN. Could I ask for a point of information? Do the GVN counterpart funds arise from American imports?

Mr. NICKEL. In the original instance; yes, sir.

The CHAIRMAN. Is there any real distinction in their impact upon American costs between GVN counterpart funds and $1 million?

Mr. NICKEL. The difference, of course, sir, would be that they are not directly appropriated funds.

The CHAIRMAN. No; but the total cost really is American; is it not? It is not GVN. It is American costs expressed in two different ways.

Mr. NICKEL. It would be derived from the commercial import program.

The CHAIRMAN. OK.

Mr. NICKEL. A rigorous program of training in the difficult TV skills is being carried out under contract by the National Broadcasting Co., International. Most of the training is on vite in Vietnam. However, six engineers who will constitute the GVN supervisor engineering staff are being trained in the RCA Institute in New York.

We estimate there are now 300,000 TV receivers in Vietnam, with a viewing audience of about 2 million. Many sets are outside the cities in the heavily populated flat delta region where the signal is particularly good.

Of the programs presented by the GVN's TV network, less than 10 percent are imported. Ninety percent of the programing is locally produced, either live or on film or tape. As with radio, the television medium is used extensively to explain GVN programs to the people. Last September the GVN began a weekly program called "The People Want to Know," during which officials and other leaders are interviewed by journalists in the format of "Meet the Press."

U.S. assistance to Vietnamese Information Service

A major part of our assistance is directed to the operation of the Vietnamese Information Service. This is the field arm of the Ministry of Information, with officer staffs at corps headquarters cities and in all provinces and districts of the country. Starting this year, the Ministry began an intensive training program for additional personnel at the village and hamlet levels. As these new lower level personnel are trained, they are now being placed under the operational control of the village and hamlet chiefs with program support coming from district and provincial VIS offices.

The job of the VIS is to use a wide range of information and psychological techniques to support GVN programs as prescribed in guidances from the Ministry in Saigon. The techniques include the publication of district newsletters and province newspapers, leaflets and posters; the relaying of news and commentaries and the playing of prerecorded tapes over loudspeaker systems in village and hamlet centers; the showing of motion pictures; visits to families in villages and hamlets to discuss GVN programs affecting them; the distribution of national magazines and other materials received from the Ministry and JUSPAO; and the sponsoring with other local officials of campaigns, public meetings, exhibits and artistic and cultural presentations.

From fiscal year 1955 through 1967, the United States contributed an average of $497,000 in dollar funds annually to equip the VIS with audiovisual equipment, the vehicles, the office machines, and other materials necessary to carry out these programs. In the succeeding 3 years the dollar expenditure for this program has been $187,000 in 1968, $85,000 in 1969, and $60,000 in the current year. In the last 2 years we have gradually transferred to the GVN full responsibility for maintenance and replacement costs for this equipment as well as for the operation of repair centers.

During the same period, an average of the equivalent of $200,000 annually was used for the VIS from GVN counterpart funds. We do not have adequate figures for the GVN's budget for the VIS prior to 1964. However, from that year to the present the budget has averaged about the equivalent of $6.4 million annually through 1970. The 1970 budget is about the equivalent of $15 million, a substantial increase over previous years.

The CHAIRMAN. What caused that?

Mr. NICKEL. To a large extent, sir, an increase in personnel, but there was also a real increase in operations. There was a large increase in local personnel with the improvement of hamlet and village information programs.

U.S. Contact With VIS

Contact with the VIS is maintained both in the field and in Saigon. In the capital it is the function of several elements of JUS PAO. In the field it is carried out by 81 American civilian and military advisers located in 34 of the 44 Provinces. These advisers are detailed to the U.S. Military Assistance Command CORDS program and are under the operational control of the Province senior advisers at the Province level and the U.S. Command elements at the various corps headquarters. Just as the VIS chief is required to participate with the province chief and other GVN officials in planning and operating GVN programs, so our CORDS psychological operations staff perform a similar function within the U.S. province team. The providing of advice and support to the provincial VIS operation is the principal duty of these American psychological operations personnel.

Thus, the American structure for information operations parallels in broad outline that of the GVN, permitting a degree of coordination at all levels.

Efforts to Improve Efficiency of VIS

The efficiency of the VIS varies from place to place. Where key officials are dedicated and competent, operations are generally effective. And there are a number of these. Where they are not well motivated and energetic, the programs suffer. And there are some of these also. In the past year, two new approaches have been undertaken by the Ministry of Information with our cooperation to try to improve the efficiency of the VIS. These are the planning of a comprehensive series of training courses for various levels of VIS personnel and the regular holding of joint meetings of Saigon and field personnel, usually on a corps area basis. We believe these two measures have had and will continue to have a good effect on the VIS operation. During the current year, we will use the equivalent in counterpart funds of about $63,000 to support the training program. We are also providing the assistance of one American adviser to help develop course materials.

JUSPAO's Liaison With Ministry of Information

JUSPAO's liaison with the Ministry itself takes many forms. At the top, I meet frequently with the Minister and his senior staff. At the planning level, JUSPAO policy officers meet daily with Ministry officials to plan joint campaigns, instructions, and guidances to media producers and to field personnel. On the media production side, our writers and editors work together in the publication of magazines, pamphlets, posters, loudspeaker tapes, and radio programs.

I have tried, Mr. Chairman, to describe here the evolution of some of the current major programs we are conducting to assist the GVN in the information and psychological fields. In the expansion of these programs over the years, the American contribution has been substantial. So has the Vietnamese contribution. In the past 2 years, a considerable portion of the load the United States was carrying has been shifted to the GVN. We plan to continue moving in that direction.

Thank you, sir; that is the end of my statement.

The CHAIRMAN. Thank you, Mr. Nickel.

How long have you been in charge of this program, Mr. Nickel?

Mr. NICKEL. Two years, sir.

The CHAIRMAN. Do you live in Saigon?

Mr. NICKEL. I do, sir.

Magnitude of USIA Effort in South Vietnam

The CHAIRMAN. I believe you said there were 132 Americans under your immediate direction; in that correct?

Mr. NICKEL. We are reducing this year, sir, by 31 positions from 132 American positions to 101 American positions.

The CHAIRMAN. Is that in the office in Saigon or how extensive is this?

Mr. NICKEL. Those are civilian USIA officers, some serving in Saigon and some in the Provinces. I should add that we also have American military personnel serving with JUSPAO, sir.

The CHAIRMAN. You mentioned that in the Provinces you have military advisers who are Americans. Is that right?

Mr. NICKEL. We have some civilian advisers in the provinces but the bulk of them are military, sir.

The CHAIRMAN. To get some idea of the magnitude of the effort, take the present

fiscal year of 1970. Is it correct to say that the civilian positions are 132 or 101?

Mr. NICKEL. 101 civilian positions, sir.

The CHAIRMAN. That is in the current year.

Mr. NICKEL. Fiscal year 1970.

The CHAIRMAN. How many of these military advisers are assigned to this work?

Mr. NICKEL. We have 107 military spaces in JUSPAO, sir.

The CHAIRMAN. 208 is the total American personnel?

Mr. NICKEL. 208 is the figure, sir.

The CHAIRMAN. What is the size of the budget for the USIA operation in Vietnam?

Mr. NICKEL. The USIA budget for Vietnam, sir, is $6.4 million.

The CHAIRMAN. Is that for the year of 1970?

Mr. NICKEL. For fiscal year 1970; yes, sir.

The CHAIRMAN. Does that include construction or is that only support of the personnel?

Mr. NICKEL. That is the USIA component of the budget, sir. Construction would be funded by an AID component of our budget. I will give you these add-ons. We also have $2.4 million funded by AID and $2.1 million funded by the Department of Defense, to make a total budget available to me for JUSPAO's operations of $10.9 million.

The CHAIRMAN. Would that include the pay of the military men to whom you referred?

Mr. NICKEL. It does not include military salaries. However, it does include USIA civilian salaries.

The CHAIRMAN. The military salaries would be in addition then?

Mr. NICKEL. They would be in addition, sir.

The CHAIRMAN. Do you have any estimate of what that would cost?

Mr. NICKEL. I have no estimate, but I could furnish it for the record.

(The information referred to follows:)

Pay and allowances of military in JUSPAO

(The military pay and allowances, as reported by the four Military Services whose personnel are involved, amount to $1.2 million.)

The CHAIRMAN. What I am trying to get and what we are interested in is the total cost of this overall operation. It is the usual basic material that we would like to have.

Mr. NICKEL. I could furnish the information about military pay, sir.

Military personnel working in propaganda field

The CHAIRMAN. Do these personnel figures include the personnel in the military units not associated with USIA who work in the field of propaganda?

Mr. NICKEL. They do not, sir.

The CHAIRMAN. Do you know how many people are in that?

Mr. NICKEL. May I furnish that, sir. I have it, but I cannot put my hands on it.

The CHAIRMAN. Yes; you can furnish it. Could you give a rough estimate that you can correct later?

Mr. NICKEL. Sir, I now have the information. In 1970 there are 761 U.S. military psyops filed personnel and 50 serving on staff or as advisers to the Vietnamese, for a total of 811.

The CHAIRMAN. That is very much larger than your own operation; is it not?

Mr. NICKEL. That is right, sir.

Mission of Juspao

The CHAIRMAN. This brings up a further question. What do you consider to be the mission of your operation? What are you trying to accomplish?

Mr. NICKEL. My principal mission, sir, is to assist the Vietnamese Government in developing and conducting an effective program of communications.

The CHAIRMAN. Your mission is to assist the Vietnamese Government to create a system of communications? It that it?

Mr. NICKEL. To assist the Vietnamese Government in developing a means of communicating with the electorate and to provide technical and professional advice.

The CHAIRMAN. What leads you to believe that the purpose of our Government in establishing the USIA was to create an agency to create a means of communication for a foreign government?

Mr. NICKEL. I would answer that Mr. Chairman, by stating that my operations are responsive to the instructions and directions I receive from the Director of the U.S. Information Agency and from the American Ambassador in Saigon.

The CHAIRMAN. Then you would characterize your mission to be to carry out orders. Is that the right way to put it?

Mr. NICKEL. In my position; yes, sir.

The CHAIRMAN. You have no idea what the real mission of this operation is other than to carry out orders?

Mr. NICKEL. I know what my instructions are.

Authorization of Joint U.S. Public Affairs Office Mission Questioned

The CHAIRMAN. This is a matter, I think, of considerable interest. Let me refer to section 2 of the basic legislation creating this operation:

"The Congress hereby declares that the objectives of this Act are to enable the Government of the United States to promote a better understanding of the United States in other countries and to increase mutual understanding between the people of the United States and the people of other countries."

Do you think that language authorizes USIA to create for another country a system of communications for that government and its people?

Mr. NICKEL. My organization, the Joint U.S. Public Affairs Office, Mr. Chairman, was established in 1965 by order of the President. I would suggest that any justification of the suitability of the mission we are performing is something that should be addressed to the people to whom I report. I would be very happy to address this problem to them.

The CHAIRMAN. I think it would be very interesting if you would. You say it was created by Executive order. It was not created by statute. There is no statute law authorizing you to do what you are doing; is there?

Mr. NICKEL. I said that the U.S. Public Affairs Office was created as a result of Presidential directive.

The CHAIRMAN. Yes. And in pursuance of that action you have been directed by your superiors to do what you are doing. So you would not wish to undertake to say what this whole operation is intended to accomplish for the people of the United States; would you?

Mr. NICKEL. I believe I said earlier, sir, that my mission in Vietnam was in large measure to assist the Vietnamese Government in developing and improving its means of communicating with its people.

Establishment of Ministry of Information questioned

The CHAIRMAN. It occurs to me that in this country there has always been not only a great reluctance, but aversion, to the creation of a ministry of information in our Government to inform our own people. Is that not so?

Mr. NICKEL. That is correct, sir.

The CHAIRMAN. Does the law not specifically forbid the USIA to indoctrinate or brainwash, or whatever you want to call it, the American people? Is that not so?

Mr. NICKEL. Clearly, sir.

The CHAIRMAN. Are you not creating in Vietnam just such an information agency? The way you describe here what you have done and are in the process of doing, it is to create in Vietnam an agency to enable that Government to control its people through this device which we ourselves abhor in this country? How does this seem to you to be consistent with our own views?

Mr. NICKEL. I would suggest, Mr. Chairman, that Vietnam is not unique in possessing a ministry of information. I would also suggest that in Vietnam, as in many other developing societies, there do not exist any strong commercial or nongovernmental media.

The CHAIRMAN. Mr. NICKEL, I am quite aware that it is not unique. In every dictatorship I know of they have a ministry of information just like this. But we are told, on the one hand, that we are seeking to establish the government of self-determination and this leaves the impression we are seeking to establish a democratic system there.

I quite agree with you that information agencies are typical. They were typical of Hitler's Germany and typical of nearly every dictatorship and authoritarian government I know of, but I would not have thought we would be a party to helping construct such a governmental apparatus.

Mr. NICKEL. Are there not also some regimes we regard as being democratic that have ministries of information?

The CHAIRMAN. What, for example, would be one from your point of view?

Mr. NICKEL. If I am not mistaken, is there not a French Ministry of Information?

The CHAIRMAN. I would not know. Is there one in Sweden, which is a country that I think has achieved a high degree of democracy or self-determination if you like, or England? I do not recall that in England they have a minister of information whose job it is to sell the people of England upon the merits and virtues of that Government. I do not recall ever having heard of it. France has recently gone through a rather unusual evolutionary period, almost revolutionary under De Gaulle, of course, and France may be an example. I would not want to say for sure. I do not know that.

GVN closing of private newspapers

How many private newspapers have been closed by the Government of Vietnam during the past year?

Mr. NICKEL. I could not give you the number, sir.

The CHAIRMAN. There have been several.

Mr. NICKEL. There have been several closings.

The CHAIRMAN. You say there is not a heavily developed private sector. It is largely because that Government is so sensitive to criticism that they close the private newspapers whenever they criticize the Government. Is that not a fact?

Mr. NICKEL. There have been some closings; yes, sir.

The CHAIRMAN. Do you ever feel a bit uncomfortable in being alined with a government which is so clearly an authoritarian government or do you feel perfectly comfortable in your relationship with that government?

Mr. NICKEL. I have no problems in performing my job.

The CHAIRMAN. You have no problems. You feel perfectly at home?

Mr. NICKEL. Yes, sir.

USIA pay and allowances in South Vietnam

The CHAIRMAN. Coming back to a more pedestrian subject of the costs, could you tell me what is the average pay of the American employees of USIA in Saigon?

Mr. NICKEL. The average pay for a USIA employee with JUSPAO, sir, including allowances, minus housing, would be about $28,900.

The CHAIRMAN. What is the total cost to the Government of the United States for those employees, including everything? Do they furnish housing?

Mr. NICKEL. Yes, housing is furnished, sir. I am unable to break out that figure for an individual. Do you want the total cost?

The CHAIRMAN. Perhaps if you could tell me your own. What is your pay and what do your allowances amount to? You are the Director?

Mr. NICKEL. That is right, sir.

The CHAIRMAN. What is your total? What is the total cost to the Federal Government?

Mr. NICKEL. The combination of my salary and allowances, again making no provision for my housing, is $45,473.

The CHAIRMAN. Plus housing?

Mr. NICKEL. Housing?

The CHAIRMAN. Do they furnish you with a house?

Mr. NICKEL. I am furnished with housing.

The CHAIRMAN. What would be the reasonable cost of the house that is paid for by the Federal Government?

Mr. NICKEL. That is right, the house is paid for by the Federal Government.

The CHAIRMAN. How much is that? You ought to know that.

Mr. NICKEL. Let me see if I have that, sir.

The CHAIRMAN. You have been there for 2 years. You have no idea what that would be?

Mr. NICKEL. My house, sir, is a U.S. Government house.

The CHAIRMAN. Is it a good house?

Mr. NICKEL. It is comfortable, sir.

The CHAIRMAN. Was it one that the Government built or is it an old villa?

Mr. NICKEL. It was there. It is a U.S. Government-owned house.

The CHAIRMAN. How many houses does the U.S. Government own in Saigon? Do you know?

Mr. NICKEL. I do not know that answer, sir.

The CHAIRMAN. Is it several?

Mr. NICKEL. It is more than several.

The CHAIRMAN. It is more than several.

Then I would estimate your total cost would be somewhat in the neighborhood of at least $50,000.

Mr. NICKEL. That would seem right, sir.

The CHAIRMAN. Are you furnished an automobile?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Are USIA officials in Saigon given special pay equivalent to combat pay for military people?

Mr. NICKEL. No, sir. We receive a differential.

The CHAIRMAN. What does it amount to? Is it 25 percent?

Mr. NICKEL. Twenty-five percent.

U.S. communications assistance to other countries

The CHAIRMAN. If our Government decides that it is proper to furnish assistance in the building of a propaganda operation for Vietnam, how does it decide in which country to do this? Is this the only country in which we have done this?

Mr. NICKEL. Specifically have done what, Mr. Chairman?

The CHAIRMAN. Have we created a communications system which enables the government to, as you say, communicate with its citizens? Have we done it in Thailand? Are we doing it or have we done it in Thailand? Does the USIA have a comparable operation in Thailand, may be not on as large a scale but a lesser scale?

Mr. NICKEL. Certainly, as you say, not comparable in order of magnitude.

The CHAIRMAN. Do we have a similar operation?

Mr. NICKEL. I am not—I personally am not aware that——

The CHAIRMAN. Are any of your associates?

Mr. NICKEL. I am not aware and I do not think my associates are aware that we are doing any such thing as building a TV network or building a radio network. I cannot speak more directly to the specific programs, sir.

Newspapers closed by GVN

The CHAIRMAN. Before I leave that, you said you did not know how many newspapers. Do either of your associates know how many newspapers the government of Saigon has closed in the last few years?

Mr. HAYS. No, sir.

The CHAIRMAN. Is that information not available?

Mr. OSBORNE. It can be made available. I do not have it available.

The CHAIRMAN. Would you supply it for the record?

Mr. OSBORNE. Yes, sir.

(The information referred to follows:)

Newspapers suspended by GVN from 1968 through March 23, 1970

During 1968 the Government of Viet-Nam indefinitely suspended six newspapers. Sixteen others were temporarily suspended, for an average of 35 days per suspension.

During 1969 through March 23, 1970, the GVN indefinitely suspended 12 newspapers. An additional 14 received temporary suspensions ranging from a few days to almost 11 months, for an average of 46 days per suspension.

The CHAIRMAN. I notice in the paper every now and then there is a notice that X paper has been closed by the government. I simply have not made a counting of it, but I am under the impression there have been several.

Mr. NICKEL. I will supply it, sir.

The CHAIRMAN. Of course the government controls the supply of newsprint and it is no problem for them simply to cut off the newsprint if they wish to close a newspaper. Is that so?

Mr. NICKEL. Yes.

USIA analysis of South Vietnamese public attitudes

The CHAIRMAN. Does the USIA, Mr. Nickel, or any other agency attempt to analyze Vietnamese public attitudes periodically?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Have polls been taken?

Mr. NICKEL. Yes, sir; polls have been taken.

The CHAIRMAN. How is this done? It is done by you directly or by contract?

Mr. NICKEL. By contract, sir.

The CHAIRMAN. What organization has done it?

Mr. NICKEL. May I answer that, Mr. Chairman, by saying that I have been informed that you have written the Director of the U.S. Information Agency asking for information about our polling in Vietnam, that this is now under consideration, and that I would prefer to have the information come to you through that channel.

The CHAIRMAN. I wrote that letter partly to give you notice that this is a matter in which we are interested. I hoped that you would be prepared to answer it this morning. Are you saying that this is a matter that affects our security and that you do not wish to testify in open session on it?

Mr. NICKEL. I prefer not to go beyond stating, sir, that we do engage in polling in Vietnam, as in some other countries.

Witness' instructions concerning testimony about polling

The CHAIRMAN. Have you been instructed to state to the committee that you will not testify in open session on this matter?

Mr. NICKEL. I am not able to discuss the polling in open hearing, sir.

The CHAIRMAN. Have you been instructed not to respond to questions about polling?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Who instructed you, sir? Did Mr. Shakespeare tell you not to answer such questions? If not, who did?

Mr. NICKEL. I have been instructed by my principal.

May I have just one moment, sir?

The CHAIRMAN. Certainly. You confer with your lawyer if you like.

Mr. NICKEL. In answer to your question, sir, I have been instructed by the director of my agency.

The CHAIRMAN. Mr. Shakespeare has instructed on this?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. What grounds did he give you for instructing you not to reply to this question?

Mr. NICKEL. This question is under consideration as to the possible security elements involved.

The CHAIRMAN. Possible security involved.

You heard the previous witness, Congressman McCloskey; did you not?

Mr. NICKEL. I did, sir.

The CHAIRMAN. You realize that this committee has some authority in the authorization of the funds for your agency; do you not?

Mr. NICKEL. I am very well aware of that.

The CHAIRMAN. We normally expect people in USIA to respond to questions about their operations if they expect this committee to authorize any funds for the agency. You realize that; do you not?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Does Mr. Shakespeare realize that?

Mr. NICKEL. I cannot speak for Mr. Shakespeare, sir.

The CHAIRMAN. I want to make it clear that I do not accept your reason for refusing to answer. It is a perfectly legitimate question. You are engaged in an activity which is very dubious in its authority under an executive order, in any case, and I think that you should be very careful in refusing to answer questions about these operations.

I would like to know how much you paid, for example, for a contract to take a poll in Vietnam and see how it compares to polls in this country. Would you be willing to say how much you paid for the poll?

Mr. NICKEL. I do not believe I am able to, sir.

The CHAIRMAN. Who was the gentleman who advised you not to answer? Was he sworn also?

Mr. NICKEL. The gentleman with whom I just talked did not advise me not to answer.

The CHAIRMAN. He did not?

Mr. NICKEL. I wanted to check something with him. He is the General Counsel of the U.S. Information Agency.

The CHAIRMAN. He did not advise you as to your instructions.

It is very unusual. I did not expect you to refuse to answer these questions. One reason why I sent the letter inquiring about these matters was, as I say, to alert the Agency that we are interested in the poll.

When was the latest poll taken? Will you refuse to answer that?

Mr. NICKEL. I find myself unable to answer it, Mr. Chairman.

The CHAIRMAN. You mean by saying "unable" that you do not know?

Mr. NICKEL. No, sir.

The CHAIRMAN. Do either of your associates know when the latest poll was taken?

Mr. NICKEL. I believe, sir, that they are bound by the same instructions.

Witness' instructions concerning subject of polling

The CHAIRMAN. I asked you if you were instructed to tell it. There is a difference between your answer if you know, and are instructed not to tell and if you do not know. I want to make the answer clear. On what grounds are you refusing to say when the latest poll was taken?

Mr. NICKEL. I am under instructions, sir, not to discuss this subject.

The CHAIRMAN. Then you do know when it was, but you are under instructions not to discuss the subject. You are in effect taking the equivalent of the Fifth Amendment; is that correct?

Mr. NICKEL. No.

The CHAIRMAN. Why is that not correct? You do not consider that the USIA is a sensitive undertaking similar to the CIA; do you?

Mr. NICKEL. No, sir.

The CHAIRMAN. Usually your activities are open and above board; are they not?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. You are not authorized to engage in covert operations; are you?

Mr. NICKEL. No, sir.

The CHAIRMAN. Would you be willing to answer this kind of question? What was the poll about? Did it ask about the attitude of the local citizens toward Americans?

Mr. NICKEL. I find, sir, in line with my instructions, that I am unable to discuss the subject of polling.

The CHAIRMAN. You would not discuss as to whether or not the poll involved the question of the extent of the support of the Vietnamese people for the Thieu government?

Mr. NICKEL. I do not believe, sir, in line with my instructions, that I am able to respond.

The CHAIRMAN. I may say before I leave this subject, this is very unsatisfactory. I regret very much, and I hope you will tell your superior, Mr. Shakespeare, that, speaking for myself, I very much regret this attitude. This committee is entitled to know what the poll cost, what it asked, and what the results were.

This is not a document, it seems to me, that comes under executive privilege. It has nothing whatever to do with the President directly. I mean it is not a confidential document. It is a matter that is paid for by the public funds of the Government, and the committee is entitled to actually have the poll, in my opinion, and we shall ask for it. I regret he gave you such instructions.

U.S. ADVISORY WORK IN TV, RADIO, AND PRINTED MATERIALS

Do the U.S. advisers work with the Vietnamese on matters involving TV and radio program content and makeup?

Mr. NICKEL. Our advisers work with both radio and TV. They occasionally are involved in the format of a program.

The CHAIRMAN. Do they work with them in the preparation of printed information materials?

Mr. NICKEL. Yes, sir.

Gun media's treatment of Tran Ngoc Chau case

The CHAIRMAN. Was the case of Tran Ngoc Chau reported over the Vietnamese radio and television stations?

Mr. NICKEL. I can only assume it was I would have to retire to an assumption because I was not in Saigon at that particular time, Mr. Chairman.

The CHAIRMAN. Are you familiar with the Chau case?

Mr. NICKEL. I have read about it; yes, sir.

The CHAIRMAN. Do you know Mr. Chau?

Mr. NICKEL. I do not, sir.

The CHAIRMAN. Do either of your associates know whether or not the radio and television stations of Vietnam carried any news about Mr. Chau?

Mr. HAYS. No, sir.

The CHAIRMAN. You do not know?

Mr. HAYS. No, sir.

The CHAIRMAN. You do not know?

Mr. OSBORNE. No, sir; I do not.

The CHAIRMAN. Were any printed materials put out by the South Vietnamese Government on this case?

Mr. NICKEL. I do not know, sir. I can find out.

The CHAIRMAN. In your statement you say "JUSPAO's liaison with the ministry itself takes many forms." That is the Ministry of Information.

Mr. NICKEL. Yes, sir.

The CHAIRMAN. You say:

"At the top, I meet frequently with the Minister and his senior staff. At the planning leved, JUSPAO policy officers meet daily with Ministry officals to plan joint campaigns, instructions and guidances to media producers and to field personnel. On the media production side, our writers and editors work together in the publication of magazines, pamphlets, posters, loudspeaker tapes, and radio programs."

In doing all of that, do you still say you do not know whether anything was put out on the Chau case?

Mr. NICKEL. If I may offer a brief explanation, sir, our relationship with the Ministry would deal with things like support of the pacification program, but would not consist of liaison in terms of tactical matters. We have never had occasion to discuss the Chau case with anyone in the Ministry.

The CHAIRMAN. Did our advisers or did you advise against the public attacks on Chau by the Government media?

Mr. NICKEL. I have never personally been involved in the Chau case in any way, sir.

The CHAIRMAN. Did any of your employees under your direction give any advice whatever about the Chau case?

Mr. NICKEL. I do not believe so, sir. Again, I wish to state that I myself was absent from Saigon during most of this period, but I believe that they did not.

Kinds of advice given to GVN by JUSPAO

The CHAIRMAN. Does the Minister of Information in Saigon ever ask your advice about the formulation of his Government's public position on major issues?

Mr. NICKEL. My discussions with the Minister in line with my own responsibilities, sir, are concerned more with the operations of the Vietnamese Information Service program than with substance.

The CHAIRMAN. Then are you saying you do not give him advice about substantive measures; is that right?

Mr. NICKEL. My advice is primarily operational.

The CHAIRMAN. Is it exclusively?

Mr. NICKEL. No. We might, for example, Mr. Chairman, discuss how best to promote or to conduct information campaigns in support of the People's Self-Defense Force, and matters like that which fall within the pacification and development program.

I think I should point out that I am not responsible, Mr. Chairman, for our press operation in Vietnam. That responsibility falls to a colleague of mine who is the special assistant for press affairs to the Ambassador. As the director of JUSPAO I do not speak for the Embassy on press affairs.

The CHAIRMAN. What is his name?

Mr. NICKEL. Mr. Newman.

The CHAIRMAN. Is he in Saigon now?

Mr. NICKEL. He is in Saigon, sir.

The CHAIRMAN. Have you discussed with the Information Minister the South Vietnamese refusal to attend the opening of the expanded Paris talks?

Mr. NICKEL. I did not, sir.

The CHAIRMAN. Did you discuss with him what the official reaction to the death of Ho Chi Minh would be?

Mr. NICKEL. We had some discussion with the Ministry of Information about this matter; yes, sir.

The CHAIRMAN. What was your advice to them with regard to how to treat the death of Ho Chi Minh?

Mr. NICKEL. We agreed, sir, that a maximum effort should be made to inform the enemy forces in Vietnam of Ho's death. We also agreed that our treatment should be straight information, and that there should not be any exultation in our output to the enemy forces.

Advice concerning impact of GNV policy on United States

The CHAIRMAN. Do you or any of your officials ever advise President Thieu or other GVN officials on the potential impact in other countries of policy matters, particularly about the potential impact in the United States of GVN policies?

Mr. NICKEL. I do not advise Vietnamese officials about the impact on the United States or the impact on American public opinion, sir.

The CHAIRMAN. Does anyone?

Mr. NICKEL. I presume this is discussed, but not by me, sir.

The CHAIRMAN. You do not know of it. You are not aware of any such advice?

Mr. NICKEL. Not specifically; no, sir.

The CHAIRMAN. You are not aware of any advice that was given to Mr. Thieu or anyone else in the higher echelons of the Government as to the possible reaction in this country of the imprisonment of Mr. Chau?

Mr. NICKEL. As I said earlier, I was not involved in the Chau case. I do not know.

The CHAIRMAN. It would not be a deep involvement.

Has there ever been any discussion with them about the impact in this country of his imprisonment of Mr. Dzu? Do you know about Mr. Dzu?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. You are aware of who he is?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Do you know what happened to him?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Did you ever advise them as to what the reaction in this country is to his imprisonment?

Mr. NICKEL. I have never advised the Minister of Information about impact on U.S. public opinion.

The CHAIRMAN. Do any U.S. personnel ever assist Vietnamese officials in the writing of speeches?

Mr. NICKEL. Certainly no one in my organization, to the best of my knowledge.

The CHAIRMAN. Are U.S. officials consulted by Vietnamese officials in the handling of statements that relate to U.S. policy?

Mr. NICKEL. I presume so, sir, but not within my cognizance so far as my organization is concerned.

The CHAIRMAN. You do not know anything about it anyway?

Mr. NICKEL. No, sir.

U.S. personnel located at Ministry of Information

The CHAIRMAN. Are any Americans attached directly to the Minister of Information's office?

Mr. NICKEL. We have one or two Americans, Mr. Chairman, who are physically located in the Ministry of Information headquarters building for liaison purposes. They are not attached directly to the office of the Minister.

The CHAIRMAN. What is their function?

Mr. NICKEL. They perform liaison in terms of our overall advisory efforts. I believe the thrust of your question was whether any of my officers are attached directly to the office of the Minister. No one serves directly on the Minister's staff, sir.

The CHAIRMAN. There is no such thing as an adviser to the Minister of Information?

Mr. NICKEL. We have advisers to various elements of the Ministry. There is no adviser to the Minister, sir.

U.S. advisers to elements of ministry of information

The CHAIRMAN. I do not know enough about it to make a distinction. Could you tell us the distinction? I mean advisers to an element. What is an element? It is a person; it is not? You advise people; do you not?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. What do you mean by that?

Mr. NICKEL. We have advisers who work with the radio network. We have advisers who work with the TV network.

The CHAIRMAN. What do they do?

Mr. NICKEL. We have advisers who work with the Vietnamese Information Service.

The CHAIRMAN. About what do they advise them? Do they not advise them about U.S. policy?

Mr. NICKEL. Most of their advice, sir, is concerned with improving operational effi-

ciency of the various elements of the Information Ministry.

The CHAIRMAN. How do you improve the efficiency without any attention to the substance which they are using? Do you mean to say they are concerned only with the technical operation of the broadcast system?

Mr. NICKEL. No, sir. With respect to the Vietnamese Information Service, for example, our advisers would be concerned with discussing with their Ministry counterparts how best, for example, to support and promote the various objectives of the pacification and development program.

Handling of Mylai massacre

The CHARMAN. How has your Agency handled the Mylai massacre theme during the past several months?

Mr. NICKEL. JUSPAO, sir, has handled the Mylai incident by taking the position that a serious investigation is underway by the U.S. Government and that if a crime has been committed, the U.S. Government will try the personnel concerned. In other words, we have not in any way attempted to be evasive. We take the position it is under investigation and we have to wait and see what the investigation reveals.

The CHAIRMAN. What has been the position of the Vietnamese information Service regarding these incidents?

Mr. NICKEL. I think the Vietnamese Information Service position has been very similar to ours, sir.

The CHAIRMAN. Did the USIA or other American advisers offer advice to the Government of South Vietnam about the handling of this matter?

Mr. NICKEL. Our policy people in JUSPAO discussed it with the policy people in the Ministry of Information with respect to the guidance that should be given to the psyop media.

The CHAIRMAN. Did the Vietnamese Government play down the incident as being of little importance?

Mr. NICKEL. It has been treated in the Vietnamese press. I am unable to say myself whether the Vietnamese Government played it down, sir. It certainly has been mentioned in the Vietnamese media.

The CHAIRMAN. Would you say that it had been emphasized or was it deemphasized as a matter of great significance?

Mr. NICKEL. It certainly has not been emphasized, sir.

Treatment of Communist massacres at Hue

The CHAIRMAN. How has the USIA treated the Communist massacres at Hue in the program aimed at the Vietnamese people through leaflets, newspapers, or television?

Mr. NICKEL. We have done our best to assist the Vietnamese in telling the story of the massacres at Hue, sir.

The CHAIRMAN. Has the USIA itself in its own pamphlets, newspapers and programs emphasized the massacre at Hue?

Mr. NICKEL. We in JUSPAO have provided material to USIA for use by USIA posts in other countries, sir.

North Vietnamese Affairs Division of JUSPAO

The CHAIRMAN. What is the function of the North Vietnamese Affairs Division of JUSPAO?

Mr. NICKEL. The North Vietnamese Affairs Division of JUSPAO, sir, is a staff office which seeks to keep abreast of the propaganda developments involving the North. It is concerned with release to the media of certain enemy documents. It also releases material of a more general nature about certain enemy attitudes, activities, and practices.

Psychological operations against North Vietnamese

The CHAIRMAN. Are any psychological operations being carried out against North Vietnam at the present time?

Mr. NICKEL. With respect to the operation that I am responsible for, sir, I know of nothing but radio broadcasting.

The CHAIRMAN. There are no aerial drops being made of printed material?

Mr. NICKEL. That is correct, sir.

The CHAIRMAN. Have there ever been any made in the past?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Could you give a brief description of their magnitude and purpose?

Mr. NICKEL. I could supply that for the record, sir. I cannot describe the magnitude of them since they were discontinued some time ago.

The CHAIRMAN. When were these air drops terminated?

Mr. NICKEL. At the time of the bombing halt, sir.

The CHAIRMAN. They ran coincidentally with the bombing in the north; that right?

Mr. NICKEL. They took place at the same time. They were not operationally——

The CHAIRMAN. No, I mean they went on at the same time.

Mr. NICKEL. And they were discontinued at the same time.

(The information referred to follows:)

Beginning in 1965, propaganda leaflets were released from aircraft operating over North Viet-Nam, or were dropped over waters outside the boundaries of North Viet-Nam and wind-drifted into the country. Until March 31, 1968, this program was designed generally to convince North Viet-Nam—both people and regime—the North Vietnamese aggression in South Viet-Nam would fail, to motivate North Viet-Nam to seek peaceful settlement of the conflict, and to warn the people to stay away from military targets because they were subject to air strike. At its peak, the program involved some 25 million leaflets per month.

Following the partial bombing halt announced on March 31, 1968, leaflet targets were restricted to those south of 20 degrees North Latitude. The primary objective of these leaflets was that of keeping the people in the area aware of efforts by the Government of Viet-Nam and the United States to bring about a negotiated settlement of the conflict.

After the total bombing halt of November 1, 1968, the leaflet program over North Viet-Nam was terminated.

Cost of U.S. propaganda operation in Vietnam

The CHAIRMAN. I am not sure this question has been quite clarified. Is it fair to say your operation in all phases of the information, psychological warfare program in Vietnam costs approximately $10 million? Did you say it cost about $10 million?

Mr. NICKEL. I said that the money that fell within my area of responsibility was $10.9 million.

The CHAIRMAN. It does not include the military?

Mr. NICKEL. It does not include the military.

The CHAIRMAN. The military I remember now you said had 800 people against your 81?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. I guess if yours is $10 million, theirs is $80 million, Is it fair to say we spend $80 million or $100 million on propaganda?

Mr. NICKEL. I would hesitate to answer that.

The CHAIRMAN. What?

Mr. NICKEL. I would hesitate to even speculate on what the cost is, sir.

The CHAIRMAN. Would you venture a guess?

Mr. NICKEL. I just have no base on which to make such a judgment.

The CHAIRMAN. We would like very much to have an idea of the total cost. Of course, I realize the Pentagon has an enormous propaganda operation in many places far greater than yours. I wondered whether you could give an estimate.

Radio broadcasting beamed to the North

Did I understand you to say that radio broadcasting is not beamed to the North?

Mr. NICKEL. I did not say. Some of it is, sir.

The CHAIRMAN. Some of it is, presently.

Mr. NICKEL. Yes.

Radio Free Asia

The CHAIRMAN. Do you have anything whatever to do with Radio Free Asia?

Mr. NICKEL. No, sir.

The CHAIRMAN. Did you ever hear of it?

Mr. NICKEL. I think I have. I am not sure of the title.

The CHAIRMAN. Do you know what it is? Do you know where the broadcasts come from?

Mr. NICKEL. No, I do not.

The CHAIRMAN. Do they not come from Korea?

Mr. NICKEL. I personally am not familiar with that.

Mr. CHAIRMAN. To your knowledge, can you hear them in Vietnam?

Mr. NICKEL. I am not aware of that.

The CHAIRMAN. If you can, you do not know it.

Mr. NICKEL. I do not.

The CHAIRMAN. I do not either, but we have seen these letters soliciting donations to Radio Free Asia. They state that they beam radio programs all over Asia. I do not know that they say specifically Vietnam. I do not know whether they do either. It came to my attention a few weeks ago. You do not know whether you make any contribution to that operation or not.

Mr. NICKEL. We make no contribution, sir.

GVN spending on psychological warfare

The CHAIRMAN. Do you know how much the Vietnamese Government spent on their psychological warfare in the current year and last year, either one or both?

Mr. NICKEL. Yes, sir.

The Ministry of information, sir, in its current fiscal year budget is spending $19.7 million.

The CHAIRMAN. $19.7 million?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Is that budget this current year, 1970?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Is that up or down? What was it compared to last year; do you know it?

Mr NICKEL. That is up, sir. Last year it was $9.6 million, sir.

The CHAIRMAN. From $9 to $19 million in 1 year?

Mr. NICKEL. That is right, sir.

The CHAIRMAN. How do you account for such a large increase?

Mr. NICKEL. I believe I mentioned earlier, sir, that there was a sizable increase in personnel which accounted for a good part of this increase from $9 to $19 million, but not all of it. There was also a substantial increase in program money.

The CHAIRMAN. How much of that do we furnish, directly or indirectly?

Mr. NICKEL. The $19 million which I cited, sir, is from the GVN's regular budget. There are no counterpart funds in that.

The CHAIRMAN. Do you know how much is planned for next year?

Mr. NICKEL. No, sir.

JUSPAO budget for fiscal year 1971

The CHAIRMAN. Do you know how much you have or are planning for fiscal year 1971 for your operations?

Mr. NICKEL. Yes, sir. We plan to have a budget figure of $8.4 million, sir.

The CHAIRMAN. For next year?

Mr. NICKEL. Next year.

The CHAIRMAN. That again does not include the military or any allied?

Mr. NICKEL. It does not include the military, although it does include, as I believe you are aware, the AID and DOD funds that are available to JUSPAO.

DISTRIBUTION OF FILM, "THE SILENT MAJORITY" IN VIETNAM

The CHAIRMAN. Has the film, "The Silent Majority" been distributed in Vietnam?

Mr. NICKEL. It has, sir.

The CHAIRMAN. By you? By the USIA?

Mr. NICKEL. We made it available to Vietnamese television and to the National Motion Picture Center of Vietnam. It was shown on the GVN television network and in commercial theaters.

The CHAIRMAN. Would you estimate how many Vietnamese have seen it?

Mr. NICKEL. I will supply an estimate, sir.

(The information referred to follows:)

NUMBER OF SOUTH VIETNAMESE WHO HAVE SEEN "THE SILENT MAJORITY"

In South Vietnam, the GVN's Ministry of Information (MOI) was the sole distributor of the film "The Silent Majority." MOI estimated that 1.2 million persons saw the showings of the film on the national television network, and that an additional 300,000 urban viewers saw the film in theaters in six major cities, for an overall total of 1.5 million.

The CHAIRMAN. It would be apparently a very substantial amount.

Have you any measure of public reaction to that film?

Mr. NICKEL. We did not undertake any specific evaluation.

The CHAIRMAN. Has anyone that you know?

Mr. NICKEL. I am not aware that anyone did.

USIA POLLS CONCERNING ATTITUDES TOWARD UNITED STATES

The CHAIRMAN. Coming back for a moment, it inspires me to ask a further question about the polls. Have you been instructed to decline to discuss the polling in Vietnam or all polls—any poll in any other country?

Mr. NICKEL. Well, the only polling that would come within my purview would be that in Vietnam, sir.

The CHAIRMAN. The USIA takes polls in other countries; does it not?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. They are about public attitudes toward the United States and its policies? That has been a practice for a long time; has it not?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. You do not know about them and cannot testify about them; is that right?

Mr. NICKEL. When I say I do not know about them, I mean that I just do not know in detail anything about them and obviously could not speak to what they were about, sir.

The CHAIRMAN. Were you in the USIA before you went to Saigon?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Where did you serve before that?

Mr. NICKEL. In Japan, sir.

The CHAIRMAN. In Japan?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. While you were in Japan, did you take polls there?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Are you at liberty to discuss the polls you took in Japan?

Mr. NICKEL. No, sir.

The CHAIRMAN. You are instructed not to discuss them; is that it?

Mr. NICKEL. I am instructed not to discuss polls.

The CHAIRMAN. It is very unusual. Where did you serve besides Japan?

Mr. NICKEL. I have served in Burma, and I have served in Washington, sir.

The CHAIRMAN. Did you take polls in Burma?

Mr. NICKEL. To the best of my recollection, I do not believe we did, but that was some years ago.

The CHAIRMAN. You do not believe you did?

Mr. NICKEL. I just cannot give you a definitive answer.

Is USIA taping proceedings?

The CHAIRMAN. Is the USIA taking a tape of these proceedings?

Mr. NICKEL. I am unaware if they are taping these proceedings.

The CHAIRMAN. You would know if they are; would you not?

Mr. NICKEL. Let us just say that I am unaware if they are.

The CHAIRMAN. I wondered how efficient they were in reporting all these matters.

Publication of "Vietnam Today"

How many newspapers, magazines or other periodicals does the United States publish or print that are aimed at Vietnamese audiences?

Mr. NICKEL. We publish, Mr. Chairman, or should I say we assist the Vietnamese in publishing, a pacification newssheet, a weekly called "Vietnam Today," in 600,000 copies per issue.

The CHAIRMAN. 600,000?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Is that a newspaper type of publication?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. 600,000 copies are published weekly?

Mr. NICKEL. 600,000 copies.

The CHAIRMAN. Is that given away? What happens to it? I was interested.

Mr. NICKEL. It is given away, sir. It is distributed through the Vietnamese information service and it is more or less a vehicle for the Central Pacification and Development Council. In others words, it concentrates on developments in the pacification field.

The CHAIRMAN. It is printed in Vietnamese?

Mr. NICKEL. Printed in Vietnamese, sir.

The CHAIRMAN. Is the cost of printing that a part of your budget?

Mr. NICKEL. The printing cost is part of my budget.

The CHAIRMAN. What would it cost a week to put out 600,000 copies of that?

Mr. NICKEL. $2,400.

The CHAIRMAN. Where is it printed?

Mr. NICKEL. Printed in Saigon, sir. Part of it—I might say that half of the printing now is handled by the Ministry of Information and half is handled by the USIA.

The CHAIRMAN. Does the USIA have a printing plant in Saigon?

Mr. NICKEL. JUSPAO has a small printing plant.

The CHAIRMAN. JUSPAO. Is it large enough to print this?

Mr. NICKEL. This is not printed entirely by JUSPAO. Half of the circulation—in other words, 300,000, sir—is printed by the Ministry of Information printing plant, and the other half by JUSPAO.

The CHAIRMAN. Who determines the material that goes into this publication?

Mr. NICKEL. Most of the editorial work on this newspaper now is done by the Ministry of Information, sir.

Publication of "Free South"

The CHAIRMAN. There is another newspaper called "Free South."

Mr. NICKEL. That is right, sir.

The CHAIRMAN. Is it published biweekly?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. How many of those are published?

Mr. NICKEL. This is published in an edition of 1.3 million copies. It is a small 8 by 10 sized newspaper. It is air dropped into contested areas.

The CHAIRMAN. Being published twice a week that 2.6 million a week; is that correct?

Mr. NICKEL. I am sorry, sir; it is published every 2 weeks, not two a week.

The CHAIRMAN. Every 2 weeks?

Mr. NICKEL. Every 2 weeks, sir.

Publication of "Rural Spirit"

The CHAIRMAN. I notice here another one called "Rural Spirit." Are you familiar with that?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. What is that? Describe it. Is it a magazine?

Mr. NICKEL. The Vietnamese name for Rural Spirit is Huong Que. It is a magazine designed largely for rural audiences, and it is to a great extent agricultural in its approach. It has a monthly circulation of 565,000, sir.

The CHAIRMAN. How many pages is a typical issue of that magazine?

Mr. NICKEL. Thirty-six pages.

The CHAIRMAN. Thirty-six pages. Is it slick paper or what?

Mr. NICKEL. No; it is not slick.

The CHAIRMAN. Is it a picture magazine?

Mr. NICKEL. It has some illustrations, but it is not basically a picture magazine.

The CHAIRMAN. Where is it printed?

Mr. NICKEL. It is printed in Manila at our regional service center.

The CHAIRMAN. Printed in Manila?

Mr. NICKEL. At the U.S. Information Agency Regional Service Center. We have a large printing plant there.

USIA printing plant in Manila

The CHAIRMAN. Do we have a large printing plant there?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. What countries does it service?

Mr. NICKEL. It serves for the most part, sir, USIA posts in the East Asia and Pacific area.

Size of circulation of "Free South" and "Rural Spirit"

The CHAIRMAN. Would you say that the Free South newspaper has the largest circulation of any newspaper in Asia outside of Japan and mainland China?

Mr. NICKEL. Well, it is a magazine. I just would not be able to make that judgment. It has a very high circulation, if you discount Free South which—are we talking about Huong Que?

The CHAIRMAN. Take both of them. One is a newspaper and one is a magazine?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Would you say they have the largest circulation of their kind, both magazine and newspaper, in Asia outside of Japan and mainland China?

Mr. NICKEL. I could not make that judgment. They certainly are the largest in Vietnam.

The CHAIRMAN. You do not know of any that is larger; do you?

Mr. NICKEL. I do not know, sir.

USIA printing plant in Manila

The CHAIRMAN. Did you answer the question of what countries the printing office in Manila serves? Does it serve all countries in Asia? Could you tell us how large that operation is?

Mr. NICKEL. It exists to provide backstopping for our USIS posts in Asia, Mr. Chairman. If you would like specific information on the plant, I shall see that the appropriate parties in my agency furnish it.

(The information referred to follows:)

USIA'S REGIONAL SERVICE CENTER IN MANILA

USIA's Regional Service Center in Manila has three main functions: (1) producing publications originated by USIA in Washington for distribution to USIS posts in Asia; (2) producing publications originated by USIS posts in Asia for their own use; and (3) editing and producing regional publications. Products include magazines, photo newspaper inserts, leaflets, posters and "fast pamphlets." The latter, frequently full texts of Presidential statements, are keyed to major foreign policy events in which the time element is important.

Among the 11 American and 231 Filipino employees currently at the Regional Service Center are editors, artists, photo specialists and skilled printing technicians. The estimated operating budget for FY 1971 is $2,566,000, which includes printing service performed for other U.S. Government agencies on a reimbursement basis.

Magazine entitled "The Face of Anguish, Vietnam"

The CHAIRMAN. Is this magazine I have here, The Face of Anguish, Vietnam, an issue of the Rural Spirit?

Mr. NICKEL. No, sir.

The CHAIRMAN. This is not its name; is it? What is this issue? It is a picture magazine; I think it came from you.

Mr. NICKEL. I do not—I cannot recognize it.

The CHAIRMAN. No; this comes from Free Asia Press, Manila, I am sorry. Is that part of our operation?

Mr. NICKEL. I do not recognize the magazine, sir.

The CHAIRMAN. Since you are in the business, maybe I will give it to you and ask you to see if you can identify it for us. It does not seem to be identified. I do not know what the Free Asia Press is. It is a very elaborate magazine and beautifully done. Who would you say is the sponsor of that?

Mr. NICKEL. I would just say that—I have never seen it, and it does not appear to me to be one of our products.

The CHAIRMAN. Who would publish such a magazine except us?

Mr. NICKEL. I do not know.

Publication and distribution of, "Who are the Vietcong?"

The CHAIRMAN. Here is another one. It has no identification whatsoever. It is called, "Who Are the Vietcong?" Have you ever seen that pamphlet?

Mr. NICKEL. That is ours.

The CHAIRMAN. It is not identified. There is nothing in it, I am told by the staff, that would identify it as being your publication. Is that the normal way we operate? We do not identify our publications?

Mr. NICKEL. No; I would not say that is normal.

The CHAIRMAN. What proportion would you say are attributed to us and are identifiable as our publications and what proportions are not?

Mr. NICKEL. It would be very hard to give a percentage. It is an English language publication, I believe, Senator. I would feel comfortable in saying that most of our English language publications are attributed.

The CHAIRMAN. Do you know where this was distributed? Was it distributed in South Vietnam?

Mr. NICKEL. Since it is an English language version, sir, I would assume that some numbers were used in South Vietnam, but I would also assume that the English language version was prepared for use primarily outside of Vietnam.

The CHAIRMAN. In the United States?

Mr. NICKEL. No; not in the United States.

The CHAIRMAN. Where outside of Vietnam?

Mr. NICKEL. For use by posts other than Vietnam.

The CHAIRMAN. By the USIA?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. You prepared it in Saigon?

Mr. NICKEL. It was—may I inquire?

The CHAIRMAN. Do you want to look at it or are you familiar with it?

Mr. NICKEL. May we see it, sir? The reason I am pausing is because I am not sure whether it was a JUSPAO publication or a USIA publication.

I can find out for you, sir, and supply the information.

The CHAIRMAN. But it is a pamphlet which you prepared and published?

Mr. NICKEL. We are sure it is a pamphlet in which we were involved. But whether JUSPAO prepared it or USIA prepared it, I do not know.

The CHAIRMAN. Would that kind of magazine be printed in Manila rather than in Saigon?

Mr. NICKEL. Yes; it would be.

The CHAIRMAN. Where would it be distributed? It would not be distributed in Japan; would it?

Mr. NICKEL. That would depend on what posts ordered it, sir. Japan certainly would not use large numbers in English.

The CHAIRMAN. Will you be able to find out where that was printed and for whom and where it was distributed?

Mr. NICKEL. I will see that information is developed.

The CHAIRMAN. Will you supply it for the record, please?

Mr. NICKEL. Yes, sir.

(The information referred to follows:)

PRINTING AND DISTRIBUTION OF "WHO ARE THE VIET CONG?"

The pamphlet "Who Are the Viet Cong?" was initially prepared in English by USIA in Washington for overseas distribution as part of USIA's worldwide information program. Texts and photos were initially sent to USIA's Regional Service Center (RSC) in Manila, where 10,250 pilot copies were printed in August 1966. Some 10,000 of these were printed for USIA, for distribution to USIS posts ordering them. There were additional printings at RSC Manila for USIS posts in Saigon, Canberra and Tel Aviv in 1967.

JUSPAO prepared a Vietnamese language version which was printed at RSC Manila in several press runs from December 1966 to March 1967, in a total of 300,000 copies. This version was distributed in South Viet-Nam.

Is any unidentified material distributed in United States?

The CHAIRMAN. Is any material of this kind without identification ever distributed in the United States?

Mr. NICKEL. No, sir.

The CHAIRMAN. You are sure about that?

Mr. NICKEL. I am sure to the extent that I am very well aware of the need to keep it out of the United States, and we are always cognizant of this restriction.

The CHAIRMAN. If it is not identified, how would you keep it out? What is to prevent someone from distributing it here when there is no way of telling who printed it where it came from except to the initiated?

Mr. NICKEL. In terms of USIS use of materials of this sort, all USIS posts, and all USIS personnel would be aware of the necessity to avoid its introduction into the United States.

Booklet entitled "Vietnam: The View Beyond the Battle"

The CHAIRMAN. On a recent visit to Saigon, two members of the staff of this committee were given this booklet called, "Vietnam, the View Beyond the Battle." Are you familiar with it?

Mr. NICKEL. I have seen it.

The CHAIRMAN. This was part of the materials in a welcoming kit.

Mr. NICKEL. Yes, sir.

The CHAIRMAN. When you say you have seen it, who published it? Did you publish it? It also does not have a date on it.

Mr. NICKEL. I believe it was printed at our regional service center in Manila.

The CHAIRMAN. It is a very elaborate magazine with extremely fine workmanship in its maps and photographs. There is a magnificent photograph of Thieu and Ky and President Lyndon B. Johnson taken in February of 1966. It does not say itself when it was printed. Can you tell us when this was printed?

Mr. NICKEL. I believe, sir, that was printed at our regional service center in Manila. I believe it was a USAID project, and the cost of printing——

The CHAIRMAN. Was it prepared at your request for distribution in Vietnam?

Mr. NICKEL. I believe it was prepared by a contract writer for AID and I believe printing was at AID expense. However, I make that statement subject to check.

The CHAIRMAN. I asked the AID Director the day before yesterday if he had ever seen it. I thought perhaps it was his, but he had no knowledge of it. He said he had never seen it and knew nothing about it.

Mr. NICKEL. I believe, sir, it was printed 2 or 3 years ago.

The CHAIRMAN. He said he knew nothing about it, and he left the impression that he did not think it was an AID project. Again I raise the same question because it is such a fine piece of work. What is the purpose of publishing in English such a fine magazine and what is the distribution of it? Could you find that out on this one too?

Mr. NICKEL. I will find out on that, sir.

(The information referred to follows:)

PRINTING AND DISTRIBUTION OF "VIETNAM: THE VIEW BEYOND THE BATTLE"

In 1967, because the Government of Viet-Nam wanted to tell to its citizens the story of developing nationhood in South Viet-Nam and because USAID especially was providing advice and assistance in the development, JUSPAO was requested to prepare a one-time publication, "Viet-Nam: The View Beyond the Battle." Information and photos were furnished by the GVN and USAID, with JUSPAO assuming coordinating responsibility for text, editing, layout and printing. The Vietnamese language publication was printed in 100,000 copies at USIA's Regional Service Center (RSC), at JUSPAO's request, for distribution in Viet-Nam.

An English language version was also printed in 68,500 copies. They were ordered by and shipped to JUSPAO and to USIS posts, at Manila, Djakarta, Bonn, Wellington, Canberra, Kuala Lumpur, Lusaka, Lagos, Stockholm, Taipei, Georgetown, Quito, Tel Aviv, Beirut, Rangoon, Cuva, Copenhagen, Bern, Kabul, Brussels and Reykjavik.

From the JUSPAO supply, some 5,000 copies were provided to USAID for use in a briefing kit for distribution to visitors, journalists, incoming USAID officers and other persons inquiring about USAID's activities. Until early 1968 the U.S. Mission Press Center in Saigon, which operates under American Embassy supervision, distributed copies to newsmen.

Why are magazines unidentified as to source?

The CHAIRMAN. I do not quite understand why magazines of this kind are not identified as to source. It obviously raises a very interesting question.

Mr. NICKEL. I will furnish the information to the committee.

(The information referred to follows:)

"EXPLANATION OF LACK OF ATTRIBUTION OF PUBLICATIONS"

"As was pointed out in Mr. Nickel's opening statement, one of the roles performed by JUSPAO is assistance in the production of information materials by the GVN. In 1967, when "Viet-Nam: The View Beyond the Battle" was first printed, the GVN did not have the capacity to produce magazines of this type. In developing this particular project with and for the GVN, JUSPAO decided that this and similar publications might also have an audience in third countries as well. If attribution were given rightfully to the GVN, such attribution could limit USIS use overseas. On the other hand, if attribution were given to USAID or JUSPAO, it could limit or embarrass the GVN's use of the publication in Viet-Nam. As has been noted earlier, JUSPAO assisted the GVN by providing 100,000 copies of the publication in the Vietnamese language. Accordingly, a decision was made not to positively identify this type publication with either the GVN or U.S. agencies, thereby permitting all interested parties to distribute it through their own outlets."

Publication of attributed and unattributed magazines

The CHAIRMAN. Do you know who would make the contracts for the publication of such magazines? Put it this way: Has USIA

ever made a contract for a similar magazine even though it is not this one? Have you ever asked the regional office to publish for your purposes an unidentified magazine?

Mr. NICKEL. Let me answer that by saying we would occasionally use contract personnel to prepare products for us, but the use of a contract writer would not in any way be related to the decision as to whether the product would be attributed or unattributed. I do not myself know why this publication is not an attributed product.

The CHAIRMAN. Does your office ever ask for magazines similar to this from the regional office in Manila?

Mr. NICKEL. We occasionally order publications from the regional office in Manila.

The CHAIRMAN. When you do, do you specify whether they are to be attributed to you or not? Is that decision left up to the regional office?

Mr. NICKEL. If they are in English, sir, and they already exist, they already are either attributed or unattributed, so we would not get involved in the attribution. I think I am correct in assuming that most are attributed. If we are doing Vietnamese versions of basic English language publications that originate at the Manila plant, then it would be up to JUSPAO to decide whether we wanted them attributed.

The CHAIRMAN. On what basis do you decide whether it is attributed to you or not attributed to you? What is the criteria?

Mr. NICKEL. Well, speaking for myself alone——

The CHAIRMAN. You ought to speak for the Agency. I do not want you to speak only for yourself, but you can do both.

Mr. NICKEL. If you will allow me to speak——

The CHAIRMAN. Speak for yourself and then speak for the agency. That is right.

Mr. NICKEL. In making the decision as to whether something is to be attributed or not, I generally follow the policy that anything that is explaining some aspect of U.S. policy or U.S. society, should have attribution to the United States. In fact, attribution adds to the credibility of it.

The CHAIRMAN. How do you decide when not to attribute it? What is your objective?

Mr. NICKEL. Let me put it this way. I have another area of operations in Vietnam where I am engaged in helping the Vietnamese publish materials. Obviously, I do not attribute such materials to my own organization.

South Vietnamese publication of materials in English

The CHAIRMAN. They would not publish materials in English; would they?

Mr. NICKEL. They publish some materials in English.

The CHAIRMAN. Do they?

Mr. NICKEL. A few, for use abroad.

The CHAIRMAN. For use where?

Mr. NICKEL. Well, for use abroad.

The CHAIRMAN. In the United States?

Mr. NICKEL. Yes.

The CHAIRMAN. Really?

Mr. NICKEL. But these are not materials I am involved in.

The CHAIRMAN. But they do publish materials in English that are then distributed in the United States?

Mr. NICKEL. Yes, occasionally, sir.

The CHAIRMAN. I did not know that. Of how many do you know?

Mr. NICKEL. I would have to determine that.

The CHAIRMAN. Have you any examples of it?

Mr. NICKEL. I have no examples with me, sir.

The CHAIRMAN. What would be the objective of such publications? To what are they directed?

Mr. NICKEL. Well, when I say for use in the United States, they publish on their own behalf without assistance from us some materials for use overseas. They publish these in French and in English, and I can only assume that some of the material they publish in English, unilaterally, is made available to their Embassy in Washington.

Now, I want to make it very clear, Mr. Chairman, these are aspects of their operation that I am not officially involved in; I provide neither support for, nor assistance in any way.

The CHAIRMAN. And no advice?

Mr. NICKEL. And no advice.

The CHAIRMAN. They do it all on their own?

Mr. NICKEL. That is right, sir.

The CHAIRMAN. Could you supply for the record some recent examples of publications that the Vietnamese Government has made in English?

Mr. NICKEL. I will, sir.

The CHAIRMAN. Give us a few examples during the last year to see what they are doing.

(The information referred to follows:)

GVN publications in English

Sample materials provided through the Embassy of Viet-Nam include "Fighters for Peace," "Communist Atrocities During the Latest Offensives," and "Viet-Nam Bulletin."

Other publication

The CHAIRMAN. With regard to these other publications, we mentioned three, I believe, the Rural Spirit, which has 565,000, and the Vietnam Today, with 600,000, and the Free South with 1.3 million per edition.

Mr. NICKEL. That is right, sir.

The CHAIRMAN. There are nine other publications which I will not take the time to go into at length. I will name them and I think these are correct. This is material which we obtained in Saigon.

A magazine called Mother Heart. Long Me is the way you pronounce it in Vietnamese. It is published bimonthly in 200,000 copies per issue.

There is a magazine called Culture-Drama published bimonthly, 12,000 per issue.

Magazine entitled "Mother Heart"

What is "Mother Heart"?

Mr. NICKEL. Long Me, sir, is a publication of the Ministry of Chieu Hoi. We provide considerable assistance to the publication. We print it. It is designed to explain and promote the Chieu Hoi program largely in the sense of informing families of prospective Chieu Hoi ralliers.

The CHAIRMAN. This is intended for the Vietcong whom you want to come over; is that right?

Mr. NICKEL. No; it is intended for families on the South Vietnamese side who may have relatives serving with the enemy. It provides these families with better information about the program. Also, one of its secondary objectives is to supply more information about the program to the Vietnamese officials who themselves are concerned with Chieu Hoi.

Magazine entitled "Culture-Drama"

The CHAIRMAN. What is the magazine Culture-Drama about?

Mr. NICKEL. It is known as the Van Tac Vu magazine, Mr. Chairman. It is a magazine designed to provide program material—songs, skits, and general raw material—for a great number of culture-drama teams which exist in Vietnam. The culture-drama form is a very attractive one.

The CHAIRMAN. Culture-drama has nothing to do with the theater, I guess.

Mr. NICKEL. It is folk theater touring——

The CHAIRMAN. Is there a theater in Saigon?

Mr. NICKEL. There is opera, renovated opera, classical.

The CHAIRMAN. Do they have a local opera company?

Mr. NICKEL. There are performances.

The CHAIRMAN. Are they traveling people that we bring in?

Mr. NICKEL. No; this would be more on the order of classical Vietnamese drama. When I say opera, I mean classical Vietnamese opera which is not unrelated to Chinese opera.

The CHAIRMAN. Do we determine the subject matter of a magazine of that kind?

Mr. NICKEL. This particular magazine is directed at culture-drama teams which perform in the provinces, and in general perform almost like vaudevillians, if I might use the term, Mr. Chairman.

The CHAIRMAN. What is the objective of our sponsoring such a magazine? What do we seek to accomplish in publishing such a magazine?

Mr. NICKEL. We seek to provide program material that is nationalist in its direction because these culture-drama teams play a role in support of the Government.

The CHAIRMAN. Do you think this kind of a role would agree with Vice President Agnew's idea of what a magazine or a publication ought to do? He would not criticize the kind of publications we put out in Vietnam?

Mr. NICKEL. I prefer not to comment on the Vice President.

The CHAIRMAN. If I understood his views, they were that magazines and newspapers ought to support the Government and, therefore, he would approve of this type of publication. It seems to me it is perfectly obvious he would.

I am not quite sure myself though what justifies the spending of American money on the cultural and drama magazine. Not that I have any aversion to culture and drama, but I did not know that we were competent to tell the Vietnamese about culture and drama in Vietnam.

Mr. NICKEL. Well, of course——

The CHAIRMAN. We have a hard time knowing what is culture and drama in Washington.

Mr. NICKEL. Of course, Mr. Chairman, the JUSPAO staff that works on this magazine is predominantly Vietnamese.

The CHAIRMAN. I see. You think it is so constructed and edited that it would appeal to the effete, intellectual snobs of Saigon?

Mr. NICKEL. I would say that it appeals to the performers and culture-drama teams in the provinces of Vietnam.

Posters, pamphlets and song sheets

The CHAIRMAN. Of what are posters IR–8 and IR–5 on rice examples? This is about the miracle rice.

Mr. NICKEL. Yes, sir. Those would be posters.

The CHAIRMAN. Is that a one-shot proposition, one poster?

Mr. NICKEL. One poster.

The CHAIRMAN. 50,000 copies?

Mr. NICKEL. It is not a fixed periodical.

The CHAIRMAN. It is not a recurring poster or is it?

Mr. NICKEL. It is not recurring, but obviously our interest in IR–8 is such that over a period of time we could do many posters on IR–8.

The CHAIRMAN. We have another poster entitled, "Our Project Has Been Completed." Is that a recurring poster or a single shot?

Mr. NICKEL. I would assume that is a single shot?

The CHAIRMAN. Is it 50,000 copies?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Then you have a poster called, "The Government of the Republic of Vietnam Helps Refugees Return Home." That again is just another poster?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Then there is a pamphlet, "Security Laws Protect the Citizens."

Mr. NICKEL. Yes, sir.

The CHAIRMAN. That is 50,000 copies. Is that only for that purpose?

Mr. NICKEL. That would be a one shot pamphlet, yes, sir.

The CHAIRMAN. Then we have song sheets. One is called "Spring of Hope" and one is called "Native Spring." What is our objective in printing song sheets?

Mr. NICKEL. That song sheet was probably a product that was issued by the Ministry

of Information in connection with the Tet observation. As you know, Tet is quite a festive holiday in Vietnam, and the songs were probably connected with the celebration of that holiday.

Number of posters produced in Fiscal Year 1969

The CHAIRMAN. Could you tell us how many different posters were put out last year?

Mr. NICKEL. I can only give you an overall figure on posters, Mr. Chairman—a total of 1.73 million copies in fiscal year 1969. That would be for individual units.

The CHAIRMAN. Individual units of posters.

Mr. NICKEL. 1.73 million pieces of paper, every one of which was a poster. I cannot give you the circulation or the production per poster. I cannot say 50,000 of this or 70,000 of that.

The CHAIRMAN. To illustrate the point, you put out 15 posters consisting of 1.7 million issues. Is that about right?

Mr. NICKEL. Those are not the figures, but that is the logic.

The CHAIRMAN. I know they are not the figures.

Mr. NICKEL. That is the logic.

The CHAIRMAN. That is what I meant. You could not estimate how many posters there were, not individual pieces but how many different posters there were?

Mr. NICKEL. I find that very difficult.

Publications of all kinds put out in a year

The CHAIRMAN. Would you estimate how many publications of all kinds you put out in a year? Would it be 10 million or 50 million publications of all different kinds, including all these magazines and posters and newspapers? The newspapers alone run into several million weekly; do they not?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. I wondered if you had an estimate to give us some idea of the volume of our activity.

Mr. NICKEL. 24 million plus, sir. That would be magazines, newspapers, posters, and pamphlets.

Leaflets dropped by the military

The CHAIRMAN. Would the pamphlets include the leaflets dropped by the military?

Mr. NICKEL. That does not, sir.

The CHAIRMAN. Do you have any estimate how many there are?

Mr. NICKEL. That would be somewhere in the vicinity of 1.5 billion, sir.

The CHAIRMAN. Billion?

Mr. NICKEL. Billion.

The CHAIRMAN. My goodness; 1.5 billion by the military?

Mr. NICKEL. Yes.

The CHAIRMAN. Who prints those? Where can they get so many printed? That seems incredible.

Mr. NICKEL. They would be primarily distributed by the military.

The CHAIRMAN. Are these printed in that regional office in Manila?

Mr. NICKEL. No, sir.

The CHAIRMAN. Does the military have its own printing plant?

Mr. NICKEL. I was a bit hasty. Let me be more precise. Some might be printed in Manila. Many might be printed by the military on Okinawa.

The CHAIRMAN. Do they have a big printing plant on Okinawa?

Mr. NICKEL. They have a printing plant that provides support for the psychological program in Vietnam.

The CHAIRMAN. Is it comparable to the size of yours in Manila?

Mr. NICKEL. No, sir.

The CHAIRMAN. It is not as large?

Mr. NICKEL. No, sir.

The CHAIRMAN. Is the USIA plant in Manila a very large one?

Mr. NICKEL. It is a substantial modern plant.

The CHAIRMAN. Is it capable of printing a magazine as large as, say, Time magazine or Fortune or Newsweek?

Mr. NICKEL. It is difficult for me to answer. I am not aware of what capacity it would have for volume. I would think that technically it could do the job.

Other printing by the military

The CHAIRMAN. Does the military, in addition to the 1.5 billion leaflets, also print magazines and publications similar to this? Does it print anything similar to this anywhere?

Mr. NICKEL. It would be very unlikely to print a pamphlet like that. I believe they do print an employee relations magazine for the Vietnamese employees for the military in Vietnam. But to the best of my knowledge, Mr. Chairman, that is the only publication of that type that the military publishes.

Lack of attribution of "Vietnam: The View Beyond The Battle"

The CHAIRMAN. I do not know who did this, but that is one of the finest pictures of its kind I ever saw of the people in the rice paddies. As a technical matter, regardless of its content, you could well take credit for it because it is a very fine production. I think it is a very attractive thing. Did I show it to you to see if you could identify it, or did you? I do not remember. Do you want to look at it and perhaps you can tell me?

Mr. NICKEL. I am familiar with it. I have seen it.

The CHAIRMAN. You have seen it.

I have so many publications here I cannot keep them all straight.

I am told by the staff that the USIS press said this morning, after they checked it, that it was printed in March 1967. I still am puzzled about this question of attribution. A magazine of this kind is such an imposing production that it is rather a shock to find there is no way of telling who printed it and where and when it was printed. Yet it is on a subject which apparently either we or the Government of Vietnam would be the only ones really interested in doing it. So I can see now that it was. I would suggest, for whatever it is worth, that it helps our credibility to identify and to claim it as our own when it is. I do not think that the world as it is today is going to be very impressed by our trying to avoid responsibility for the publication.

Press credentials granted to four security agents in Saigon

Did your office have anything to do with the recent granting of press credentials in Saigon to four security agents?

Mr. NICKEL. No, sir.

The CHAIRMAN. It is not your responsibility. Do you know anything about that episode?

Mr. NICKEL. I am familiar with the general newspaper accounts of that.

The CHAIRMAN. Then I suppose you have friends who were aware of that in Vietnam?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. Could you tell me in what mission these people were engaged for which they wanted such credentials?

Mr. NICKEL. I have no knowledge of that, sir.

The CHAIRMAN. You have no knowledge of that.

Are CIA personnel using USIA as cover?

Could you say whether any CIA personnel are using the USIA as cover?

Mr. NICKEL. Comment on such a question must be made in executive session by other appropriate officials, Mr. Chairman.

The CHAIRMAN. All right.

Language facility of USIA personnel in Vietnam

Could you tell me what percentage of USIA personnel in Vietnam speak Vietnamese?

Mr. NICKEL. Yes, sir.

The CHAIRMAN. At three level or better. I am not talking about Vietnamese employees.

Mr. NICKEL. Six percent.

The CHAIRMAN. How many speak French at the three level or better?

Mr. NICKEL. I am sorry, sir. I gave you a percentage figure. I did not mean it to be a percentage. Six employees speak Vietnamese at the three level or better.

The CHAIRMAN. That is approximately 6 percent; is it not?

Mr. NICKEL. It also works out to approximately 6 percent, but it is not a percentage figure. The figure for French would be 24.

The CHAIRMAN. That is at the three level or better?

Mr. NICKEL. Yes, sir.

Language facility of JUSPAO personnel

The CHAIRMAN. What about all JUSPAO personnel?

Mr. NICKEL. All JUSPAO personnel in terms of three or better or what, sir?

The CHAIRMAN. Yes.

Mr. NICKEL. Well, I am addressing the civilian component of JUSPAO. There are six people who speak Vietnamese and 24 who speak French.

The CHAIRMAN. What about the 800 military you mentioned? Do you know anything about them?

Mr. NICKEL. I do not.

The CHAIRMAN. You do not have the figures on them.

Journalists' trips to Vietnam sponsored by USIA

Does the USIA finance or sponsor in any way trips to Vietnam by Journalists from the United States?

Mr. NICKEL. The U.S. Information Agency, sir, does have a third country journalist program.

The CHAIRMAN. Could you indicate the magnitude of that? How many journalists in the course of a year?

Mr. NICKEL. I would be very happy to supply that for the record. It is a program administered out of the headquarters in Washington, and I cannot speak to the details, sir.

(The following information referred to follows:)

USIA third country journalist program, fiscal year 1969

"For the record, the program involved 15 foreign journalists during Fiscal Year 1969, and an anticipated equal number during the current fiscal year."

The CHAIRMAN. I want it both ways. I want trips from the United States to Vietnam of American journalists and also from other countries to Vietnam.

Mr. NICKEL. I believe, sir, that this program is only concerned with third country journalists to Vietnam.

The CHAIRMAN. You mean not United States?

Mr. NICKEL. Not American journalists.

The CHAIRMAN. Then the answer to my first question is no. They do not sponsor U.S. journalists to Vietnam; is that correct?

Mr. NICKEL. That is correct, sir.

The CHAIRMAN. They do sponsor foreign journalists to Vietnam?

Mr. NICKEL. That is right, sir.

The CHAIRMAN. Could you say what is the purpose of this program? Why do you sponsor foreign journalists to Vietnam?

Mr. NICKEL. To enable them, sir, to come and see for themselves the developments in that country. This is done in many instances for journalists from publications which could not afford to or would not send their correspondents to Vietnam.

The CHAIRMAN. When they arrive in South Vietnam, does your agency take care of them, meet them and make arrangements for their visit?

Mr. NICKEL. They are accredited, and they receive the same facilitation from the Mission Press Center, Mr. Chairman, as any accredited journalist would receive.

The CHAIRMAN. I realize that, but in addition there is the fact that you sponsored

them and paid for their passage. Do you also take care of them and give them any special treatment or are they just allowed like any other journalist?

Mr. NICKEL. We give them special treatment when they ask for it, special treatment of the same kind that we would give any journalist in Vietnam who so requested it.

To really get to the thrust of your question, Mr. Chairman, it is up to them. They come out; they are accredited; they are there like other journalists and their programs are theirs to arrange.

The CHAIRMAN. If they are not familiar with the place, I would assume in the normal course of events you would take them around and show them the places of interest. I would have thought the answer was yes. It would seem to me a rather dubious investment to bring a journalist from Europe or Africa and then let him go on his own.

Mr. NICKEL. The answer is yes. I just wanted to make it clear that what is offered them is what is available for all the journalists in Vietnam.

Justification for USIA third country journalist program questioned

The CHAIRMAN. I have some difficulty, I may say, in reconciling this activity with the mission of your agency that you describe. I cannot quite fit this in as to how we are justified as a government and as a people to support this activity. I wish you would enlighten me a little as to the reasoning justifying this activity of bringing foreign journalists to Vietnam to view the——

Mr. NICKEL. I think this is another matter, Mr. Chairman, which I will have to refer to my superiors and I am sure they will furnish a justification for it. I say that because it is a program that is not within my purview in terms of responsibility.

(The information referred to follows.)

Third country journalist program

"This activity, known within USIA as the third country journalist program, was begun in 1965 and is currently active. The records of the Committee will reflect that, in hearings on news policies in Vietnam on August 17, 1966, the Agency provided a legal memorandum justifying this program. That record also indicates that the Committee obtained an opinion from the Comptroller General of the United States on the program that found the expenditure of funds for this program to be proper."

The CHAIRMAN. I see. In other words, this is carried on, but you have no responsibility for doing it. The decisions are all made here.

You would have to ask Mr. Shakespeare about that; is that what you said?

Mr. NICKEL. I am not sure that it would be Mr. Shakespeare, but certainly one of my principals in Washington.

The CHAIRMAN. I just use him. He is the nominal head of the Agency. It is quite right he might not know about it, but someone at that level would know. But you would not be willing to share with me your views about the justification for such a program.

Third country journalists' briefing and interviews

When these people arrive there, are they normally given briefings by the American officials?

Mr. NICKEL. If they so request.

The CHAIRMAN. Is it normal that they do request such a briefing?

Mr. NICKEL. I would say not necessarily, Mr. Chairman.

The CHAIRMAN. No?

Mr. NICKEL. It is very hard to categorize journalists in that regard.

The CHAIRMAN. Do they normally expect to see military officials or the people in the Embassy? What would you say was the norm?

Mr. NICKEL. Many of them, Mr. Chairman, would like to interview senior officials in Vietnam. I would say, by and large, they are no more successful or no more unsuccessful in arranging interviews than the average journalist who is accredited in Vietnam.

Witness' instructions concerning policy questions

The CHAIRMAN. In this matter, do your instructions with regard to the polls also include policy questions? Were you instructed not to discuss policy questions with the committee?

Polling by Oliver Quayle

The CHAIRMAN. Have you ever heard of Mr. Oliver Quayle? Does that name mean anything to you?

Mr. NICKEL. The name does not sound completely strange, but frankly I cannot associate it with anything.

The CHAIRMAN. You associate Mr. Quayle with something else; do you? That word used to be common, but I have not heard it in that connection for a long time. They have developed new words. He is a well-known figure in U.S. circles and has often done work testing public opinion. In fact there is an article in this morning's paper. One of the well-known columnists apparently has been down in Alabama with him this week. I happened to see it this morning.

I wondered if you knew whether he had ever visited Vietnam while you were there. Apparently not. You are not acquainted with his work?

Mr. NICKEL. No, sir.

The CHAIRMAN. He has done considerable work in this country on the testing of attitudes and opinions, and I think one of the columnists sometime back mentioned that he thought Mr. Quayle had made a poll in Vietnam. Whether he made it at the USIA's request is another matter. We will try to find that out from your superiors.

(The information referred to follows.)

Polling by Oliver Quayle

"U.S. Information Agency records indicate that USIA has never commissioned Mr. Oliver Quayle to conduct a public opinion poll in Vietnam."

Orientation of USIA offices from countries other than Vietnam

Are USIA officers assigned in countries other than Vietnam ever sent to Vietnam for brief visits at Government expense?

Mr. NICKEL. USIA officers?

The CHAIRMAN. Yes.

Mr. NICKEL. Yes; we bring some USIA officers to Vietnam for orientation.

The CHAIRMAN. Could you indicate about how many during the course of a year are brought to Vietnam for the purpose?

Mr. NICKEL. I do not have specific figures but, during the period I have been there, we have brought groups of five officers, I would say, to Vietnam two or three times a year for orientation.

The CHAIRMAN. That means 15 or 20 officers altogether?

Mr. NICKEL. That is right.

The CHAIRMAN. What countries did they come from while you were there?

Mr. NICKEL. They came from a variety of countries.

The CHAIRMAN. Europe?

Mr. NICKEL. Europe, South America, and East Asia.

The CHAIRMAN. The purpose of this orientation is for them to go back and do what?

Mr. NICKEL. Its purpose is to give them a firsthand appreciation of the situation in Vietnam.

The CHAIRMAN. Is it in order to aid them in spreading the word when they get back to their posts?

Mr. NICKEL. In order to enable them to better speak to the situation.

Effect of USIA third country journalist program

The CHAIRMAN. With regard to the newspapermen, what has been the effect and the result of this program? Even though you did not inspire it nor originate it, do you know whether when they return to their respective countries they report and write their articles in a very sympathetic way to our purposes in Vietnam?

Mr. NICKEL. I do not know enough about it, sir, to be able to characterize it.

The CHAIRMAN. If they do not, it does not seem justified to carry on the program. Is there no followup to find out how they react?

Mr. NICKEL. There is.

The CHAIRMAN. There is a followup?

Mr. NICKEL. There is, sir, but the followup does not fall into my area of responsibility.

The CHAIRMAN. I see. You do not know, but clearly they could want to check to see if these people reacted in the proper way and if they appreciate the courtesies you have extended them. Would they not?

Mr. NICKEL. I am sure that our people are well aware of what was written by newspapermen who have participated in this program.

Program of bringing government officials to Vietnam

The CHAIRMAN. Were you there when Mr. Moshe Dayan came to Vietnam?

Mr. NICKEL. No, sir.

The CHAIRMAN. Was that before your tour of duty?

Mr. NICKEL. That was before my time.

The CHAIRMAN. Do you know anything about the program of bringing government officials there? You do not know about that?

Mr. NICKEL. No, sir.

The CHAIRMAN. It is not your responsibility.

Mr. NICKEL. It is not mine, and I am not aware of any.

The CHAIRMAN. You do not know about it.

Western influence on South Vietnamese culture

There was a recent publication in the Vietnam Embassy here in Washington which contains an article on what is happening to Vietnamese culture. This is from a statement of the Minister of Culture on which I would like to have you comment. It says and I quote:

"Few of these young city people know much about their own culture except for the well-known festival such as Tet or the Mid-Autumn Festival," says the scholar versed in eastern and western cultures. "It is not that they don't care. But access to western ways is easier than access to traditional Vietnamese culture. * * *"

Radio and television are the media mainly responsible for the changes. As a Saigon University coed says, "Probably 80 percent or even more of the young people in Saigon prefer western music and art. We like the music especially. Few of us understand our own culture, mainly because we have never had the opportunity to study its features. But the western forms can be seen and heard daily on the American forces radio and television stations. And now even Vietnamese radio and television have programs devoted to western music."

Would you say that is an accurate description of what has taken place in Saigon?

Mr. NICKEL. Certainly access to Western culture is there. The communications explosion, I would say, Mr. Chairman, has had its effect in Vietnam as elsewhere. The youth of Vietnam like the youth of other countries have been attracted by Western forms. On the other hand, in the countryside of Vietnam, the Vietnamese cultural impact is very pronounced and very visible. I would say from my own view that the cultural problem, the problem of cultural identity in Vietnam, is probably not much different from the problem of cultural identity that you find in most developing nations today.

The CHAIRMAN. Do you mean most developing nations or only those in which we have a large presence?

Mr. NICKEL. Perhaps I will amend that to say many developing nations. It is largely a

problem of what I call the communications explosion.

The CHAIRMAN. Is there any indigenous competition in Saigon to the television and radio systems which we have established?

Mr. NICKEL. Well, Mr. Chairman, on Vietnamese television, I believe that probably the most popular program offered during a week's schedule is a night devoted to Vietnamese opera, which is distinctly Vietnamese in form and a very inherent part of their own cultural pattern. You find youngsters as well as elderly Vietnamese clustered around the sets watching it.

Impact of U.S. presence on Vietnamese culture

The CHAIRMAN. Do you think that the impact of the U.S. presence in Vietnam on the Vietnamese culture has been a favorable one?

Mr. NICKEL. I would answer that, Mr. Chairman, by saying that whenever you introduce a half million foreigners into a country of a population of 17 million, there are going to be dislocations and some of the dislocations are going to be cultural.

The CHAIRMAN. Are you saying that the presence of a half million soldiers is a greater influence than the presence of the USIA with its great publications, its newspapers, magazines, pamphlets, and posters? Which do you think is the greater influence on the Vietnamese culture?

Mr. NICKEL. What I am saying, Mr. Chairman, is that the presence of a half million foreigners in a nation of 17 million people is bound to have some impact, some cultural impact.

The CHAIRMAN. Supposing you did not have any USIA, do you think there would be a great impact if the foreigners were engaged primarily in fighting out in the rice paddies? All I mean is that it seems to me you probably are responsible for a greater part of the impact than the soldiers.

Mr. NICKEL. I would not discount the effect of the presence of a half million people.

The CHAIRMAN. I am not discounting it.

I do not suppose there are any easy criteria by which we can measure that.

Mr. Nickel, it is getting late. I must say, outside of those areas in which you have been instructed not to answer my questions, you have been very forthcoming and I think it has been a very interesting hearing. It seems to me that you have demonstrated beyond a doubt that the presence of the Americans is overwhelming. It has almost submerged the indigenous traditions and culture, at least in Saigon, although not in some of the remote areas where I suppose it is different. But I hardly know how they could resist it and maybe that is a good thing. I do not know. I guess that is for history to determine.

I appreciate very much you and your colleagues coming here to the committee.

Questions on U.S. Information Agency Polls

We will take up with your superiors the question of whether or not we are entitled to the information about polls. I must say it is hard for me to find a justification for secrets in an agency for information created and paid for by the American people. I thought it was to instruct everyone. When we ask you what you are doing, it seems to me it is a little incongruous for you to say, "We can't tell you about that." We expect that from something like the CIA, but I was a little surprised to have it coming from an information agency. I had not thought of it in that connection, but I realize you are not the policymaker nor the highest responsible official and I do not criticize you for it. If you have been told to do that, I do not want you to cut your own throat out in the open here before the committee. We will talk to Mr. Shakespeare about it or someone else in his agency.

Thank you very much, Mr. Nickel.

Mr. NICKEL. Thank you very much.

(Whereupon, at 1:15 p.m., the committee adjourned, subject to the call of the Chair.)

(The following are answers by the U.S. Information Agency to additional committee questions:)

USIA REPLIES TO SENATE FOREIGN RELATIONS COMMITTEE STAFF QUESTIONS

1. What is the current USIA policy with regard to having in its libraries in Viet Nam books that are critical of U.S. policy in Viet-Nam? Would you name some of the books currently stocked that are critical of U.S. Policy?

The U.S. Information Agency's policy with regard to critical books in Vietnamese libraries is one of presenting the issues, both pro and con, to interested readers.

Some typical titles on this subject include the following: J. W. Fulbright, *The Arrogance of Power* (English and French editions); and Robert Shaplen, *The Lost Revolution*. In addition the libraries have balanced collections of periodicals, many of which regularly have contents critical of U.S. policy, including New Republic, Nation, Harpers, Look, Life, Foreign Affairs, Newsweek, Time, Saturday Review, Asian Survey, New York Times Magazine, and the New Yorker.

2. Have any films produced by the Vietnamese Government been brought to the United States for showing? If so, provide the details.

The Ministry of Foreign Affairs has sent the following GVN-produced 16 mm films to the GVN's Embassy in Washington and to the GVN's permanent observer to the United Nations since January 1969:

Title	Language	GVN Embassy	Observer to U.N.
"Carnage at Hue" [1]	English	1 print	1 print.
"Viet-Nam News Magazine."	do	2 prints	2 prints.
"Love and Hatred"	do	3 prints	None.
"Viet-Nam Fights and Builds."	Vietnamese	1 print	None.
"Back to the Fatherland."	do	None	1 print.

[1] In addition, approximately 28 prints of "Massacre at Hue," which is the same as "Carnage at Hue," were sent by the GVN to various U.S. civilian groups at the latter's request.

3. (a) Have there been any studies made of the relative effectiveness of GVN and Viet Cong political propaganda? (b) If so, what do they show as to the effectiveness of the various methods of propaganda used by each?

There is no record of any comparative studies. Typical Viet Cong propaganda studies report themes but no comparative evaluation.

4. How many TV sets are there in Viet-Nam—in Vietnamese hands? How many are owned by the Vietnamese Government? How many were paid for by the United States?

The GVN estimates that there are 300,000 television sets in use by the Vietnamese. The GVN owns 4,832 sets, of which 4,582 were USG-funded—1,082 for the Republic of Viet-Nam's Armed Forces (RVNAF), and 3,500 for the Ministry of Information's community viewing program.

5. How many TV crews does the USIA operate in Viet-Nam? What use is made of their production?

USIA does not have any TV crews in Viet-Nam. JUSPAO, however, does have six motion picture cameramen on its payroll, and they are available to produce materials for a TV clip service. Since January 1, 1969, JUSPAO has produced 108 TV clips for distribution to USIS posts in 36 countries. When clips are considered to have application to Vietnamese audiences, they are offered to Vietnamese TV.

6. (a) How does the number of personnel now attached to the (1) USIA, (2) JUSPAO, and (3) in military psychological operations compare with a year ago? How many will there be a year from now?

	1969	1970	Estimate, 1971
(1) Personnel—USIA element:			
American civilians	[1] 130	[2] 99	[3] 88
Local and 3d country nationals	[4] 397	[5] 347	[5] 347
Total	527	446	435
(2) Personnel—JUSPAO:			
American civilians	[6] 132	[6] 101	[6] 90
Local and 3d country nationals [7]	397	347	347
American military personnel	118	107	107
Total	647	555	544
(3) Personnel—Military psychological operations	996	811	[8]

[1] Includes 30 AID-funded, 6 DOD-funded, and 2 VOA-attached officers.
[2] Includes 24 AID-funded, 2 DOD-funded, and 1 VOA-attached officers.
[3] Includes 14 AID-funded and 2 DOD-funded officers.
[4] Includes 133 AID-funded personnel.
[5] Includes 117 AID-funded personnel.
[6] Includes USIA element and 2 MACV civilians.
[7] USIA element.
[8] 1971 personnel level is still in the planning stage where some reduction is being considered.

6. (b) What percentage of all USIA personnel overseas are in Viet-Nam?

5.04 percent of all USIA American and local overseas personnel are in Viet-Nam.

6. (c) How many JUSPAO employees are in Saigon and how many are in the field?

Of the total of 555 personnel, 389 are in Saigon and 166 in the field:

	Saigon	Field
American civilians	78	23
American military personnel	34	73
Local and 3d country nationals	277	70
Total	389	166

7. Is the USIA consulted regularly concerning future military operations, with a view to obtaining its assessment of the effect of such operations on Vietnamese attitudes?

In Saigon, the Director of JUSPAO as a member of the Mission Council has the opportunity to advise the Ambassador and fellow Mission Council members of possible effects on Vietnamese attitudes of planned general and specific military actions.

8. The information booklet entitled "JUSPAO Viet-Nam" states that "It (JUSPAO) also produces for field use leaflets, pamphlets, newspaper articles and photographs, posters, magazines, loudspeaker tapes, motion pictures, and radio and television programs. These items are variously distributed by hand, disseminated from airplanes or broadcast by the GVN, the U.S., and other free world nations."

8. (a) What was the total number of pieces printed or produced last year for each of these categoies? What is planned for this year? Next year?

Category	Estimate— 1969	1970	1971
Leaflets	36,000,000	10,000,000	5,000,000
Pamphlets	[1] 3,500,000	3,000,000	1,500,000
Newspaper articles	6,000	3,000	3,000
Photographs	66,000	36,000	36,000
Posters	[1] 7,800,000	8,000,000	6,000,000
Magazines	[1] 9,900,000	9,600,000	7,800,000
Loudspeaker tapes	11,819	7,310	None
Motion picture prints	1,514	655	600
Radio programs	1,271	1,048	450
Television programs [2]	27	72	None

[1] The estimates provided in the Mar. 19, 1970, testimony were based on volume of U.S. support for the GVN printed media program.
[2] JUSPAO provided scripts and culture-drama team support to GVN television.

8. (b) *Do these totals include the propaganda materials put out by the U.S. military forces? If not, how much did the military produce last year? Where are these materials printed?*

Military production, for which JUSPAO is not responsible, last year included:

Category	Quantity	Where produced
Leaflets	7.8 billion [1]	7th PsyOP Group, Okinawa.
Do	2.4 billion [1]	4th PsyOp Group, Vietnam.
Pamphlets	0.5 million	7th PsyOp Group, Okinawa.
Newspaper articles.	Not applicable.	
Photographs	do	
Posters	15.8 million	4th PsyOp Group, Vietnam.
Magazines	1.9 million	7th PsyOp Group, Okinawa.
Loudspeaker tapes.	1,327	4th PsyOp Group, Vietnam.
Motion picture prints.	Not applicable.	
Radio programs	208	7th PsyOp Group, Okinawa.
Television programs.	Not applicable.	

[1] The estimate provided in the Mar. 19, 1970, testimony was based on GVN, not United States military publication programs.

8. (c) *Does JUSPAO print materials of the Vietnamese government? How much of the GVN printed propaganda is printed in its own plants?*

It is estimated that during FY 1970, approximately 70 percent of JUSPAO's printing output provides information support to GVN programs. Of the GVN's total support requirements, JUSPAO estimates that the GVN produces about 46 percent of the materials.

8. (d) *Does JUSPAO produce materials for use by the Korean and Thai forces in Viet-Nam? Has it ever produced any materials relating to allegations of Korean atrocities against civilians?*

JUSPAO does not regularly produce materials for use by Korean and Thai forces. However, records list the following printed products:

Category	Date	Quantity	How used
Two posters in Vietnamese	1968	30,000	By Koreans troops.
Paper flags, ROK, GVN, and United States	1968	12,000	Do.
Booklet, in Korean	1969	15,000	By Korean troops involved in the Chieu Hoi program.
Poster, in Vietnamese	1968	50,000	By Vietnamese Information Service to reveal Thai assistance to Vietnam.

JUSPAO has not produced any materials relating to allegations of Korean atrocities.

8. (e) *How many publications, in English, concerning Viet-Nam have been produced by USIA and are currently in stock? Please provide copies of these publications, information on the distribution and the cost of each.*

USIA has one such publication in stock, "Vietnamizing the Search for Peace," printed in 20,000 copies of which 19,270 were distributed to 13 USIS posts in East and South Asia, and the remaining 280 copies held in stock. In addition, JUSPAO has one English-language publication in stock, "Viet-Nam 1970," printed for the GVN in 20,000 copies by the Regional Production Center, Manila. Distribution was made to the GVN Ministry of Foreign Affairs and 29 GVN diplomatic posts (excluding Washington), 11,800; GVN Ministry of Information, 6,500; 29 USIS posts where there are GVN diplomatic posts, 475 for information; RSC reserve stock, 1,000; JUSPAO reserve stock, 225.

Cost of "Vietnamizing the Search for Peace" is .7 cents per copy, and "Viet-Nam 1970" is 20 cents per copy.

8. (f) *How many of these publications do not bear the USIA imprint? Why?*

"Viet-Nam 1970" does not bear the USIA imprint but rather that of the GVN Ministry of Information. The publication was originally published in Vietnamese (100,000 copies) at the GVN's request for GVN use; the subsequent English language verision was likewise printed for GVN use.

9. (a) *What facilities does the Armed Forces Radio and Television Network maintain in Viet-Nam?*

[In kilowatts]

Location	Radio/ AM power	Radio/ FM power	Television/ ER power
Quang Tri	1		40
Danang	10	25	40
Chu Lai	1		40
Pleiku	10	25	40
Qui Nhon	10	25	40
Tuy Hoa			40
Nha Trang	10	25	40
Saigon	50	100	240
Can Tho			[1] 1

[1] UHF translator.

9. (b) *How many hours is the Armed Forces TV station in operation daily compared with the operating hours for the GVN station?*

Armed Forces TV stations average 12 hours of daily operations. Three of the GVN TV stations average four hours daily; the fourth station (Saigon) averages five hours.

9. (c) *How many Vietnamese watch the Armed Forces TV network compared with the number who watch the GVN station?*

A comparison has not been established.

10. (a) *How much has been spent, or is planned to be spent, by the USIA and other U.S. agencies, to help build the physical plants for the GVN radio and television, film, printing and other information programs?*

Since 1965 and projected to the completion of the current GVN projects, U.S. agencies have spent or plan to spend the following amounts: 4-station radio network, $6.8 million; television network, $8.2 million; motion picture center, $2.5 million; information printing house, $234,000; other physical plants, none.

10. (b) *How much has the GVN put up for each of these categories?*

Actual amounts earmarked for physical plants for GVN media facilities are not identified per se in the GVN budget. However, for the period since 1965, the following monies, including those for any physical plants, have been spent or earmarked for: radio, $8.3 million; television, $4.2 million; motion picture center, $2.7 million; information printing house, $1.8 million; and Ministry of Information General Directories and the Vietnamese Information Service, $47.6 million.

11. (a) *What was the total amount spent last year by the United States on all phases of the information and psychological warfare program in Vietnam, including the costs for all aspects of military psychological operations? How much will be spent this year? Next year?*

[In millions of dollars]

Category	1969	Estimate— 1970	1971
Joint U.S. Public Affairs Office controlled programs	13.3	12.1	9.7
U.S. military programs	14.6	10.7	(1)
Total	27.9	22.8	

[1] 1971 funding level is still in the planning stage where some reduction is being considered.

11. (b) *How much did the Vietnamese government spend on these programs last year? How much is planned for this year?*

[In millions]

Category	1969	Estimate, 1970
Ministry of Information	$9.6	$19.7
RVNAF Psy War activities	[1] 4.9	4.9
Total	14.5	24.6

[1] No detailed breakout of GVN funds expended for 1969 is available. However, officials estimate that the amount is approximately the same as programed for the current year.

12. (a) *How many U.S. personnel work directly in or with GVN agencies concerned with propaganda or information matters?*

	U.S. civilians	U.S. military
JUSPAO	[1] 67	107
USMACV		167
Total	67	274

[1] This total includes 16 NBC/I contractual personnel.

12. (b) How many Americans work in the GVN radio network?

Three JUSPAO advisors. In addition, there is one technical advisor assigned to the RVNAF radio branch.

How many Americans work in the GVN television activities?

Sixteen contractual advisors (National Broadcasting Company, Inc.) and three other JUSPAO advisors. In addition, there is one technical advisor assigned to the RVNAF television branch.

How many Americans in GVN films?

Two JUSPAO advisors.

13. What is the purpose and scope of operation of "psychological operations officers" attached to U.S. advisory teams in the provinces? How many are there?

They advise Vietnamese Information Service (VIS) and Vietnamese Army political warfare (PolWar) units in the provinces on effective coordinated information/psychological operations in support of national and local Pacification and Development goals. There are 34 civilians and military "psychological operations officers" attached to U.S. advisory teams in the provinces to concentrate on the functions of the GVN civilian information services; an additional 43 military officers serve as advisors to the GVN military political warfare cadre.

14. What control, if any, does the USIA have over the activities of the five Army television camera crews operating in Viet Nam that produce materials aimed at U.S. television audiences?

None.

15. Have the Viet-Nam Information Services and other Viet-Nam agencies dealing with propaganda matters been receptive to USIA advice?

They have been generally receptive to advice in program, training, and engineering matters. Advice in administrative matters has been less effective.

16. (a) How many members of Viet-Nam's National Assembly have come to the United States in the last two years? How many have had all or part of their expenses paid for by the United States?

During the past 2 years, 3 Vietnamese senators and 42 deputies visited the United States. Ten senators and 10 deputies traveled in whole or in part at U.S. Government expense. Of these 20, six senators and five deputies were provided domestic travel expenses and per diem from the Department of State in response to invitations issued by members of the U.S. Congress.

16. (b) Does the USIA sponsor any Vietnamese to come to the United States on speaking tours? If so, give details.

None.

17. (a) How many Vietnamese have been brought to the United States for study or training (non-military) in the last five years under government auspices?

Program	1965	1966	1967	1968	1969	Total
Fulbright-Hays scholarships	9	6	0	0	[1] 1	16
Cleveland international program	2	2	3	2	2	11
East-West center scholarships	2	5	7	5	2	21
American field service scholarships	15	14	48	33	23	133
USAID grants	107	92	412	433	186	1,230
Total	135	119	470	473	214	1,411

[1] Partial grant.

17. (b) *How many are here now?*

Program:	
Fulbright-Hays scholarship	1
East-West Center scholarships	13
American field service scholarships	30
Television engineers to RCA Institute	5
USAID grants	526
Total	575

17. (c) *How many are programed to come this year? Next Year?*

Program	1970	1971
Cleveland international program	2	2
East-West Center scholarships	5	5
American Field Service scholarships	20	20
USAID grants (new)	[1] 331	411
USAID grants (renewals)	384	448
Total	742	886

[1] Although new participants have been selected and funds obligated, they are authorized to depart Vietnam up to 9 months after the obligation date.

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

S. 1398. A bill to amend the Water Resources Planning Act to authorize increased appropriations. Referred to the Committee on Interior and Insular Affairs.

Mr. JACKSON. Mr. President, on behalf of the senior Senator from the State of Colorado (Mr. ALLOTT) and myself, I send to the desk for appropriate reference a bill to amend the Water Resources Planning Act to authorize increased appropriations.

This legislation was submitted and recommended by the Water Resources Council, and I ask unanimous consent that the executive communication accompanying the draft proposal be printed in the RECORD at this point in my remarks.

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

WATER RESOURCES COUNCIL,
Washington, D.C., March 11, 1971.

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

DEAR MR. PRESIDENT: Enclosed is a proposed draft bill "to amend the Water Resources Planning Act to authorize increased appropriations." At present, the Act (79 Stat. 244, 42 USC 1962 *et seq.*) contains a combined ceiling of $900,000 for the Council's administration of the Act, consisting of a ceiling of $500,000 for Title I and $400,000 for the administration of Title III. The bill proposes to eliminate these ceilings so as to accommodate the Administration's proposed FY 1972 budget for the Council and to permit any necessary future increase in funds that could be made available.

The separate authorization ceilings for the administration of Titles I and III have proved to be somewhat artificial and impractical in actual operation, and we believe that the authorization for the Council's administration of the Act should be combined as proposed in the bill. This change will result in more efficient administration and more accurately reflect the Council's organizational structure.

Authorization ceilings for river basin commissions established under Title II of the Act would not be changed by this bill. It would, however, clarify the budgetary procedure for such commissions by providing explicitly that the salaries and expenses of commission chairmen are subject to the Title II ceilings.

The ceiling on grant funds to States, set at $5,000,000 in the Act, would not be affected by this bill.

The Office of Budget and Management advises that this bill would be in accordance with the program of the President.

Sincerely yours,

ROGERS C. B. MORTON,
Chairman.

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

S. 1399. A bill to establish within the Department of the Interior the position of an additional Assistant Secretary of the Interior. Referred to the Committee on Interior and Insular Affairs.

Mr. JACKSON. Mr. President, I introduce, for myself and the senior Senator from Colorado (Mr. ALLOTT), by request, a bill submitted and recommended by the Secretary of the Interior to establish within the Department of the Interior the position of an additional Assistant Secretary of the Interior.

I ask unanimous consent that the text of the letter transmitting the proposed legislation be printed at this point in my remarks.

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

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 24, 1971.

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

DEAR MR. PRESIDENT: Enclosed is a proposal "To establish within the Department of the Interior the position of an additional Assistant Secretary of the Interior.

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

The proposal creates a sixth Assistant Secretary of the Department of the Interior who will be appointed by the President with the advice and consent of the Senate. He will have responsibility for those duties assigned to him by the Secretary of the Interior and will be compensated at the rate of Executive Level IV.

The intent is that the new Assistant Secretary will assume the duties currently assigned to the Assistant Secretary for Administration. The present Assistant Secretary for Administration is appointed by the Secretary of the Interior with the approval of the President and is compensated at Executive Level V.

The Assistant Secretary for Administration is responsible for a variety of functions, including offices of Budget, Management Operations and Survey and Review. These functions cut across the entire department and involve substantive policy as well as more routine administrative matters. Placing the new Assistant Secretary for Administration on the same level as the other Assistant Secretaries will, we feel, substantially enhance his effectiveness in dealing with the other Assistant Secretaries and in carrying out his functions.

The proposed bill abolishes the existing position at the same time creating the new one. In order to avoid a hiatus while the Senate is exercising its confirmation prerogative, the bill provides that the existing position will not be abolished until an appointee is confirmed to fill the new position.

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

Sincerely yours,

ROGERS C. B. MORTON,
Secretary of the Interior.

A bill to establish within the Department of the Interior the position of an additional Assistant Secretary of the Interior.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be hereafter in the Department of the Interior, in addition to the Assistant Secretaries now provided for by law, an additional Assistant Secretary of the Interior who shall be appointed by the President by and with the advice and consent of the Senate, who shall be responsible for such duties as the Secretary of the Interior shall prescribe, and shall receive compensation at the rate now or hereafter prescribed by law for Assistant Secretaries of the Interior.

SEC. 2. Section 5315, title 5, United States Code, is amended by striking the figure "(5)" at the end of item (18) and by inserting in lieu thereof the figure "(6)".

SEC. 3. Section 4 of Reorganization Plan Number 3 of 1950, as amended (64 Stat. 1262) is repealed, effective upon the confirmation by the United States Senate of a Presidential appointee to fill the position created by this Act.

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

S. 1400. A bill to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives. Referred to the Committee on Interior and Insular Affairs.

Mr. JACKSON. Mr. President, on behalf of the senior Senator from Colorado (Mr. ALLOTT) and myself, by request, I send to the desk for appropriate reference a bill to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives.

This measure has been submitted and recommended by the Department of the Interior, and I ask unanimous consent that the letter accompanying the proposed legislation be printed in the RECORD following my remarks.

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

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 23, 1971.

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

DEAR MR. PRESIDENT: There is enclosed a draft bill "To provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives."

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

This proposal is identical to H.R. 19413, a bill which was favorably reported out by the Committee on Interior and Insular Affairs of the House of Representatives during the 91st Congress. This is a proposal that is acknowledged to be peculiarly within the province of the Congress since it concerns the membership in the House of Representatives.

We have included both territories in the same bill since apart from their acquisition, Guam having been acquired from Spain in 1898 and the Virgin Islands having been purchased from Denmark in 1917, their status and development parallel one another. Both Guam and the Virgin Islands are organized, but unincorporated, territories of the United States; i.e., the Congress has provided for each of them a formal structure of government through passage of an organic act. The residents of both territories are American citizens.

The territories are governed by locally elected legislatures, and recently inaugurated their first elected Governors on January 4, 1971. In each area, the judiciary is separate from the executive and legislative branches of government. Federal District Courts have been establish in Guam and the Virgin Islands.

In the Virgin Islands, the elected legislature has shown an increasingly mature grasp of its responsibilities, and, politically, the people have developed a meaningful party system. The territorial government has greatly expanded the scope of its services, and the private economy has likewise prospered, largely because of the increase of tourism and of manufacturing enterprises of various sizes.

Similar political maturity has been evidenced by the legislature and the people of Guam. Guam is an area of full employment and is actively engaged in diversifying its economy in order to be less dependent upon the defense establishments located there.

Normally, neither territory approaches the Congress for direct appropriations to support its governmental activities. The present exception is Guam's requests for loans and grants authorized in connection with the rehabilitation program authorized by Public Law 88–170, as amended by Public Law 90–511. This is not to say that either territory is entirely self-supporting, but only that each of the two territories is able to finance its affairs through revenues generated locally, either directly or indirectly, and retained and expended pursuant to Congressional authorization.

We believe each of the territories of Guam and the Virgin Islands should have representation in the House of Representatives in the form of a non-voting delegate. Each Congress considers and acts upon a variety of proposals which, if enacted, affect the territories and their people in varying degrees, sometimes only remotely, but often in a direct and substantial way. We submit the citizen residents of these territories are as entitled as the citizens of the several States to express their views respecting the actions of the Congress through a duly accredited and accepted member of the House of Representatives, albeit one with limited powers.

The enclosed draft bill, if enacted, would provide for the representation we suggest. It provides for the popular election of a nonvoting delegate to the House of Representatives from each of the named territories, whose term would be two years, and who would receive the same compensation, allowances and benefits as a Member of Congress, and such privilieges as might be afforded him by the Rules of the House of Representatives. The draft bill sets forth certain criteria and procedures for candidates and the manner of election, but leaves the majority of the details of election in the hands of the local legislatures.

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

Sincerely yours,

HOLLIS M. DOLE,
Assistant Secretary of the Interior.

A bill to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembeld, That the territory of Guam and the territory of the Virgin Islands each shall be represented in the United States Congress by a nonvoting Delegate to the House of Representatives, elected as hereinafter provided.

SEC. 2(a). The Delegate shall be elected by the people qualified to vote for the members of the legislature of the territory he is to represent at the general election of 1972, and thereafter at such general election every second year thereafter. The Delegates shall be elected at large, by separate ballot and by a majority of the votes cast for the office of Delegate. If no candidate receives such majority, on the tenth day following such election a run-off election shall be held between the candidates receiving the highest and second-highest number of votes cast for the office of Delegate.

(b) A candidate for Delegate who is the nominee of a political party shall be so designated and a candidate who is not the nominee of a political party shall be designated an "Independent." No political party shall nominate more than one candidate for the office of Delegate. An "Independent" candidate shall have been nominated by petition of at least two hundred registered voters, such petition to be filed not less than thirty days before the date of the election.

(c) The term of the Delegate shall commence on the third day of January following the date of the election.

SEC. 3. No person shall be eligible for the office of Delegate who, on the date of the election, is a candiate for any other office or is not:

(a) At least twenty-five years of age; and

(b) A qualified voter and otherwise eligible for election as a member of the legislature of the territory he is to represent.

SEC. 4. The legislature of each territory may determine the order of names on the ballot for election of Delegate, the method by which a vacancy in the office of Delegate shall be filled, the method by which ties between candidates for the office of Delegate shall be resolved, and all other matters of local application pertaining to the election and the office of Delegate not otherwise expressly provided for herein.

SEC. 5. The Delegate from Guam and from the Virgin Islands shall have such privileges in the House of Representatives as may be afforded him under the Rules of the House of Representatives. The Delegate from each territory shall receive the same compensation, allowances and benefits as a Member of the House of Representatives, and shall be entitled to whatever privileges and immunities are, or hereinafter may be granted to the Resident Commissioner for Puerto Rico.

By Mr. JACKSON (for himself, Mr. ALLOTT, and Mr. MOSS):

S. 1401. A bill to establish a national Indian education program by creating a National Board of Regents for Indian Education, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

THE NATIONAL BOARD OF REGENTS FOR INDIAN EDUCATION ACT OF 1971

Mr. JACKSON. Mr. President, I am introducing legislation today which is designed to make major reforms and major institutional changes in the field of Federal Indian education. This measure, the "National Board of Regents for Indian Education Act of 1971," would establish in the executive office of the President a National Board of Regents for Indian Education and would transfer to the Board of Regents responsibility for Federal Indian schools and education. Improving the quality and quantity of Indian education and maximizing opportunities for Indian control and self-determination are the major purposes of the bill.

Through the years, Mr. President, the basic posture of the Federal Government toward American Indians has assumed a variety of forms. In the most sweeping terms, these have ranged from dealing with the tribes as separate and independent nations to treating the Indians in a paternalistic manner and in a guardian-ward relationship. These various relationships have been based upon a large and still-growing body of court decisions, treaties, laws, and regulations. This body of law provides the judicial basis for the long-standing, unique relationship which exists between the American Indian people and the Federal Government.

It is because of this relationship that the Federal Government has a "special" responsibility for the protection of Indian lands and resources and for the provision of basic community services to Indians under specified conditions.

Many American Indian people view the maintenance of this unique relationship as important, ever. critical, to the continued survival of their culture and their identity as a people. In the immediate sense, they view this relationship as essential to their physical survival and well-being as individuals, families, and communities. Based on this relationship, many of the most essential needs of America's Indian people have been and, to a large extent, still are being met through benefits and services provided under Federal programs operated on reservations and in other traditional "trust" areas.

Because of the Federal Government's moral and legal commitments, and in light of the very real social and economic needs of many Indian communities, it is essential that we continue to improve and to build upon this unique relationship between the Federal Government and the

Indians. It is also necessary to undertake an effort to assure that appropriate high quality services are made available to Indians who are in need and who qualify. This is a goal to which I personally ascribe. I believe that quality services and a policy of self-determination can maximize personal opportunity and they should serve as guiding principles in a new Federal effort to improve policies and programs to advance the well-being of all Indian people.

Traditionally, the Bureau of Indian Affairs, organized under the War Department in 1824 and later transferred to the Department of the Interior upon its establishment in 1849, has served as the organizational vehicle to carry out Federal Indian responsibilities.

While its primary responsibility is to protect Indian lands and resources, the Bureau of Indian Affairs does provide important community services to many Indian people. Unfortunately, the Bureau has been guided by policies, programs, and laws that, for the most part, have precluded Indian self-determination and control of affairs on their reservations and in their communities. This almost complete Federal dominance in the daily lives of Indian people for decades has created excessive reliance on governmental assistance, has eroded initiative, and has served to inhibit social and economic growth and development.

Congress must share in these shortcomings for it is Congress who has enunciated Indian policy since the earliest days of our Nation. Our combined policy and program efforts have failed to achieve the kind of measured progress in the Indian field which was anticipated and which can be pointed to with pride.

Evidence of the failure of Federal Indian programs is well illustrated in a growing body of health, social, and economic statistics. Indians, compared to other Americans, have not shared equitably in the great social and economic advancements of the Nation. The wide spectrum of statistics which reflect failure to achieve the goal of equal participation, at the same time indicate that there are serious impediments that must be overcome if social and economic advancements are to be made.

A few examples reflect the Nation's failure and provide an insight into why major educational reforms and institutional changes are now required.

The infant mortality rate for Indians is 30.8 deaths per 1,000 live births compared to 20.7 for all races;

The average age at death for Indians is 46.1 years compared to 65.0 years for all races in the Nation:

The average Indian family of five or six lives in a one or two room house, 24 percent of which lack running water and adequate sanitation facilities;

Fifty percent of Indian students drop out of school before graduation, and the average number of years of schooling completed by Indians is 8.4 compared to the national average of 10.6;

Unemployment among Indian people is approximately 10 times the long-term national average, and runs as high as 60 percent on some reservations during the winter months;

In 50 percent of the Indian households, the annual income is under $2,000, well below the poverty level established by the Federal Government.

These statistics, while only illustrative, reflect deplorable social circumstances which everyone, especially the Indian people themselves, want to remedy. However, the Indians' hopes and aspirations for a better way of life are too often cut short by early deaths and a denial of full opportunity. For those who survive childhood these same hopes and aspirations are narrowed by inadequate academic and vocational skills to enjoy economic self-sufficiency. This situation, in short, represents the challenge which confronts the Congress, the executive branch and Indian communities.

Although the problems of Indians are severe and complex, the winds of positive change have been directed to the Indian field and reflect hope and promise for the future. Within the last decade, there have been tremendous changes in Indian Affairs. The changes point to a more dynamic role for Indian leaders, Indian people, and Indian communities in setting the course of their educational, social and economic development. This does not mean that Indians now "have control" but it does mean that they are increasingly in a position to influence, to set the tone, and in great measure participate meaningfully in decisions affecting their daily lives and their future.

A national response to the disadvantaged was begun during the 1960's with congressional approval of legislation authorizing the establishment of new social and economic programs within the executive branch of government. A number of key measures were the Elementary and Secondary Education Act, the Economic Opportunity Act, the Manpower Training and Development Act, medicare, and medicaid.

As a result of these developmments the imprint of the Office of Economic Opportunity, the Housing and Urban Development Department, the Economic Development Administration, the Labor Department, the Agriculture Department, and the Department of Health, Education, and Welfare, in addition to the Bureau of Indian Affairs, can now be noted on most reservations. The net effect of these developments in terms of Federal financial resources being applied against Indian problems is a combined expenditure of all agencies in excess of $625 million in the 1971 fiscal year alone.

A noticeable feature of this multi-agency involvement is that a number of other Federal departments are now striving to serve effectively the Indian people on reservations. Needless to say, a whole new set of interactions between Indians and other officials have been set in motion with varying degrees of successes and failures.

The availability of new or expanded social and economic benefits for Indian people has given rise to added responsibilities and challenges for Indian leaders and their people. Essentially, tribal governments are faced with the task of marshaling these resources in such a way that they will have optimum benefits for the people they represent.

While the broadening of authorities and the greater involvement of Federal agencies, and an increasing demand for Indian participation has been taking place, what has been happening to and in the Indian communities? A rediscovery of those communities has occurred by the public and private resources.

The Indian community, itself, also has been in an upward spiral. More jobs and opportunities are available now in the community. Young Indian people with advanced education are coming back to live; transportation and communication with the surrounding towns and the outside world are a part of everyday living. New social and political forces that want to effect change and improve the Indian community are at work. More than any other time in Indian history, there are tremendous internal and external social and political forces at work on the Indian community. These forces have as their goal a radical change in the posture of the Indian and his community.

Yet, the majority of Indian people are caught in the backlash of historical developments and policies which make it difficult for them to come to grips with the key issues of how to meet the needs of their people and how to develop the best communities to live in. A key to this development is the issue of education for Indian children and people.

Just as the interest in Indians has moved from a one-agency to a multi-agency focus in policy and programs, so has the educational focus in Indian Affairs.

Over the years, the formal education of American Indians has been the responsibility of three major groups—Christian missionaries, the Bureau of Indian Affairs, and more recently the State public school system.

Mission schools were the major way for educating American Indians until the last part of the 19th century. After the Civil War, the Federal boarding schools became the important educational effort. Today, the State public schools are educating about two-thirds of all Indian children for whom the Federal Government assumes responsibility.

None of these avenues for education were totally satisfactory but should be looked upon as ways devised to provide some opportunity for Indians to receive an education.

Much has been publicized about education for Indians, particularly in the last 5 years. I think it fair to say that with the growing interest of Indian involvement in programs, a new interest in education also has been developing in the Indian community.

Today 185,587 Indian children attend Federal, private, and mission schools. Of these children 68.4 percent attend public schools; 25.8 percent attend Federal schools; and 5.8 percent attend mission and other schools.

Federal sources to support these children originate from direct appropria-

tions to the Bureau of Indian Affairs for support of the Federal system, as well as from funds made available by amendments to the Elementary and Secondary Education Act of 1965, and transferred to the Department of the Interior from the Department of Health, Education, and Welfare for use in the Bureau of Indian Affairs schools.

For those Indian children attending public schools, three main sources of Federal funds are utilized: Johnson-O'Malley Act of 1934 (43 Stat. 596, as amended) administered by the Department of the Interior; Public Law 81–874 (64 Stat. 1100) and the various titles authorized under Elementary and Secondary Education Act of 1965.

In both the Federal and public school systems serving Indian children, parents and others in the Indian community have virtually no voice in the manner in which the schools are operated and how these Federal moneys are utilized. In short, it is a closed educational system to Indian people, and one which I propose to open up for them and for public scrutiny to assure that these systems will become more responsive to the diverse educational needs of Indian children and their communities.

The bill I have introduced today is predicated on the assumption that a national Indian education program must be established in order to effectively meet the educational needs of Indian and Alaska Native children, irrespective of their place of school enrollment.

To this end, the bill authorizes creation of a National Board of Regents for Indian Education to provide leadership and an organizational framework for such a program.

Because the educational needs are so great, and the deficiencies so serious, I am proposing through my bill that the executive branch join with the Congress in declaring that making educational opportunity available to Indian children is among the Nation's highest and most urgent domestic priorities. This can best be accomplished by placing the board of regents, as I propose, in the Executive Office of the President for a period of 5 years to insure the successful establishment and implementation of a national Indian education program. In this manner, the program will receive the high-level executive and congressional focus and attention that it requires and rightfully deserves.

The bill provides that the 11-member board of regents for Indian education, to be appointed by the President with the advice and consent of the Senate, will be selected from the Indian and education communities. The board will be charged with responsibility of formulating the broad operating policies for a national Indian education program, along with projected cost estimates, that is responsive to the educational needs of the Indian and Alaska Native children to be served.

The bill provides that the board of regents will assume complete responsibility for control and management of the educational system currently administered by the Bureau of Indian Affairs. This changeover will be completed within a 4-year period of time. It will involve the transfer of 138 day schools on reservations, 19 off-reservation, and seven peripheral dormitories from the Bureau of Indian Affairs jurisdiction to the board of regents. The board will assume responsibility for administration of Johnson-O'Malley contracts which the Bureau of Indian Affairs maintains with 15 States to support education programs for Indian children enrolled in public school districts.

My bill mandates the right of Indian communities to establish school boards to assume control and operation of Federal schools serving the children in such communities. The board of regents would finance the locally controlled school through appropriated funds from Congress and other financial aids emanating from the U.S. Office of Education, Department of Health, Education, and Welfare.

As a means of influencing the proper utilization of Federal funds made available to school districts serving Indian children and which originate from the Department of Health, Education, and Welfare, my bill authorizes the board of regents to serve in an advisory capacity to the Secretary of that Department. This will permit the board to serve an "advocacy" role in behalf of Indian children concerning the use of Federal educational funds and programs.

These are the essential features of the bill. I believe it can serve as a new blueprint for Indians and the Government to join in the design of an educational thrust that will insure educational achievement and excellence for their children.

The educational needs of Indian and Alaska Native children are so long-standing and severe that they must transcend partisan political considerations. Therefore, I am hopeful that my colleagues from both parties in this great body will respond to this challenge, as we have done so often in the past on other critical issues, and join with me in cosponsoring the National Board of Regents for Indian Education Act of 1971. It offers the avenue for Indian people to achieve their hopes and aspirations for a life of decency and self-sufficiency.

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

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

S. 1401

A bill to establish a national Indian education program by creating a National Board of Regents for Indian Education, 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 "National Board of Regents for Indian Education Act of 1971."

CONGRESSIONAL FINDING

(a) The Congress, after careful review of the Federal government's historical and special legal relationship and resulting responsibilities to American Indian people, finds:

(1) that the Federal responsibility for providing education for Indian children, for adult education and for skills training has not produced the desired level of educational achievement nor created the diverse opportunities and personal satisfaction which education can and should provide;

(2) that recent studies indicate that the average level of educational attainment among young American Indian people is only 8.4 years as opposed to a national average of 10.6 years;

(3) that the school dropout rate for Indian students is in excess of 50 per cent as opposed to a national average of approximately 25 per cent;

(4) that 25 per cent of the adult Indian population is functionally illiterate and is a major contributing factor to the high Indian unemployment rate which is ten times the national average;

(5) that in many areas of the nation these deplorable levels of educational attainment are directly linked to inadequate educational materials, school curricula which is not relevant to Indian culture, substandard facilities, a lack of enough competent teachers; and a failure to place appropriate decision-making authority and responsibility for educational policy in the hands of the Indian people; and

(6) that the failure to provide quality educational opportunity results in a waste of human resources and a loss of intellectual and cultural benefits of national value which cannot be allowed to continue.

(b) The Congress further finds:

(1) that local communities, individual families and parents should, as a matter of national policy, be directly and actively involved in decisions relating to the nature and quality of their children's education;

(2) that there is a need for new leadership in the field of Indian education which is professional qualified, innovative and responsive to the educational needs of Indian children and the desires of Indian communities;

(3) that this new leadership should be composed of representatives of Indian communities as well as other representatives who bring experience, excellence and a capacity to develop innovative programs in the field of education;

(4) that a properly funded and structured program of Indian education which is held to a standard of academic excellence can provide the nation an opportunity to test new techniques, concepts and materials designed to improve both Indian education and education for all Americans; and

(5) that as a matter of national policy the Federal government shall maximize educational achievement and opportunity for all Indian children as well as for all other children attending schools operated by the Federal government for the education of Indian children.

TITLE I—DECLARATION OF POLICY

SEC. 101. In recognition of the critical importance of education in meeting the social, cultural, and employment aspirations and needs of American Indian and Alaska Native children, and the growing desire of Indian peoples for self-determination through maximum involvement, participation, and direction of educational as well as other services in their communities, the Congress hereby declares that a restructured, revitalized and properly funded program of Indian education shall become the foundation and central feature of our Nation's Indian policy and shall be accorded the Nation's highest domestic priority.

SEC. 102. Providing the quantity and quality of educational services and opportunities that will permit American Indian children to compete and excel in the life area of their

choice is hereby declared to be a major national goal.

SEC. 103. The Congress further declares its intent to achieve this goal by establishing a National Board of Regents for Indian Education to work with Indian communities and to provide direction, leadership and an organizational framework to mobilize public and private educational resources towards the development of a quality national Indian education program for Indian children, which provides for diversity of opportunity, individual fulfillment, equality of services and academic excellence.

TITLE II—NATIONAL BOARD OF REGENTS FOR INDIAN EDUCATION

SEC. 201. There is hereby established in the Executive Office of the President an independent agency to be known as the National Board of Regents for Indian Education.

SEC. 202. (a) The Board shall consist of eleven members to be appointed by the President of the United States, with the advice and consent of the Senate. Such appointments shall be made by the President after considering proposed nominees submitted by Indian tribes and organizations, and shall, insofar as is possible, represent the geographic regions of the country having substantial Indian populations. Persons appointed to serve on the National Board of Regents shall be selected on the basis of: (1) their commitment toward, and professional or personal experience in improving the quality of Indian education; (2) their professional competence as educators who have a history of successfully implementing effective, bold and innovative educational programs; or (3) their demonstrated ability to work with local Indian communities in developing and implementing educational programs.

(b) It is the intent of the Congress that the President appoint the most capable persons available to serve on the National Board of Regents and that these appointments shall include a substantial number of persons who are American Indians.

(c) Appointments to the Board of Regents and the appointment of staff for the Board of Regents shall be made without regard to political affiliations or partisan consideration of any kind, and said staff shall not be otherwise employed.

SEC. 203. Members of the Board of Regents shall be appointed for three years; except that the terms of office of members of the initial Board shall be composed of four members appointed for one-year terms, three members appointed for two-year terms, and four members for three-year terms. There shall be no limit on the number of terms a member of the Board of Regents may be reappointed. Any person appointed to fill a vacancy on the Board, occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of that term. The President shall designate one of the members to serve as Chairman and one to serve as Vice Chairman. The Vice Chairman, during the absence or disability of the Chairman, shall act for, and exercise the powers of, the Chairman. The Vice Chairman shall perform such duties as the Chairman may prescribe.

SEC. 204. Members of the National Board of Regents shall meet at least once each month subject to the call of the Chairman; and when in attendance at such meetings shall be compensated at the daily rate prescribed for grade GS-18 of the General Schedule, under section 5332 of Title V, United States Code, including travel expenses and per diem at the applicable government rates.

SEC. 205. Pursuant to rules and regulations adopted by the National Board of Regents, the Chairman is authorized to:

(a) appoint, prescribe the duties of, and fix the compensation of the Executive Director and such additional staff personnel as the Chairman deems necessary. The Executive Director shall be appointed by the Chairman after advice and consultation with the members of the Board of Regents.

(b) compensate all employees at the schedule prescribed in chapter 53, Title 5, of the United States Code.

(c) procure temporary and intermittent services of individuals and consultants to the same extent as is authorized by section 3109, United States Code, but at a rate not to exceed $125 a day for individuals.

TITLE III—POWERS AND DUTIES OF THE NATIONAL BOARD

SEC. 301. The National Board of Regents is authorized and directed to:

(a) develop priorities and specific goals and objectives for a National Indian Education Program to achieve within two, five, and ten years respectively together with a recommended detailed program designed to attain these goals and objectives. The recommended program shall deal with the needs of all Indian children enrolled in Federal, public, and private school systems. The Board of Regents initial program plan shall be completed within one year following the appointment of the initial Board

(b) submit the National Indian Education program to the President, to the Congress, and to the Secretaries of the Department of the Interior and the Department of Health, Education, and Welfare for review and, where appropriate, for implementation;

(c) serve in a program monitoring role to the Secretary of the Interior until such time as all powers, functions, and responsibilities for Indian education are transferred from the Department of the Interior to the Board of Regents;

(d) assist the Office of Management and Budget in the development of regulations, guidelines, and procedures to provide for the transfer of the educational programs, authorized by the Johnson-O'Malley Act (43 Stat. 596, as amended), and administered by the Secretary of the Interior to the Board of Regents. Transfer of the Johnson-O'Malley educational programs from the Department of the Interior to the Board of Regents shall occur no later than two years from date of enactment of this act

(e) devise procedures for assuming full responsibility for the formulation of the Federal budget in Indian education in conjunction with the Secretary of Interior and report this procedure to the appropriate committees of the Congress no later than one year following enactment of this act. Unless Congress otherwise directs, such transfer of budget authorities shall occur within three years from the date of enactment of this act;

(f) serve as an advisory committee to the Secretary of the Department of Health, Education and Welfare concerning that Department's programs which directly affect Indian children including the public school system;

(g) assume full responsibility for the control and operation of Indian educational programs of the Federal government, including presentation of the budget for Indian education to the Office of Management and Budget and the Congress, no later than four years after the effective date of this act;

(h) devise and implement procedures for establishing new local Indian school boards that will assume control and operation of Federally-supported education programs. Such local Indian school operations shall be financed from appropriations to the Board and various other Federal funds. These local Indian school boards may not be given full control of a local Indian school until they have met appropriate standards and criteria established by the Board of Regents. The Board of Regents shall not interfere with activities of already established local Indian school boards, but may extend to them such assistance as they may request; and

(i) render such training and technical assistance as is necessary, particularly to Indian tribes, groups, and organizations, to carry out the Board's programs and policies.

SEC. 302 (a) The President of the United States shall implement the transfer of authorities and responsibilities provided for in this Act by the promulgation of any necessary Executive Orders.

(b) When programs are transferred under this Act to the Board of Regents, the Board, together with the transferring agency, shall develop a plan and program for the transfer of appropriate and needed personnel, budget accounts, records, property and other necessary materials. No person who is transferred or who stays with the transferring agency in some other capacity shall be denied any rights or status available under the Civil Service laws and regulations.

TITLE IV—REPORTING BY THE BOARD

SEC. 401. The Board of Regents shall submit an annual report to the Congress beginning one year from the effective date of this Act. The report shall set forth the progress of the Board in meeting the objectives of this Act. The Board's report shall, 60 days prior to its transmittal to the Congress, be submitted to the Secretaries of the Interior and Health, Education, and Welfare, for their review and comments, and any views shall be attached to the report when transmitted to the Congress.

SEC. 402. The Board of Regents shall include in its third annual report its recommendations on the organizational location of the Board of Regents. Prior to such submittal, such report shall be submitted to the President, and the President shall, if he deems it appropriate, send to the Congress a Reorganization Plan to implement recommendations resulting from this report.

TITLE V—TRANSFER OF PROPERTY TO THE BOARD

SEC. 501. The Secretary of the Interior, other Federal agencies, and private organizations are authorized to convey to the Board of Regents all right, title, and interest in and to Indian schools, supporting facilities and equipment, and real property.

TITLE VI—ADMINISTRATIVE RESPONSIBILITIES OF THE BOARD

SEC. 601. The principal office of the Board of Regents shall be in the District of Columbia, but it may have such other offices as the Board deems necessary.

SEC. 602. The Board of Regents is authorized to make such rules and regulations as it deems necessary to carry out its functions.

SEC. 603. The Board of Regents is authorized to make such expenditures or grants, either directly or by contract, as may be necessary to carry out its responsibilities under this Act.

SEC. 604. In carrying out its responsibilities under the provision of this Act, the Board of Regents is authorized to request such personnel, services, and materials as it deems may be needed and such support subject to the concurrence of the Office of Management and Budget, shall be made available to the Board by the Department or agency requested to furnish such personnel, services, and material.

SEC. 605. The Board of Regents is authorized to receive and use donated funds or services if such funds or services are donated without restrictions other than for use in furtherance of Indian education.

SEC. 606. The Board of Regents is authorized to acquire by purchase, lease, loan, gift, or contract, and to hold and dispose of by grant, sale, lease, loan, or contract, real and

personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this Act, including transfer of property to Indian school boards.

SEC. 607. The Board of Regents is authorized to enter into contracts or other arrangements, or modifications thereof, with organizations or individuals, including other government agencies of the United States, for such research, development, demonstration, evaluation, and other proposed efforts as may be necessary under this Act.

TITLE VII—AUTHORIZATION FOR APPROPRIATIONS

SEC. 701. There is authorized to be appropriated such sums of money as may be necessary to carry out the functions and responsibilities of the Board of Regents. Such sums shall remain available until expended. Until such time as the Board presents its own operating budget to the Office of Management and Budget and the Congress, as provided in section 301(e) of this Act, the Secretary of the Interior shall submit the operating budget recommendations of the Board of Regents at the time the Administration's budget requests are presented.

TITLE VIII—DEFINITIONS

SEC. 801. The term "Indian" as used in this Act is defined to mean an Indian, Eskimo or Aleut person who is a member of a tribe, band, nation or Alaska Native community for which the Federal government provides special programs and services because of their identity as Indians.

SEC. 802. The term "Board of Regents" as used in this Act shall be defined to mean the "National Board of Regents for Indian Education."

SEC. 803. The term "Federally-supported education programs" as used in this Act is defined to mean all education programs operated by the Department of the Interior or operated under contract for the Bureau of Indian Affairs by local Indian school boards or by other Indian or non-Indian contractors.

SEC. 804. The term "Public schools" as used in this Act is defined to mean those public schools with Indian children in attendance which may receive assistance under the Johnson-O'Malley Act (43 Stat. 596, as amended) and impact aid funds as authorized under Public Law 815 of the 81st Congress (64 Stat. 967) and Public Law 874 of the 81st Congress (64 Stat. 1100).

SEC. 805. The term "Indian tribal organizations" as used in this Act is defined to mean any formally or informally organized tribe, band, or community or group recognized by the Department of the Interior.

By Mr. BYRD of Virginia:

S. 1404. A bill to amend the United Nations Participation Act of 1945 to prevent the imposition thereunder of any prohibition on the importation into the United States of any strategic and critical material from any free world country for so long as the importation of like material from any Communist country is not prohibited by law. Referred to the Committee on Foreign Relations.

Mr. BYRD of Virginia. Mr. President, I am today introducing legislation aimed at ending the dependence of the United States upon the Soviet Union for its supply of chrome ore—a material vital to national defense.

The United States is now facing a critical shortage of chrome, which is essential to the manufacture of stainless steel. Jet aircraft and missiles are among the items vital to defense which make use of chrome.

Our current situation is the result of American participation in United Nations economic sanctions against Rhodesia, the small African country which is the world's richest source of chrome.

The U.N. sanctions were imposed after Rhodesia declared her independence from Great Britain. Rhodesia was labeled a "threat to international peace and security"—a ridiculous charge.

Unfortunately, the United States actively supported the embargo against Rhodesia. Since the first sanctions in 1966, the United Nations has twice tried to strangle Rhodesia with an ever-tighter boycott, each time actively supported by the United States.

These measures have not worked. The embargo policy is a failure. Rhodesian trade actually is increasing.

Yet the United States persists in supporting the unethical U.N. sanctions, even though all Rhodesia has done is to declare her independence from Great Britain—a step the American colonies took in 1776.

It is today a criminal offense for any American to engage in trade with Rhodesia.

Now this situation would be bad enough if it were just a question of international law and relations between nations. Former Secretary of State Dean Acheson has called the U.N. action against Rhodesia "barefaced aggression, unprovoked and unjustified by a single legal or moral principle."

I concur.

But more than legal and moral principle is involved.

Before the U.N. sanctions were imposed, Rhodesia supplied the United States with most of its chrome ore.

With the embargo in effect, the United States has had to turn to the Soviet Union for chrome. Sixty percent of the chrome we are using comes from Russia.

The Russians have taken advantage of a monopoly situation and have more than doubled the price of the chrome ore they export to the United States.

But even more serious is the fact that we are dependent on the favor of the Russians for a strategic material.

The administration has requested that Congress pass a bill permitting withdrawal of 30 percent of the present supply of chrome in the Nation's reserve stockpile.

This would temporarily meet our needs, in combination with Russian chrome. But it is only a stopgap measure, for at this rate we would exhaust our stockpile in a little over 3 years.

To my mind, it is totally illogical for the United States to depend upon Russia for a strategically important commodity.

The legislation I am introducing today would enable us to end this dependency upon the Soviet Union.

Under my proposal, the President could not ban imports of a strategic material from a free world country if the importation of the same material is permitted from a Communist-dominated country. That seems logical to me.

Now technically, the administration could meet the requirements of this legislation by banning all chrome imports. But then of course there would be far too little ore for even the most elementary needs of the United States.

Therefore, the United States would have to end its participation in the U.N. sanctions against Rhodesia, insofar as chrome is concerned.

It would be my hope that the administration would drop all sanctions against Rhodesia. That would be the proper course to take.

But even if this course were not taken, at least the United States would end its reliance upon the Soviet Union for strategically vital chrome ore.

Legislation similar to mine has been introduced in the House of Representatives by Representative COLLINS of Texas. I hope that the Congress will take prompt action to change the absurd and dangerous position in which the United States now finds itself.

Mr. President, I send to the desk proposed legislation to accomplish this purpose, and I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

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

S. 1404

A bill to amend the United Nations Participation Act of 1945 to prevent the imposition thereunder of any prohibition on the importation into the United States of any strategic and critical material from any free world country for so long as the importation of like material from any Communist country is not prohibited by law

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(a) of the United Nations Participation Act of 1945 (22 U.S.C. 287c(a) is amended by adding at the end thereof the following new sentence: "On or after the effective date of this sentence, the President may not prohibit or regulate the importation into the United States pursuant to this section of any material determined to be strategic and critical pursuant to section 2 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a), which is the product of any foreign country or area not listed as a Communist-dominated country or area in general headnote 3(d) of the Tariff Schedules of the United States (19 U.S.C. 1202), for so long as the importation into the United States of material of that kind which is the product of such Communist-dominated countries or areas is not prohibited by any provision of law.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 933

At the request of Mr. HUGHES, the Senator from Indiana (Mr. BAYH) and the Senator from Oklahoma (Mr. HARRIS) were added as cosponsors of S. 933, the Voter Assistance Act of 1971.

S. 950

At the request of Mr. DOMINICK, the Senator from Kansas (Mr. PEARSON) was added as a cosponsor of S. 950, a bill to amend the Gun Control Act of 1968 relating to the importation into the United States of sporting rifles and sporting shotguns.

S. 1116

At the request of Mr. JACKSON, the Senator from Kentucky (Mr. COOK) was added as a cosponsor of S. 1116, a bill to require the protection, management, and control of wild free-roaming horses and burros on public lands.

S. 1197

At the request of Mr. MONDALE, the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1197, a bill to extend the availability of Federal crop insurance and to authorize the appropriation of funds for administrative expenses of the Federal crop insurance program.

S. 1217

At the request of Mr. JACKSON, the Senator from Minnesota (Mr. MONDALE) was added as a cosponsor of S. 1217, a bill to declare that certain federally owned lands within the White Earth Reservation shall be held by the United States in trust for the Minnesota Chippewa Tribe, and for other purposes.

S. 1307

Mr. BYRD of West Virginia. Mr. President, at the request of my colleague from West Virginia (Mr. RANDOLPH) I ask unanimous consent that, at the next printing, the name of the distinguished Senator from Florida (Mr. GURNEY) be added as a cosponsor of S. 1307, a bill to provide increased employment opportunities for middle-aged and older workers, and for other purposes.

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

SENATE JOINT RESOLUTION 29

Mr. BYRD of West Virginia. Mr. President, at the request of the distinguished Senator from Oklahoma (Mr. HARRIS), I ask unanimous consent that, at the next printing, his name be added as a cosponsor of Senate Joint Resolution 29, a joint resolution designating National Peace Corps Week.

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

SENATE JOINT RESOLUTION 29 AND SENATE JOINT RESOLUTION 34

At the request of Mr. SCOTT, the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of Senate Joint Resolution 29, a joint resolution providing for National Peace Corps Week; and the Senator from Alabama (Mr. SPARKMAN) was added as a cosponsor of Senate Joint Resolution 34, a joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of voluntary prayer or meditation in public schools and other public buildings.

ADDITIONAL STATEMENTS

TRIBUTE TO FORMER SENATOR PAUL H. DOUGLAS, OF ILLINOIS

Mr. STEVENSON. Mr. President, for 18 years these Halls were graced with the presence of an Illinoisan who celebrated, on Friday, his 79th birthday anniversary.

Paul H. Douglas, in retirement, is a voice which remains with us as we celebrate his anniversary with respect, admiration, and—in my own case—an intense personal devotion stemming from my earliest acquaintance with this great Senator.

The close association that exists between my family and Paul and Emily Douglas now marks nearly a quarter century. My father became Governor of Illinois the same year Paul Douglas took oath as a Member of this body. I was privileged to have my name linked to his in my second political campaign. He has been an inspiration to me in my political life.

Countless families in Illinois have directly benefited from his wisdom and foresightedness in the Senate. His energy, wisdom, and legislative skill led to the economic redevelopment of southern Illinois. His concern for people, and his interest in conservation now entitles residents of the Chicago area to enjoy the Indiana dunes, which he saved.

There was, of course, much more Paul Douglas did for Illinois. But it is the Nation as a whole which was specially touched by his personal magic. For all Americans, he foresaw needs. He responded to the times. He understood, and understands, priorities. Paul Douglas was as concerned about truth in spending as about truth in lending.

The great social legislation of two decades—social security and minimum wage laws, civil rights, area redevelopment, medicare—owe much to his powers as an economist, a legislator, and a humanitarian.

It is important in our times to proceed clamly and with conviction in a course of right action—with boldness when needed, with integrity and compassion always. Paul Douglas has done this. His life will continue to inspire us and strengthen our resolve.

Only semiretired, Paul Douglas at 79 continues to serve his country in many ways, and we are grateful for that. As one of his debtors, it is an honor for me on this occasion to pay tribute to a very special man.

INTERVIEW OF PRESIDENT NIXON BY HOWARD K. SMITH

Mr. GRIFFIN. Mr. President, a week ago, President Nixon was interviewed on television by ABC's Howard K. Smith while millions of Americans watched and listened.

I ask unanimous consent that an editorial concerning the interview, which appeared in the March 24 issue of the Detroit News, be printed in the RECORD.

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

NO EASY ANSWERS FOR A RESPONSIBLE PRESIDENT

What President Nixon said in his televised interview with Howard K. Smith won't make the slightest dent on the thinking of confirmed doves but it was a masterful job of communicating with the American people.

The people aren't stpuid. It must have occurred long ago to millions of them that Mr. Nixon doesn't enjoy the constant stream of criticism directed upon him by senators, members of the press and protesters on the campuses and in the streets.

If the way out of Indochina is as easy as his critics say, why doesn't he jump at their solution, immediate withdrawal? Why not satisfy the public's yearning for peace, get his critics off his back and assure his reelection?

Mr. Nixon admitted in his chat with Smith that such a course is politically tempting. Then he made the case for presidential responsibility.

Senators sitting in their ivory tower on Capitol Hill can deal with problems in bits and pieces and make politics without having to answer for what happens. The President cannot afford the luxury of short-range, easy, popular solutions. As commander in chief, he must deal with the total picture and answer for the consequences.

In the case of a hurried withdrawal, he would have to answer for the loss of leverage in negotiations with the foe; for the loss of national prestige which would follow withdrawal; for the damage to America's reputation and her ability to perform as a peace-keeping power in the world; for the possible slaughter of the innocents which would follow the seizure of power by the Communists in South Vietnam.

As the President says, his critics offer a "very, very inviting but dangerous road to peace at any price." We suspect that if any of Mr. Nixon's war critics had been elected in his place, that man would be doing approximately what Mr. Nixon is doing—and if he did otherwise would produce the consequences of which Mr. Nixon warns and lose credibility thereby.

On the subject of credibility, commentators lose credibility with us when they condemn the operation in Laos out of hand. The least they can do is wait, as the President is waiting, to observe the outcome before delivering a judgment as to ultimate success or failure.

Meanwhile, the interview with Smith was a success if the purpose was to inform the public on the President's views. Some televised press conferences have seemed to make that purpose secondary to scolding the President of the United States.

The success of the interview must be attributed in good part to the skillful performance of the interviewer. Smith notes that he faced the problem of having to ask tough questions without being rude. He walked that thin line with a sense of balance which we wish more TV newsmen possessed.

PRESIDENT NIXON'S RESCISSION OF CLOSURE ORDER AGAINST KITTERY-PORTSMOUTH SHIPYARD

Mrs. SMITH. Mr. President, I rise in defense of the President of the United States. I do so without any prior notice to him.

Extremely erroneous and unfair accusations have been made against him to the effect that he attempted to buy my vote on the SST with his letter to me notifying me that he had ordered the McNamara closure order against the Kittery-Portsmouth Naval Shipyard rescinded.

Nothing could be further from the truth. To the contrary, I am sure that he fully realized the risk of that letter influencing me to vote against, instead of for, the SST.

Let me make some political facts and truth plainly clear. At no time did the

President ask me to vote for the SST. At no time did any member of his staff ask me to vote for the SST. At no time did any member of the entire Nixon administration ask me to vote for the SST.

His letter to me about the Kittery Naval Shipyard and my vote on the SST were close in chronology only by coincidence and not by plan.

There were reports last summer that the McNamara closure order would be rescinded by President Nixon. But subsequent attempts for confirmation of this, whether made to the White House, the Department of Defense, or the Department of the Navy, were unproductive and unsuccessful.

When, in late December 1970, I learned from the commander of the Kittery-Portsmouth Naval Shipyard that he was operating the shipyard on the basis of this unconfirmed report and despite assurances from his superiors of the Department of the Navy and the Department of Defense that there was no change in the McNamara order to close the shipyard, on December 28, 1970, I wrote the President stressing the urgency to remove the speculation and confusion without delay. Again a month later on January 28, 1971, in a letter to the President I repeated this request. I did not write another monthly letter on February 28, 1971, because shortly prior to that time, the Defense Department gave me assurances that the matter was being seriously studied and a decision and announcement would be made soon.

On March 4, 1971, after he conferred with the senior Senator from New Hampshire (Mr. COTTON), Secretary of Defense Laird and Senator Cotton came to my office, and the three of us conferred for an hour or so. In that discussion Senator COTTON received the impression that Secretary Laird would make an announcement by the first of the next week, and he so announced to the press. I was not that sure, so I declined any appraisal to the press.

Then 2 weeks later on March 19, 1971, Foster's Daily Democrat of Dover, N.H., quoted the junior Senator from New Hampshire (Mr. MCINTYRE) as stating that Secretary Laird had told him "there is no decision imminent on the yard" and further quoting Senator MCINTYRE as stating that it was his guess that a decision on the shipyard would not be reached until December this year.

On March 22, 1971, Senator COTTON informed me of this report which was in sharp conflict with his impression of what Defense Secretary Laird had said to Senator COTTON. I then wrote President Nixon a third letter pointing out how this latest development had added to the already too great confusion and speculation on this matter. My concluding paragraph was:

> I have tried to be patient in this matter but my patience is at an end. The pattern in this matter is certainly not one to enhance the credibility of the White House or the Department of Defense.

The President obviously did not see my letter before late Tuesday or early Wednesday. I have the very clear impression that it did not reach his attention before that time. I have my doubts that my previous two letters had gotten through his staff to him. I am strongly inclined to believe that the breakthrough to the President did not come before late Tuesday or early Wednesday.

When that breakthrough finally came, President Nixon obviously acted swiftly in response to my third letter. That response, following the breakthrough, was, in fact, so swift that it came the morning of the day of the vote on the SST.

To conclude that the President crassly and crudely sought to buy my vote on the SST because of what was only chronological coincidence does the President a grave disservice and injustice. Surely even his political detractors must admit that he is far too astute a politician than to reason that this would win my vote. To the contrary, it should be crystal clear because of past history that the far greater risk was that the reverse would be the situation. I am personally convinced that the President recognized this but went ahead with the letter simply because he felt I deserved an answer without any further delay.

His letter had no influence whatsoever on my vote against the SST. I voted on the matter on my own judgment of the merits of the issue. I think it took real political courage for him to respond so quickly after the breakthrough realizing the false interpretations and accusations that would be made against him. I further think that keeping the shipyard open is the President's decision solely and not the decision of anyone else.

RULES OF THE COMMITTEE ON VETERANS' AFFAIRS

Mr. HARTKE. Mr. President, pursuant to the requirements of section 133B of the Legislative Reorganization Act of 1970, I hereby submit for printing in the CONGRESSIONAL RECORD, the Rules of Procedure of the Veterans' Affairs Committee. The Legislative Reorganization Act requires that the rules of each standing committee be printed not later than March 1. Because of the difficulties involved in quickly assembling a staff and moving into our new quarters, the committee was not able to meet and formulate Rules of Procedure until Wednesday of last week. I ask unanimous consent that our unavoidable delay be pardoned and that the rules be published in the RECORD, as required by law.

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

RULES OF THE COMMITTEE ON VETERANS' AFFAIRS

(1) *General.*—All applicable requirements of the Standing Rules of the Senate and of the Legislative Reorganization Act of 1946, as amended, shall govern the Committee and its Subcommittees.

(2) *Meetings.*—The Committee shall hold its Regular meetings on the first and third Thursday of each month, when Congress is in session, or at such other times as the Chairman shall determine. Additional meetings may be called by the Chairman as he deems necessary to expedite Committee business.

(3) *Quorum.*—Three members shall constitute a quorum for the purpose of transacting Committee business: *Provided,* That one member shall constitute a quorum for the purpose of receiving testimony.

(4) *Voting.*—

(a) Votes may be cast by proxy; and

(b) There shall be a complete record kept of all Committee action. Such record shall contain the vote cast by each member of the Committee on any question which a "yea" or "nay" vote is requested.

(5) *Subcommittees.*—

(a) The Committee Chairman and the ranking minority member shall be ex-officio members of any Subcommittee of the Committee.

(b) Subcommittees shall be considered *de novo* whenever there is a change in the Chairmanship and seniority on the particular Subcommittee shall not necessarily apply.

(6) *Hearings and hearing procedures.*—

(a) The Committee or any Subcommittee thereof shall make public announcement of the date, place, time, and subject matter of any hearing to be conducted on any measure or matter at least one week in advance of such hearing unless the Committee or Subcommittee determines there is good cause to begin such hearing at an earlier date;

(b) The Committee shall as far as practicable require each witness, who is scheduled to testify at any hearing, to file his written testimony with the Committee not later than forty-eight hours prior to his scheduled appearance. Said written testimony shall be accompanied by a brief summary of the principal points covered in the written testimony; and

(c) No hearing of the Committee or any Subcommittee shall be scheduled outside of the District of Columbia except by the majority vote of the Committee or Subcommittee or by authorization of the Chairman of the Committee.

REVITALIZATION OF THE OLD CITY

Mr. MATHIAS. Mr. President, we are sometimes told that the needs of our society dictate a hard-nosed businesslike attitude toward the pleas of historians who beg us to spare some ancient structure. It is argued that unless such structures can be made to "pay their own way," they should be sacrificed to the bulldozer's blade and the somehow higher and better use which can be made of the real estate on which the old edifice stands.

I was rather impressed recently when I learned that historic preservation can help "pay its own way" by contributing substantially to a general rise in downtown property values where such structures are located. In fact, I am informed that, in the case of Annapolis, Md., the increase in assessable base substantially attributed to vigorous efforts at historic preservation have been a significant factor in enabling the city fathers to obtain favorable interest rates for their municipal bond offerings.

I ask unanimous consent that an article on the subject by James Burchfield, entitled "Old City Revitalization Pays," published in the March 19, 1971, Washington Evening Star, be printed in the RECORD.

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

OLD CITY REVITALIZATION PAYS

(By James Birchfield)

Annapolis, the historic capital of Maryland, has found that historic preservation pays.

Annapolis Mayor Roger W. Moyer told a Maryland Senate Finance Committee hearing recently that the results of a cooperative, constructive approach to urban revitalization already are being demonstrated in the Maryland city.

He added that New York bond merchants, who are "not inclined toward puffery" recently told him that Annapolis is one of the few cities where downtown property values have risen in recent years.

Moyer said the city's reversal of the nationwide trend toward downtown decay is largely the result of successful preservation efforts in the city.

Mrs. J. M. P. Wright, one of the founders of Historic Annapolis Inc., who has been fighting for the last 19 years for historic preservation, said a study now being prepared by a Washington consulting firm indicates that the historic area provides a key industry which gives economic support and net benefit to the remainder of the community.

Reporting from a study being prepared by Robert Gladstone & Associates, Washington based economic consultants, Mrs. Wright said that since 1961 the growth in true value of properties in the Annapolis historic area has been dramatic. These values have risen from an estimated $18 million in 1961 to about $20 million now, for an increase of 112 percent.

Mrs. Wright said tax assessments for the historic district are estimated to have risen about 85 percent during the same period, as compared with the static condition of the 1950 decade.

While the historic district comprises only about seven percent of the city's land area, Mrs. Wright continued, it has about 19 percent of the assessable base of the entire city.

During the last nine years, she said, the historic district has accounted for 17 percent of the city-wide assessable base in the face of intense development of apartments, houses and commercial buildings outside the district.

Mrs. Wright said the report points out that the pattern of economic revival in the city's historic area follows a trend established in places like Charleston, S.C., Savannah, New Orleans and other communities which have an impressive architectural heritage.

The study points out, however, that only a fraction of the economic potential of the historic district has been realized because, it was said, there is lack of a consensus within the community about its historic area.

This condition, Mrs. Wright added, has been partially corrected by a city-wide referendum which approved a preservation ordinance.

The efforts of Historic Annapolis have been commended for having saved many historic structures, and with having attracted new businesses to the historic area.

Mrs. Wright said that she got interested first in historic preservation because "I really did want the city to last."

She realized, she said, that the historic sector requires certain types of businesses, and her group has tried to stimulate the specialty shops for the city.

"Just a few years ago," she said, "there were 20 vacant stores on just one street in the area, and now they are all occupied."

One of the most important accomplishments of Historic Annapolis, it has been said, is that it has gradually made the community aware of the value of the historic area, and this has resulted almost automatically in improvement of the appearance of the old city.

The study indicates, Mrs. Wright said, that Annapolis property values could rise to $58 million in the 70's if the historic district becomes an even more significant part of the city's economic base. The personal income level might increase by $7.5 million and retail sales by about $3 million annually, it was said.

The study, according to Mrs. Wright, suggests a program of preservation and development that would be strictly compatible with the historic character of the capital.

A BETTER APPROACH TO IMPRISONMENT

Mr. EAGLETON. Mr. President, traditional correctional philosophy in this country is characterized by a heavy reliance upon institutional commitment of offenders under relatively close custody. This pattern is typically expressed in the State penitentiary—a place of barred cages, surrounded by high walls, topped with guard towers. Often only a minority of the penitentiary's inmates pose such a threat as to necessitate these conditions—Missouri's extremely capable director of corrections, Fred Wilkinson, estimates that such dangerous inmates comprise only 12 percent of his prison population—but the regimen required to contain them sets the pattern for the entire institution. And the track record for our operations under this philosophy, in terms of promoting rehabilitation and reducing recidivism, has been abominable.

Some progress has been made in providing other institutions within a State varying in degrees from maximum to minimum security, depending on the category of offenders assigned to them. Yet even these are usually isolated from the communities where the inmates are going to have to make their way after release.

More recently, a new kind of correctional institution, based in the community, has been developed. Many are familiar with one type of community-based institution, the half-way house, to which offenders who have served a major part of their time in conventional institutions are assigned during the last few months prior to release to help ease their reintegration into the community. Halfway houses have proved extremely useful but they still represent basically a compromise with traditional "lock 'em up and let 'em rot" attitudes.

There is growing support for another kind of community-based institution to which offenders may be assigned immediately after sentencing and screening, and in which they may serve their entire period of confinement, if warranted by their progress toward rehabilitation. This approach recognizes that the community has vastly greater resources than prisons, or variants thereof, that can be drawn upon in working with an offender.

Henry J. Waters, editor of the Columbia, Mo., Daily Tribune, has written an extremely thoughtful report on one such institution in Rochester, Minn. Mr. Waters' article provides an excellent insight into the strengths of such community-based centers and discusses the possibilities for developing similar programs in Missouri. I ask unanimous consent that Mr. Waters' article be printed in the RECORD at the conclusion of my remarks.

I am especially pleased to see this discussion going on in my home State. Earlier this year I joined with Senators SAXBY, MONDALE, and BROOKE in introducing S. 400, the Model Criminal Justice Reform Act, which would provide massive Federal assistance to States willing to undertake comprehensive upgrading of their entire criminal justice system. Among the goals established for a State desiring to participate in this program is the requirement that it:

Has established a range of correctional facilities that are adequately equipped and staffed to treat the particular classifications of inmates assigned there, including small-unit, community-based correctional institutions.

I am hopeful that the experience in Rochester and in other communities—such as the District of Columbia—that are experimenting with institutions of this kind will provide useful models for the rest of the Nation.

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

LAW AND ORDER: PORT HAS AN ANSWER

(By Henry J. Waters III)

In Rochester, Minnesota, a program called Probationed Offenders Rehabilitation Training is showing how to break the vicious cycle of habitual criminal behavior.

Can society learn the lesson?

For years there has been concern in criminal treatment circles over the emphasis on maximum security prisons and the concurrent lack of public support for criminal treatment and rehabilitation.

Judges have been faced with a difficult "either-or" situation: Either send the offender into the bowels of a penitentiary or turn him loose under the supervision of badly understaffed probation and parole programs. Sensitive judges and others in law enforcement have long understood the inadequacy of this choice.

The maximum security institution with its overpopulation and unwholesome experiences is clearly the wrong environment for many first and youthful offenders. Indeed, it is just as damaging to more experienced criminals who could respond to rehabilitation.

And the underdirected environment of thinly staffed probation and parole operations leaves many others without enough support and guidance.

In either extreme the vulnerable lawbreaker has a good chance of falling back into bad ways or learning even worse ones, and all of society suffers.

Of the two alternatives, clearly the worst is the maximum security prison. There is so much evidence to show the shortcomings of the present penitentiary approach to law enforcement that it hardly need be cited. Such prisons are universally known as schools for crime. The experiences an offender has in the prison environment almost guarantees he will have an even more difficult time becoming a useful member of society when he gets out than when he went in.

Experts estimate no more than 25 per cent of those currently locked up in such institutions really need be there. The other 75 per cent could be rehabilitated and turned into useful, safe, productive people at far less cost to the public—if only proper treatment facilities existed.

The challenge has been twofold: To provide a successful alternative—and to get around the public inclination to simply put criminals away, the farther the better.

Perhaps Rochester, Minnesota's PORT is the answer.

The initials stand for Probationed Offenders Rehabilitation Training. The program opened last October in a former nurses' dormitory on the grounds of the Rochester State Hospital. It is currently being funded by money from private foundations, the local United Fund and the federal safe streets act. PORT's directors are well into a two-year program of trying to prove a point so that funding will continue as part of Minnesota's state correctional budget.

I recently had a chance to visit PORT as part of a delegation from the Mid-Missouri Law Enforcement Assistance Council. We spent most of a day with PORT's Executive Director, Ken Schoen, and Program Director, Jay Lindgren. The story they have to tell is an exciting one.

About six years ago, Dr. Francis Tyce, the Medical Director of the Rochester State Hospital and a man highly regarded in the field of public medicine, convinced local District Judges to let him have a crack at some of their worst criminal cases, convicts with serious emotional and psychiatric problems who were headed for the pen with little hope of ever getting straightened out. The initial work was done by Tyce in the hospital facilities, and the offenders lived at home. This experiment went on with such success that last year community leaders got behind the creation of PORT, an expanded, more formalized extension of the program designed to deal with around 25 offenders at a time.

The "clients" come from courts in the immediate Rochester area. Those who are deemed capable of handling PORT and are acceptable to the staff are given the alternative by the judge; either to jail or to PORT. Most choose PORT.

But not because it is simply a soft way out. Before any offender is admitted he is given a full explanation of what will be expected of him, and the rules are strict.

In speaking of a 17-year-old resident with a serious truancy problem, Schoen said, "We have really put the screws to this kid, but we aren't going to take the approach that we will do nothing for him." At the time we were there the teenager was mostly confined to his room, but PORT workers were "cutting out" a special program for him involving tutoring and skills training through a local sheltered workshop agency. Schoen and Lindgren both believe in dealing firmly with their residents. Bad behavior gets its just reward, and much of this pressure comes from the group culture within the building.

At present the PORT family consists of 15 residents ranging in age from 13 to 32. Regular talk sessions are held three times a week and attendance is mandatory. During these sessions the offenders get down to the nitty-gritty of how their world is functioning. Individuals are brought on the carpet. Rules are discussed. And sanctions are taken.

It is early yet to measure PORT's success in complete terms. But the progress of the first person admitted is excitingly encouraging.

Lonnie Buss is 21 and a convicted arsonist. He is one of 13 children of a nearby farm family. He was sent to PORT by the judge after setting fire to a number of buildings, mostly barns. Dr. Tyce of the state hospital interviewed Lonnie and discovered a deep attachment to a twin brother who had joined the Marines and was in Vietnam. Dr. Tyce concluded that Lonnie was desperately trying to make his family so sick of him they would "make" him join the service where he would be with his brother, at least symbolically. It was decided his problems could respond to PORT treatment.

At this writing Lonnie Buss is working as a shipping clerk in Rochester, earning $2.35 an hour and paying the standard $15 weekly for room and board at PORT. He is on his way to recovery and is a working, paying member of society—something that never could have happened had he been sent to the pen.

Residents are rated on a scale of 0 to 5. Individuals earn their way up to a possible "volunteer" status which gives them nearly complete freedom. They are then considered the virtual equals of the Rochester Junior College students who live in with PORT residents and help run the house in exchange for room and board. Offenders with a 0 rating have almost no freedom except to attend to school or job duties.

The real secret of success is the development of the group culture. Administrators work subtly but hard on this. Schoen says it has taken until recently to really get it working, but now the group makes practically all its own rules and decisions. Even though there is a supporting group of supervisors with final authority, not once in months has a decision of the resident group had to be overturned.

The resident society works quite well. To demonstrate this, Minneapolis Tribune reporter Sam Newlund wrote:

Not all behavior is perfect, however. A few nights ago, one of the college students and a resident went to a party. As Schoen put it, "the college student got smashed out of his socks" and the resident "had to drive him home."

At PORT the person in charge (officer of the day) was a 15-year-old resident. A fight ensued. Schoen said, and the 15-year-old telephoned (program Director) Lindgren and told him, "I don't like this situation. You'd better come out here and do something about it."

The youngster, said Schoen, "was in charge of the building that night and he did his thing. He carried it forward beautifully."

The group exerts strong influences against intolerable behavior. When drugs or alcohol are brought into the building the group normally moves to correct the situation immediately because the residents know everyone will suffer. If an individual gets into trouble with the law he is subject to the same punishment as anyone else. "We won't let PORT become an umbrella to shield residents from the law," Lindgren said.

We were shown around the building by a young man named Tom, a resident who had recently been busted from a top rating of 5 back to 2. Tom had been caught with marijuana in the building and the system had responded by restricting his status and freedom. He was obviously not proud of himself for being busted, but he conducted the tour with a pride in the program that was still intact.

The rooms were homey with two or three beds in each. There were all sorts of pictures and posters on the walls and the typical room was littered with a friendly collection of the stuff that makes a dormitory into a group home.

"We have lots of freedom about how we fix up our rooms and what we have in them," Tom said. "Of course, we can't have drugs or booze, but we can have almost any magazine or book we want." Copies of Playboy were in evidence, and psychedelia adorned the walls in more than one room.

The most striking feature, however, was the cleanliness. The bathroom in the center hall was gleaming. Tom explained that residents were assigned the duties of keeping things clean, and if they failed they got "minuses." Obviously, in the well-ordered world of PORT, minuses are something to avoid.

Schoen and Lindgren hope PORT will become an example for the entire state. Once the evidence is in and the proof of success can be documented, they expect to be able to make a multi-pronged case for PORT. It will be cheaper and more effective than incarceration. Lord knows, it will be more humane for the offender. For less net cost society can rehabilitate people and put them to work helping pay the taxes instead of shipping them off somewhere behind gray walls where they are nothing but drains on society and eternal criminals.

"We expect to say to the legislature," Schoen asserts, "Just give us money at the rate we cut down your commitment funds for the state penal institutions and we can run a program."

Already there is support in high places. Paul W. Keve, state corrections commissioner, is "genuinely enthusiastic" about PORT. "I think that it's an indicator of the shape of the future. And I see the prospect of duplicates of this all over the state."

District Court Judges O. Russell Olson and Donald Franke are unabashed in their positive feeling. Both are on the PORT Board of Directors, and we talked with them at lunch.

"Dr. Tyce had been saying that he could straighten out many of the people who were being sent to prison," Judge Franke recalled. "So when I got elected to the District Court bench I decided to let him prove it. One of the first cases I had was a seemingly hopeless sex offender. Rather than see him go to prison, Dr. Tyce said he would take the man under his wing, and I made the commitment with a lot of skepticism. But it worked. While the man lived at home and worked, he was saved by regular contact with Dr. Tyce at the hospital." Since then this story has been repeated with such regularity that Judge Franke is an ardent believer. One of the success stories from his court was a previous five-time loser.

Obviously the State of Missouri is on a different tack in its program of corrections. At the top of the current priority list is a new maximum security prison to be built in the bootheel at a cost of some $8.7 million. It is designed to house about 330 convicts at an estimated annual operating cost of around $1 million.

State Director of Corrections Fred Wilkinson describes this new facility as an isolation location for the worst inmates in the present prison system. "We have about 12 per cent of the people in our prisons who are simply unreachable. They are the ones who continually disrupt prison operations, they cost us money, and if we can get them relocated there are lots of things we can do that are not now being done in the present buildings."

As an example, Wilkinson notes that the removal of the incorrigibles from the penitentiary in Jefferson City will cut his lookout tower expenses by half. He also anticipates a wider range of activities (such as night school) can be successfully carried on and present employes who now spend their time in security activities can be moved into more productive functions.

"Actually, we will have no additional operation cost for security forces after the new prison is built," Wilkinson says, "but we will retain some of our former security guard personnel budget for activities oriented more toward correction."

What about efforts to increase rehabilitation of prisoners?

"Nationwide our prison population is no larger than it was ten years ago," Wilkinson explains, "so treatment efforts have obviously had some effect."

When asked what he thinks about the PORT idea for Missouri, Wilkinson answered, "if they can be operated as community-based treatment centers with community support I think the idea is splendid."

Have any efforts been made in the past to implement such a program in Missouri? "There was a bill introduced in the legislature recently which would have allowed the Department of Corrections to contract with local treatment centers for keeping convicts. We would have paid on a per person, per diem basis. But the bill didn't even come out of committee."

The fact is obvious that bastions of detention are the easiest to promote. Already the Missouri General Assembly has appropriated $860,000 for planning and site acquisition for the Southeast Missouri facility, and there is little question that the project will be completed.

With this sort of money being spent an obvious alternative comes to mind. Would it have been possible to create treatment centers in the populous areas of the state with enough capacity to take, say, 300 prisoners out of present maximum security buildings? If so, the remaining penitentiary population could be shuffled around so that the incorrigibles which Wilkinson properly wants to isolate could be sent to an existing facility like the one at Moberly. Thus, we would be using our money to create treatment facilities (with all their advantages) instead of more penitentiary facilities (with all their inherent drawbacks).

The annual budget for PORT is $80,000 and it is designed to handle 25 residents. This does not include an adequate amount for capital expense, but there is federal financial help available for this purpose. Crime prevention programs have high priority in Washington these days.

Because residents of facilities like PORT are paying rent it can be shown that net costs per offender are no more (and often less) than maximum security detention costs. In addition, PORT type residents are typically earning salaries, paying taxes and learning how to live on the right side of the law while penitentiary inmates sulk behind bars, deteriorate as human beings and drain society's resources.

For generations we have gone ahead with about the same approach to criminal treatment that we had in the middle ages. The lock has been the primary tool, and disturbingly little has happened to change this practice. The reason probably lies in a basic emotional and mental inclination of society which produces a blind resentment against criminals and a desire to simply see them disposed of quickly and finally. "Out of sight, out of mind"—except that it doesn't work. It is horribly expensive and more often than not inmates get out only to continue their old ways, or worse ones. And then society has another terrifically expensive round of law enforcement, court judgment and renewed incarceration.

As Schoen puts it: We have an extrusion process in society. Whenever we find anything annoying we send it off some place. So we build institutions. And then in the institutions themselves there is an extrusion process. The juvenile institution sends the kid into its security unit. If this doesn't work out too well, they send him to a separate security institution (we are building these now around the country). Finally it all ends up some place, and that's why we build places like Alcatraz. We are finally finding out it is better to deal with the problem when it arises instead of shipping the person from place to place just building a case against him."

Schoen should know; he comes straight from years of working in just such institutions for the Minnesota Department of Corrections.

The PORT idea makes so much sense it is shameful that it is only now being seriously considered as an alternative to the maximum security lockup. Even in Minnesota where an example is being set, no state money is involved in the pilot project, although the state has been cooperative. The disturbing fact is that it is easier to get a legislature to spend $9 million for a new penitentiary than $80,000 to start a program with the potential of PORT. Since rehabilitation centers are by nature small local projects, small annual increments of money could be spent in building a program of statewide scope. Each year a little can be added which should make such a fiscal program easier for the legislature than the massive capital outlays required for state penitentiaries. In the potential saving of state funds alone, rehabilitation has so much possibility it is nearly sinful it has been so poorly exploited.

We can no longer afford to be half blind on this issue. As long as our narrow vision includes little more than repeated expansions of old approaches to crime prevention and treatment, little improvement in the situation can be expected. As Jay Lindgren says, this myopia has much to do with the entire question of law and order.

But for now we seem hell bent on locking people up, spending more on them than we should and building an ever increasing group of social outcasts who are non-productive, dangerous drains on society.

Public shortsightedness is a sin. Too bad we can't pass a law against that.

ADDRESS BY SENATOR SCOTT BEFORE SINO-AMERICAN CULTURAL SOCIETY

Mr. GRIFFIN. Mr. President, on Sunday night, March 28, the distinguished Republican leader (Mr. SCOTT), who is an internationally known collector of oriental art and an authority on the T'ang dynasty, spoke here in Washington at the Sino-American Cultural Society dinner.

Senator SCOTT several years ago also authored "The Golden Age of Chinese Art," a beautiful, illustrated book on Chinese art, mostly told through objects in the collection owned by the minority leader.

Mr. President, I ask unanimous consent that the remarks made by Senator SCOTT at the Sino-American Cultural Society dinner be printed in the RECORD.

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

SENATOR SCOTT SPEAKS ON "ASIA NOW" AT SINO-AMERICAN CULTURAL SOCIETY DINNER, PEKING RESTAURANT SUNDAY, MARCH 28, 1971

In these tumultuous times, we need to examine closely all of the societies that influence the destiny of this rapidly shrinking world. Chinese culture has been shared by more people than any other in the history of mankind. More people today speak and read the Chinese language than any other in the world. China holds an inescapable fascination for those such as myself who have felt her charm and those who have closely studied her culture.

China produced the beautiful and tectonically powerful Shang artwork in bronze marble and jade with extraordinary variety, originality and richness. Shang ideography unified Chinese culture through Chinese writing—the oldest still existing.

The Chinese are responsible for the dynamism of the T'ang—the highest artistic apex in China's long history. Its metal crafts have never been equaled; its boldly glazed ceramic forms have served as inspirational prototypes. Its poetry has never been surpassed. The T'ang masterpieces in sculpture and painting stand on par with anything produced before or since.

China's society and culture emphasizes the individual's role in his relationship with others. Confucius thought men should be governed by moral example rather than harsh laws. He stressed kindliness, respect and propriety in human relationships.

He believed in harmony among all men, with the family as the foundation of society.

The 300 years of the T'ang dynasty were the most brilliant and open period in all of China's history. Foreigners enjoyed freedom to trade, travel and to achieve prosperity. We can scarcely overrate the invigorating foreign influence on the Chinese creative and intellectual spirit. In the ninth century, foreign population of Canton alone was over 100,000. The T'ang capital became the greatest and most cosmopolitan city in the world. This was the period which honored learning and welcomed innovations. It was a great golden era which saw China prosperous, stable, and dynamic.

The consolidation and centralization of the T'ang dynasty was a turning point in Chinese history. The culture of late T'ang and Sung remained characteristic of China until the early Kingdom appeared at least in embryo stages during the late T'ang and came into bloom under Sung. This was a period of renaissance—a new awareness of the past.

The confident T'ang emperors did not, until the end of their rule, fear foreign influence. Intellectual curiosity and tolerance encouraged sympathy toward foreign religions and artistic ideals. However, the laws against rebellion and conspiracy were very severe, with the family of the criminal being liable.

The greatest cultural changes often occur during times of peace and prosperity—as they did during the T'ang. Nothing produces change more inevitably than growth. During the Tang, their Pax Sinica brought growth in population, production, trade and culture. China reached a plateau far above Western levels. But the subsequent dynamic upsurge in Europe and after the Age of Discovery dropped China far behind.

As the pendulum swung, China's cosmopolitan spirit of the early T'ang moved into a narrower, more exclusively China-centered culture.

Even so, post-T'ang government and culture period showed acceptance of a basically egalitarian ideal. The concept of leadership by virtue of moral and intellectual superiority, whatever its social origin, triumphed in Chinese society during this time. In the later T'ang dynasty, administrative efficiency gradually declined. Population and poverty increased. Famine and unrest was widespread. Centralized rule declined.

China's political, social and economic systems remained remarkably unchanged until the nineteenth century. The Western world had a shattering impact on China bringing the breakdown of the old order and traditional values.

China maintained its strong sense of cultural unity and superiority, but the concept of a strong, nation-state became a powerful motivating force among modern Chinese intellectuals. With this, the Communist Chinese seized control of an ongoing revolution and came to power.

Their aim has been to alter the entire nature of Chinese society, its political system, its basic ideology and system of values. They believe strongly in totalism, maximum control and supervision of ordinary people's lives, thought, and behavior.

The Communist Chinese political apparatus is the first genuinely totalitarian regime rooted in the Chinese masses. The family, bedrock of traditional Chinese society for centuries, has undergone fundamental

transformation. Communist techniques minimize its functions and subordinate it to other political and economic institutions.

A new utilization and revolutionary philosophy of aesthetics motivates the Chinese Communists approach to art and literature. Art, not for art's sake, is nationalistically valued, but used to serve the cause of revolution. Like most aspects of Communist Chinese life today, contemporary art has been thoroughly politicized and proletarianized. They view the written and spoken language not as a vehicle for preserving history and traditional culture, but as a tool to foster the revolution. This will make their kind of learning easier but it will tend also to block the transmission of centuries of Chinese literature.

The Maoist demand for "absolute selflessness," echoes the traditional Chinese stress on collective standards. But it leaves less room for individualism. Great stress lies on the rural and the "Chinese" instead of the impure and the foreign influences.

The Chinese Communists are determined that the Marxist-Leninist-Stalinist-Maoist ideology should totally replace traditional Confucian values with its competing ideologies. Harmony, compromise, adjustment and stability, so important in China's history have no place in the Communist scheme. In their place, the new regime induces the values of struggle, change, progress, and innovation. But the task has not been easy. Peking has had to retreat on a number of fronts.

Chinese peasants cling stubbornly to such concepts as the control of their own plots of land. The effort to destroy traditional Chinese cultural systems will not be successful. The Chinese people have survived many onslaughts on their value systems. They will overcome this, too. Certain deep-rooted patterns of Chinese thought and behavior will reassert themselves in the years ahead and exert greater influence on the Chinese Communist regime.

Quoting Lin Pao in 1966, the Communist aims are "to destroy all the old ideas, old culture, old customs and old habits of the exploiting classes and transform all those parts of the superstructure that do not correspond to the socialist economic base."

From the beginning the battle cry was the triumph of youth over age, of the new "over old." Youth and vitality declared war on age and decay. The Communist Chinese stress on the modern is understandable. Their means are deplorable and their aims contribute massively to international discomfort.

Yet, I have faith that the wisdom of thousands of years of Chinese history and culture will ultimately overcome the present period of complete dictatorship. The Chinese people will, I believe, ultimately be reunited in a return to a more tolerant way of life. China may again have an open society with its leaders and its people confident of their place in the world, less fearful of foreign contact.

We must hope for evolution in China leading to renewal of that cultural heritage so long imbedded in Chinese life. The character of Chinese society and its culture 20 or 30 years from now will, I believe, be very different both from the traditional society and from the Communist society. But it will be greatly influenced by both.

Of one thing we can be certain. When China reopens the doors of the Middle Kingdom, this will change the course of history, for good or ill. As for me, I remain, for the long term, an optimist.

REVITALIZATION OF RURAL AREAS

Mr. ALLEN. Mr. President, on January 25, 1971, the distinguished senior Senator from Arkansas (Mr. MCCLELLAN) introduced S. 10. This measure would establish a national policy to revitalize rural and other economically distressed areas by providing incentives for a more even and practical geographic distribution of our population and our industrial growth and activity, and developing manpower training programs to meet the needs of industry.

To date, 39 Senators have joined Senator MCCLELLAN in sponsoring the bill. I am pleased to be a cosponsor and look forward to the projected hearings before the Government Operations Committee.

On February 16, 1971, the Arkansas General Assembly passed a concurrent resolution urging Congress to pass S. 10, as well as personally commending the distinguished Senator from Arkansas for introducing the measure and pressing for its adoption.

Mr. President, I wholeheartedly concur with the words of that esteemed legislative body and ask unanimous consent that the text of the Resolution commending Senator MCCLELLAN be printed in the RECORD.

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

H. CON. RES. 16

Urging the Congress of the United States to Pass S. 10 Which Would Promote the Revitalization of Rural Areas by Providing Incentives for More Even and Practical Geographic Distribution of Industrial Growth.

Whereas, S. 10, introduced by Senator John L. McClellan and thirty-three cosponsors in the First Session of the 92nd Congress of the United States, would establish a national policy relative to the revitalization of rural and other economically distressed areas by providing incentives for a more even and practical distribution of industrial growth and activity, and developing manpower training programs to meet the needs of industries; and

Whereas, S. 10 recognizes that seventy percent of the American people live on only one per centum of the land of the United States and that this high concentration of population results in increased pollution, critical problems of housing and transportation, and unhealthy living conditions, and increased crime; and

Whereas, these conditions are aggravated and intensified by the location and expansion of industries in major metropolitan centers of the nation which continue to attract more people to these highly congested areas; and

Whereas, a more balanced distribution of the nation's population and economic expansion is needed to accommodate the anticipated population increase of more than one hundred million persons in the United States over the next half century; and

Whereas, S. 10 recognizes that a more even and practical distribution of industrial growth and activity is needed to reduce the continued concentration of industry and to stimulate the growth and development of less heavily populated rural country with a view toward providing a more diversified and better balanced distribution of our inhabitants, and facilitating the restoration and protection of the quality of our environment, thus enhancing and enriching the lives of all Americans; and

Whereas, S. 10 would establish a national policy whereby government would take the lead in offering inducements and encouragements for the location of business and industry in the more sparsely populated areas of the country, thereby reducing the monstrous problems facing the nation through continued growth of large metropolitan areas, and effectuating an orderly growth in the nation and its economy by the distribution of industrial activity throughout the country in areas in which planning and development of industrial growth can alleviate the congestion and related "problems now facing large metropolitan areas; and

Whereas, the national policy as declared in S. 10 would especially benefit the State of Arkansas which has an abundance of undeveloped land and resources and whose people would be given improved opportunities to share in the increased economical growth of this nation, Now, therefore be it

Resolved by the House of Representatives of the Sixty-Eighth General Assembly of the State of Arkansas, the Senate Concurring Therein:

That Senator John L. McClellan and the thirty-three Senators co-sponsoring S. 10 of the First Session of the 92nd Congress are hereby commended for their leadership and efforts in promoting the development of a national policy to bring about revitalization of economically distressed areas, thereby assisting in alleviating major problems facing the congested areas of this country. Be it further

Resolved that all members of the Arkansas Congressional Delegation and each member of the Congress, and the President of the United States are urged to support the bold and visionary goals of S. 10 which would enable all of the citizens of this country to have opportunities to share in the future growth and expansion of industry and business activity. Be it further

Resolved that a copy of this Resolution shall be furnished to each member of the Arkansas Congressional Delegation, to the Speaker of the House of Representatives and to the President of the Senate of the Congress of the United States and to the President of the United States.

J. BYRD NORRIS

Mr. MATHIAS. Mr. President, in the hurly-burly of our times, racing to keep up with what is new, we may not stop often enough to listen to the advice of those who have been through comparable experiences before us.

J. Byrd Norris, of Westminster, Md., recently celebrated his 80th birthday, but he continues a most active interest in the affairs of his community, the State and the Nation. As he put it:

I'm busier now than I was before I retired.

I ask unanimous consent to have printed in the RECORD a report of an interview with Mr. Norris, published in the Carroll County Times.

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

[From the Carroll County Times, Mar. 18, 1971]

J. BYRD NORRIS: SPRY AT AGE 80

(By Patricia A. Rouzer)

"When I was a young boy we lived in very poor circumstances, but I have always felt that it is a shame that poor people who are willing to work are not able to partake of the nicer things in life.

"Now I take issue with anything from a political standpoint where the people are

unable to look for betterment, but which will be of benefit to its promoter . . . and I mean I am AGAINST it."

The speaker was J. Byrd Norris, who turned 80 years old Saturday. In an interview, he reflected on his life, recalling how he fell in love with Carroll county after he walked to Westminster with a friend while attending Baltimore Polytechnic Institute.

"We had a classmate who lived in Westminster and who told us to come up, so we walked up here. I was dumbstruck when I got here. I couldn't get over how nice the people were. People in the city were too busy doing things to talk to you. I thought that Carroll county was where I'd like to settle when I retired."

Since he settled in Westminster in 1934, Norris has taken strong stands on local and state issues and has made his mark as a conservative in the county.

Fresh from celebrating his 80th birthday with 50 friends and relatives, Norris talked of his latest project, the planned defeat of the State legislation to remove restrictions placed on rezoning in the county.

"The bill is too sweeping. It would give the county the right to stick a factory or a development anywhere," he said. "I'm not against progress and I think there should be factories and developments, but their number and size should be limited."

Norris, an inveterate author of letters to the editor has gone firmly on record against the re-writing of the State constitution in 1968 which he termed a "male order constitution." He also opposed charter government for the county in the same year.

"Certain provisions of the constitution are archaic, but the document as a whole made the State what is it. Why they try to change it is a very transparent effort to make it so that people are going to have less and less voice in what is going on," Norris said. "I was against charter government for the same reason. I am against anything which will increase and promote more government and taxes."

"When you stop and think that in 1920 there were 90 million people and the government was administered in Washington with few local officers anywhere . . . now we have a population that is twice as large but we've got 100 times the bureaucracy," he said.

Asked what he thought of his conservative label, he said, "If they would say I'm a conservative, they would say the right thing."

"I've got some liberal friends, even got some in the family, and I respect their point of view," he said.

The former vice president of the Ellicott Machine Corporation, a Baltimore company which is one of the leading manufacturers of hydraulic dredges, Norris is a graduate engineer and former seafarer.

After graduating from Cornell in 1913 with a degree in mechanical engineering, he went to sea and "got an engineers' license on ocean going vessels."

About 4 months before World War I broke out Norris signed on with the Kurfott Engineering company of New York as chief engineer.

Before that he worked in shipbuilding 10 hours a day for 6 days a week and received $6 for his efforts.

"Those were hard times and that was quite a job," he said. "People were out of work and that's what would happen if we stopped spending today. That's what we need, although I realize it would cause suffering. It's just a matter of time. At the rate we're going there won't be anything to spend anyway and it won't be worth spending. The economy will be destroyed. Every country who has tried it winds up the same way—in a dictatorship."

In 1917 he left the company to enlist and was assigned to the First Engineering Officers training at Fort Myers, Virginia, and was stationed in New York. He later asked to be transferred to field duty and was sent on to Camp Lee, Virginia, where he helped organize the 51st Engineers, a military unit which later went to France and was responsible for getting supplies and munitions to the front via railroad.

After the armistice and Russia defected to the allied nations, he was asked to organize a battalion of engineers to go to Archangelsk, a Soviet seaport, to help a white Russian general against the communists. Archangelsk, and I declined the invitation," he laughed. "It would have meant a considerable increase in rank, but I didn't want to see Archangelsk again."

In his work with the Ellicott company, however, he saw much of the world, as he went from country to country explaining how his company's dredges could be used to clear channels and deepen harbors.

Following the war he returned to the U.S. in 1919 and joined the Kurfott Company again, but his father, who was a partner in the Ellicott Company, asked him to come to the Baltimore firm, and he did.

He remained in Baltimore and retired from the company about 20 years ago.

With his wife, he lives in his Gist road residence, but retirement has not brought idleness.

Reflecting on the last 20 years of activity, he said, "I'm busier now than I was before I retired."

THE ADMINISTRATION'S INDOCHINA POLICY

Mr. HARTKE. Mr. President, when for more than a decade our country has been engulfed in a senseless and continually spreading war in Indochina, all people ought to be searching for every opportunity to end that holocaust. Instead, the administration is turning away from negotiations and turning toward a policy of enlarging the boundaries of that conflict.

During his recent interview with C. L. Sulzberger of the New York Times, Mr. Nixon made very clear that his commitment is not for immediate peace, but rather, as Mr. Cyrus Eaton says in a letter to the Times, that he is:

> Blindly dedicated . . . to the complete extinction of Communism, at whatever cost in American lives and substance.

I respectfully suggest that serious attention be given to Mr. Eaton's thoughtful assessment of Mr. Nixon's recent interview and I ask unanimous consent that the letter be printed in the RECORD.

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

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

"VERY LAST WAR"—ON WAY TO ARMAGEDDON?

To the Editor: C. L. Sulzberger's highly interesting "This is probably the very last war" interview (March 10) underlines grave basic fallacies in President Nixon's policies.

In insisting on a "non-Communist Asia," Mr. Nixon fails to point out that both the Chinese People's Republic and the Soviet Union would have to be overpowered to achieve his goal.

In stating that "for the next 25 years the United States is destined to play this superpower role as both an economic and a nuclear giant" in order to build a "world that is relatively peaceful," Mr. Nixon not only ignores the fact that the United States is already on the brink of bankruptcy and exhaustion from pursuing this policy. As self-appointed arbiter of world politics and economics, Mr. Nixon also omits any reference whatsoever to the United Nations, the organization duly constituted to solve international problems peacefully.

One can only conclude that Mr. Nixon is still as blindly dedicated as he was when he first came to Congress 24 years ago to the complete extinction of Communism, at whatever cost in American lives and substance, and that he will not end but will continue indefinitely to widen the war in Southeast Asia.

For many years, as a capitalist concerned with the preservation of our system, I have made a point of having direct and constant contacts with the statesmen, scholars and industrial leaders of all of the Communist nations, now constituting half the world's population. It is utterly incomprehensible that the White House, the Pentagon and the State Department, far from seizing obvious opportunities for accommodation with the Communist world, have consistently taken active steps to stir up heightened anger and bitterness.

At this moment in history, unless Mr. Nixon voluntarily alters his head-long course, or the Congress exercises its constitutional right to cut the military purse strings, it would appear that "this is probably the very last war," to use Mr. Nixon's very own words, and that nuclear Armageddon must inevitably engulf the globe.

CYRUS EATON,
Cleveland, March 11, 1971.

DIAMOND ANNIVERSARY CONVENTION NATIONAL GRAIN AND FEED ASSOCIATION

Mr. DOLE. Mr. President, last week in Kansas City, Mo., the grain and feed dealers from all over the Nation met to celebrate the 75th anniversary of their organization.

The association has been most helpful through the years in developing better service and improved products for the farmers. These merchants know that the farmer must be successful if they are to have customers, and this attitude is reflected in the success of the association on its diamond anniversary celebration.

A featured speaker at the convention was Assistant Secretary of Agriculture Clarence Palmby, who was formerly associated with the group on their professional staff.

Secretary Palmby outlines the grain marketing activities of the world in his text, and the importance of these markets to the Nation's agriculture. The speech is worthy of wider distribution, I ask unanimous consent that it be printed in the RECORD.

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

REMARKS OF ASSISTANT SECRETARY OF AGRICULTURE CLARENCE D. PALMBY

I am pleased to be among so many old friends. It is an especially great honor to have a place on the program of your Diamond Anniversary Convention.

It is appropriate that you are giving international trade such a prominent place on today's program. Your members and your industry have had a major role in the growth of our international trade. I commend you for the recognition of the importance of exports to the economic welfare of American agriculture.

There is much to talk about. We are setting all kinds of trade records in this export year. Our total farm exports in the year ending June 30 will approach the $7½ billion level—far above the previous record established in 1966–67. Of this total, commercial sales for dollars will be in the neighborhood of $6½ billion, setting a record for the second straight year. Not only will we set new records for export value, we are also exporting a record volume of farm products this year.

What does this all mean?

The obvious answer is the contribution to farm income. In the 1970 crop year, almost one cropland acre out of every four produced for the export market. In soybeans, we are exporting well over half the 1970 crop—the harvest of 23 million acres! We are exporting well over half of our wheat crop, two-thirds of the rice crop, and a third of the cotton crop.

But there is a more subtle meaning to what is taking place in the world market this year. For some years, many of us—many of your members—have been concerned about the working of the market. Rather, we have been concerned with the many restraints and impediments that sometimes *prevent* the market from working as it should.

We have worried about these obstacles in our own marketing system—and in the world. We have been trying to do something about them.

In this country, this has brought a move toward a "freeing up" of our agriculture, to let the market function, to let our farmers produce for markets at home and abroad, to permit production shifts in line with these objectives.

Beyond our own borders, we have been striving very hard to encourage more liberal, market expansive trade policies. This kind of effort—so important to our agriculture—is not easy. The virtues of liberal trade are not universally recognized. There is a long ways to go.

But the point I come to is this: The growth in farm exports this year came about because . . . *the market is working.* We have proof what the market can do—despite all obstacles—to move farm products from the people who produce to the people who consume. That is the real, underlying meaning of this year's trade figures: The international market is working.

The market is working in soybeans.

Much has been said about the growth in soybean acreage and production in the past 15 to 20 years. What is not so fully realized is the extent to which overseas shipments have accounted for this. In the past 15 years, we have increased soybean production by 764 million bushels. Of this, we are exporting over 500 million bushels as beans or meal—almost two-thirds of the increase in use!

We now have 55 percent of the entire world market for oilseeds, cake, and meal. This is a remarkable record, and one that certainly reflects the working of the market. Prices of soybeans are determined by the market. There is no subsidy on soybean exports. And we have duty-free entry for soybeans in major markets.

Our soybeans move at an expanding rate into the European Community, where we have duty-free bindings. Our soybeans have good access into Japan, and our exports to that remarkable nation continue to grow. Certain barriers remain, and we are negotiating for their removal.

The United Kingdom, Spain, Canada, also are taking more U.S. soybeans. The U.K., Portugal, Greece, and Iran will all be opening new crushing mills in the near future. We are also expanding oilseed meal and oil shipments into many parts of the world, including Taiwan, South Korea, and Eastern Europe.

The market is working in grains.

Wheat prices at Rotterdam are the highest they have been in almost a decade. And this is true at a time when our commercial wheat exports are the largest in history. Japan has once again increased its imports of U.S. wheat. Eastern Europe, even the European Community, are importing more U.S. wheat. Our wheat exports will be at least 125 million bushels above last year.

The feed grain story is similar. The price of corn at Rotterdam is the highest since 1956–57. Our corn exports are running behind last year's totals; corn blight is of course a factor in both shipments and price. Our exports of barley, oats, and grain sorghums are at a higher level, reflecting a continued growth in demand for feed in Europe, Japan, and many other countries where livestock and poultry economies are developing.

The market is working in livestock.

Almost everywhere there is a desire for better living and improved diets as economies expand and purchasing power becomes greater. This is reflected in the continued rise in beef production, in both importing and exporting countries. Yet this increased production has not been a burden to markets, but has been absorbed at rising prices. Prices to cattle producers are up here, and in all the major producing countries.

These trends in livestock have brought about some interesting developments. For example, we saw earlier this winter quite a movement of U.S. cattle to Canada. We normally bring in a great many feeder cattle from Canada, and it is unusual that price relationships would be such as to attract U.S. feeder and slaughter cattle into Canada. But that is what happened, mostly in November and December.

Another interesting development is the continuing, and apparently expanding, import of western red meat and poultry into the Soviet Union—mostly from the Netherlands, France, and West Germany. Besides that, the Russians have been in the United States—here in Kansas City as a matter of fact—looking into possible purchases of beef breeding stock. So it seems that the market is working—even across the barriers of ideology.

It is apparent that the countries of Eastern Europe are being affected by the growth in economies in that area, as well as the opportunity to produce for export to Western Europe. Some of those countries have a natural advantage in livestock production, and they are looking for reasonably priced inputs from outside Eastern Europe. Increasingly, they have looked to the United States.

Eastern Europe seems to be a growing market for U.S. feed ingredients as well as grains and other feedstuffs. The outstanding example is soybean meal. Exports of U.S. soybean meal to Eastern Europe have climbed from less than $1 million in 1960 to more than $50 million in 1970. The total value of our soybean and soybean product exports to that area exceeded $80 million.

Grain exports to Eastern Europe have been held down by the rise in production there during the late 1960's. In 1969, we exported $30 million worth of grains to that area, and this was virtually all feed grains. However, a poor grain crop in Eastern Europe in 1970 is resulting in a sharp increase in our grain sales during the current marketing year. And these sales have included wheat as well as feed grains.

The natural advantages that Eastern Europe has as a livestock producer, coupled with a rising consumption of livestock and poultry products in Western Europe, leads to an increasing trade in these commodities between East and West Europe. Yugoslavia, for example, last year negotiated a preferential arrangement for marketing its baby beef in the European Community.

We disapprove of this arrangement, as we object to other preferential arrangements. The Yugoslavs assure us that they see the baby beef preference as a special situation, one that does not imply anything broader. Nevertheless, if East-West trade in Europe continues to increase, there is reason to believe that the countries of Eastern Europe will be striving hard to supply more high quality beef and perhaps other meats to Western Europe.

Those countries need to earn foreign exchange, and one way to do this is to export livestock products into Western Europe. If this trade expands as now appears likely, it will be interesting to see what impact this will have on Eastern Europe as a market for feedstuffs. It will be interesting to observe what pressures are exerted on the EC's Common Agricultural Policy. What will be the impact of livestock and poultry imports based on lower-cost production just outside the EC borders?

Within Eastern Europe too, higher incomes have led to pressure for increased consumption of meat. Recent events in Poland have demonstrated the importance of these consumer pressures.

There are, of course, a number of deterrents to trade between East and West—many relating to political structures and the rigidities of state trading systems. Credit problems and the lack of convertible currencies are further deterrents to commercial contact between East European countries and the Free World trading system.

There are, of course, increasing contacts of many kinds between the United States and Eastern Europe, in the areas of culture, tourism, science, and business. President Nixon, in his recent foreign policy message to Congress, said: "There are difficulties, which we recognize, attending close political relations between Eastern European nations and the United States. But within these limits there are opportunities for economic, scientific, and technological contact which we are prepared to broaden on the basis of mutual benefit."

The President himself visited Romania in late summer of 1969—the first American president to visit a Communist country in 24 years. A year later, he visited Yugoslavia. He conferred with President Ceausescu in Romania and with Persident Tito in Yugoslavia.

These visits led, this past winter, to a trip by Secretary Hardin and others in and out of the Government to explore agricultural contacts with Romania and Yugoslavia. Bill Pearce of your association was a valued part of that team, as a member of the President's Commission on International Trade and Development. I also had the privilege of being with that group, and a very interesting assignment it was, including not only Eastern Europe but also the U.K. and EC countries.

As a result of those meetings, there is occurring an expansion in contacts between our Government and theirs in the field of agriculture. In Yugoslavia we have a number of cooperative research projects being carried on with excess currencies generated by earlier food assistance programs. In Romania, we have provided several kinds of help as a result of the serious floods on the Danube and other streams last year. Food, feed, and medicines have had a part in this assistance.

The growth in agricultural contact between the U.S. and Romania will result, it appears now, in the placement of a U.S. agricultural attache in Bucharest probably this summer. We have had an attache in Yugoslavia for a number of years, and the opening of a similar post in Romania will extend and enlarge our reporting and other

contacts in that part of the world in the interest of our own agriculture.

American producers of grains and other feedstuffs should increasingly think of themselves as part of a world economy—where the market works to favor the efficient producer and reward the holder of comparative economic advantage. There are things that you in the industry and we in the Government can do to help the system work.

For one thing, we must be alert in defense of our agriculture's trading rights. We have been concerned about the growth of restrictionist thinking in many countries in recent years. We have been particularly uneasy about the growth of trade-restrictive policies within the European Community—and concerned that these policies might be extended at such time as the Community may be enlarged.

This concern was back of the negotiation we completed with the British two weeks ago, with respect to our grain trade with that country. Our exports of grain to the U.K. have generally amounted to $150 to $200 million a year and we are therefore interested in preserving this trade.

We have made it plain both to the U.K. and to the Community that we are determined to use all appropriate means to safeguard our trade rights and interests in grains, soybeans, and other agricultural commodities. With this in mind, we intend to exercise fully our rights under the General Agreement on Tariffs and Trade, including retaliatory trade measures should that be necessary. This applies both during and after the period of U.K. negotiation with the Community, whether or not the U.K. becomes a member of the Community.

Our agreement with the British preserves our GATT rights for full use later. By maintaining these rights, and avoiding their dissipation in a general negotiation, we keep ourselves in a position to use them to their utmost on behalf of our farm products at a time and place of our choosing.

Within our own country, there are things we can do to make the market work effectively—to help producers take advantage of the growth opportunity in world trade. As I mentioned earlier, the new U.S. farm programs are designed with this in mind—to enable U.S. farmers to produce for an expanding world market as well as to promote expanding use in this country.

If grain and soybean farmers are to benefit fully from this opportunity, the grain and feed industry must do a better job of informing farmers of new crop prices and market opportunities. This is not to say that the industry should tell farmers when to sell, but the industry can provide a great deal of information as to opportunities in forward contracting.

You use the futures market yourself. Why should not the farmer use forward contracting to take advantage of a price of his own choosing—and not to be forced to rely entirely on the day-to-day cash price. It is to his advantage, and to *your* advantage, if he can use the market to lock in a price for a period ahead. And you can help him do this.

If the market is to function well—consistent with large use and large exports—people in the industry might well consider how they can do a better job of servicing farmers.

May I say a word, too, about the movement of grain out of the country. There continue to be serious transportation problems. Obviously, whatever we do to build markets here and abroad is partly wasted if we cannot get the grain to terminals and ports. I know that your association is giving major attention to that problem in your convention. It cannot be stressed too strongly that whatever progress you can achieve, or help to achieve, in the area of grain transportation will contribute directly to the growth of this industry and its markets.

With these thoughts, let me wish you well for the remainder of your first 100 years. Your organization is a "child of the century"—coinciding as it does with this most remarkable and tumultuous Twentieth Century. The grain and feed dealers have made a contribution to our nation and our standard of living that is unique in the world. I know that the years ahead will be just as challenging, just as exciting.

STUDENTS LEAD IN DEVELOPING COMMUNITY-ORIENTED STUDIES

Mr. MATHIAS. Mr. President, one very encouraging development in American education is the emergence of a large number of programs, classes, and projects developed and run by students and focusing on the needs of their own communities. In fields such as environmental protection, urban planning, neighborhood renewal, and social action, students at all levels of education have been bridging the distance between the classroom and the community. Both the class and the community reap great benefits from such imaginative efforts.

I invite the attention of the Senate to three such programs in Maryland. The first is an experimental 11th-grade class at Lansdowne High School, in Baltimore, which spent last semester studying the ecology, economy, and life style of the community of Arbutus. As summarized in the Baltimore Evening Sun on February 16, the project was largely planned and organized by the 28 students involved. In addition to the findings of the study teams, the results of this interesting experiment included greater student understanding of the community and, conversely, enhanced public awareness of the students' abilities and concerns.

Two other student-led programs of great potential in Maryland are the summer projects developed by teams at the University of Maryland and at Goucher College, focusing on environmental problems affecting Rock Creek and Lake Roland, respectively. Both of these efforts are among the 103 recipients of the special grants for Student-Oriented Studies—SOS—initiated this year by the National Science Foundation. In addition to advancing the skills, knowledge, and maturity of the students involved, these projects can make valuable contributions to our understanding of natural resource problems and needs.

Mr. President, I believe that such constructive efforts by our young people should be applauded and encouraged. I, therefore, ask unanimous consent to have printed in the RECORD the Baltimore Evening Sun article about the Lansdowne High School experimental class and materials from the National Science Foundation which summarize the SOS program and the University of Maryland and Goucher College projects.

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

[From the Evening Sun, Feb. 16, 1971]

EXPERIMENTAL CLASS: STUDENTS SURVEY ECOLOGY OF ARBUTUS

(By Lee Baylin)

The ecology and life style of Arbutus, a quiet little community on the Patapsco river just across the city line from southwest Baltimore, was the subject of a thorough study by students of an 11th grade experimental class at Lansdowne senior high school last semester.

The students concluded that the community is a "desirable place to live."

The air and water was found to be clean, the condition of the business district was described as "very good" and most of the residents liked living in Arbutus.

One class committee, which canvassed 87 of the 700 families living in the test area, found that most of the people were unaware of any environmental problems in their own community.

The survey found the community to be populated by many older persons. The majority of the families surveyed had lived in the area for over 20 years.

The test area was bordered by the Rolling road golf course, Rolling road, the University of Maryland Baltimore county campus, and Sulfur Springs road.

The class was an experimental one started by two teachers who attended a seminar on science and society in Colorado last summer.

PLANNED BY STUDENTS

It was designed for student participation. Members of the class planned their experimental study, carried it out themselves, and helped in the grading process.

"It was great, there was more student involvement than any other class I've ever been in," Jean Moennich, an energetic, blue-eyed blonde who headed the class committee which studied the business aspect of the community.

The only complaint the students seemed to have was that the course was too short.

"We didn't have enough time," Kevin Aftung, another student, said.

TIME FOR ACTION

"We could have used more time to take action," Miss Moennich explained.

Stephen Penyak, who headed the group which surveyed the community, said the class could have used a full year, "three quarters of the time to complete the study and the rest to take action."

The 28 students in the class, taught by Dr. Benjamin F. Pascover, head of the science department, and Thomas S. Fort, head of the social studies department, was divided into six committees to study different aspects of life in Arbutus.

Two groups studied the air and water in the community, another did research on population, one studied the business community, one surveyed the community and the sixth handled public relations.

AIR, WATER SAMPLE TESTED

The water and air committees, using techniques taught in the classroom, tested samples of air in the area and water from a pond and two streams which feed the Patapsco river.

The students found the air to be clean and the water free of pollutants. They did recommend that the county health department investigate some bacteria found in the streams to determine if they are dangerous.

Although the students found no serious environmental problems in the community, they feel their project was a success.

"We have made the people aware, at least, that students are aware of community problems. Quite a few of the people we saw were

surprised to see that we were interested, one of the students commented.

EFFECT ON STUDENTS

Even if the effect on the community is little, the semester-long course has had its effect on the 28 students who participated in it.

A survey of the class in September showed that most of the students felt world peace was the most important element in their lives. By the end of the course, a clean environment was the top choice.

NATIONAL SCIENCE FOUNDATION,
Washington, D.C., March 5, 1971.

Hon. CHARLES MCC. MATHIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MATHIS: As a follow-up to your letter of December 2, 1971, Dr. McElroy has asked me to inform you that the Foundation is today making a grant of $26,120 to the University of Maryland for a student-directed research project to determine the extent and location of bacteriological and chemical pollution in Rock Creek, Washington, D.C. The Student Project Director is Gary C. Stanton, Department of Microbiology, and will involve 21 student participants who will conduct the research during 12 weeks of the summer of 1971.

Enclosed is the list of projects selected for support by the Foundation in the first competition held by the Student-Originated Studies Program. From the 560 proposals submitted, the Foundation has selected 103 for grants, and has named an additional 185 to receive honorable mention. Details of the research projects to be conducted under the grants (not given in the enclosed release) are available from the Foundation. We hope to release these titles at a later date.

In addition to the grant made to the University of Maryland, you will be interested in the award to Goucher College—$13,140 for "The Analysis of the Degradation of Lake Roland in Baltimore County, Maryland." This project will be conducted by a group of eleven students from Goucher College and Towson State College; the Student Project Director is Virginia L. Richards, Department of Biological Sciences, Goucher College.

You will note from the enclosed release that three Student-Originated Studies projects were cited to receive honorable mention.

The response to the Foundation's Student-Originated Studies Program on the part of undergraduate student groups throughout the country has been very gratifying. We are proud to announce the first grants for Student-Originated Studies and to inform you that the University of Maryland and Goucher College are among the 103 recipients of these grants this year.

As requested, Representative Gude is also being informed about the University of Maryland project to be directed by Mr. Gary C. Stanton.

Sincerely yours,

JOHN B. TALMADGE,
Head, Congressional Liaison Office.

THE 1,100 COLLEGE STUDENTS TO CONDUCT RESEARCH ON ENVIRONMENTAL PROBLEMS

More than 1,100 United States college and university students will devote their summers to conducting independent research on problems of the environment, Dr. William D. McElroy, Director of the National Science Foundation announced today.

The grants, totaling almost $1.5 million, were awarded to 97 colleges and universities. The awards support student-initiated, student-planned, and student-directed research aimed at exploring some of the pressing problems of our society. The grants are the first awarded under the Foundation's newly established Student Originated Studies (SOS) program.

The SOS program is designed to encourage undergraduate students to express in productive ways their concern for the environment. The program provides support for groups of students who demonstrate a readiness to assume increased responsibility for their educational development.

The NSF program supports interdisciplinary groups of students proposing to attack either a single problem or a group of related problems focused on the general area of environment—physical, biological, or social. Each project is carried out under the leadership of one of the students who serves as the student project director. Students devote their full time to the projects, each of which lasts from 10–12 weeks.

College students, reacting enthusiastically to the Foundation's invitation for SOS projects, submitted 560 proposals, requesting $8.2 million, by December 1970.

To help evaluate the proposals, the Foundation invited 17 college undergraduates to serve on panels along with university faculty.

While a faculty advisor is associated with each student research group, the Foundation insists that the real initiative and responsibility must rest with the students. Each student research group consists of from 5 to 21 students.

Examples of the SOS projects include:

At the University of Maryland, College Park, a group of 21 students, including several from Montgomery College, will study Rock Creek, a stream that flows through a major park in the nation's capital. This project will focus on bacterial and chemical contamination. The students seek to determine the level, nature, and specific sources of pollutants. The data collected will be made available to Federal, state, and local officials responsible for maintaining and improving water quality of Rock Creek.

At the University of Oregon, Eugene, 14 students will assess, from an environmental viewpoint, plans for the dredging and filling of a portion of the bay in the Coos Bay-North Bend area. The students will combine the disciplines of biology, sociology, psychology, urban geography, economics, and architecture to help develop an integrated land and water use plan for the area.

At Carroll College, Waukesha, Wis., six chemistry and biology students will measure amounts of pollution entering rivers and streams from feedlots in southeast Wisconsin. The students will examine the efficiency of inexpensive methods of removing both microbial and chemical pollutants from runoff water.

At Clemson University, Clemson, S.C., 13 students with training in economics, civil engineering, and psychology will study the role which socio-economic status plays in limiting travel of the aged in Greenville, S.C.

At Grambling College, Grambling, La., biology, chemistry, and sociology students will study levels of DDT-derived materials in Negroes. The students will take blood samples of individuals selected according to geographic location and socio-economic status. The findings will be evaluated to determine whether the DDT content is dependent on socio-economic and geographic factors.

Attached is a list of awards by state and institution, student project director, and dollar amount. Also attached is a list of those projects receiving Honorable Mention.

Note for participants: College students interested in participating in a particular project should contact the appropriate student project director named in the attached list, not the National Science Foundation.

CONSTRUCTION WORKERS, INFLATION SCAPEGOAT

Mr. PROXMIRE. Mr. President, the construction workers in the United States have been made the whipping boy for the failures in the administration's fight on inflation.

First, the administration suspended the Davis-Bacon Act, which undercut construction workers' wages, but imposed no restrictions on builders or employers. That was a one-sided, unjust, and unfair action. Now that action is rescinded, but controls on wages and prices in the construction industry alone have been imposed instead.

Meantime, the prices construction workers pay for food, rent, and the necessities of life continue to go up. While limits are placed on construction wages, almost nothing is done to halt the upward price spiral for the goods construction workers have to buy.

What we need is evenhanded justice. We need wage-price guidelines which apply not only to construction workers and construction employers; we must go beyond that. We must have a policy which applies to all industry. We need a guidelines policy which applies not only to wages but also to prices and profits. That is the only way to right the injustice of the present policies which have made the hard hats the scapegoats for inaction.

The one-sided policy against construction workers has also been based on inadequate, misleading, and superficial information. Here is why:

The average construction worker earns $5.40 an hour, but because of weather, time between jobs, and seasonality in the industry he works only 1,500 hours a year. His annual average pay of $8,100 a year is not enough for him to buy the $25,000 to $30,000 house he works to build.

While he is unemployed for about 12 weeks a year, he is generally unable to qualify for unemployment compensation, because he is the victim of a series of short layoffs rather than one long, extended one.

Contrary to the propaganda put out, high construction wages are not the major or even a highly important cause of the high cost of housing. On-site labor accounts for only 12 to 15 percent of the total cost of a house. Eighty percent of housing units are built with nonunion labor. High mortgage rates, huge increases in the cost of land, lawyers fees, closing costs, points, materials, durable goods like refrigerators, stoves, furnaces, air conditioners, and furniture, taken together, are far more important factors in the increase in housing costs than onsite labor.

It is time to stop making the construction worker the villain of the piece. What we need are comprehensive wage-price guidelines so everyone has to share in the fight on inflation.

REPORT OF CITIZENS ADVISORY COMMITTEE OF BALTIMORE CITY

Mr. MATHIAS. Mr. President, last year, I ask the citizens of Baltimore City to join together and form a Citizens Advisory Committee for the purpose of studying the programs of the Office of Economic Opportunity as they operate in

the city and to recommend ways to make them more effective.

The committee has done an outstanding job. I believe that Senators should be made aware of its accomplishments. I have learned a great deal from this experience.

I ask unanimous consent that the report and some introductory material be printed in the RECORD.

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

THE OEO BALTIMORE CITY CITIZENS ADVISORY COMMITTEE REPORT PRESENTED TO THE HONORABLE CHARLES MCC. MATHIAS, JR., U.S. SENATOR, STATE OF MARYLAND, DECEMBER 1970

DECEMBER 7, 1970.

Mr. DONALD RUMSFELD,
Director, Office of Economic Opportunity, Washington, D.C.

DEAR DON: As you know, the Congress will soon be appropriating new money and authority to the Office of Economic Opportunity as that Agency's enabling legislation comes to an end. It is thus timely to study the accomplishments of the Agency with the objective of enacting legislation which would build on OEO's record and even better serve the nation's poor.

To further this objective, I formed a Citizens Advisory Committee in Baltimore City comprised of representatives from all segments of vocational and social life to study the problems of OEO in their City. Enclosed is their report.

The report is limited to Baltimore City due to the huge amount of OEO money it presently receives in comparison to the rest of the State; however, I plan to commence similar studies throughout the State upon the success of this report. The recommendations of the Committee come from member's impressions and daily experiences in dealing with the City's poor.

These citizens of Baltimore have spoken; I am happy to provide a forum for their views. The members of the Committee have spent many hours and many days formulating this report. It is submitted in the good faith that it will be read earnestly and with the hope that the Federal Government will make a bona fide attempt to respond to their views. As mentioned in this report, a written response is requested from your office.

It is my understanding that this is the first Citizens Advisory Committee of its kind to be established throughout the country. I encourage more of them. It has been a rewarding experience; I have grown closer to the problems of Maryland's poor.

Thank you for your interest in this report; your staff has been most helpful. I am forwarding a copy of this report to the President.

Sincerely,

CHARLES MCC. MATHIAS, JR.,
U.S. Senator.

BALTIMORE, MD.
Noverber 25, 1970.

Hon. CHARLES MCC. MATHIAS, JR.
Washington, D.C.

DEAR SENATOR MATHIAS: It is the privilege of the OEO Baltimore City Advisory Committee to present to you this study and report.

We are well aware that in the length of time given to this Committee we could not deal in great depth or detail. However, this report does deal with basic issues and concepts which became real to the Committee through its intensified study and research. It is the desire of this Committee that the study reflect the "grass roots" level of concern, frustration and hopes of the Baltimore community.

The Committee offers itself for further consultation and service should you deem this wise or necessary. This offer is made with the full realization that "poverty and causes of poverty" must be dealth with quickly and effectively.

In this report the Committee is cognizant that it is dealing with more than a governmental structure or city structure; we are dealing with people. We are dealing with their lives, their hopes and their fears.

I express personal thanks to all the members of the Committee who gave of themselves for this study. It is only because of the total Committee's efforts that this study can now be shared with you. A special note of appreciation goes to your staff, especially Miss Joyce Freeland and Mr. Joel Abramson. They served cheerfully and effectively.

To the Office of Economic Opportunity we express our gratitude for the individuals who served as valuable resource persons.

Finally, I express appreciation to you for having chosen us to serve and the confidence of the other members who chose me as their chairman.

I trust this report will provide for you, at least in a partial way, suggestions, guidelines and answers to assist your legislative efforts and activities on behalf of Baltimore City's poor.

Sincerely,

REV. RICHARD L. ALMS,
Chairman, Baltimore City OEO Citizens Advisory Committee.

OEO BALTIMORE CITY CITIZENS ADVISORY COMMITTEE

Chairman: Rev. Richard L. Alms, Director, Lutheran Mission Society of Maryland, 509 Park Avenue, Baltimore, Maryland 21201.

I. RECIPIENT COMMITTEE

Chairman: Mr. Sampson Green, Chairman, ACTIVISTS, Inc., 2316 W. North Avenue, Baltimore, Maryland.

Members

Mrs. June G. Ross, (Baltimore City Public Schools), 3816 Callaway Avenue, Baltimore, Maryland 21215.

Miss Joanna Balzano, (MUND), 2133 Maryland Avenue, Baltimore, Maryland.

Mrs. Josephine Smith, 1225 N. Gay Street, Baltimore, Maryland.

Mr. Robert A. Sanders, 1107 E. Preston Street, Baltimore, Maryland.

Mr. Joseph Neal, 4602 Norfolk Avenue, Baltimore, Maryland.

Mr. Lloyd A. Anderson, 1510 Guilford Avenue, Baltimore, Maryland 21202.

II. PRIVATE SECTOR COMMITTEE

Chairman: Mr. Peter Smith, Piper and Marbury, 700 N. Wolfe Street, Baltimore Maryland.

Members

Mr. Harry E. Smith, (MUND), 2133 Maryland Avenue, Baltimore, Maryland.

Mr. William Boucher, III, Greater Baltimore Committee, 1 Charles Center, Baltimore, Maryland 21201.

Mr. Lenwood M. Ivey, Community Action Agency, 11 E. Mount Royal Avenue, Baltimore, Maryland.

Mr. Dan Zaccagnini, Office of the Mayor, City Hall, Baltimore, Maryland.

III. ADMINISTRATION COMMITTEE

Chairman: Mr. Marshall Jones, 1735 Harford Avenue, Baltimore, Maryland 21213.

Members

Mr. Joseph A. Matera, Legal Aid Bureau, Inc., 341 N. Calvert Street, Baltimore, Maryland.

Mr. Dominic Fornaro, 305 W. Monument Street, Baltimore, Maryland.

Mrs. Mildred Adkinson, Associate Director, Maryland Council of Churches, 14 W. Madison Street, Baltimore, Maryland 21201.

Mr. Frank W. Welsh, Executive Director, Maryland OEO, 301 West Preston Street, Baltimore, Maryland.

Special contacts and assistance

Mr. Andrew Stanfield, Office of Economic Opportunity, 1200 Sixteenth Street, N.W., Washington, D.C.

Mr. Fred Forbes, Office of Economic Opportunity, 2nd and Chestnut Streets, Philadelphia, Pennsylvania.

Mr. Joel Abramson, Office of Senator Mathias, 240 Old Senate Office Building, Washington, D.C.

Miss Alice A. McFadden, Office of Economic Opportunity, 1200 Nineteenth Street, NW., Washington, D.C.

PART I. OVERVIEW

The gathering of twenty concerned citizens to discuss and resolve the ills of poverty is akin to an assembly of a like number of members of the PTA joined to discuss what is best for *their* children. In both groups members are often selfish and protective. We each have individual approaches to problems; we think and act differently. To come up with a report and recommendations for the City of Baltimore which would be ratified by the entire Committee would have seemed impossible. But we did it. This alone makes the report viable, persuasive, and vitally important.

Citizens of Baltimore City have gathered under the Chairmanship of the Reverend Richard Alms from all facets of vocational and social life to discuss what has been so often talked about, dissected, examined and researched—poverty.

The Committee, because of the dimensions of the task, divided itself into three subcommittees—each dealing with a specific problem—the Administration, Recipient and the Private Sector Subcommittees. This report deals with the findings of these subcommittees.

The Administration Committee, as its name implies, dealt with administration of federal, state and local programs. It followed numerous programs from grant to recipient stage to assess the problems along the bureaucratic line.

The Recipient Subcommittee was the largest. Its members contacted recipients, heard their complaints and evaluated the agency's success in getting to them in a meaningful and lasting way. It dealt with "real poor folk"—those without salary or stipend—as well as those currently benefiting from a federal assistance program. They looked at the federal anti-poverty program's effort to create self-sufficient and independent communities.

The Private Sector Subcommittee concerned itself with non-governmental efforts to help alleviate poverty. The Subcommittee studies specific cases of private sector involvement within Baltimore City.

We do not pretend to represent every individual in Baltimore City. That would be virtually impossible. However, we do feel that our group represents a broad enough spectrum to give this report credibility. We also do not wish to give the impression that we have discovered and are discussing things that have not already been outlined previously by blue-ribbon commissions and reports. What we are saying has been discussed a thousand times and in a thousand ways—but now we feel some comfort that for the first time the citizens of Baltimore City are saying it.

When we speak of "poverty" we refer to the hunger pains in the stomach, disease, rats, dilapidated homes, dirty air, no jobs—no hope. We refer to all humans: black and white; brown and yellow.

Poverty has become a profession for those who serve it; a political tool for those who use it and a case of sad neglect for those in it. Poverty is all-pervasive. It is a rare day that we are not reminded of the plight of those in poverty. We hear and read legislative debates throughout the land; we see rat-infested homes; hungry and angry eyes; we smell the garbage of the ghetto and the sweat from an underpaid day's work.

On October 19, 1970, Senator Mathias along with the chairman of each Subcommittee, Chairman Alms and other committee members, took a tour of West Baltimore. They saw frustration, lack of self-esteem and identity; they saw failure and despair. A noted exchange was the Senator approaching an elderly man for his comments about OEO's role in the inner city. The man just shrugged his head, didn't answer and looked down at the ground. (The Office of Economic Opportunity should make a concentrated effort toward helping elderly poor.)

At first the members of the tour questioned citizens about the "effectiveness of OEO." Few had heard of the agency. Then "OEO" was changed to "Community Action Agency." The majority of people were aware of this local poverty agency. The point was made—though it should be quite obvious—the hungry man in the ghetto does not know whether it is OEO, HUD, HEW . . . that is not helping . . . or helping him. He doesn't care. He knows of the local effort and identifies that with the commitment of the Federal Government. We agree, OEO must be decentralized to the local level, not regionalized. Its programs should not be delegated and diluted to other branches of the Federal establishment, but given to local anti-poverty agencies. At the same time, we want to stress the point that OEO must remain as a Poverty Agency. We need it.

It is not enough that we change individual lives, for if the institutions which encompass (and devour) these individuals are not altered, we will never conquer poverty. On one occasion, a committee member related the following encounter: he had met with an indigent recently released from prison and was told that she had no other choice but to go back to the same community—the same environment that destroyed her in the first place. We must stop this vicious cycle.

Consultants and private industry come into the community, "do their poverty thing," and leave. What has it given to the community—to the institution of life? Nothing. It has upgraded some lives, but the *community* stays the same. And now, it has less hope and confidence with the outside world: a rejection.

We need dedication by all peoples and governments to resolve poverty. This does not exist today. If the same dedication was aggressively channeled to solve poverty as it has been to send a man to the moon we would have already seen great results. But what do we see? The same poverty, the same decay. Now we just have bigger and more expensive institutions to deal with the problem.

Poverty has been studied, picked at, massaged; and, it still remains—as it did. And why does it remain—notwithstanding the Federal Government's allocation of money and energies? The answer must be that we have not decided to do away with it.

Our social and welfare system fosters ghettos—breeds defeated, defaced and selfless individuals. Dependency is fostered. We must look at the objectives and efforts of programs to see that they produce and are planned to produce independence, self-sufficiency, and self-esteem—both within the individual and the community.

The Federal Government has promised great things—jobs, housing, and more—but has failed in its expectations. We understand that it cannot overnight fulfill these promises, but it has said it will nonetheless, and thereby has produced a sense of false hope. This same sense of disillusionment is evident within the ranks of poverty workers. When a young, dedicated government employee is told of huge promises and sees little in results, a sense of apathy—and anger—emerges. We need honesty.

The bureaucracy itself dissipates valuable energies. Too much time is spent fighting City Hall and Capitol Hill rather than helping needy people.

Too often we hear that the war on poverty should be non-political. We disagree. Political power creates change—unfortunately. And, if we want to see changes, we have learned from this past election and others—that the vote, the pen and the voice are the greatest friends of the war on poverty. Once this effort becomes apolitical—we shall see even greater frustration, hostility and anger with the danger of violent eruption.

Poverty will not be solved without the assistance of those outside the government. The private sector—the business and academic communities, the clergy, teachers, lawyers, doctors, the rich and the poor, the young and the old—all must take part. No one group should bear the burden, for we will all share the responsibility, both morally and financially.

The need for the involvement of the private sector is perhaps the most important recommendation that can be made by this Committee. We don't need consultants to do a job that the community can do. The Federal Government cannot determine what is best for Baltimore, only Baltimore can—only all *Baltimoreans*.

A reason for urban decay and urban poverty is urban and suburban neglect. Those now indigent in Baltimore City at one time came from outside the city. If assistance had been given in the rural communities then, our cities would now be in better shape. Efforts and money should be dedicated to overcoming poverty in rural areas for the sake of our city.

Nothing new can be said about poverty. It has already been said; many times. We only have to go back and re-read the Kerner Commission Report. It said, "a new understanding, a new attitude, and above all, a new will" must be created if we are to get rid of poverty. This is a reaffirmation of that report.

We must tackle poverty as we combat cancer—first at the disease, then preventive steps to stop it from spreading.

Poverty is a reflection of the society and those who govern it. The war on poverty, like the war in Southeast Asia, is a matter of priorities, but, unfortunately, the latter has been given a higher priority. And this is what this report is all about—we have not decided to get rid of poverty. For if the same energies, talents, moneys and political pressures were devoted to this war the results would be far more dramatic and the benefits far more visible and lasting than the other. It is a question of priorities—a matter of dedication.

We thank Senator Mathias for the opportunity of giving us this chance to tell those in Washington what is needed in Baltimore City.

PART II. ADMINISTRATION SUBCOMMITTEE REPORT

In the very limited time that this committee has had to reflect upon the present operation of OEO programs in the State of Maryland, we have concluded to offer the following recommendations:

1. Although the committee agrees that all programs written in the Economic Opportunity Act should be administered by the Office of Economic Opportunity, we also agree that if in fact Congress decides to delegate the administration of additional programs to other federal agencies there should be strong legislative language to guarantee effective input by OEO in the policy making process with the delegate agency. Also, if the present Administration does decide to make OEO an experimental-innovative poverty agency, we hope that these programs which have proven successful and to the benefit of the Baltimore community, continue to receive funding from the Federal Government.

2. The tendency of OEO to regionalize certain programs that have a national emphasis should be eliminated. Such an effort was recently made with regard to the National Legal Services Program. Regionalization of this program and other such programs would result in undermining their political integrity and independence due to local political pressures resulting from unpopular litigation on behalf of the poor.

3. Community Action Agencies are too often restricted in using their meager grants. For example:

The government makes a grant to them in many cases specifying that it be used for only a designated purpose when the program may find that the money is urgently needed in another area.

Grants should be made directly to the program without being restricted for any one particular area. If there is an urgent need for a greater portion of the grant to be utilized in another area, e.g., job training, housing, or health; the local agency should be permitted to exercise its discretion . . . perhaps along promulgated guidelines. The committee agrees with the 1969 report of the National Advisory Council on Economic Opportunity that at least 50% of funds appropriated for the Community Action Program be made available for program initiated at the local level. In other words, there should be less earmarking of funds and more discretionary funds available.

4. There is a need for consolidation within the Baltimore CAA (Community Action Agency). For example:

The consolidating of 20 programs, let us say, dealing with job training and placement in the CAA would reduce overhead, construct a stronger and more responsive community agency, solidify the activities involved, bring down costs and result in greater efficiency. We can envision the unity of CAA and model cities into one Community Action Agency.

5. Funds allocated by OEO under Title II of the Economic Opportunity Act should be done on a more equitable basis.

(a) Although over 40% of the poor in the State of Maryland live outside Baltimore City, these subdivisions receive only 30% of the total funds in the State. As reported by the President's Commission on rural poverty in September of 1967, one of the reasons for the magnitude of the problems of the poor people in the cities is the migration that has taken place over the past 30 years from rural to urban America.

(b) Since the inception of OEO, the City of Washington, D.C., has continued to receive more funds than the entire State of Maryland. The present population of Washington, D.C., is 783,000; Maryland's population is 3,732,000. In fiscal year 1968 Maryland received from the Economic Opportunity Act (Titles 1, 2, 3, 4, 5 and 8) $25,170,943; in 1969—$26,293,812. The District received $31,085,076 in 1969 and 31,449,251 in 1968. The latest figures indicate that 17.3% of the District's population was at poverty level (under $3,000 per year) while Maryland had 15.3% of its population at poverty level. The allocation is patently unfair. Maryland and Baltimore City need more poverty fighting money.

(c) Funding levels of CAA's should be predicated on the incidence of poverty in the area. Money is often given to states and communities without regard to the cost of living. The poor in Mississippi need less to live on than the poor in Baltimore. It is unfair to equate the two. Perhaps allocations should be made upon established geographic regions.

6. An important recommendation by the

Subcommittee is that more control be given to the local agency in running, operating and determining their own poverty programs. This has been mentioned before in this report, but we feel it is important enough to mention it again. In this regard, notwithstanding the improved relationship between the CAA and the Mayor and Council of Baltimore City, the latter must relinquish their jurisdiction over the former. However, to put greater emphasis by the City government in the poverty effort, we recommend that the Mayor create a Human Resource Commission to oversee all poverty and social programs—one city agency to take care of the city's poor.

7. We must provide greater involvement by the members of the Baltimore City poverty community in poverty programs. In this regard, the Subcommittee suggests the formation of a special committee to study the pros and cons of civil service coverage of those future employees in poverty programs. The use of private consultants to do a job which local citizens can do is defeating, and could be remedied by taking future poverty workers out of civil service.

8. There must be more economic development within the poverty community. The Federal government can encourage this local effort, for example, by permitting the local CAA to buy their offices, instead of the present rental setup and lease their buildings to other poverty efforts. The moneys made can then be spent on the local poverty program, gradually relieving the federal, state and local governments of the fiscal burden. Perhaps a trust fund can be created to fulfill this objective.

PART III. RECIPIENT SUBCOMMITTEE REPORT

Our observations and evaluations indicate that the most vital items needed in the poor communities are employment (income), housing and education. The lack of the three form a vicious cycle which is all too often impossible to break.

The Office of Economic Opportunity for the past five years has successfully attempted to deal with this vicious cycle through its manpower training programs, the Community Action Agency, Head Start and other services. However, these programs are still reaching far too few with far too little. Blight and hopelessness still remain.

Substantial funding and intensified efforts encompassing all phases of this cycle are essential if we are going to begin to break its massive and destructive hold upon the lives of poverty-stricken people.

The Recipient Subcommittee thus makes the following recommendations:

1. That housing be dealt with on a priority basis. No family can adequately survive in the inhumane way many persons are forced to live. Too many apartments and tenements are owned and operated by absentee landlords—escaping the wrath of community and sanctions of the law. There is not enough low income housing in Baltimore City which is maintained in a decent and humane manner. OEO must deal with the issue of adequate housing for the poor.

2. In our present society, to have an income and be out of the poverty cycle, one must have employment. When there is no employment, there is no income. However, individuals often have their expectations raised when they are given encouragement in an employment training program. These hopes are often dashed when they find that after completing training programs neither the government nor private sector offer concrete vocational and career opportunities. It is important that any job training program relate to jobs first and training second. In other words, let the emphasis and efforts first be directed in getting jobs—and then in the training. It is totally devastating to a person to be trained for a position only to be told he is not needed.

These shattered hopes lead not only to despair but to frustration and anger. Not only does this affect those being trained, but it affects those who do the training. It is easy for them to develop apathy in training, by simply saying what is the use?

3. Added to the need for better housing and employment is education. Education on an improved level is desperately needed. While educators are doing their best in the poverty areas, they are limited by lack of funds, equipment and determination—by both faculty and students. An attitude of "What is the use" is again the permeating force which breeds apathy at home and in school.

New and innovative educational programs must be provided for the poverty areas of Baltimore City.

It is the feeling of this Subcommittee that OEO, if it is to be a viable agency, should tackle these programs. If these three problem areas: housing, employment and education were dealt with in an adequate way rather than with tokenism in dollars and manpower, substantial gains would be made in the war on poverty.

Finally, this Committee pleads the case of poverty: that it be looked upon as a war that needs to be fought and won—as the war in the Far East. It is a war that is also destroying the lives of people. To win this war there must be a coordinated effort by the various governmental agencies, together with the private sector and the self-determination of the poverty communities. When one speaks with people who live in poverty in our city, it becomes apparent which war needs priority. Their hunger and sickness and emptiness of spirit are constant reminders.

PART IV. THE PRIVATE SECTOR SUBCOMMITTEE REPORT

The following represents the private sector's involvement in Baltimore programs funded by the Office of Economic Opportunity:

Program and private sector organization

1. Year Round Head Start Program:

A. Knox Day Care Center, Knox Presbyterian Church and Presbyterian Synod.

B. St. Veronica's Day Care Center, St. Veronica's Church.

C. Harvey Johnson Day Care Center, Union Baptist Church.

2. Druid YMCA Leadership Training and Development Center, YMCA.

3. Home Ownership Plan Endeavor, HOPE Inc.

4. Legal Services to Poor, Legal Aid Bureau, Inc.

5. Martin Luther King Parent-Child Center, Johns Hopkins Hospital.

6. Provident Comprehensive Neighborhood Health Center, Provident Hospital.

7. Project Discover, Maryland Institute of Art.

8. Project SAGA, Alpha Kappa Alpha Sorority.

9. Cherry Hill Community Council Service Center, CITGO Service Corporation.

Federally financed anti-poverty programs alone cannot be successful in eliminating poverty. Private business must contribute more than job training which usually utilizes federal assistance. It must give jobs and money.

The above chart shows only one instance of the business community's involvement—Citgo Services Corporation. And this is a federally funded program. Citgo is just a drop in the bucket.

We have learned from our little experience that government, business and the local community can all profit from their mutual involvement. The private sector must realize that their own livelihood and stability is at stake.

The private sector must explore new ways to eradicate the ills of the inner city. The Citgo Company's involvement is laudable. Here private business has entered into partnership with the community by an investment of over $14,000 by the company, in addition to providing training in management techniques and occupational skills. Both the community and the company will profit.

This is just one way in which the two communities can relate to one another. They need to have cooperation and coordination. Private business can teach the poverty community to use its meager resources in a profitable way. It can guide the poverty community into prosperous economic development. It can teach the poverty community how to use techniques and methods of success for its own economic development.

Industry must provide jobs. It must expose vocational opportunities to the poverty community. It must have those training programs which would guarantee realistic jobs and career opportunities. It must help the hard core unemployed.

We realize that it is difficult and, unfortunately, foreign for the business sector to be involved in these activities. We must provide incentives for its entry. The federal government can assist by granting greater profit and tax incentives for its efforts. And, the private sector, of course, must utilize these incentives as the present MA–3 and MA–4 programs.

The Subcommittee took a look at one area within the City to ascertain the success of the federal government's efforts. The Committee took a look at the MUND area (Model Urban Neighborhood Development).

The Job Information Center of MUND has processed over 3,000 applicants from the community and has placed more than 1300 in jobs—good jobs paying an average of $3.35 per hour. The approximate $140,000 that the OEO invested in the employment program has yielded over $6 million in income for the inner-city residents.

Equitable Trust Company is also helping MUND by staff services to assist in developing a pool of financially sound project proposals from which a program can be developed. There have been other contracts of this kind with Weaver Brothers Investment Bankers, The Ford Foundation, Presbyterian Church and the Catholic Archdiocese of Baltimore.

A Westinghouse plant has moved into the MUND area employing 50 neighborhood residents with current expansion plans for 100 employees. Baltimore Electronics Associates, Inc, has also been started within the area. The firm was awarded a $183,000 contract by the Manpower Administration of the U.S. Department of Labor in 1968 to train and employ 50 persons as electronic assemblers and testers. It has since received new contracts and sub-contracts from private industry and government. The firm is now in the process of developing a training and job placement program through the efforts of the Manpower Training Programs and private business.

A region's welfare is measured by the real income of its residents. It is, therefore, important that the profits derived by private industry remain in the community. Benefits as jobs and income—should not be able to be easily transferred outside the area.

Although the attitude of a self-contained community might seem provincial and narrow, we feel the poverty community has no other choice. It has tried to integrate itself with the economic mainstream—but it has been either rejected or unable to compete. The community must get its own economic identity. We support black capitalism and minority enterpreneurship.

The business community should, of course, be joined by other members of the private sector: the religious and academic community; doctors and lawyers; government workers and others. Poverty cannot be done away with unless all join in.

For instance, the religious institutions have valuable untapped resources—land and

money—which must be used in the poverty effort. The legal community has made some input into the poverty community, namely the opening of a field office by the law firm of Piper and Marbury in the ghetto community. This is just token involvement. We need more. The Legal Services Program of OEO is a valuable contribution and should remain.

It is time for the private sector of Baltimore City to act—not react. They must on their own initiative help the poor. One way in which this can be fostered, we believe, is to change the make-up of the present governing Board of the CAA to include the leading businessmen of the City. By doing this a bigger institutional role will be played by the business sector, for then the policy decisions of the Board will be implemented more effectively and predictably. Perhaps the new members can be chosen from the current membership of the Greater Baltimore Committee.

CONCLUSION

The foregoing has been the Committee's impressions of the pulse of the Baltimore City poverty community. We hope we have made a contribution.

When the Office of Economic Opportunity was first established it was thought by many to be a panacea. We know now that OEO cannot solve poverty by itself. We need the cooperation of all citizens of the Baltimore community. OEO was first directed toward helping the poor. We recommend that OEO should now use its energies and imagination toward the objective of the poor *helping themselves*. This we feel is a more realistic goal and one most beneficial toward the welfare and happiness of those comprising the Baltimore poverty community.

Notwithstanding the critical language directed at OEO in this Report, we all agree that OEO must remain as an independent poverty fighting federal agency. We are grateful there is an organization within the federal structure that devotes its energies and talents toward helping the poor.

OEO has had great success in its Head Start, Manpower and Health Programs and Legal Services Programs, just to mention a few. There have been inroads—substantial ones. But as one committee member put it "the poor in Baltimore City are still drowning—now at least their heads are above the water. OEO has helped."

Yes, OEO has bettered the lives of many within Baltimore City. It has especially made great progress in the attitude and understanding by the Baltimore community in the problems and needs of its poor. But the battle has just begun.

We hope that the members of this Committee will be informed as to the application of this Report to the future workings of OEO. We wish to know what kind of contribution we really made. We would be most happy to relate any of our findings and recommendations to any Congressional hearing, administrative body or any interested official.

INCREASE IN THE DAIRY PRICE SUPPORT LEVEL

Mr. DOLE. Mr. President, on Thursday, March 25, Secretary of Agriculture Clifford Hardin announced an increase in the dairy price-support level. The announcement will raise the support per hundredweight of manufactured milk to $4.93, an increase of 27 cents from the present level of $4.66.

It was just 2 weeks ago that Secretary Hardin announced that the $4.66 level, which had been in effect since April 1, 1970, would be the minimum for this year. By law, the minimum for the marketing year must be proclaimed by April 1. After that date the minimum cannot be lowered until the following April 1.

I am sure we are all aware of the constant analysis the Department of Agriculture maintains on the prices our farmers receive for commodities they produce. USDA conducts similar surveillance on the prices our farmers have to pay for their supplies and equipment. The most recent figures on these costs reflected a marked increase.

Since the dairy farmer is producing a perishable commodity, and due to the marketing system through which his milk is sold, he has no way to increase the price he receives for his milk as compensation for his increased costs. By increasing dairy price supports, the farmer can get a raise in his price. This 27-cent increase in support price is one step Secretary Hardin has taken to increase the farmers' income.

The time has come when our dairy farmers deserve a raise in milk prices much the same way as other segments of our economy.

GEORGE D. HORNING, JR.

Mr. MATHIAS. Mr. President, in 1829, in speaking about the law, Joseph Story spoke these famous words:

It is a jealous mistress, and requires a long and constant courtship. It is not to be won by trifling favors, but by lavish homage.

I ask unanimous consent to have printed in the RECORD remarks written by the vice president and general counsel of the American University, Anthony C. Morella, regarding such a man, George D. Horning, Jr., professor emeritus of the Washington College of Law of the American University. The law school's recent Law Review was devoted to the energies, accomplishments, and legal courtship of Professor Horning. The Law Review is entitled "The Modernization of Justice in the District of Columbia" and is devoted to the analysis and critique of the recently passed Court Reform and Criminal Procedure Act of 1970. It is indeed a unique publication.

It is fitting that the editors and staff of the American University Law Review have elected to dedicate this special symposium issue to Professor Horning. The issue is designed to orient the compleat lawyer—the lawyer who meets the requirements of experience, knowledge, and versatility. It was Professor Hornings' objective to produce such a lawyer. And he did. In the words of the editorial board in their dedicating remarks:

He is demanding—he trains one to be an attorney who will do his job with the best possible skills, oral and written, and who will provide the direct with the possible representation.

The country is always in need of competent, creative, and conscientious attorneys willing to devote their energies to their clients under a canopy of public trust. I feel certain that Professor Horning has made a noble contribution to this objective.

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

A COMPLEAT LAWYER

No man can be a compleat lawyer by universality of knowledge without experience in particular cases, nor by bare experience without universality of knowledge; he must be both speculative and active, for the science of the laws, I assure you, must joyn hands with experience.—Coke, *Book of Entries: Preface.*

George D. Horning, Jr., Professor Emeritus of The Washington College of Law of The American University, is the compleat lawyer.

It was 1922 after a distinguished academic record at Georgetown University when George Horning began a career in the law which has spanned forty-eight years. At the start there were four years of dedicated service as an Assistant United States Attorney for the District of Columbia. Then followed entry into the private practice of law before the courts of the District of Columbia and Maryland. George Horning's talents, training, dedications and ambitions charted for him at an early age the rigors and satisfactions of a trial practitioner. His virtuosity for such was promptly evident to his peers—and at an age before most of us today complete preparation for the profession.

Professor Horning stayed his established career at the bar at the outbreak of World War II. He assumed active duty in the United States Naval Reserve. He served for the duration of the War in virtually every world theatre of naval operations. With almost characteristic expectation he retired with the rank of rear admiral.

The years away from practice tendered no obstacles to George Horning's prompt return to his professional pursuits. He resumed his practice with the distinguished Washington law firm of Hogan & Hartson. Within the year he found his legal "sea-legs" again. He was invited into the partnership and his colleagues elected him to lead their civil litigation department.

George Horning is a man not readily contented with the demands of an extensive and encompassing practice. He is an activist. His commitments are total. His arduous pursuits as a trial practitioner by no means precluded him from a desire to return to his alma mater, The Georgetown University Law Center, where he was appointed an adjunct professor to share his talents, insights and know-how with many students of the law eager to learn techniques, styles, demands and satisfactions which only the skilled and experienced trial practitioner knows. He taught his students well. He instilled in them the same guidelines, admonitions and substantive requirements for the good trial lawyer that he gave to his younger associates at Hogan & Hartson; and there are today, from all those who shared, many who rank among the leaders at the trial bar.

There can be no speculation that those days and nights at Georgetown rekindled in George Horning a dream and ambition shared by so many compleat lawyers: to cap their careers in the active practice of law at the lecterns and in the classrooms of a law school. The law students of The American University have been the beneficiaries of that ambition. For over five years now George Horning has devoted his full energies to the law teaching profession since his retirement from practice.

What is the measure for such a man who has given so much to his profession, his colleagues, and his students? Is it reflected in his telling young students of the law how to do it? Or does he tell them how he did it? These objectives are too narrow and too self-indulgent for George Horning. His mind, his energy, and his dedications could not be satisfied by simply meeting students in classrooms, pouring over cases and rules of evidence and procedure; feeding the young minds and demanding the traditional feedback. George Horning's mind is too aggressive for such patterns. He is too untiring to secure contentment from the droppage of legal gems from the mouthings of a master. George Horning cares and he teaches by doing. He demands maximum effort from his students.

His own thoroughness in preparation, diligence in analysis, slavishness to complete research and articulateness in communication of the law in both a written and spoken manner are infectious to his students. His projections and zeal to be a contemporary lawyer fully capable of meeting the contemporary demands of a societal structure rooted in the rule of law will not permit acceptance by him from his students of anything less than the best standards of excellence.

It is fitting that the Editors and Staff of The American University Law Review have elected to dedicate this Special Symposium Issue on The Modernization of Justice in the District of Columbia to Professor Horning. The focus of this issue will be on the Court Reform and Criminal Procedure Act of 1970.

This comprehensive and massive reformation of the processes and methods for the administration of justice in the District of Columbia is something which all compleat lawyers applaud. This Symposium Issue is designed to orient the compleat lawyer. Such an objective has always been among those to which George Horning, lawyer, practitioner, scholar, author, and teacher, has dedicated forty-eight years of his life.

In this twilight of his distinguished career, it has been my honor to teach courses jointly with Professor Horning. We have worked together in the same classroom, which for us has been the Law School's Courtroom. During these enriching years I have always sensed that I have not been a co-professor to George Horning. On the contrary, I too have been among his students and I too have been infected. I believe that I sense what is in the hearts of our students because it is in mine. I trust we have conveyed those sentiments in this dedication to a lawyer with a universality of knowledge and experience; to an activist who has joyned experience with knowledge; to the compleat lawyer, Professor George D. Horning, Jr.

SPREAD OF NARCOTICS ADDICTION

Mr. MONDALE. Mr. President, just 1 week ago, I called attention to several examples of Minnesota's mounting reaction to the terrible spread of narcotics addiction in America.

In cities and towns across Minnesota that concern continues to grow. From Preston to Duluth, the people of my State are aware of the immediate threat posed by hard drugs. They are not only aware of this danger; they are demanding action to protect us all from the terror of death and crime brought into the United States by tons of heroin each year.

An administration expert testified in hearings before the House Crime Committee last year that an estimated 5,500 pounds or 2½ to 3 tons of heroin were entering the United States annually.

Newsweek reports, March 29, 1971, that 22,000 pounds or 11 tons of heroin entered the United States in 1970 alone. I am shocked to learn that heroin importation may have quadrupled in the last 12 months.

But in reviewing the results of our international narcotics control efforts, it is no wonder the availability and use of heroin are soaring.

Administration announcements proclaim the success of closer cooperation with France and Turkey in fighting the criminal network of drug cultivation and processing.

Yet the French embassy discloses that heroin seizures in France declined in 1970 from 1969. During the past 14 months, not one heroin processing laboratory has been uncovered by French. Two laboratories were seized with U.S. help in 1969.

The evidence on Turkish cooperation is even more revealing. Between 1966 and 1968, poppy cultivation declined from 59,000 to 32,000 acres. Since 1969, acreage has increased from 32,000 to 37,791. The New York Times reports that opium production in Turkey may have doubled last year. And despite reports of crackdowns by Turkish police, over 90 percent of the illicit opium is still getting through.

I have introduced proposed legislation to make narcotics control a high priority in American foreign policy. My bill would strengthen cooperation with countries that are serious about stopping illegal drug traffic. But it would also draw the line as to what we mean by cooperation and cut off aid to countries which do not.

Over the past 3 years, we have provided $100 million more in aid to Turkey than our total Federal expenditures for narcotics control in the United States. For fiscal year 1971 our aid to Turkey will be $64 million more than all Federal funds for enforcement of narcotics laws, as well as treatment rehabilitation, education, training, and research to stop addiction.

I ask Congress to meet this urgent question now. The public outcry from Minnesota and elsewhere in the Nation demands it.

I ask unanimous consent that several editorials on the subject be printed in the RECORD.

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

[From the St. Cloud (Minn.) Times, Feb. 17, 1971]

MONDALE FIGHTS HEROIN TRAFFIC

Senator Walter F. Mondale of Minnesota treated his colleagues, the other day, to a quick review of some eye-opening figures on the cost of the heroin traffic. He led off with an estimate that drug addiction may cost as much as eight billion a year "in theft, criminal justice proceedings and related expenses."

He then went on to illustrate what costs of such magnitude, or even half as great, mean in relation to other things the nation spends money on. "Even if that eight billion dollars is reduced by half," he said on the senate floor, "the heroin traffic would still cost us each year seven times what we now spend to fight air and water pollution, nearly four times our budget for health research, almost twice our investment in elementary and secondary education."

Such comparisons give added impetus to the conviction that we absolutely must do something more effective about control of the heroin traffic. Mondale's proposed legislation to this end is the most promising approach yet offered.

His bill encompasses the familiar idea of offering opium-producing countries financial help to permit them to reduce the opium crop to basic medicinal needs without upsetting their economies. The chief beneficiary would be Turkey, but some other countries also would be involved. The Mondale bill takes the important additional step of imposing sanctions on countries which do not take advantage of this plan.

That is the key to the potential success of this legislation: it would bar further military and economic aid to non-complying countries, and would further call for United Nations economic sanctions "on the grounds that narcotics traffic is a threat to the peace and security of a member nation . . ."

That, essentially, is one prong of a two-pronged attack on the problem. The other prong incorporated in the Mondale bill has to do with seeking out and punishing narcotics offenders.

[From the Mankato (Minn.) Free Press, Feb. 8, 1971]

MONDALE'S RIGHT, BUT . . .

Sen. Walter F. Mondale's amendment to the foreign aid bill to attempt to halt the supply of heroin from foreign countries by cutting off U.S. aid to nations which allow the growing and processing the killer drug is a bold step forward that deserves full consideration—fraught as it might be with danger of another kind.

There are many touchy problems inherent in such legislation, and there undoubtedly will be great controversy over its provisions.

Yet, as Mondale declared, drastic steps must be taken to solve the problem of drug addiction which is "killing thousands of our people (3,000 from 1965 to 1969), ruining a half million lives, stripping as much as $8 billion every year from our economy (in thefts and criminal control costs) and right now destroying our great cities in a holocaust of crime and degradation."

The U.S. gave NATO ally Turkey a $3 million loan last March to encourage a change from opium production, and Turkey claims progress because the number of opium-growing provinces has been reduced from 21 to 4 over the last decade. Mondale asserts, however, that actual acreage under opium cultivation in that country will have increased by 5,000 acres between 1969 and 1971. The real effect of the supposed reduction of provinces, according to the New York Times, is a doubling of the amount of opium actually being produced in Turkey.

France, another U.S. ally, is the site of most of the heroin processing in the world. Despite claims that pressure by the Nixon Administration has moved the French to step up anti-heroin efforts, Mondale says France has only 30 policemen to fight the international drug network, only one-tenth of the number they assign to domestic drug abuse. The Associated Press reports most French heroin arrests last year were the small offenders, that France will not pressure Turkey on drug traffic and that law enforcement efforts have yielded few results in eliminating the big laboratories where most of the shipments to the United States are prepared.

Reacting to the lack of effort to stem the heroin flow, Iran recently lifted its 13-year-old ban on opium production, and Mondale claims this will probably mean 500 more tons of opium for export to the United States and other countries.

Mondale's amendment would require immediate cessation of opium production (except in small amounts for medicinal purposes) and then provide aid over a five-year period for foreign opium farmers to adjust to new livelihoods. The bill would stop military and economic aid to countries that continue to allow the cultivation or processing of opium and urge the President to seek international economic sanctions through the United Nations should the threat of suspension or actual suspension of U.S. fail in its objectives.

There is a clear and present danger to our society from the heroin trade, and the federal government should exercise all the powers it can command to try to wipe it out. Foreign countries who are poisoning us by allowing the production and processing of the drug have no right to expect us to pump our dollars into their economies and protect them with our military umbrella.

On the other hand, trade limitations, aid

restrictions and sanctions in the past have had a terrible way of backfiring on the U.S. in the international amphitheater.

The offending nations frequently continue their normal policies, and following the rebuff from us, merely switch the direction of their outstretched hands—and more important, their allegiance—to somebody else. Like Russia.

A very notable and painful example is the Aswan Dam project in Egypt eagerly accepted by the Soviets after John Foster Dulles' rejection and which eventually enabled the Reds to gain a fantastic foothold in the Mideast.

Turkey, a cornerstone of Western defense, fits that same mold precisely.

[From the Preston (Minn.) Republican, Feb. 11, 1971]

MONDALE SEEKS HALT TO ILLEGAL DRUG TRAFFIC

(By Wayne)

Minnesota Senator Walter F. Mondale recently introduced legislation in the U.S. Senate to combat the drug problem which is costing our country billions of dollars and thousands of lives each year. Mondale's bill would force the countries, which grow the opium poppy and process the heroin, to cooperate in halting this drug traffic or face the loss of military and economic assistance. The two countries most directly involved in this nefarious activity are France and Turkey. The drug, heroin, is the prime offender. Heroin is derived from the opium poppy, which thrives in Turkey. The Turks harvest the raw opium and this material is smuggled into France, where it is refined into the powerful drug. From there, individuals involved in the drug traffic smuggle the finished product into the United States by the ton.

Senator Mondale states: "We have guarded the security of these nations. They are pledged to guard ours. Yet, the heroin traffic continues to endanger the United States as much as any military invasion. We cannot tolerate this horrible absurdity."

Senator Mondale should be commended for taking such a firm stand to break up this drug network of processing and distribution. It is difficult to understand how we can continue to pour millions of dollars of foreign aid into the very countries which would return our generosity by sanctioning such illicit activities.

[From the Duluth (Minn.) News-Tribune, Feb. 12, 1971]

GOING COLD TURKEY

Sen. Walter Mondale has introduced sound legislation for limiting the flow of heroin into the United States.

According to Mondale, about 80 percent of heroin used here comes from opium grown in Turkey after being processed in laboratories in France. Both Turkey and France are so-called allies under the North Atlantic Treaty Organization (NATO).

Mondale has proposed that the United States make funds available to Turkey to convert itself from illegal opium growing to a legitimate form of agriculture, over five years. Also, he calls for greater financial support from the United States to Interpol, thus assisting France in the policing of drug laboratories.

If cooperation from France, Turkey and other countries exporting heroin to the United States were not obtained, Mondale's legislation would allow for suspension of all U.S. aid to those countries, military and otherwise.

As the situation stands, about 110,000 Turkish opium growers indirectly are responsible for an estimated 500,000 heroin addicts in the United States. The crime and related social problems caused by these addicts is estimated to cost the United States $8 billion a year.

In contrast to this staggering cost in dollars and human misery, it would cost about $10 million to convert the Turkish fields into another kind of agricultural industry. Currently, Mondale points out, we are giving Turkey $200 million a year in military and economic aid.

The only way, in the last analysis, to solve the heroin problem is by limiting its source, opium, to that small volume needed for legitimate medicinal uses. Efforts have been made prior to this to get Turkey to cut production, but they have failed. The French, as well, appear to enjoy blood profits. It has come to that point where, faced with rising costs now at $8 billion a year, the United States cannot afford to continue to be so tolerant.

And an alternative to heroin is available, called Methadone. Almost a miracle drug, it can be made cheaply, and fulfills an addict's craving for heroin without destroying him as heroin can.

There's a small catch in Mondale's plan, however. The United States grows large volumes of tobacco for cigarettes sold abroad, through large promotional campaigns. Regular cigarette tobacco isn't heroin, certainly, but smoking is a health hazard, as use of heroin is a health hazard. While the degree of the problems caused by tobacco as against heroin are vastly different, in principle, the problems are similar. To be consistent, Mondale might consider stopping the promotion of American tobacco products abroad. But that surely would kill any chance of his present legislation. A proposal to be remembered, however.

DR. ROBERT M. WHITE

Mr. MATHIAS. Mr. President, I have long been proud that the State of Maryland includes among her 4 million citizens thousands of dedicated public servants. For it is the public servants who carry out the policies determined by Congress and the President who are essential to the true effectiveness of our Government in meeting the needs of the citizens.

Outstanding among these career civil servants is Dr. Robert M. White, new administrator of the National Oceanic and Atmospheric Administration. I ask unanimous consent to have printed in the RECORD an article about Dr. White and his famliy, published in the Sunday Washington Star of March 21, 1971.

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

WHATEVER YOU DO, YOU POLLUTE

(By Diana McLellan)

Administrator of the National Oceanic and Atmospheric Administration is a rather grim, formal, omniscient-sounding title. But its new holder is none of the above.

In fact, Dr. Robert M. White bags his own leaves, breakfasts with a guinea pig and once wrote a recipe for tripe souffle.

The man who'll play a major role in the government's cleaning-up of our environment works hard on his own surroundings. The garden in the quiet Bethesda cul-de-sac where the Whites live is his hobby and his delight.

"Of course, there's a problem with the leaves," muses the dark-eyed, dark-haired Administrator. One senses that he's a dynamo of energy; occasionally, as he talks, it breaks out and he stands up and begins to pace.

"Either you can burn the leaves and pollute the atmosphere—not legal in Montgomery County—or pile them up and put them in plastic bags—which might not be degradable. You can build a compost heap, but it can only be so big. Whatever you do, you pollute. Just by existing, by the very nature of things, we pollute."

LAUNDRY PROBLEMS

Slim, brown-haired Mavis White, animated and attractive in an ice-blue pantsuit, is quick to point out that women face similar problems with their laundry.

"Even if you buy a detergent that claims to be non-polluting, you have to use something else to squirt on the shirt collars, and that could have anything in it. Besides it comes in an enormous plastic bottle that has to be disposed of. . . ."

Mavis White is not the type of woman to brood about flaunting the whitest laundry on the block. She's too busy being an adventurous cook, an avid reader and a warmly encouraging mother to 13-year-old Richard and 11-year-old Edwina. She's also tenderhearted "grandmother" to Cinnamon, a frisky honey-colored guinea pig. Cinnamon has the run of the house, and precedes guests up the stairs with a startling display of athletic prowess.

Edwina—she prefers to be called "Nina"—with a toss of her dark pigtails, politely confides that "Cinnamon eats breakfast with us every day. Orange juice, cereal, milk and a paper napkin."

To the man at the head of the table during Cinnamon's morning performance, the word ecology is no recent acquisition. The doctoral dissertation he wrote at M.I.T. in 1950 had as its subject "Global Energy Balance." Before his previous appointment in 1965 as Administrator of the Environmental Science Services Administration—which now forms part of NOAA—he was chief of the U.S Weather Bureau.

From the social point of view, Mrs. White laughingly points out, a husband who is the U.S. Weatherman was a coup. "The weather is a wonderful conversational crutch—and of course our friends assumed we always had inside information on it."

ALL ABOUT TRIPE

It was before his first stint at M.I.T. and after his B.A. in geology from Harvard that Bob White learned all about tripe—the unsavory-looking but delicious, buffs insist, lining of a cow's stomach. He had taken a detour from science and into the worlds of journalism and advertising. As an agency's copy chief, one of his assignments was to write the recipes to go on the outside of cans of tripe.

"I combed the cookbooks, and found out everything about tripe. The most dramatic recipe I could come up with was for tripe souffle . . ."

"At that point," chimes in Mavis with a chuckle, "I decided it was time to change his field."

The imagination that could unblanchingly confront tripe souffle in the 40s will have to draw upon all its resources to tackle the nation's disposal and pollution problems in the 70s.

"We have to be clever," he emphasizes. "Our old cars, for example, could be used in oceans to build artificial reefs around which fish would congregate. The excess heat that we produce and pour into our waterways that harms aquatic life—there must be ways to use that up intelligently, but we must find them. Great Britain started earlier than we did, but they've proven it can be done. Do you know, this week they found the first sea trout in the Thames River since 1958?"

He's sanguine about the chances of doing the same here with new approaches.

NEW APPROACHES

New approaches in the White household are not confined to its head. Mrs. White applies the same spirit of adventure to her domestic life—particularly cooking.

"I'll try anything that's new! The family is told a dish is new, and we have a vote on it. Richard is the best judge. If he says 'make it again!' it's a success."

Craig Claiborne, she adds, is her maestro. chicken her favorite basic—"you can do any-

thing at all with it"—and small dinner parties for 10 her pet type of party.

Both Dr. White and Mrs. White read avidly, although he finds far less time these days to read outside his field. Mavis did persuade him to read Erich Segal's "Love Story."

"I couldn't see what all the fuss was about," he confesses.

Mavis points out that she enjoyed it from her vantage point as a former professional writer.

"I admire the sheer skill of a good writer, and I know what effort goes into a book. People always say to me, 'Why don't you write a book about so-and-so?' It sounds so easy. But the truth is that it's plain hard work. Writers are my favorite people, though."

Included among her favorite people is brother-in-law Theodore White. The family often gets away in the summer to the Fire Island house where the author of the "Making of the President" books writes.

Summer weekends in town are spent mostly in the garden. Sunday brunches and parties are held on the charming, level patio that leads from glass doors out onto the sloping lot. In summer, it's screened from neighbors by luxuriant plantings.

THEIR GARDEN

Dr. White takes the visitor outside to show off his already-budding camelias and forsythia; the birch tree that he rescued from a fungus by timely surgery; the long row of carefully cultivated rose-bushes along a wall.

"Yes, I still have to use pesticides or fungicides occasionally. I certainly don't as much as I used to. When your leaves start to turn yellow, though, you have to come to their rescue . . ."

Both children, their mother reports, have their father's compassion for living things.

Nina has just started riding lessons, and young Richard enjoys underwater life.

"Even our own vacations are often spent on projects," Mavis White laughs. "Last year's trip to the Soviet Union, and the one the year before to Barbados."

She explains, "Bob's very intense about his job. It sounds old-fashioned, but he works hard."

THE MILFORD CABINET, A NEW HAMPSHIRE WEEKLY

Mr. COTTON. Mr. President, the weekly newspaper is the life blood of many a rural community and is as American as apple pie.

Today's weeklies are more sophisticated than a few years ago when a country editor took for granted that he would write the news, sell the ads, lay out the newspaper, run the press, and even deliver door to door if necessary.

New mechanical processes now have eliminated much of the drudgery of weekly newspaper publishing.

But it still is hard work.

In the tradition of our most famous country editor, William Allen White, weekly newspaper editors continue today to write some of the most informative and thought provoking editorial and news copy in America.

Thus, the State of New Hampshire takes justifiable pride that one of its many excellent weekly newspapers, the Milford Cabinet, and its longtime editor and publisher, William B. Rotch, have been featured in a fine article, "The News From Milford," which appeared in the Saturday Review of Literature of January 9, 1971.

The author, Mr. M. L. Stein, chairman of the Department of Journalism at New York University, shows a refreshing understanding of rural America and of the responsibilities and problems which confront country newspapers. He pays tribute—and properly so—to Bill Rotch as an editor of typically forthright New England opinion coupled with heart, grace, and humor.

Mr. President, I ask unaminous consent that "The News from Milford" be printed in the RECORD.

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

THE NEWS FROM MILFORD

(By M. L. Stein)

Union Square in Milford, New Hampshire, population 4,863, is actually an oval. The grassy plot with its faded, gingerbread bandstand splits the tiny business district and serves as a convenient reference point when one gives directions to strangers. "Take a right at the oval and it'll bring you to Route Thirteen."

Milfordites are proud of the landmark, believing that it gives their community a distinctive, New England charm while providing for an orderly flow of traffic. All vehicles must go around the oval to get almost anywhere in the Milford area.

If the town has another distinctive feature, it is the Milford Cabinet, a weekly newspaper that has been published continuously since 1802 and is as much of a conversation piece as Union Square, although not as universally revered. Yet, even those who do not always agree with the Cabinet's outspoken editorials readily admit that they couldn't get along without the paper and wouldn't want to try. In an age of Telstar and other high-speed communication technology, the newspaper is for Milford residents a familiar, reassuring presence in a fast-moving, frightening world. Milford is only fifty miles from Boston, yet, for most of the inhabitants, there is a cultural isolation of far greater distance.

But if the Cabinet is any indication, rural America is not much concerned about being out of the mainstream. When the paper comes out on Thursday, most of its subscribers can't wait to get at it. "I couldn't get along without it," said a matronly waitress at the Mile-Away Restaurant. "And when I'm away, I really miss it." She recalled that her eighteen-year-old son, who had scoffed at the Cabinet's country style, asked her to send him the paper regularly a few weeks after he had moved to Denver.

What is the news from Milford that the readers of the sixteen-page weekly find so interesting? The page-one lead story of a recent issue concerned a $7,500 fund drive for the Souhegan Community Nursing Association. Other page-one items included coverage of the Red Cross Bloodmobile's impending arrival in Milford, a local reception for Governor Walter Peterson, a school board meeting in the nearby town of Wilton, an upcoming Great Books discussion, minor construction bids accepted by the Board of Selectmen, the beginning of Brownie troop meetings, and a rugby exhibition game, along with a three-column report on Fire Prevention Week.

The inside pages were taken up with stories about a Grange meeting, returning servicemen, a women's club tour of old New England homes, a lecture by an interior decorator from Manchester, Girl Scout meetings, a car-school bus collision (minor injuries suffered by the auto driver), a new class on safety for hunters, a Conference for Racial Understanding sponsored by the First Unitarian Society, and, of course, advertisements, social announcements, editorials, letters to the editor, and news from neighboring communities covered by the Cabinet's part-time correspondents, most of them housewives.

The lead story in another issue was placed under a five-column headline: Old Homes in Milford and Barretto Granite Corp To Be Viewed Saturday. The off-lead story at the left of the page confirmed a rumor that a dress manufacturer is interested in locating in Milford, which is having its troubles finding new industry. Of the articles below the fold, one revealed an environmental lecture series sponsored by the League of Women Voters, and another detailed a Chamber of Commerce warning about home canvassing by salesmen without police permits. The page also contained a feature story about a trained German shepherd dog who found a lost, two-year-old boy.

Most of the stories are crisply written, although several of the "meeting" items lead off with nothing more than time, place, and the presiding officer. The paper's makeup is clean and well-balanced with liberal use of pictures. The ear at the top left of the page carries New Hampshire's motto "Live Free or Die," and the one on the right proclaims that the Cabinet has been "Serving Souhegan Valley Towns over 168 Years."

For the past twenty of those years, the Cabinet's editor and publisher has been William B. Rotch (prounouced "Roach"), a fifty-five-year-old Dartmouth graduate and World War II destroyer officer, who takes seriously the fact that the paper has been in his family since 1809. He bought it from his late father, Arthur, who, with New England frugality, sold it to him on the basis of a small down payment and a bank note for the balance. William, a trim, reserved man who looks much younger than his years, readily admits that he has adopted his father's parsimonious habits in running the paper. While many other weeklies are switching to photo-offset printing, the Cabinet, an eight-column broadsheet, is still turned out on an aging flat-bed cylinder press, which Rotch is in no hurry to replace despite the paper's solvency. The paper is housed in a red-brick former schoolhouse built in 1853. Most of the two-story structure right off Union Square is given over to the mechanical departments, leaving only a tiny space for the editorial and advertising offices. The paper has a circulation of 4,872 in eight communities with a total population of 12,717.

The Cabinet is a typical weekly in that Rotch puts it out with a small staff, relying largely on stringers and handouts for local items and pictures. His only two editorial assistants are Margaret Doyle, a part-time reporter, and his wife, Patty, who shoots news pictures with a 35 mm Leica when she isn't managing her home, overseeing a Girl Scout troop, and doing other volunteer work. Ratch's brother-in-law, William Ferguson, a Milford insurance broker, writes a regular column: The Rambling Reporter. Two office clerks, Mrs. Loretta Aveni and Mrs. Beatrice Sargent, help out with proofreading. The weekly also has a superintendent, Leo P. Sarceno, an advertising manager, Harold F. Burgess, and five printers in the backshop, where a substantial job printing business is also carried on.

It is only when one examines the Cabinet's editorial page and gets to know more about Bill Rotch that one becomes aware that the newspaper is anything but typical. The editorials are lively, often controversial, and range in subject matter from Milford potholes to the invasion of Cambodia ("We think it entirely likely that the President may have made a tragic error"). Rotch also has deplored the Kent State killings, criticized the government's dumping of nerve gas off the Bahamas, praised the musical Hair, urged a truth-in-packaging law, and

taken the Chiang Kai-shek government to task for jailing two Chinese publishers for printing "subversive material" in their newspaper in the Philippines. Sometimes the editorials are in reply to one of the many letters to the editor. To a reader who wondered why the Cabinet did not print a column of advice for teen-agers, Rotch replied editorially:

"While the editor thoroughly enjoys telling other people what to do, he really does not expect them to take his advice, and when it comes to teen-age problems, he feels completely incompetent to offer useful suggestions. . . . Nor can we see much appeal in just another column advising girls of thirteen whether or not to let their boyfriends kiss them goodnight, and what to do if mother discovers the diary. . . ."

Besides writing all the editorials, Rotch also turns out a letter from the editor column, a medley of folksiness and observations on everything from New Hampshire politics to turbot, a kind of flounder. In one column, he lampooned luncheon speakers who, at the close of their address, advise their listeners, including reporters, that their remarks are off the record. Among those Rotch scored for the practice was Harvard President Nathan Pusey. In another "Letter," the editor defended long-haired youngsters, asserting that he had hired three of them over the summer "and everything worked out just fine." The column also gives Rotch the opportunity to take potshots at some of his favorite targets, including William Loeb, president and editor of the stridently right-wing Manchester Union Leader.

Bill Rotch's brand of liberal Republicanism is dispensed in a deeply conservative farming community. The town's early Yankee stock is mingled with descendants of Italians and Finns who immigrated there after the turn of the century to work in the granite quarries. For many years, Milford was also supported by woodworking factories, which died off during the past decade. Currently, Milford's principal employers are a sprinkling of small plants making machine tools, castings, and other metal products. The politics of many citizens are entwined with taxes and other state and local economic matters. When residents discuss issues beyond their primary concern of making a living, they usually lean considerably to the right, a fact reflected in a number of letters to the Cabinet editor. Domestic communism and other left-wing manifestations are deemed serious threats by several of these writers. One such missive was an open letter to Postmaster General Winton M. Blount that asked: "Why do you allow the communist-controlled United Nations to sell their anti-religious cards in our post offices during Christmas time when anybody at any time may purchase them in any communist bookstore during the rest of the year?"

Rotch freely prints virtually all letters, including those from members of Milford's small but active John Birch Society, an organization whose beliefs are several light-years away from his own. As he sat in his cramped office leafing through his mail, Rotch recently explained to a caller: "They [the letter writers] are sincere, even when they are very mistaken in my opinion. They have a right to be heard." The publisher recalled a Bircher who came into his office with a wildly right-wing tract, saying, "Please read this, Bill and tell me if I'm wrong."

"What can I say to a person like that?" Rotch asked. "He's trying to find answers."

Actually, the editor says a great deal to his fellow townsmen in his editorials, the main objectives of which are to inform and to influence. "People can get their information at the hairdresser or the barbershop, but we can probably do a better job," he declared.

To stay ahead of the barbership as an information source, Rotch spends a lot of his time chatting with politicians, businessmen, shoppers, policemen, and others. His reading includes the Boston, Manchester, and Nashua newspapers, The Christian Science Monitor, The Atlantic, Time, Newsweek, and a number of other publications. The walls of the Rotches' comfortable, 100-year-old home ("It's not really old enough to be interesting," he told a visitor) are lined with hundreds of books. Rotch and his wife, Patty, a Smith graduate with an advanced degree in social work, belong to the New Hampshire World Affairs Council and have traveled widely in the United States and abroad. In Milford, they have played hosts to dozens of foreign visitors, New Hampshire politicos, and sundry other persons, including groups of youths bicycling through New England. There is nothing folksy about Rotch in social circumstances. He serves good French wine to his guests and displays an urbane, sometimes barbed wit. When he invited a recent visitor from New York to his home, he added, "We'll light a fire and roast apples or chestnuts, or whatever it is you New Yorkers think that New Englanders do on winter evenings."

If the Rotches are not part of the Milford power structure, they're certainly members of the Establishment. Bill Rotch serves on the Souhegan National Bank's board of directors, is active in Dartmout alumni activities, and was appointed to Governor Peterson's Citizens Task Force on New Hampshire Problems. Patty, whose grandfather was Governor of the state, is a former chairman of the Milford School Board. Both Rotch and his wife are natives of Milford.

But at the Cabinet Rotch is 100 per cent country editor, roll-up sleeves and all. He gets to work at 8 a.m. and first sorts out his mail, tossing much of it in the wastebasket. "Part of being a small-town editor is knowing what mail to throw away," he observed. Then he usually spends two to three hours writing stories and headlines, making up the next issue and setting type in the composing room, where he chats easily with the linotype operators William Barrett, Paul Duff, and Elmer W. Peacock.

Some mornings are different from others. The *Cabinet's* routine was broken recently when one of the job printers go his finger caught in a press and was rushed to the hospital. The printing order had to be farmed out to another press in a nearby town. And when Rotch opened one letter from a stringer, expecting to find her copy, he discovered instead a note that read: "I'm sorry but there will be no news today. Usually, I put a cardboard box over the radiator of my car so it will keep warm during the night. But last Monday I forgot, and in the morning I could not get the car started so I couldn't collect any items. I'll do better next time."

A dispute over a classified ad also caused some disruption. The ad offered "two loose skis" for sale, but the elderly lady who placed it indignantly insisted to Rotch that she had been misunderstood on the telephone. "What I told your girl was that I was selling two Toulouse geese, not skis," the customer went on. The ad taker was just as sure that the woman had said "skis." The editor resolved the matter by driving over to the woman's house and buying the geese. "Now don't you go and have them killed," she called after Rotch as he was driving away, the geese flopping around in the rear of his station wagon.

Visitors some of them news sources, drop in frequently. The local conservation officer came by one day and asked Rotch if he would run another story about "telling people not to let their dogs chase deer around town." The official suggested that the *Cabinet* use the same story it published last year on the matter.

"Nothing new on it?" Rotch wondered.

"Nah," the other replied "it's the same old thing. Last night, for instance, a bunch of dogs chased a deer across the (Souhegan) river and the animal got stuck in the ice. The boys in the firehouse found him this morning, frozen stiff and standing up, so they're gonna have venison tonight." Rotch impassively took notes and assured the officer there would be a story.

Another caller was the manager of a new Milford plant that will produce plastic drinking cups. Rotch, a strong environmentalist, asked the man if the factory's process would cause any pollution and was assured it would not. You folks will see a lot of white smoke coming out of the stacks, but it will be pure steam," the manager explained. He was followed by George "Buster" Brown, a high school student who brought in copy for "The Oracle," a special page of high school news the *Cabinet* carries each week. A few minutes later Rotch winced as he looked at an out-of-focus wedding snapshot delivered by a relative of the couple. The photo was not usable.

Around 10:30, Bill Rotch knocked off for a coffee break at the Sandwich Shop, where he usually meets Hugo E. Trentini, board chairman of the Souhegan National Bank; his brother-in-law, Bill Ferguson; Melvin Reever, another insurance agent; and other businessmen. They flip coins for the coffee before discussing the news around town. Often Rotch picks up an item or two at these sessions, some of them handouts on the club activities of the wives of his fellow coffee klatchers. On the way back to his office, the editor often stops at the police station for a news check.

Rotch is not a crusading editor in the sense of forceful, investigatory reporting. He attends few town meetings, depending mainly on the mimeographed advance agenda, which he fills in with phone calls to selectmen, clerks, spectators, and others. He noted that some meetings ran for five or six hours, much too long for the time he has to spare to them. Nor does the Cabinet feature any exposé-type stories. Rotch, in fact, shuns any kind of sensationalism, a case in point being the return of Linda Kasabian, the principal witness in the Charles Manson murder trial, to her hometown of Milford. While out-of-town newsmen were fanning over the community getting material on the girl, Rotch all but ignored the story and didn't even attempt to get an interview with her. He acknowledged her arrival with a straight story that began:

"A Milford mother and her two children returned to her family home in Milford last week, after she was granted immunity following lengthy testimony in a California trial of defendants charged with a series of murders including that of actress Sharon Tate."

Editorially, he termed the media's interest in Miss Kasabian "brutal and aggressive journalism."

Rotch's aggressiveness is vented in his plainly written editorials that leave no doubt where he stands on anything. He has the knack of putting such complex local issues as taxes and schools into understandable language—albeit adding his own ideas on what is the best course for the community. During elections, Rotch generally supports Republican candidates, but through all his editorials there is a basic fairness and decency in assessing men and issues.

For a number of readers, the editorials are welcome guidelines for voting and other actions. For others, especially those who disagree with Rotch, they are irritating. Some persons, while lauding the Cabinet's news coverage, confuse the editorials with news items. They feel that the editor is biased, or, as one woman put it, "Mr. Rotch twists everything his own way." One of Rotch's less than enthusiastic readers is Selectman Louis Kregos, who often seems to take the editorials as a personal affront. "You can be sure that Rotch always has the last word," he has complained. "Printer's ink is poison." How-

ever, Charles Sullivan, chairman of the Board of Selectmen, professes a high regard for Rotch. "We differ on politics, but the town gets thorough coverage in the Cabinet," he has said. Kregos's peevishness may be related to one of Rotch's editorials in which he recommended a professional town manager. "Three part-time selectmen, no matter how well intentioned, simply cannot do the job in a growing town the size of Milford," the editor argued. "It is curious and frightening that in a country noted for the efficiency of its industrial management, municipal management so often is lacking."

Rotch's independence has earned him a statewide reputation—as well as a local one—for rejecting sacred cows. When his wife was cited by police for not having an up-to-date safety sticker on her car, her name went into the paper with other offenders. "That was one of the best things that can happen to a country editor," he explained with a trace of a smile. "Now when anyone comes in and complains about getting bad publicity, I just pull the story about Patty and show him."

Rotch's formula has produced a profitable and sprightly newspaper. While many weeklies are struggling along on a marginal or losing basis, the Cabinet is solidly in the black. Its pages are crammed with advertising, a big chunk of it from three supermarkets. The ad revenue alone last year was $106,749; job printing accounted for $85,312, and subscriptions, $25,458. The Rotches live comfortably on the salary he pays himself, and, as sole owner of the corporation, he can draw from the profits or investments if he needs more. They have three grown children and a fifteen-year-old son, John, who attends prep school.

But it isn't the money that has persuaded Bill Rotch to stay in Milford. He feels he has a good life and a useful one. Milford may be conservative, but its people are generally friendly and tolerant of other points of view. Drivers stop their cars to let pedestrians cross the street, and strangers are received kindly.

When Bill Rotch feels that the frustrations of a country editor are too much, he pulls out a letter he got from a staunch Tory who "disagrees with me about one hundred per cent of the time." The man wrote:

"Dear Mr. Editor: I will send a check for renewal next week. I would not be without the Cabinet, as I have grown to like it. Interested in why? Because you appear to be an honest man printing a decent paper and are not afraid to add your comments which make sense. You are willing to sound off when you think you are right."

PHIL NESBITT: A COMEBACK FROM ADVERSITY

Mr. MATHIAS. Mr. President, courage in the face of adversity is a trait long admired by Americans. I invite attention to Phil Nesbitt, a brilliant electronics engineer, who suffered severe brain damage in a freak accident. The accident was a professional disaster for Mr. Nesbitt. But he has come back. Unable to work as an engineer, he has established a Hobby Swap Shop in Rockville, Md., providing a needed service for hobbyists seeking to recoup their investment in activities they have tired of and seek a new hobby when they have a change of heart.

The Sunday Star recently reported on the success of Mr. Nesbitt's venture and his personal success in demonstrating, in spite of his handicap, the ability to be constructive and independent. I ask unanimous consent that the Star's report be printed in the RECORD.

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

TUNING OUT, IN ON HOBBY

(By Diana McLellan)

You've tuned out on hi-fi, but you could be persuaded to fly high. Photography is out of your hobby picture, but you might set your sights on astronomy. Weightlifting has lost its pull on your husband's heartstrings and unstrung his hamstring—but he might go for a snowmobile.

Needed: Hobby Swap Shop. A center where hobbyists can recoup their investments and replace their hobbies when they have a change of heart.

The man with that idea, Phil Nesbitt, is finding double-barreled success. He's not only building a business, he's making a new life for himself and other handicapped people.

"This is my second chance at the gold ring," he says, looking around at the shelves of his new Hobby Swap Shop in Rockville, Md. On every side, ham and antique radios, telescopes, musical instruments, easels, cameras—even a video recorder—await new worshippers at their avocational shrines.

Customers come to Phil not with cash in pocket, but with an old hobby heavy on their hands and the light of a new one glinting in their eyes.

A little over a year ago Phil was an electronic engineer. A former colleague described him as "Brilliant. The kind of guy who works out square roots and does eight-digit long division in his head for amusement."

That changed on an ill-fated bus ride.

After a successful business trip in London, Phil was heading back to Heathrow airport on a double-decker bus for the flight home. Up three steps—then his foot slipped. Crack. His head struck a step. He was, in pain, but not stunned. On the flight back he collapsed.

THEN SURGERY

For three weeks, Phil lay unconscious, his pulse flickering out occasionally. Elaborate brain surgery finally brought back consciousness—but a different consciousness.

"When anybody fools around with your gray matter, you just gotta take what comes," he says, his brown eyes gentle behind their horn-rimmed spectacles.

What came to Phil Nesbitt was, professionally, tragedy.

"I can hardly add a column of figures now. That part is gone."

His voice has no edge of self-pity. It's a soft voice. In more fortunate days, you probably heard it in your home—he was both an engineer and a performer on several radio stations in Baltimore and Washington. He even owned one station—WHFS.

At one time, he had his own company which supplied various government agencies with electronic equipment.

"He was an electronics engineer of tremendous imagination and knowledge. I'd say he contributed considerably to the betterment of naval communications around the world in the post World War II period," says retired assistant head of Naval Communications Systems, Capt. George Dixon.

Nelson Funk, who runs Rodel Audio Services here, says "the guy was an electronics genius."

The false step on the bus wiped out not only his mathematical ability, but every cent of his savings. And most of his hope.

"I just vegetated. I felt useless, hopeless. I couldn't do what I'd been trained to do any more.

"Then, last Thanksgiving day, I was moping about in our basement, looking at an electric saw I couldn't use any more. I needed a sander for some work around the house. It occurred to me that it would be great if I could work a swap with somebody—even trade. And then the idea struck."

The idea lit up his darkly brooding mind like a lamp. There must be dozens, maybe thousands, of people around who'd want to swap one tool or hobby for another.

Friends and his wife Maryan—"the best thing that ever happened to me," he says of the slender, blue-eyed woman who now keeps his business books for him—were delighted with his enthusiasm after his long night of despair. They rallied round with ideas, suggestions, offers, hobbies.

HUMAN NATURE

"You know, I'd been out there in that old chase-a-buck world. And to be honest, I don't have much to say for human nature. But this—" gesturing at his pate—"this has been a refresher course for me in human kindness. The sheer goodness of people."

Busy men—businessmen—volunteered their time to help out and appraise.

"Maryan wrote to some civic associations to tell about the Swap Shop, and responses poured in. We even gained an advisory board to handle the things I can't—two ministers, a Rabbi, doctors, lawyers—wonderful, wonderful people."

Phil decided not to be alone on the receiving end.

"I have to take a medicine like the one epileptics take. So I began finding out a lot about the disease. There are about 7,500 epileptics in the Washington area—and they have a hard time getting jobs, even though it's controllable these days. So the two people who work here were hired through the epilepsy foundation."

He explains how his Hobby Swap Shop works:

"You bring in your hobby thing—if you can carry it, that is. If it's something like an airplane, which we have, or 800 pounds of commercial laundry detergent, which we also have, although that's not strictly speaking a hobby—we go see it, and take a picture for the catalog. You tell us the minimum value you'd consider accepting for it in trade. We give you a receipt, and then we have it appraised. We call you with the appraised value and at that point you can say okay, go ahead and swap, or you can take it back.

"The charge to you is 20 percent of the appraised value—that pays the fellers' salaries here. But you get a swap voucher for one hundred percent of the object's value—so you don't lose a penny.

"If we don't have what you want, you write it on a card and we try to find it for you.

"Some of the best swaps are spontaneous, though," he relates. "One woman brought in an antique harp and walked out with a complete set of artists' supplies—easel, paints, brushes. A hour later, another woman came in and said she had to have that harp. She came back with a whole station-wagon full of stuff including that zig-zag sewing machine you see there.

"We don't have a truck to pick things up," he adds apologetically, "if we ever get one, there's a feller in a wheel chair who's an electronics whiz. I'd like to pick up everyday to work here."

MOSTLY ELECTRONIC

Thanks to old friends from radioland who helped get the Swap Shop off the ground, much of the up-for-swaps merchandise is electronic: Such items as a 7-channel sound mixer (swap valued at $85), amplifiers, speakers and so on, should bring rock-band teens in droves. The old pump-organ, the guitars, and the electric organ kit still in its box should attract more sedate swappers.

A bright chrome meat grinder (swap value: $18) and a many-cup punchbowl ($1) he explains, "Are for people whose hobby is entertaining."

The native Baltimorean—he was a schoolmate of Spiro T. Agnew as a boy—believes the Swap Shop will find its most fervent fans among wives whose words "clear out the attic, basement, garage" are the weekend

leitmotif. Now that husbands have somewhere to take the stuff—to 76 Halpine Court, behind the Congressional Shopping Center in Rockville—and even the prospect of a fair swap in sight, he believes those long-postponed chores will soon be history.

"But for the people here, the best part is that this Swap Shop fills a very basic human need: The need to be constructive and independent. And the chance to be a success, in spite of a handicap."

SUPPORT FOR REVENUE SHARING

Mr. BEALL. Mayor Richard G. Lugar, of Indianapolis, who is also president of the National League of Cities, recently sent to me a letter and enclosed a resolution adopted by the National League of Cities and the National Association of Counties in support of President Nixon's revenue sharing proposal.

I was very much pleased to note that Mayor Tuchtan, of Rockville, Md., who is president of the Maryland Municipal League, introduced the resolution, which was seconded by Mrs. Gladys Spellman, the county official from Prince Georges County and also vice president of the National Association of Counties. It is my understanding that the resolution received unanimous support.

I ask unanimous consent that the resolution and the speech by Mayor Lugar be printed in the RECORD.

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

RESOLUTION

Whereas, the National League of Cities and the National Association of Counties have supported the concept of revenue sharing for more than five years; and

Whereas, Revenue Sharing provides a distribution of power and resources that will strengthen the Federal system and lead to a revitalization of state and local governments; and

Whereas, the fiscal plight of local governments of all sizes has grown more acute and is beyond the capacity of local governments to solve without assistance from the Federal government, and

Whereas, the local and state governments worked closely with the Administration in the development of a new general revenue sharing proposal which the President has adopted and forwarded to Congress for action:

Now therefore be it resolved that those members of the National League of Cities and the National Association of Counties meeting in Indianapolis, Indiana, February 19, 1971, reaffirm their long-standing commitments to general revenue sharing, commend President Nixon for his leadership in offering this vital and long overdue proposal and call upon the continuation of bipartisan efforts in the Congress to immediately enact the $5 billion general revenue sharing measure.

REVENUE SHARING, A REDRESSING OF AMERICAN FEDERALISM

(By Richard G. Lugar)

Vice President Agnew, and fellow governmental officials: Despite assurances that 77 per cent of the American people favor revenue sharing, including 42 Governors at latest count and a prohibitive majority of state legislators, county officials, and municipal officers, it is widely predicted that revenue sharing will not enjoy legislative life during the current session of the United States Congress. This pessimistic assessment is not based on closely guarded rumors but rather on several conspicuous and widely reported speeches delivered by Congressman Wilbur D. Mills, Chairman of the House Ways and Means Committee. In a bipartisan spirit of opposition Congressman Mills has been joined by Congressman John Byrnes, the ranking Republican member on the House Ways and Means Committee.

They have raised questions such as: 1) What revenue does the Federal government have to share? 2) Why should those who spend the money not have the responsibility of raising it? 3) Will proposed revenue sharing distributions injure certain states and cities by disrupting current grant-in-aid programs, ignoring severe needs of unusually hard-pressed situations, and failing to meet national objectives which the Congress has stated on numerous occasions through legislation? 4) Is not the performance level at the state and local level a most uneven prospect and worse still, what assurances does the federal taxpayer have under revenue sharing that his monies will not be squandered, used for racial discrimination, stolen by venal local politicians, or used by ambitious political rivals of Federal officials to strengthen partisan or personal political machinery?

A few news analysts have concluded in the month following President Nixon's State of the Union Message that the questions raised promptly by Congressman Mills and others are "devastating" and that those of us gathered here in Indianapolis today for a strategy conference on revenue sharing are discussing an academic issue whose time has come and gone within a relatively brief month.

A cursory reading of the national press indicates that many Congressmen who extol the virtues of grass roots government enjoy the pleasures of grass roots spending patronage even more and are prepared to protect each and every one of 435 categorical grant-in-aid programs against tampering by consolidation, simplification, or even further discussion if such can be discouraged.

Other journalists find the immediate debate intriguing and the role of Congressman Mills and a majority of the House Ways and Means Committee flexible. Two broad courses of action are suggested as methods of achieving sounder state and local budgets without adopting a revenue sharing plan.

First of all, larger bloc grants of revenues to state governments might be employed with relatively few strings attached. In this manner, broad objectives of Congress in health, education, welfare, environmental issues, transportation, and other pursuits might be met without giving up all ties to the money. In summary, President Nixon would be granted a more flexible federal mechanism and local governments while failing to enjoy the promised land of "no strings attached" money might find appeal in more abundant monies only a few stages removed from local control.

Secondly, a few political observers have suggested that Congressman Mills and others ought to outflank the President's alleged political strategy by coming forward with plans for complete Federal assumption of public welfare payments, an objective which would relieve much state and local financial anxiety, rationalize a current nightmare of regulation and misapplication, and recapture a Federal role of responsibility without surrendering any other roles and privileges.

I have reviewed a portion of current discussion about revenue sharing because so much water has gone over the dam since President Nixon's most recent revenue sharing proposals that the simple bald assertions of the past are no longer persuasive. That state and local governments are suffering budgetary problems of severe national consequences and that state and local governments know best how to spend scarce tax dollars, these arguments are self-evident to most Americans. Eventually, the stark simplicity of these arguments may prevail. In the meanwhile, let us spar a few rounds in the in-fighting which will precede an honest coming to grips with revenue sharing legislation.

Federalism in the United States of America involves intergovernmental cooperation among all levels of government if it is to work. It is not an easy process to fine-tune all of the elements nor is it an easy task to provide service to 206 million Americans under thousands of diverse geographical and historical circumstances. We approach the prospects with perpetual confidence because we see government in this country as one whole cloth. If, in fact, we are a people determined to be divided into different levels of government, determined to stand on the proposition that Federal government is essentially of a different character than state government, and that local governments are essentially different and antagonistic to both of the above, we are not only dealing in a dangerous fiction, but governmental quality and diversity will suffer grievously in the years ahead.

Let me state the proposition in unmistakable language. A few Congressmen are operating under the illusion that Congress can establish national priorities, pass laws to alleviate discovered needs, raise revenues and appropriate monies to meet these needs, formulate organizational structures to implement the spending, review the results by conducting public hearings and reading reports from the field, and thus respond to the national will and achieve the public good.

In truth, the Congress of the United States, as a body, reacts very sluggishly, if at all, to current needs in the country, indulges in considerable individual oratorical efforts to dramatize sensitivity, occasionally passes laws which are well meant but clumsy responses to a myriad of local situations, does raise revenue but appropriates funds in a rather hap-hazard and ill-timed manner to meet already fuzzy legislative mandates, conceives implementation which is frequently so wide of the mark as to render hapless whatever idealism the legislation contained, and then listens to reviews of what happened which bear only a possible relationship to the truth because the realities of what occurred are unknown to Federal officials at any level for many months and even years after the fact.

This is not an overdrawn summary. It is stated so badly because Congress will need to make a fundamental decision in the revenue sharing debate. Either State and local governments are a part of the Federal system of government or the Congress had best employ tens of thousands of new functionaries to monitor what actually does occur in the American Federal system. For the moment, State and local governments stand between the Congress and sheer anarchy.

While Congressmen ponder over the potential quality of local governmental officials, the nation observes a Congress long overdue for fundamental internal reform and the Executive branch of government crying out for the radical surgery which the President recommended in his State of the Union address and which many Congressmen dismissed as unrealistic and Utopian thinking.

If the current system of Congressional speech-making, legislation, taxing and spending had worked, with a reasonable degree of success, the current pressures for revenue sharing would be much less intense. In fact, however, the domestic problems of the United States have become much more grim while Congress passed more and more bills and parcelled out more and more billions of dollars, most of them unknown in quantity or form to State and local administrators who became reluctant bystanders in this bizarre process. Congress has created far too many ill-defined, unintelligible, and ineffective political mechanisms which are ill-coordinated and in many cases, contradictory in impact.

Congress can literally get by with such shoddy results because it is, in reality, very seldom accountable for any expenditures or results, insulated from the every day cares of actual face-to-face confrontation with ordinary citizens, and divided into tens of tiny duchies serving very narrow interests at the expense of the general public as a whole.

In August of 1970, the Report of the President's Task Force on Model Cities was published and under the guidance of Professor Edward C. Banfield, Chairman, addressed itself to the questions I have been discussing generally. The report commenced by saying, "In recent years the federal government has taken many important steps in the direction of supporting the cities in their efforts to provide more and better services. The creation since 1960 of two new departments concerned mainly with urban affairs (housing and transportation) and of the Council for Urban Affairs are examples of this greater support as is the increase in federal aid to urban areas from $3.9 billion in 1961 to $10.3 billion in 1968. There is little doubt that when the Vietnam War ends the federal contribution to local government revenues will rise sharply again. Some expect it to double almost immediately.

"Unfortunately these efforts have not produced the results that were hoped for in the places where conditions are worst, especially the inner parts of the older and larger cities. One reason for this is that the really big federal outlays—for subsidized mortgages, highway construction, hospital construction, and aid to elementary and secondary schools—have gone mainly to the suburban fringes, where most of the growth has been taking place, and to rural areas. The central cities have not had anywhere near as large a share of federal expenditures and tax subsidies as is generally supposed.

Another reason why the money has produced disappointing results is that almost every dollar of it has had a thousand strings attached to it. There are about 400 federal grant-in-aid programs, each with its own set of rules and regulations, some stationary and some administrative, often very detailed. Because a city receiving a grant can use the money (as well as whatever matching money it may put up) only for the purposes and in the manner specified by these rules and regulations, a great deal of waste and frustration results. Cities commonly find themselves able to get federal money that they can spend only for things that are relatively low on their list of priorities (highways and urban renewal projects, say) and at the same time unable to get money that they can spend for the things that they consider most urgent (hiring more teachers and policemen and paying them better salaries, say). Everyone knows of instances of which a city has done things with federal money that it would not have done with its own simply because otherwise the federal money would be "lost." Everyone knows, too, of instances which a city was unable to do something that should have been done simply because the 400-odd "categorical" programs did not authorize the doing of that particular thing.

"Federal laws and regulations not only restrict the purposes for which money can be spent: they also prescribe how the cities are to organize and manage their programs. In this manner city governments are prevented from using the full strength of their local styles and capacities in the creation of organizational forms and procedures. They are rendered incapable of dealing effectively with problems that in the opinion of a Washington official (but not necessarily in fact) fall in the space between catgorical programs, and they are made objects of distrust by citizens who see that they are serving the interest of others (those eligible for something that is federally supported) at their expense. We believe that if mayors and other local elected officials did not have to play second-, third-, or fourth-fiddle to so many federal officials they could do a much better job of managing the conflict that is so characteristic and important feature of American city life.

"The jungle-growth of aid programs is formidable. The planners of the model cities agency of Cambridge, Massachusetts, for example, have identified 134 federal and 17 state programs that they think might contribute to their model cities program. They must make separate applications to each program; if they should receive aid from all, they will have to follow 153 different sets of rules and regulations, most of them very detailed.

"It would be easy to blame these developments on arrogant bureaucrats and the almost universal tendency of bureaus to aggrandize themselves. These are indeed important factors in the situation. But it must be remembered that it is Congress which attaches the largest and most important of the strings to the federal dollars. Some of these it attaches at the behest of special interests. Others it attaches in an effort to assert what may be called a national will or purpose. Most of the rules and regulations made by executive agencies are justified by them on the grounds that they are responsible for seeing to it that the money is spent as Congress intends.

"This is the way the American system of governent works, and we do not think that it is either possible or desirable to change it in its essentials. We would note, however, that as a rule Congressional purposes are stated in very general terms. Agency heads, in prescribing the detailed regulations by which these purposes are to be given content in particular circumstances, necessarily rely heavily on their own more or less arbitrary judgments. There is no reason to suppose that their judgments about what is or is not implied by a statement of Congressional intent is necessarily sounder that the somewhat different judgments that might be made by other persons—local government officials, for example. To be sure, the agency heads are under the discipline of knowing that they may be called publicly to account before a Congressional committee if they make determinations that are clearly inconsistent with the spirit, not to mention the letter, of the law. The effect of this discipline, however, is to incline them to play it safe by piling on regulations and then more regulations. They know that they will not be praised for getting things done; their problem is to avoid being blamed for doing things that Congress—or rather certain Congressmen—do not want done, and the way to avoid blame is to take as few chances as possible. It is probably safe to say that timid bureacrats produce more red tape than arrogant ones.

"We believe that city and state officials are as capable as federal ones of reading the laws that Congress passes and of interpreting them correctly. We believe also that in general they can be trusted to respect the intentions of Congress and this even though they, unlike the federal officials, do not have to answer hard questions before Congressional committees. There can be no doubt that the capacity of local officials to do these things has been growing steadily and that in most parts of the country it is now fairly high. Looking ten to twenty years ahead, we feel reasonably confident in predicting further dramatic improvement in the quality of local government provided that the Federal government allows it greater freedom.

"Even if the quality of local government is much poorer than we suppose it to be, it is essential, in our opinion, that there be an immediate and large-scale shift of responsibility from federal to local officials. The scale of federal operations in the cities has suddenly become much too great to be carried on under the present arrangements. Now that billions instead of millions are being appropriated, the system simply will not work as it used to; Congress and the federal bureaus cannot possibly regulate and supervise the details of hundreds of programs operating in thousands of cities. It is necessary either to give local governments vastly greater freedom in the use of federal funds or else in effect to replace them with a much enlarged federal and state bureuracy. We have no doubt whatever as to which alternative is preferable."

NATURAL GAS REGULATION BY FEDERAL POWER COMMISSION

Mr. BELLMON. Mr. President, natural gas, the Nation's cleanest source of energy, as a commodity which is in increasingly short supply. This energy source provides more than 33 percent of the total energy produced in the United States. Over the past 25 years natural gas has continued to expand its role as a supplier of national energy requirements. In 1954, the producers of this vital energy source were included under the regulatory control of the Federal Power Commission. Since that time natural gas pricing has increased very little while consumption has doubled.

The role of the Federal Power Commission in the regulation of natural gas has been a subject of considerable controversy. It is argued that regulation has diminished the exploration and development of addition gas reserves to meet the growing needs of the consumers of this country. For the small producers of natural gas, producing about 15 percent of this country's natural gas, regulation by the FPC has been extremely burdensome. Those producers have the burden of finding most new gas reserves and the continual decline of proven reserves indicate that regulation was in fact having an adverse effect on exploration and development.

On March 18, 1971, the Federal Power Commission announced that it is acting to remove small gas products from most of those impractical and burdensome controls. It is my opinion that this decision is an important step in the right direction toward solving the national energy crisis by opening the way for rejuvenation of at least one important segment of the petroleum industry. It is a decision that is long overdue and I am optimistic that this decision will cause an increase in the level of exploration and development which is presently at a 25-year low. I would like to commend the members of the Federal Power Commission for their decision and it is my hope that this is only a first step in adjusting policies to correct the mistakes that have been made in the past relating to pricing of natural gas. Our country faces for the first time a serious shortage of energy. Decisions like this one will help us eliminate this problem. I ask unanimous consent that a portion of the Federal Power Commission decision be printed in the RECORD.

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

EXCERPT OF ORDER NO. 428

Order establishing blanket certificate procedure for small producer sales and providing relief from detailed filing requirements—issued March 18, 1971

The small producers argue that traditionally they have been very aggressive in searching for new gas reserves but that such activity has been greatly curtailed in recent years, largely because of restrictive regulation. They further state that their drilling efforts often prove or disprove the presence of gas bearing structures, and that the information gained is useful to all producers, large and small, in their search for new gas supplies. Because of uncertainties in regulated prices, they claim that discontinuation of regulation, rather than higher ceiling prices alone, is necessary to provide the incentive required to encourage a substantial increase in exploratory drilling.

Opponents of the proposed exemption, on the other hand, contend that the proposal will lead to higher natural gas prices for small producer sales resulting ultimately in higher consumer rates. They also disagree with the view that the impact on the consumer will be minimal. In addition, they question the Commission's authority to exempt small producers.

We disagree with the argument that the provisions of Sections 4, 5 and 7 of the Act, which speak in terms of all sales in interstate commerce for resale by any natural gas company, are mandatory and leave no room for administrative judgment and discretion. Mr. Justice Clark, speaking for the Court in *F.P.C.* v. *Hunt*, 376 U.S. 515 (1964) recommended that the Commission consider procedures for the exemption of small producers. And, in *Permian Basin Area Rate Cases*, 390 U.S. 747 (1968), the Court, while recognizing that the language of Sections 5 and 7 is without exception or qualification, noted the power of the Commission under Section 16, for purposes of its rules and regulations, to "classify persons and matters within its jurisdiction and prescribe different requirements for different classes of persons or matters."

One of the important Commission responsibilities under the Natural Gas Act is to assure maintenance of an adequate gas supply for the interstate market. By our action herein, we are taking an important step forward to meet this responsibility. Upon review of the contentions made by the various parties, we have decided that both existing and future sales of small producers shall be regulated in the manner hereinafter provided.

Such action should encourage small producers to increase their exploratory efforts which are so important to the discovery of new sources of gas. Our purpose in taking action here is not to increase contract prices, but to facilitate the entry of the small producer into the interstate market and to stimulate competition among producers to sell gas in interstate commerce. We seek to assure the small producer that when he enters into a new contract for the interstate sale of gas, the provisions of his contract will not be subject to change. We also want to relieve the small producer of the expenses and burdens relating to regulatory matters. Our action should also ease the administrative burdens connected with processing small producer filings.

We have reviewed the impact of our action on 96 pipelines that purchase gas, based on 1969 statistics in Forms 2 and 2-A. This shows, for example, that Kansas-Nebraska's purchases from small producers amount to 21.63% of its total gas supply including purchases from all producers, pipelines and its own production. Comparable percentages for many of the small gather-type pipelines were quite high. However, many of the major pipelines show less than 10%. Others show no purchases at all from small producers. The overall weighted average for the 96 companies was 7.54% (or 10.52% after eliminating all pipeline to pipeline sales).[1]

The action taken here in our view does not constitute deregulation of sales by small producers. We will continue to regulate such sales but will do so at the pipeline level by reviewing the purchased gas costs of each pipeline with respect to small producer sales. We shall also provide certain other safeguards against unreasonably high small producer prices, as hereinafter discussed, to assure adequate protection for the consumer.

[1] These statistics do not include resales to pipelines by large producers of gas purchased from small producers.

MRS. WILLIAM E. LEE, BETHESDA, MD., SPECIALIST IN PLANT CULTURE

Mr. MATHIAS. Mr. President, we are a nation of gardeners. Our communities are justly proud of their public parks and their private lawns and gardens. And the millions of growers of house plants add their touches of green and brightness to our lives. Typical of the millions of persons who have specialized in a particular form of plant culture is Mrs. William E. Lee, of Bethesda, Md., I ask unanimous consent that an article regarding Mrs. Lee's success with the art of bonsai, published in the Washington Sunday Star of March 14, be printed in the RECORD.

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

CREATING DWARFS FROM CUTTINGS

(By M. M. Flatley)

Fifteen years ago, Mrs. William E. Lee of Bethesda returned from a trip to Japan with two maple tree cuttings, one for her son and one for her daughter.

The son's tree now shadows his house. The daughter's is still in its original pot, with its dwarfed trunk trained sideways and its scattered clusters of leaves suggesting cloud formations.

It has been carefully pruned, de-rooted and re-potted each spring as a first experiment in the age-old Oriental art of Bonsai.

FASCINATING HOBBY

Mrs. Lee's daughter, Mrs. David Nicholson, has created some 50 Bonsais in the past 15 years. Though she's not sure exactly what the word itself means, she is fascinated by the hobby, which she says is a "natural" for anyone who likes gardening as she does.

She is also somewhat bemused by the mystique surrounding it. "It's silly that they've made it sound so difficult," she says.

To prove her point, Mrs. Nicholson will demonstrate her own simplified, and obviously successful, techniques for creating Bonsai from almost any shrub with small leaves (maple, yew, juniper, agalea) at this year's Landon School Azalea Tour May 1 and 2 from noon to 10 p.m.

COAX INTO SHAPE

The main idea is for the gardener to dwarf a tree or plant and coax it into an unusual, attractive shape with the leafy sections following Japanese concepts of design through pattern clusters.

Basically, Mrs. Nicholson looks for plants which already have an unusual shape. Fledglings that have been re-shaped by bulldozers in a construction make excellent prospects, she says.

When the plants bloom, she clips off about one-half of the root system with flower shears, beginning from the tips. Next, she prunes one-half of the foliage from the top, studying the limb structure and deciding the plant's future shape.

To create a new shape, or accent a natural one, Mrs. Nicholson wires supple limbs through the summer. Brittle limbs, as on azaleas, must be shaped through other means.

The plants are placed on an aluminum screen inside shallow pots with several drainage holes in the bottom. Mrs. Nicholson drills her own with a power drill.

WATER DAILY

They require daily watering, limited fertilization, and pruning after blooming. They are stored in the ground, still in shallow pots, through the winter, and brought out for re-potting and display each spring.

Mrs. Nicholson displays hers, with variated blooming times, on redwood shelves lining the outside wall of the family garage. Bonsai, she says, is an excellent gardening technique for townhouse dwellers and others with limited yard space.

OBSERVANCE OF NATIONAL BOYS CLUB WEEK

Mr. FANNIN. Mr. President, I invite the attention of Senators to the fact that National Boys Club Week began on Sunday, March 28.

A very good editorial on the subject was published in the March issue of Arizona Farm Bureau News. I ask unanimous consent that the editorial be printed in the RECORD.

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

BOYS CLUB WEEK

Commenting on the tendency of politicians to glorify the common man, former President Herbert Hoover once said, "Let us remember that the great human advances have not been brought about by mediocre men and women. They were brought about by distinctly uncommon people . . . It is a curious fact that when you get sick you want an uncommon doctor; if your car breaks down you want an uncommonly good mechanic . . . I have never met a father and mother who did not want their children to grow up to be uncommon men and women. May it always be so. . . ."

These words are inscribed on a plaque which was presented by the Boys' Clubs of America to the Vice President of the United States, Spiro T. Agnew. The Boys' Clubs organization is scheduled to celebrate National Boys' Club week March 28 to April 3. The purpose of National Boys' Club week is to promote the cause of juvenile decency and to draw attention to the work of 880 local Boys' Clubs to achieve this goal. Mr. Herbert Hoover served the Boys' Clubs for 28 years as national board chairman. He believed there was no such thing as a common man, and he instilled this belief in thousands of youths during his years of inspiring leadership of the Boys' Clubs.

Today, there is nothing common about the Boys' Clubs of America. It has opened the door of opportunity and hope to millions of boys. It is an uncommon organization. It deserves the hearty support of all of us—not just for a week, but all through the year.

ADMINISTRATION ENERGY POLICY

Mr. BELLMON. Mr. President, a long-overdue change in emphasis in administration policy regulating national energy policy was indicated recently in a speech by Dr. Paul McCracken, the Chairman of the Council of Economic

Advisers and of the President's Special White House Fuels Committee.

Dr. McCracken, a top White House adviser, acknowledged in Houston that energy has long been an attractive bargain in the American economy, but the energy squeeze we are in means we can no longer afford to take low fuel for granted.

He took note in his speech of the need for adequate economic incentives for increased production of natural gas and crude oil. But most significant, and most encouraging, was his apparent implication that the Government should take a hands-off approach to oil and gas pricing and allow the energy market mechanism to function freely.

The implication is surprising in that it comes from an official who, only 3½ months ago, viewed the energy situation in much different terms. Dr. McCracken and the Council of Economic Advisers issued and inflation alert in December that critically took the oil industry to task for increasing the cost of crude oil. The alert indicated that the increases were artificially induced by producers holding back on stock supplies and holding down production.

The general recommendation of the Council then was to intensify steps to strengthen resistance to cost and price increases. No mention was made of existing poor economic incentives and rising production costs.

Mr. President, I am highly encouraged to hear that the administration is now aware of the real gravity of our Nation's present energy supply shortage and has publicly recognized that greater economic incentives are needed to develop domestic resources as fast as we can.

Dr. McCracken's remarks before the Natural Gas Processors Association on March 16 should be of interest to all Senators concerned with the development of a national policy that will insure continued exploration and production of mineral resources to meet the Nation's future demands for energy supplies. I ask unanimous consent that the full text of Dr. McCracken's address be printed in the RECORD.

Mr. President, in the last 20 years the price level for our whole gross national product has risen 68 percent. But the price of gas for space heating rose only 47 percent and the rise in the price of electricity, an energy source using increasing quantities of gas and oil, was just 13 percent.

A report issued last week by the Department of the Interior showed the United States used more energy last year than ever before, relying on petroleum for 43 percent of all domestic energy demands and on natural gas for 33 percent. That reliance on just two minerals for more than 75 percent of our energy needs means that incentives for increased production and exploration of those resources are absolutely essential to the national welfare.

Yet, the national policy toward the oil and gas industry has for too long been designed to hold energy prices down without regard to the predictable result of discouraging new exploration and drilling ventures.

In 1969, the Congress cut the oil depletion allowance by 5½ percent. That is costing the industry an estimated $700 million a year, thereby decreasing exploration investment capabilities. As a direct result, drilling has dropped to the lowest level in 25 years at the very time demand is growing rapidly.

Last fall the administration criticized the oil industry for raising the price of crude oil by just 7.7 percent. Shortly thereafter the President ordered the Department of Interior to take over supervision of offshore federally owned lands to raise production to the maximum efficient rate. The intent was to increase supplies to hold prices down, but the action has not increased total crude oil production substantially.

In 1971, the allowable returns on natural gas at the wellhead are based on 1960 production costs. Despite inflationary trends over the last 10 years, the Federal Power Commission has kept natural gas prices too low for desired consumption to be met and has retarded the development of new gas supplies.

The Federal Government has done a lot of talking in recent years about the need for developing new techniques for locating potential energy supplies, about increasing production of onshore reserves and about accelerating development of offshore reserves. Unfortunately, the actions of Government have had exactly the opposite effect.

The present administration has talked about those needs but has always opposed any actions that would add to the more immediate problem of inflation. Now, at last, the White House, through Dr. McCracken, has hit upon the heart of the matter of increasing energy supplies. The administration has recognized that greater economic incentives are needed to spur further development of mineral resources. Otherwise, the Nation may be forced into reliance on foreign powers for its future demands for increased energy supplies. When that happens, inflation on a level not now imagined as well as other equally undesirable effects will be the certain result.

That recognition has been long in coming. It will be significant only if the administration takes action on the new light that has dawned.

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

NATIONAL ENERGY PROBLEMS AND PROSPECTS

(Remarks by Paul W. McCracken, Chairman, Council of Economic Advisers)

It is not so long ago that the typical citizen, asked what he thought about the problem of energy, might well have responded, "We need more, and a good diet and regular exercise are the way to feel more energetic." For the energy problems of the world with which we have been concerned more recently are relatively new, at least so far as our average citizen has been concerned. You are, of course concerned with gas. I propose to discuss the energy problem somewhat more broadly here, however, because it is difficult to see the problems that will face one source of energy without keeping in mind the whole picture.

I

Like the air we breathe energy has been very much taken for granted by Americans during most of our economic history. It was plentiful. We doubled our consumption of energy during the last two decades, but more always seemed to be there as needed. And there was the comforting thought that a large proportion of the coal, gas, and oil we needed was within our own boundaries. Energy has also been relatively cheap in this country. It has been, in fact, more and more a bargain relative to the prices of goods and services generally. During the last twenty years, for example, the price of gas (for space heating) rose 47 percent, and the rise in the price of electricity during the last two decades was about 13 percent. Both figures are substantially less than the 68 percent rise in the price level for our whole gross national product. Energy has, in short, been a bargain and an increasingly attractive bargain in the American economy.

For a variety of reasons in recent years we have become aware of the fact that energy could no longer be taken so completely for granted in this Nation. Brownouts and the threat of overloads, thin inventories of fuel at certain utilities as we moved into last winter—these were some of the things that have started us to thinking in a more focused way about our energy problems, and it is reasonable to expect that ultimately the end result will be the emergence of a more explicit energy policy for the Nation.

Moreover, international developments have had their repercussions on our own economy at home. Demands, particularly for clean fuels, have increased sharply abroad—indeed, have been increasing at an accelerating rate. At the same time that these world demands were rising sharp production cutbacks or threats of cutbacks and limited shipping capabilities combined to tighten the world market.

A cluster of developments at home has also turned our attention more explicitly to energy. Growing concern about pollution has made us more reluctant to depend upon certain energy supplies of which we have abundant quantities but whose use does pose environmental problems. Moreover, nuclear power has not come on stream as rapidly as had been expected a few years ago. And because of delays in construction of our nuclear generating capacity, this expected capacity was not operating. Yet earlier expectations that nuclear power would by now be more important than in fact is the case deterred development work then that could now give us enlarged coal production and capability to transport it.

Finally, the data about energy consumption generally raise an interesting question. It is still only a question, but it is one that we do well to keep before us. Are we seeing a tendency for energy consumption to rise more rapidly than historical trends and relationships would have suggested? One of the persisting longer run tendencies has been the slow decline in the amount of energy used per unit of output in our economy. This was a reasonable expectation. It presumably represented the slow improvement in the efficiency with which we utilized energy in economic activity. After 1966, however, this trend seems to have reversed itself, and during the last four years the amount of energy consumed per unit of real output in the economy has been rising. Since this development will have important implications for the economy, if it persists, let me be precise about it all. If we were to value our output of goods and services in 1958 prices throughout, we consumed about 141,000 BTU's of energy for each dollar's worth of goods and services produced in 1920. Three decades later this had dropped to 96,000 and by 1966 it was only 86,000.

During this period we were thus able to produce a given amount of output in our economy with, on the average, about 1.3

percent of less energy than in the year before. If that trend had continued, by 1970 for each dollar's worth of goods and services produced (valued in 1958 prices) we would have consumed about 75,000 BTU's of energy. In fact the figure was 95,000 as this long declining trend reversed itself after 1966.

We see this in another way looking over all growth rates in our use of energy. From 1965 to 1970, for example, energy consumption has increased at the rate of about 5 percent per year, substantially above the longer run average of roughly 3½ percent. If this acceleration in the use of energy continues, something about which we cannot yet be sure, it will carry with it large implications for our energy problems.

As we look toward the years ahead, therefore, even the quantitative dimensions of our energy requirements are impressive. A decade hence we shall be producing in real terms about 50 percent more goods and services than today. Even if the longer-term trend toward using energy more efficiently were to continue, we would still need about 40 percent more energy within ten years. If the trend since 1966 toward increasing amounts of energy used per unit of goods and services produced were to continue, the growth in our overall energy requirements during the decade ahead could be over 60 percent. While such a top-side figure does not yet seem probable, developments since 1966 suggest the wisdom of not too casually assuming that our growth requirements will be as low as 40 percent per decade for the period ahead.

II

While there are as yet too many unresolved questions here to lay out anything that could yet be called an overall national energy policy, it may be useful to explore what some of the elements of such a policy would be. There are, I believe, at least three general national objectives that will be relevant to shaping this energy policy as it finally emerges. First, this Nation is deeply committed to an economy of reasonably full employment and rising levels of living, and there is every reason to believe that these objectives will continue to be high on the national agenda in the years ahead. Studies of consumer aspirations give little support to the view that people generally have lost their desire for further material progress. We must, therefore, be prepared for the enlarging energy requirements that a vigorously growing economy will require.

Second, our nation has made a deep and purposeful commitment to deal with pollution and cleaning up the environment. While economic progress must continue, we shall no longer uncritically accept the contamination of the atmosphere and environment generally that has in the past been associated with industrialization and economic and material progress. This has clear and obvious implications for the types of fuels that we shall be using. They will be clean fuels or fuels whose use processes can render them clean. And gas is, of course, a premium fuel in many ways, and particularly in terms of our pollution concerns.

Third, reliability of fuel supplies must obviously also be a major concern in any national energy program. Fuel and energy for the economy are like oxygen to the human system. If these supplies are shut off or sharply curtailed, a complex and closely integrated modern economy would quickly experience suffocation. Reasonable assurance of availability is, therefore, an important element of national policy. This inevitably places some premium on domestic sources of supply, and on ways by which foreign sources can be drawn upon, at the same time preserving a reasonable capability to minimize problems from any potential interruptions of supply.

III

Looking ahead, now, what might be the picture of our energy consumptions look like by, say, 1980? By that year we will be using roughly 100 million billion BTU's of energy, an increase of 40 to 50 percent above that for last year, and it could be more.

Where will this energy come from?

It is easiest to begin with nuclear and hydroelectric power since the contribution of these sources in 1980 will be related to projects and plans that are now in existence. On this basis we can estimate that nuclear power will provide about 650 billion kwh's or 7 million billion BTU's, and hydroelectric power will supply about 275 billion kwh's or 3 million billion BTU's of our energy. These two sources can thus reasonably be expected to contribute about 10 percent of our needed energy supplies, leaving 90 percent to be supplied by oil, gas, and coal.

Now it is not, of course, just a simple matter of finding enough more BTU's from these sources to provide the remaining needed amount.

Although gas, coal, and oil are highly substitutable in many uses, such as boiler fuel, there are other uses where substitution is obviously not feasible, and probably will not be by 1980. Gasoline and jet fuel are examples. The demand for energy to power automobiles and aircraft can only be met presently by the products of crude oil. Residual fuel oil and home heating oil are the only major products of crude oil where substitution with gas or coal is currently practical.

This very specific demand for crude oil leads to an important point. The quantity of crude oil that will be demanded in 1980 just to satisfy those specific uses that have no practical substitutes, such as gasoline and jet fuel, will be so much larger than expected domestic production that oil imports will almost certainly be rising. Put another way, if all the other fuels provided sufficient energy to satisfy all energy demands except those that oil alone must satisfy, we would still have to import more oil in 1980 than at present. And this assumes that Alaskan production will come on stream by 1975 and that production in the low 48 States can hold its own, resulting in domestic production of about 13 million barrels per day. Thus the demands for oil that cannot be substituted for any other fuels will be in the neighborhood of 19 million barrels per day, with imports possibly accounting for close to one-third. And if crude oil does carry a significant part of the burden of meeting overall energy demand, imports could approach 10 million barrels per day by 1980.

Turning to natural gas the question here is primarily one of adequate incentives, including an efficient pricing system. If these incentives are created, it is reasonable to expect that 33 trillion cubic feet of natural gas, or at least one-third of our total energy requirements, could be supplied from domestic sources and imports by 1980.

With respect to coal, the potential supply is enormous. The question is whether it can economically be made clean for widespread use. If the coal industry were to continue for the entire decade at the rate of expansion planned for the next few years, which cannot be taken for granted, 860 million tons per year would be available for domestic use, and this would supply somewhat over one-fifth of our needed energy by 1980. This would, however, occur only if coal can compete with other clean fuels.

IV

If you have bothered to keep up with those figures, which is unlikely, you would find that they seem to add up. The ballpark figure for energy available seems to match projected requirements.

Whether that happy result occurs, however, depends on how well we shape our policies. And I would like to conclude these remarks by making a few observations on these matters. The first requirement for a viable policy is to recognize the many uncertainties always involved in the future. Visibility ahead is always murky. There is uncertainty about the magnitude of our overall requirements. There are many uncertainties about how different fuels can fit into our complex requirements for the environment. There are too many unanswered questions for a stiff and rigid approach.

We must also have a new imaginativeness about research, development, and technological change in the energy field. It is possible that unacceptably dirty fuels can be rendered clean on an economical basis. Nuclear energy may be able to handle a larger proportion of our growing energy requirements if new and more efficient technology can be developed.

Finally, we must be prepared to use market incentives and the market mechanism. This is particularly relevant for gas. If prices are held below the market-clearing level, three results are almost inevitable. Discovery and development will be retarded. Demand will be encouraged where economic considerations would point to the use of alternative fuels. And to the extent that unmet demands must turn to other fuels, their prices will tend to be forced upward.

Market and pricing incentives may also be useful in handling our concerns about environment. In this way we can use a complex tailoring to different problems of different approaches—ranging from the ideal of clean fuels, cleaning up dirty fuels, and trapping of contaminants before the move into the atmosphere.

History is clear about one thing. When we get our economic incentives and pricing system pointing in the direction that public policy wants to go, the beneficent results are usually impressive.

U.S. FUEL AND ENERGY CONSUMPTION, 1950, 1960, 1970

	1950	1960	[2] 1970
Total electric (billions of kw.-hr.)	390	848	1,640
Total energy consumption [1]	34.1	45.0	68.8
Individual fuels:			
Oil (millions of bbls. per day)	6.5	9.9	14.7
Natural gas (trillions of cu. ft.)	5.9	12.3	21.8
Coal (millions of tons)	479	398	527
Hydroelectric (billions of kw.-hr.)	96	146	246
Nuclear (billions of kw.-hr.)	0	0	19
Share of energy consumed (in percent):			
Oil	39.5	44.6	43.0
Natural gas	18.0	28.2	32.8
Coal	37.8	23.2	20.1
Hydroelectric	4.7	4.0	3.8
Nuclear			0.3
Total	100.0	100.0	100.0

[1] In million billions (10^{15}).
[2] Preliminary.

Source: Bureau of Mines.

ROCKVILLE, MD., FIRE DEPARTMENT

Mr. MATHIAS. Mr. President, in thousands of communities across America, the volunteer fireman is a key figure in the maintenance of public safety. The tradition of citizens who commit themselves to drop what they are doing at a moment's notice to help combat the ravages of fire is as old as our Nation.

In Rockville, Md., the Rockville Volunteer Fire Department recently marked

its 50th anniversary of service to the community. I ask unanimous consent to have printed in the RECORD a report of the anniversary published by the Montgomery County Sentinel.

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

[From the Montgomery County (Md.) Sentinel, Mar. 11, 1971]

FIRE DEPARTMENT IS 50 YEARS OLD

Fifty years ago on March 9, a group of Rockville men gathered at the Potomac Electric Power Company office to organize Rockville Volunteer Fire Department.

And on Saturday, state, county, and city officials will join department members in celebrating the fiftieth anniversary with a banquet at Indian Spring Country Club.

Louis L. Goldstein, state comptroller, Robert Robertson, state fire marshall and Thomas A. Anderson, Sr., are among those invited.

In the first 20 years of the century, the only fire-fighting pieces in the town were horsedrawn hose reels manned by two men and some volunteers.

STORE DESTROYED IN 1921

In early 1921, fire destroyed John Collins' general store and upstairs living quarters. Despite efforts of bucket brigades and the men working hoses, the fire threatened a block along E. Montgomery Avenue which included the town hall.

Townspeople alerted the District of Columbia and men and more modern equipment were sent out from the city to quell the fire.

After the night-long fire, Rockville citizens realized they needed local firemen and equipment. More than 50 volunteers attended the first official meeting of the new department.

Joseph W. Howes was the first chief of the department and served 1921–28. Only two of the charter members, Marbery Gates and Albert Hamke, are alive today.

The town rallied to support the volunteer department and in less than a year collected $3,800 for a Model T "Waterous Ford" pumper.

Housed in the basement of the old courthouse, the new truck provoked competition among the 55 volunteers for its six passenger spaces.

The first men to the courthouse after a pistol shot alarm sounded won the coveted places on the vehicle. Latecomers had to follow in cars or by any means available.

In 1926, a proper firehouse (now the Sentinel building) that served the department for 40 years was built.

Valentine Wilson, chief for 22 years, founded the department rescue squad in 1931 with the purchase of a rescue wagon.

Today the department has three stations, Hungerford Drive, Rollins Avenue, and Falls Road. Last year over 5,500 emergency calls were recorded, of which approximately 4,000 were for rescue.

THIRTY-EIGHT PAID FIREMEN

The 88 volunteers man the night and weekend shifts, while 38 men are paid weekday firemen. The department has 20 vehicles, nine of which are pumpers.

Fire taxes amounted to $751,900 last year. Tax revenue pays the salaries and provides for maintenance of the buildings and equipment. The tax is one of the lowest in the county, 13 cents per $100 assessed land value.

The annual August carnival brings additional money to the department. Last year, it netted a $40,000 profit. Firemen work the booths at the carnival and determine the use of the profits which normally go to purchase new equipment.

Present chief of the department is Woodrow Mossburg, elected in January.

ARIZONA'S TWIN PLANTS PROGRAM

Mr. FANNIN. Mr. President, America has been very fortunate in having good neighbors—Canada to the north and Mexico to the south. Over the years, I have been especially interested in relations between the United States and Mexico.

It is encouraging when we can operate programs that benefit both our Nations.

That is precisely what is happening in the case of the Twin Plants program along the border in Arizona and Mexico.

One of the Nation's outstanding business writers, Don Campbell, wrote an excellent article on the program for the March 21, 1971, Arizona Republic. His article includes some of the reasons why the Twin Plants program is needed.

Union bosses have attacked the program by using the erroneous argument that it steals jobs away from Americans. This is not the case. The U.S. plants locating along the border would be moving their entire operations overseas if it were not for the Twin Plants concept. This enables the U.S. businessmen to maintain at least a part of their operations in America.

Most of the money earned by the Mexican workers is spent in the United States. This certainly is not the case when an American business relocates in Korea, Taiwan or elsewhere across the sea.

The Twin Plants program also has given a much-needed boost to the economy of the border area.

Mr. President, I ask unanimous consent that Mr. Campbell's fine article be printed in the RECORD.

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

[From the Arizona Republic, Mar. 21, 1971]

THE STATE'S BUSINESS: HAPPY COMBINATION ALL AROUND—PROGRAM SLOW TO START, BUT FOLKS BOTH NORTH AND SOUTH SING PRAISES OF U.S.-MEXICO BORDER INDUSTRIALIZATION

(By Don G. Campbell)

NOGALES.—Stacked up, they resemble portions of yellowing elephant trunks. Slightly mottled, the graceful S-shape of the finished product is still burred and unfinished.

There's not much yet, certainly, to suggest the golden-glittering, full-throated saxophone—proudly heralding some high school football team's victory—that they will ultimately become.

Nestled in the hills outside this Arizona border town, Coin-Art, Inc., does a quiet, thriving business in the fabrication of semi-finished brass parts for the music industry—or, more specifically, for nearby Artley of Arizona, Inc., a division of Conn Music Co., and a major manufacturer of music instruments, among them about a third of the country's annual production of flutes.

With the finishing touches now being put on Coin-Art's "twin plant" a few miles away on the Mexican side of the border, the company should thrive even more as a new partner in the Mexican government's Programa de Industrializacion Fronteriza—the border industrialization program, a scheme launched unilaterally in 1965 to counter the massive unemployment problem wracking Mexico's northern border.

A chronic headache, unemployment along the border became acute in 1964 when the United States—under organized labor's pressure—ended its long-time bracero program. The move caught thousands of Mexican families at the border unable to migrate into the States as farm laborers, and without funds to return to their homes in the interior.

Despite implementation of Programa de Industrializacion Fronteriza in 1965, the plan was slow in getting off the ground, and recently as 1968, the jobless situation at the border had reached crisis proportions:

Of the nearly 136,000 workers available in Ciudad Juarez, across from El Paso, 15 per cent were without jobs, and in Nogales, Sonora, the problem was far worse with an estimated half of the available Mexican workers unemployed.

With one of the world's fastest expanding populations (3.5 per cent a year), the situation obviously wasn't going to solve itself.

Since 1967, however, U.S. interest in the border industrialization program has zoomed. By late 1967, that is, the Mexican government had authorized 73 companies to make a total investment of $6 million on the border and, by mid-1969, the number had almost doubled—to 147 plants representing an investment of $14.2 million.

This past week, at the invitation of the American Chamber of Commerce of Mexico, approximately 100 business executives—representing a cross-section of geographic and manufacturing interests—shelled out $175 apiece to participate in a three-day seminar on the Mexican program that began with a day-and-a-half series of meetings at Scottdale and then moved down to Nogales for another day-and-a-half of plant visitations and case histories.

Essentially, the Mexican border industrialization program simply set up the legal machinery that permits American companies to operate plants as wholly owned subsidiaries within a 12-mile border zone. Under various agreements between Mexican agencies, the American companies can import equipment and materials into the border zone duty free, and Americans can cross the border every day to work in plants in the zone. The only restriction is that products of the plants can't be sold in the Mexican market.

And, while the U.S. government has kept a strict hands-off policy on the Mexican arrangement, its tariff schedules favor border plants by imposing duties on products assembled abroad from components manufactured in this country only to the extent that value is added to products abroad—this "value added" consisting of foreign labor costs, overhead costs of foreign plants, and an estimated profit on the foreign operations.

American industrial development groups, of course—typified by Arizona's Department of Economic Planning and Development—have also jumped into the promotional fray by hammering away at the theme that the most economically feasible way to cash in on the Mexican program is by utilizing the "twin plant" concept—establishing one plant just over the North American side of the border for the fabrication of goods, and a second one just over the Mexican border for the assemblying if the product and its shipment back into the states. This is how Nogales' Coin-Art will operate in a few weeks when its Mexican plant in Parque Industrial de Nogales opens for business.

No one on either side of the border even tries to conceal the fact that the big lure in the border industrialization program is the disparity between U.S. and Mexican wage rates. Where the average minimum daily wage in the United States is $12.80 (before fringe benefits), the daily minimum at Ciudad Juarez, for example, is $2.84 (35.50 pesos), $2.70 a day at Matamoros, Reynosa

and Nogales, and $3.80 along the border of Baja California.

And the other big plus, of course, is the immediate availability of an almost inexhaustible labor supply. At Nogales, alone, the available labor supply within the city itself is estimated at 12,000 to 15,000, and with another 15,000 to 25,000 workers available within a 70-mile radius.

Quite understandably, the recurring charge that U.S. labor groups level against both the Mexican government and the domestic firms that submit to the lure of the border industrialization program is that it is undermining the U.S. economy by resorting to "cheap foreign labor."

But, at Nogales this past week, one executive involved in the program put it this way: "Look, let's be realistic. Because of the price squeeze on American-made products today, most of the manufacturing activities that have come down here would, otherwise, have gone to some other low-price labor market like Hong Kong, Korea or Taiwan.

"Here, at least, we can stay competitive in the market, are helping a friendly, neighboring country, are importing a skilled technology into a country that can be trusted to use it wisely, and—let's face it—as much as 80 cents out of every dollar that we lay out in wages in these border towns may be spent on the American side."

There is general agreement among virtually all of the companies that have gone into the Mexican program that one of the most valuable things to come out of it is the laying to rest—for once and for all—the ancient myth about the Mexican "manana" attitude toward work.

"These people," one U.S. executive said, "are absolutely marvelous—they're not only highly motivated, which admittedly goes hand-in-hand with their high unemployment, but the refreshing thing is that they have none of the U.S. worker's hang-up. Maybe 34 cents an hour doesn't sound like very much money, but it's good by Mexican standards, the Mexican worker knows it, and shows his appreciation by sticking to the job."

Absenteeism, which will average about 3 per cent in the normally well-adjusted U.S. plant, runs at the 1½ per cent rate in the Mexican border zone.

One firm, which has production facilities in both the border zone and in New York City, found that Mexican workers being trained for a relatively skilled manufacturing operation required just one-third the time to master the task that had to be allocated to the training program in New York.

"I don't understand the feeling that some people have," one executive said, "that Mexicans can be trained for semiskilled work, but not for anything very exacting. They seem to forget that this culture, for centuries, has been producing some of the world's most intricate and delicate artwork and handicrafts!"

One of the baffling aspects of the border industrialization program is the fact that the Mexicans, themselves, have accepted, so philosophically, the wide disparity between salaries on both sides of the border.

"We were afraid that there might be some friction within the family where you have a situation in which one member is working south of the border at 34 cents an hour, and another is working just a few miles away at $1.60 an hour. But, somehow, the Mexicans have learned to take it in stride as a fact of life," Carl A. Bossee, coordinator of Nogales, Sonora's attractive, 116-acre Parque Industrial de Nogales, said.

Organized labor's protests to the contrary, then, Programa de Industrializacion Fronteriza is off and running, and proving increasingly popular with everyone involved in it—north and south of the border.

SENATOR SAXBE'S POSITION ON INDOCHINA

Mr. SAXBE. I have been a consistent critic of our involvement in the Vietnam war. This is a position which I espoused in my campaign for the Senate in 1968. In short, I favor United States withdrawal from South Vietnam. I hope and pray that the President is able to continue on schedule with his troop withdrawals. As you know, U.S. troop strength has been reduced from 542,000 in January, 1969, to 306,500 by January of 1971. A further reduction to 284,000 is planned by May, 1971.

The decision was made by a previous administration to fight a limited war in a limited way. To defeat an enemy on the battlefield, one must isolate and destroy him. This option was discarded in 1966–67. Therefore, I believe we have accomplished all we can in South Vietnam. We have stabilized the government in the South; we have stopped the invasion from the North; we have opened up supply routes; we have trained and supplied the South Vietnamese Army. We cannot maintain the South Vietnamese Government or Army forever, so we must leave.

I do not want my call for an immediate withdrawal to be misunderstood, however. I think it is simplistic and irresponsible to say that the way to get out of Vietnam is to load the troops on ships and leave. We do not want a Dunkirk, a bloodbath. We want a responsible withdrawal, which is primarily what I believe the President is trying to accomplish.

I have voted twice for the repeal of the Tonkin Gulf Resolution. This resolution, approved August 10, 1964, provided the peg upon which our Vietnam involvement was based. It approved all necessary steps, including the use of armed forces, to assist any member of the Southeast Asia collective defense treaty requesting assistance in defense of its freedom. It also allowed the President to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

I was dismayed by our incursion into Cambodia last April and more recently the move into Laos. I do not support any widening of the war. However, there is some evidence that these twin thrusts at the Ho Chi Minh Trail will allow Secretary Laird and the President to sustain their pledge of continued withdrawal of American forces from South Vietnam at a rate of approximately 12,500 a month.

The Congress has allowed the executive branch to severely erode their foreign policy powers in the last half century. It is not realistic to believe that this balance of power can be restored in a short period of time. Therefore, only President Nixon can effectively end the war. Further, I am convinced that our withdrawal cannot be facilitated by a cutoff of funds as envisioned in last year's McGovern-Hatfield amendment.

Congress cannot effectively cut off funds for the incursion into Cambodia and Laos because such moves impair the flexibility that the President must have to withdraw our troops safely. But, the legislative branch can prevent an invasion of North Vietnam or support of a South Vietnamese invasion, by the U.S. forces.

It is in this regard that I have directed my efforts. Recently, I introduced a bill that would require the executive branch to obtain the consent of Congress before committing any support to an invasion of North Vietnam. I fear anything to the contrary would seriously endanger this country and would lead to a widening of this war that is destroying the moral and economic fabric of our Nation. A war that can and must be ended as soon as expeditiously possible.

THE RIGHT TO READ

Mr. MATHIAS. Mr. President, the ability of every American to read is a concern to all of us. Exceptional leadership in the drive to assure every child a right to read has been provided by Dr. James E. Allen, Jr., former U.S. Commissioner of Education and now a visiting lecturer in education and public affairs at the Woodrow Wilson School, Princeton University.

Last November 13, I was privileged to introduce Dr. Allen as the principal speaker before a meeting in Washington of the Orton Society, which is devoted to the study and treatment of children with specific language disability.

I ask unanimous consent to have printed in the RECORD a transcript of the meeting, including Dr. Allen's important speech and the comments provided afterward by Dr. Archie A. Silver, Arlene W. Jones, and Katrina de Hirsch.

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

INTRODUCTION OF JAMES E. ALLEN JR., BY SENATOR CHARLES MCC. MATHIAS, JR.

One of the unresolved philosophical questions which perplexes mankind is the question of whether history makes men or men make history. We have tonight one of those strange coincidences which raise new facets of this question, because the conjunction of the stars which brings Dr. Allen and myself to the same meeting is a conjunction which first began to be apparent in the heavens two generations ago, when our grandmothers went to school together in the small community of Duffield Junction, Virginia, and I would take this as a most unlikely result of that event.

You remember that President Kennedy, on the occasion of his visit to New Haven to receive an honorary degree from Yale University, said that as a Harvard graduate and the recipient of a Yale degree he had the best of two worlds. Dr. Allen has the best of twenty-seven worlds, because he has twenty-seven degrees from twenty-seven different universities and colleges in this country, and I would say that not one of them was merely honorary; every one of them was earned.

As you know, in February of last year, President Nixon appointed Dr. Allen to the position of Assistant Secretary of Health, Education and Welfare, and as United States Commissioner of Education, a position in which he served until June of this year. In October of this year he joined the Woodrow Wilson School of Princeton University as Visiting Lecturer in Education and Public Affairs, and where he is the head of an exploratory program in education and public affairs.

It is of particular significance to the members of the Orton Society that, as commis-

sioner of education, Dr. Allen was the man who first proclaimed The Right to Read. And more than simply issuing a proclamation, which is something that we in government can do very glibly, and very inexpensively on many occasions, he actually proposed a program which would guarantee the right to read.

Remember the Crimean War and the Battle of Balaclava? Where the Light Brigade charged down the valley as a result of courage and confusion? In the Battle of Cambodia I think Dr. Allen charged right down the middle as a result of courage and conviction. I regret to say that in both Balaclava and in the Cambodian Operation, the casualties were heavy. But he returns to Washington tonight as a very distinguished veteran of that campaign, one whom I personally am extremely happy to welcome, one whom I am privileged to be able to introduce to you.

It's an interesting thing that excellence, excellence in human beings, very often extends beyond a single area of endeavor, that when a man is excellent in one thing, he may be excellent in many things. So, I'm glad to present to you one of the most excellent tennis players in the United States, the undefeated tennis champion of Albany, New York, and the undisputed educational champion of the United States, Dr. James Allen.

THE RIGHT TO READ—REEMPHASIZED

(By James E. Allen, Jr.)

When I accepted the invitation last Spring to address this, the Twenty-First Annual Meeting of the Orton Society, I expected to be coming here as United States Commissioner of Education reporting in my official capacity on the progress of the Right to Read effort. But something happened on the way to the Shoreham!

Let me assure you, however, that being now a *former* Commissioner of Education has in no way diminished my interest in the Right to Read effort, nor weakened my determination to do everything in my power to help achieve its goals.

You will understand, I am sure, that I come to you as a generalist among specialists and have no qualifications as an expert in the field of reading. My decision to make reading the primary focus of my efforts in Washington stemmed not from any particular understanding of the problem of reading failures, but rather from experiences throughout my years of educational administration which had deeply impressed upon me the disastrous effects of this shortcoming of our educational system.

It was my belief that a nation-wide emphasis upon reading would accomplish two objectives: first, it would ensure that one of the primary functions of the education system would be more universally carried out; and second, it would strengthen the entire system by helping to restore confidence in its effectiveness.

Let me elaborate first on the second of these objectives. Much of the activity in education today deals with such matters as compensatory education, accountability, evaluation, contract performance, voucher systems, team teaching, non-graded schools, desegregation, decentralization, etc., which, important as they are, are not easily understandable to the layman. But everyone can relate to reading, and it is easy to turn almost anyone's attention and interest to education by bringing up that basic subject.

Education has become extremely complex with greatly expanded curriculum, changes in structure and organization, diversity of approaches, and an enlarged concept of the depth and breadth of its scope and influence. It has become bigger, constituting our largest domestic enterprise. It has become more expensive, accounting for a major portion of the funds invested in public services and programs. It has become news as a growing awareness of its importance has increased interest and generated a more critical attitude toward its management and a more exacting assessment of its effectiveness.

All of these things in their complexity and enormity have tended to confuse the minds of the public and to becloud basic issues and central purposes. As a result, the uncertainties and dissatisfactions, arising from a variety of causes, which are felt about our education system, often focus upon the obvious and readily comprehended failure in carrying out the basic function of the teaching of reading.

People feel, and rightfully so, with a sense of indignation and bewilderment, that they are being cheated when the schools do not meet one of their fundamental obligations. This in turn produces a lack of confidence in the effectiveness of the whole operation. Thus, the elimination of this glaring and shameful failure on the part of our schools will go far toward restoring public confidence in the soundness of the educational system, and in gaining for education, the broad base of public support and the legislative and administrative actions so urgently needed.

The first objective that I envisioned for the Right to Read effort—namely, that it would ensure that one of the primary functions of the education system would be more universally carried out—relates to the provision of equality of educational opportunity which is the basic premise of our educational undertaking. "University" is the key word here, and the shocking nation-wide statistics on reading failures inexorably reveal how far our efforts are from deserving such a description.

You are, I know, familiar with the statistical information about reading failures. The recent "Survival Literacy Study" by Louis Harris and Associates, conducted for The National Reading Council, has given added weight and meaning to these statistics in terms of their effect upon the daily lives of people and their ability to function successfully in society.

There is, of course, a great deal of activity throughout the country centered upon the problem of reading deficiencies, and, as the report of the Advisory Committee on Reading Disorders pointed out, the number and diversity of efforts being made to deal with the failing reader are, in many ways impressive. But, as the Report further stated, the efforts are uneven and their theoretical and scientific basis is uncertain.

It was, and is, my feeling therefore, that what is urgently needed is a gathering of the forces of this nation to concentrate upon the elimination of reading deficiencies. I thought of this not just as a gathering of the forces of education, but as a total national commitment to and involvement in the achievement of the right to read goal of assuring that by the end of the 1970's the right to read shall be a reality for all—that no one shall be leaving our schools without the skill and the desire necessary to read to the full limits of his capability.

Such a goal mandates not a national program per se, but a nation-wide availability of the resources necessary to teach everyone to read. These resources must be available in every school, either within the school itself, or on a community or regional basis. The school must accept the responsibility for the teaching of reading for each individual child. No parent should have to search for the solutions to his child's reading problems. The school should find the solutions, using its own facilities and personnel, or wider resources already identified and prepared to assist. Both prevention and cure must be provided for, and there must be an end to the practice of allowing children to proceed from grade to grade, suffering the ever increasing burden of cumulative reading failure.

In other words, help for identification, prevention and cure of reading deficiencies should be available whenever and wherever it is needed. No child should be denied his "right to read" because of location, or of social or economic status.

This is, I realize a tall order and the range of effort will involve professionals and volunteers, teachers and parents, specialists and laymen, legislatures and government agencies and the public. The activities required will be equally broad in kind and scope. I shall not attempt even a partial listing of these activities or areas of special need, but I should like to call attention to three which I feel to be of prime importance.

The first concerns the role of the states. As you know, the legal responsibility for the provision of educational opportunities in our nation rests with the states. They, therefore, must bear a major share of both the blame for reading failures and of the obligation to eliminate them. The Federal government has a vital supportive role to play, but this does not involve specific plans or the prescription of the programs and methods to be used. The diverse needs and conditions of the various States and their communities require the flexibility of approach that our decentralized system makes possible. The main contribution that can be made at the Federal level is the coordination of the effort, the marshaling of forces and resources on a nation-wide basis, and the provision of the technical, administrative and financial assistance required, all done in a spirit of total and fervent commitment.

Central, then, in the right to read effort is renewed emphasis upon reading at the state level. Each state must access its own situation and evolve a plan for corrective and preventive action. Many states have already done so as a result of the Right to Read challenge.

A second area of need, where prompt action is of special urgency, is in the training of teachers and reading specialists. I know of no better substantiation for this statement than the information contained in the "Reading Disorders" report mentioned earlier, which reveals that the curricula of most teachers' colleges require only three-credit-hours in a separate reading course, in many instances subsuming reading within a single general language arts course; that many teacher candidates graduate from teachers colleges without ever having had experience in teaching reading; that less than one-third of the states require a separate reading course for teachers receiving certification at the general elementary level; that only about two-thirds of the states have any special certification for reading specialists. The inadequacy and weakness of such a situation is obvious, and certainly the provision of more reading specialists and of teachers, better trained in the teaching of reading, is fundamental to the right to read effort.

The third activity which deserves high priority is research. While we have accumulated an enormous amount of research and expertise in the field of reading which can be put to immediate use, there is much more that needs to be known. This is one of the strongest reasons for my support of the National Institute of Education recommended by President Nixon in his March 1970 Message to the Congress. In that message the President stated "Where we do not know how to solve a reading problem, the National Institute of Education would undertake the research. But often we find that someone does know how and the Institute would make that knowledge available in forms that can be adopted by local schools." Wider and more thorough knowledge of the theoretical and scientific basis for teaching practices in the field of reading would be a source of strength and confidence, greatly aiding coordination of effort and helping to prevent the waste

and time loss resulting from the use of less effective methods.

Even just these three areas and activities I have mentioned out of the multitude necessary for the achievement of the right to read goal present an enormous challenge. There are many who, either in cynicisms or in honest doubt, question the possibility of achieving the goal, of reaching the target of eliminating reading failure by the end of the 70's. I do not underestimate the difficulties but I believe that much of the doubt about the practicability of the timing and the scope of the goal arises from being trapped in the rationalization, the justification for failure that for too long have persisted, demoralizing our will and generating a defeatist attitude.

I repeat once more, with even stronger belief, my statement in the original right to read speech that it is inexcusable that in this day when man has achieved such giant steps in the development of his potential, when many of his accomplishments approach the miraculous, there still should be those who cannot read. With sufficient will, the way, I am convinced, can be found. It is the responsibility of the National Reading Council to generate and sustain this will.

The National Reading Council was conceived as the source for rallying the nation to a concerted attack on this problem. It is composed of a cross-section of society and can, therefore, reach out to mobilize the wide resources both within and without education that must be involved. The operating arm of the Council is the National Reading Center whose primary purpose is the carrying out of the partnership approach, coordinating the efforts of contributing organizations, organizing the training of citizen volunteers, developing public support and helping the States to undertake similar programs.

It is my hope that the Council and the Center will be unflagging in their efforts, allowing no slacking off, and proding, when necessary, education, government and the public so that the necessary level and pace of action will be maintained.

The Council is now in operation. The United States Office of Education has organized to give increased emphasis to reading. States and localities are moving ahead. National, state and local educational organizations are developing ways of helping. The public, more and more aware of the goal, is increasingly behind the effort. The President has given his endorsement to the Right to Read goal and I believe that he will honor this commitment with continuing support. The effort is underway.

This is encouraging but soon we will be at the point of one down and nine to go for the 1980 target date and the pace must be accelerated.

It is all too easy midst the pressure of the many and diverse national needs to have even so worthy an objective lost or submerged by newer and more immediate urgencies.

It is essential, then, that all who understand the importance of reading, who know of the fateful effects of reading failure, make themselves heard. We must insist on performance by the schools, we must require full acceptance of the responsibility for reading by the states, and we must demand the federal leadership which can make the Right to Read effort the truly nationwide undertaking that will enable our schools to carry out universally their vitally important function of the teaching of reading.

There is no higher priority to the field of education.

In conclusion, then, I repeat the closing paragraphs of my Right to Read speech which began this nationwide effort.

"Continuing toleration of the failure to give everyone the ability to read breaks faith with the commitment to equality of opportunity which is the foundation of our public education system. Having arrived at a time which holds forth the possibility of eliminating this failure we must, in all justice, seize the opportunity with the utmost vigor and determination.

"Remarkable success has been achieved by our educational system, but so long as there is one boy or girl who leaves school unable to read to the full extent of his capability, we cannot escape the charge of failure in carrying out the responsibility entrusted to us."

RESPONSE TO DR. JAMES ALLEN "RIGHT TO READ"

(By Archie A. Silver, M.D.)

President Saunders, Dr. Allen, Senator and Mrs. Mathias, honored members of the Orton Society: To be here to respond to Dr. Allen's address is a stirring privilege. How children learn to read is a problem which has confounded me, interested me, challenged me, frustrated me, and, all along, outside the laboratory, I keep seeing those children in the first grade, trying to read the letters and not quite succeeding. Working in the Lower East Side of New York, I am particularly confronted with learning problems of the black and the Puerto Rican children. Dr. Allen's cry for the right of these children to read strikes, in me, a resounding note.

The brief biographical glimpse presented by Senator Mathias and Dr. Allen tracing their genetic roots to a small town in Maryland brings back some pertinent memoirs of my own. I cannot go back to Maryland, but I do go back to a small town in Russia. I offer this personal note to stand as an example of the equality of opportunity which in the early part of this century welcomed the immigration wave from central Europe. These new citizens soon learned to read. What has happened to our educational system in these succeeding fifty years? Why is it that the new migration to the United States, that from Puerto Rico, and the new migration to the northern cities from the south, why is it that their children have so difficult a time learning to read?

There is no evidence to suggest that these children naturally are less gifted than their central European brothers. Part of the answer, I think, is that these children have not yet acquired the skills needed to learn to read. They approach first grade with a perceptual apparatus which cannot effectively deal with the symbols presented to it. The tragedy has been that our traditional, unwieldly educational system turns slowly and it is only beginning to learn to cope with these problems. Just why so many children come to the first grade with perceptual immaturity, is still an unanswered question. As Dr. Allen insists, however, the schools must accept the responsibility for the education of these children. Educators, the day by day teachers, are those on the firing line and they must ultimately accept the final responsibility, but we as physicians, as psychologists, as psychometricians, as sociologists, as linguists, as biochemists, we too are thoroughly involved in this effort and we too cannot shirk our responsibility.

The question however, is how are we going to attain the goal of giving every child the right to read? Dr. Allen speaks of this from the point of view of administration, high level administration. Sometimes, I feel, he may soar like an eagle over our great country looking over the broad plains and the mountains, but somehow my horizons are not quite so broad. You might say, in contrast to the eagle, I have a worm's eye view. I have had to look at the reading problem at a circumscribed plodding level. At this local level, where grand designs must ultimately be implemented, the delivery of services to the individual child has faltered.

With rare exceptions there has not been a careful analysis of the needs of a particular school district; a gap in the knowledge of why children in a particular area do not read, a lack of appreciation of what etiological factors are involved, and how many children are in each etiological group. The tendency has been to lump all children with reading problems into a single entity without considering the varied causative factors which may underlie their reading problems. The importance of this is that programs of remediation are not structured to the specific needs of the specific child. Without knowledge of what defects and how many, we do not know the needs of each school, and remediation consequently cannot optimally be applied.

The remedial programs themselves, again with rare exceptions, are not coordinated. In one district I know, programs overlap, compete, and do not effectively utilize the skills of each. Diverse local programs demand coordination.

I am disturbed too at the uncritical acceptance of untested methods by educators, the grasping at panaceas and the very sloppy evaluation of results. The local school boards also are not exempt from responsibility and here there is clear need to disentangle educational programs from the political web which ties education to militant expediency.

The delivery of services falters not only at the local level. State bureaucracy sets up its own frustrating games. There is first of all the motile quality of the bureaucratic maze. We learn how to tread the maze and find out our way in it. We learn to go from one bureau to another, from one administrator to another, and we solve the maze; but just as soon as we have this maze solved, it becomes motile. The maze shifts, people we have learned to live with disappear, procedures change in shape and style and we have to learn a new maze. The bureaucratic maze shifts not only at the level of individual administrators, but also in terms of the policy of bureau and departments. In the area of learning problems, overlapping as it does the fields of many disciplines, the isolation of these disciplines by bureaucratic fiat is particularly unhappy. Programs of preventive psychiatry and preventive education for example are shunted from one department to another with resulting dichotomy in funding, in reports and with total delay.

The mazes are finally solved, a new game must be played, that of the function number. This comes down from on high, no one really seems to know from whence it comes. It's a shy function hiding away until the end of November. Now school starts somewhere in September. We try to organize for the beginning of school sometime in the summer, but the function number does not appear until the end of November. The importance of this is that one cannot buy so much as a pencil; let alone pay a salary until this function number comes through. We have tried to make up a few numbers and, you know, sometimes they get by, but what we really need are tolerant landlords and dedicated people who are all of course independently wealthy, and who can wait for the function number to appear.

There is another game called vanishing reports. This relates to the material we send in to the agencies which sponsor our program and to the proposals that we put in for the following year. Somehow they disappear and only the greatest effort brings them to light. There is still one other game which is most important that is the guessing game, a game in which one never knows whether he will be funded from one year to the next. A program to train one's people is started; the schools are alerted; the community is interested, cooperative and involved, and when all that is done, we all must wait until we know if the program will be funded next year. This problem of inadequate temporal

support, the funding year by year does not mean that assurance of refunding is not given. We are assured we are recycled, but somehow we can never know until November that our program may continue as from the previous September. What havoc this works on keeping a trained and experienced staff can be imagined.

In short implementation of the right to read demands evaluation of the needs of and the remedial measures taken in each local school district. What type of reading disability and how many of each are found in each district? What measures may best serve this population? How can these measures be evaluated and what administrative changes are needed at the Federal and State level to smooth the way for the right to read? I have mentioned only a few, seen from the viewpoint of one close to the firing line.

The overall view is a great and grand one. We're with you Dr. Allen where ever you are!

RESPONSE BY MRS. ARLENE W. JONES, CLAREMONT, CALIF.

Each of us has heard a different message in what Dr. Allen has said, and each will respond differently to the responsibilities implicit in the magnificent aims which he has so eloquently presented to us. It is, for instance, not the global phases of this Right to Read effort that concern me nearly as much as the little, two-legged, six-year-old or ten-year-old "phases", in your schools and my schools, the ones that we cannot always "catch" at the appropriate time in their education to insure that the skill to read is acquired by each of them.

Individual differences have long been recognized. We have now come to a point in education when it is not enough to give just lip-service to this concept. We have to do more really individualized teaching. Nor can we wait for specialists to be properly trained and certified as reading teachers before we begin. It is important to start with what we have—to start in-service training now.

Of course new research is vtial, too, but as teachers and administrators we need to read and put to use the research that has already been done.

The effectiveness of the program we are talking about will be measured only as it filters down to the local levels of education and makes a difference to the individual learners and their teachers.

Perhaps we should extend the theme of this conference to be, "To teach the language as it is to the child as he is, *wherever we can find him,*" recognizing that involvement of the child and on his behalf, may need to reach beyond the academic classroom.

As you go back to your homes, my charge to you is to carry from this meeting and this conference your share of the responsibility not as a burden but as a challenge. And thank you, Dr. Allen, for stating that challenge so clearly!

RESPONSE BY KATRINA DE HIRSCH

It is both a pleasure and an honor to share the platform with Dr. Allen, not only because of his contributions to the field of education which are widely known, but for other and perhaps more valid reasons: I admire what he stands for. Guiding a developing organism through the many stages of intellectual and moral growth—and this is what education is about—will never be accomplished by means of even the most sophisticated teaching machine. What children and young people need are living models, men and women of dedication, integrity and courage. Without men such as Dr. Allen, our educational efforts will bear no fruit, our labours will be wasted.

Tonight, I would like to look at some of the statistics regarding reading failure in a recently completed study—Dr. Jansky's—and discuss what her results mean in terms of the battle-cry raised by Dr. Allen: The Right to Read.

Dr. Jansky's predictive investigation evaluated the performance of 400 kindergarten children from a variety of socio-economic backgrounds on a large battery of tests. Two years later, at the end of the second grade, she evaluated the very same youngsters. Among her group of 400 children, 14% of white girls, 23% of white boys, 43% of black girls and 63% of black boys from low income groups had failed to catch on to reading after two years in elementary school, and after having been exposed to a variety of educational approaches. What do these figures mean in terms of these children's Right to Read?

(1) Regarding socio-economic background and ethnic differences, they mean that reading failure is by no means confined to children from economically disadvantaged milieus or to specific ethnic groups.

Between 12 and 23% of white children from advantaged backgrounds fail in reading in the early grades. This percentage, incidentally, is more or less the same as the one found by the National Advisory Committee on Dyslexia in a well-to-do community in Maryland. Thus, one would have to admit that a sizable number of middle class children need help in learning to cope with printed words.

(2) What else do these figures mean regarding differences between boys and girls? They might mean that God by and large intended little white girls to read. Since the differences between the sexes are equally striking in black and white children, it probably signifies that the central nervous system patterning of girls, at any rate at early ages, is more mature than that of boys, a fact which, though known for a long time, has not been acted on by the school system in terms of first grade admission.

(3) These figures stimulate further inquiry into the pervasive reading lags among deprived children—a well known phenomenon. They clearly reveal that many deprived children—and I do realize that they are by no means a homogenous group—are at an enormous disadvantage when they enter school. In the study I am reporting on, the kindergarten and second grade performance of large numbers of disadvantaged children was shockingly poor. Why? let me spend a few minutes discussing some of the reasons.

It is not really true that deprived children lack stimulation. On the contrary, most of them are flooded with an array of stimuli which they are entirely unable to sort out. Their often chaotic environment does not help them to organize their experiences, sequence events, discover the relationship between cause and effect and as a result, many of these children are bewildered and confused. In their lives there are few rewards for mastery of new skills or tasks completed. The pervasive instinctualization of the milieu provides no help for the growing youngster to learn to control drives, to curb impulsivity, to delay gratification, to sustain effort—all of them essential ingredients of learning.

Orton has emphasized the close interrelation between spoken, printed and written language. A *sine qua non* for mastering reading printed language is the child's comprehension and use of spoken language. There are, of course, legitimate dialect differences between deprived black children and middle class ones. These differences have to be recognized and respected. Nevertheless, the communicative style of mothers in deprived environments does not necessarily foster linguistic complexity and conceptual development. Many of the children are action, rather than verbally, oriented. They may have massive difficulties, processing—that is to say, interpreting—complex syntactical constructions; they may have trouble expressing thoughts and feelings; they may not be accustomed to generalize or categorize—all of which are needed in reading, which requires not only decoding skills but the forming of anticipatory schemata of what the sentence is going to say and the integration of what is read into an already existing experimential and conceptual framework.

One might point out, incidentally, that a number of middle class children also have trouble with spoken language. I know entire families who communicate cheerfully with very few words: they go fishing together or put up a fence. Few of these children are good readers and their compositions are usually deplorable. But the number of such children is smaller than in deprived groups, in which mothers often are too depressed, too apathetic to communicate with their youngsters even on a non verbal level—perhaps because efforts at communication have not been worthwhile in the past.

There is the fact, moreover, that disadvantaged children compensate far less for subtle neurological deficits or inherent weaknesses than do middle class children. A child's life experience—and his social cultural milieu, the nurture he receives—both in the physiological and the affective sense of the word—does influence biological functioning.

The point I am trying to make is this: if we fail to identify potential academic risks at early ages, we are beaten before we start. Clinically we know pretty well what kind of three year old is "at risk" in terms of subsequent reading achievement. It is easy to describe such a youngster: He is hyperactive or he tends to slump. He does not complete the simple block construction he is building. He cannot wait at all. He acts impulsively. He cannot follow the sequence of events in a picture book. He will not listen to a story suitable for his age. He can't "pretend." He will look blank if one says: push the truck "backwards." He expresses himself at best in rudimentary sentences. Rather than saying "stinker" he will hit. Such a youngster needs help—and his mother does. She is the one who programs information for him, who helps him to order a world which threatens to overwhelm him. She teaches him concepts such as "next to" and "inside". She teaches him to sequence events, both non-verbal and verbal. When the little boy has stubbed his toe and howls she will take him on her lap and say—"You stubbed your toe—it hurts, doesn't it? Look at that sharp corner over there—it sticks out; that's where you hit your toe." In the process of comforting him she explains what happened, she teaches him the concept of "corner" and "sticking out," she connects events for the little boy who may be inclined to think that some evil spirit has hurt him.

It is our job to teach mothers. Not by playing the expert, not by criticising them but by making a sincere effort to enter their frame of reference. It is at this level that reading instruction starts, it is at this level that we have to intervene.

The Right to Read has many facets: physiological, psychological, educational, sociological, financial and—let's face it—political. We have no right to settle for easy solutions. We can no longer afford to wait until our children *are* in trouble. We must step in early—and if I dared to say what I really mean—it is at the age of 14 months at the latest that preparation for reading starts if we do not want to run the risk that our children will become alienated from the mainstream of our culture long before they enter first grade.

DATA ON PRICE-SUPPORT LEVELS

Mr. TALMADGE. Mr. President, the staff of the Committee on Agriculture and Forestry has prepared for me, at my request, various tables containing updated data on production, yearend stocks, price supports, and costs on selected agricultural commodities.

This information was compiled for the last 5 years on: Corn, grain sorghum, barley, oats, wheat, rice, soybeans, cotton, peanuts, tobacco, by type, dairy, wool, and flaxseed. Other minor price-supported commodities, such as castor beans and honey, were not included. All data came from the U.S. Department of Agriculture.

Price support levels for the specified commodities for the 1970 crop, as a percent of parity, range from 58 percent in the case of flaxseed to 85 percent of parity in the case of dairy. Direct payments to producers of corn, sorghum grain, wheat, cotton, and wool are included in the total support made available to growers of these commodities and against which the percent of parity determination is computed.

Carryover stocks of most major agricultural commodities are reasonably in line with needs. Some are low, such as cotton, feed grains, and soybeans. In the tobacco group, burley stocks need to be reduced by approximately 300 million pounds to be reasonably in line with our requirements. Flaxseed stocks are also high in relation to our needs but this is a minor crop.

Commodity Credit Corporation losses and costs in fiscal 1970 amount to $1.9 billion for feed grains, $1.3 billion for cotton, and $1.2 billion for wheat. These are the major cost commodities and these amounts include price support payments and diversion payments where applicable, as well as Public Law 480 costs. In the case of wheat, Public Law 480 costs amounted to $538 million in fiscal 1970.

Mr. President, I ask unanimous consent that the tables be printed in the RECORD.

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

PRODUCTION, DISAPPEARANCE, YEAR END STOCKS, PRICE SUPPORTS, SELECTED COMMODITIES, 1966-67—1970-71

Year	Production (million bushels)	Disappearance (million bushels)	Yearend stocks (million bushels)	Price supports: Loan level per bushel	Percent of parity	Direct payment per bushel [1]	Total support [2]	Percent of parity
CORN								
1966-67	4,117	4,135	823	$1.00	62	$0.30	$1.25	78
1967-68	4,760	4,422	1,162	1.05	65	.30	1.25	77
1968-69	4,393	4,443	1,113	1.05	63	.30	1.25	78
1969-70	4,583	4,698	999	1.05	61	.30	1.29	75
1970-71	4,110	4,464	650	1.05	59	.30	1.33	74
GRAIN SORGHUM								
1966-67	715	862	244	$0.85	59	$0.30	$1.10	77
1967-68	756	711	289	.90	63	.30	1.10	77
1968-69	740	741	288	.91	61	.30	1.15	77
1969-70	747	789	246	.90	58	.30	1.15	74
1970-71	697	783	160	.90	55	.30	1.20	73
BARLEY								
1966-67	393	383	122	$0.80	62	$0.20	$0.97	75
1967-68	373	365	138	.90	68	----------	.90	68
1968-69	423	372	199	.90	67	----------	.90	67
1969-70	424	399	237	.83	58	.20	.98	69
1970-71	410	484	175	.83	57	.20	1.00	69

Year	Production (million bushels)	Disappearance (million bushels)	Yearend stocks (million bushels)	Price supports: Loan level per bushel	Percent of parity	Direct payment per bushel [1]	Total support [2]	Percent of parity
OATS								
1966-67	801	851	270	$0.06	----------			69
1967-68	789	789	273	.63	----------			72
1968-69	939	839	375	.63	----------			71
1969-70	950	837	490	.63	----------			67
1970-71	909	951	450	.63	----------			66
WHEAT								
1966-67	1,312	1,423	425	$1.25	48	[3] $1.32	[4] $1.48	71
1967-68	1,522	1,408	539	1.25	48	[3] 1.36	[4] 1.73	66
1968-69	1,577	1,297	819	1.25	48	[3] 1.38	[4] 1.80	68
1969-70	1,460	1,396	885	1.25	45	[3] 1.52	[4] 1.90	69
1970-71	1,378	1,545-1,570	694-719	1.25	44	1.57	[4] 2.00	71

[1] Support payment made on ½ the base acreage times projected yield.
[2] Average loan level plus payment per bushel averaged over total participant production.
[3] Certificate payment made on domestic portion of allotment.
[4] Average loan level plus certificate payment per bushel averaged over total participant production.

Year	Production (million hundredweight)	Disappearance (million hundredweight)	Yearend stocks (million hundredweight)	Price supports: Dollars per hundredweight	Percent of parity
RICE					
1966-67	85	84	9	4.50	65
1967-68	89	91	7	4.55	65
1968-69	104	93	16	4.60	65
1969-70	91	90	16	4.72	65
1970-71	83	[1] 83	[1] 16	4.86	65

[1] Estimated March 22, 1971.

Year	Production (million bushels)	Disappearance (million bushels)	Yearend stocks (million bushels)	Price supports: Dollars per bushels	Percent of parity
SOYBEANS					
1966-67	929	874	90	2.50	78
1967-68	976	900	166	2.50	76
1968-69	1,103	945	324	2.50	73
1969-70	1,126	1,221	230	2.25	62
1970-71	1,136	1,296	70	2.25	60

Year	Production (million bales)	Disappearance (million bales)	Yearend stocks (million bales)	Price support: Loan rate (M-1) cents per pound	Percent of parity	Payment per pound (cents)	Support on domestic allotment as a percent of parity
COTTON							
1966-67	9.6	14.1	12.5	21.00	50	9.42	71
1967-68	7.5	13.2	6.4	20.25	47	11.53	72
1968-69	10.9	11.0	6.5	20.25	47	12.24	74
1969-70	10.0	10.8	5.8	20.25	45	14.73	76
1970-71	10.3	11.5	4.5	20.25	42	16.80	77

Year	Production (million pounds)	Disappearance [1] (million pounds)	Yearend stocks (million pounds)	Price supports: Cents per pound	Percent of parity
PEANUTS					
1966-67	2,410.00	2,440.00	372.00	0.1135	76.7
1967-68	2,473.00	2,494.00	353.00	.1135	75.2
1968-69	2,543.00	2,541.00	357.00	.1201	77.5
1969-70	2,523.00	2,529.00	353.00	.1238	76.0
1970-71	2,987.00	2,968.00	374.00	.1275	75.0

Year	Production (million pounds)	Disappearance [1] (million pounds)	Yearend stocks (million pounds)	Price supports: Cents per pound	Price supports: Percent of parity
TOBACCO (BURLEY)					
1966–67	587.0	600.0	1,382.0	60.6	69.0
1967–68	541.0	599.0	1,324.0	61.8	70.0
1968–69	563.0	571.0	1,316.0	63.5	70.0
1969–70	591.0	564.0	1,343.0	65.8	68.0
1970–71	560.0			68.6	68.0
TOBACCO (FLUE-CURED)					
1966–67	1,108.0	1,274.0	2,273.0	58.8	73.0
1967–68	1,263.0	1,221.0	2,315.0	59.9	71.0
1968–69	982.0	1,198.0	2,100.0	61.6	71.0
1969–70	1,053.0	1,184.0	1,969.0	63.8	69.0
1970–71	1,191.0			66.6	69.0
TOBACCO (CIGAR-WRAPPER)					
1966–67	21.0	20.8	24.7	[2]	[2]
1967–68	17.6	20.8	21.5	[2]	[2]
1968–69	18.1	19.9	19.7	[2]	[2]
1969–70	15.9	14.2	21.4	[2]	[2]
1970–71	13.6			[3]	[3]
TOBACCO (CIGAR FILLER AND BINDER)					
1966–67	64.6	84.3	194.2	30.3	72.0
1967–68	60.8	73.4	181.6	30.9	72.0
1968–69	57.6	73.9	165.3	31.7	72.0
1969–70	55.7	72.5	148.5	32.9	72.0
1970–71	57.1			34.3	70.0
TOBACCO (DARK AIR-CURED)					
1966–67	22.8	23.1	64.7	36.6	72.0
1967–68	16.8	19.3	62.1	37.3	73.0
1968–69	19.2	18.4	62.9	38.3	73.0
1969–70	19.5	25.4	57.0	39.7	71.0
1970–71	17.1			41.4	71.0
TOBACCO (FIRE-CURED)					
1966–67	47.7	54.3	106.1	41.1	75–76
1967–68	36.4	52.0	90.5	41.9	75–77
1968–69	38.5	46.4	82.5	43.1	74–77
1969–70	40.8	49.7	73.6	44.6	71–75
1970–71	39.4			46.6	71–73
TOBACCO (MARYLAND)					
1966–67	36.0	40.1	95.6	53.8	69.0
1967–68	32.4	36.0	92.0	[3]	[3]
1968–69	32.0	48.8	75.2	[3]	[3]
1969–70	28.0	41.2	62.0	[3]	[3]
1970–71	27.0				

[1] Includes CCC diversion for crushing and export.
[2] None.
[3] No program.

PRODUCTION AND IMPORTS, FARM USE, COMMERCIAL DISAPPEARANCE, GOVERNMENT PURCHASES, NET EXPENDITURES, PRICE SUPPORT, 1966–67—1970–71

DIARY

Year	Production plus imports [1] (billion pounds)	Used on farms (billion pounds)	Commercial disappearance (billion pounds)	Government purchases (billion pounds)	Net Government expenditures [2] (million dollars)	Price support: Dollars per hundredweight	Price support: Percent of parity
1966–67	123.1	5.4	115.0	2.7	182.3	[6] 3.50	78
						[4] 4.00	89
1967–68	120.5	5.1	108.4	7.0	400.4	4.00	87
1968–69	118.4	4.6	109.0	4.8	310.7	4.28	89
1969–70	118.3	4.3	109.6	4.4	245.5	4.28	83
1970–71	119.7	4.0	109.0	6.7	381.0	4.66	85

[1] Imports, normally about 1,500,000,000 to 2,000,000,000 pounds yearly, are included as part of production.
[2] On advice of Department net expenditures are used rather than CCC losses.
[3] April.
[4] June.

PRODUCTION, IMPORTS, MILL CONSUMPTION, YEAREND STOCKS, TARGET PRICE 1966–67—1970–71

WOOL (CLEAN BASIS)

Year	U.S. production (million pounds)	Imports (million pounds)	Mill consumption (million pounds)	Yearend stocks [1] (million pounds)	Target price [1]: Cents per pound	Target price [1]: Percent of parity
1966–67	110.6	162.5	266.6	88.3	0.65	[2] 78
1967–68	106.4	109.1	228.6	79.9	.66	[2] 77
1968–69	99.7	129.7	238.3	88.9	.67	[2] 77
1969–70	91.6	93.5	219.0	81.0	.69	[2] 76
1970–71	[3] 89.8	79.8	[4] 163.8	[5]	.72	[3] 75

[1] The average producer receives a payment on the amount of the difference between the national average price received for wool and the target price.
[2] January.
[3] Estimated.
[4] No information available on U.S. mill consumption of domestic production. No Government stocks involved.
[5] Not available.

PRODUCTION, DISAPPEARANCE, YEAREND STOCKS, PRICE SUPPORTS, SELECTED COMMODITIES, 1966–67—1970–71

FLAXSEED

Year	Production (million bushels)	Disappearance (million bushels)	Yearend stocks (million bushels)	Price support: Dollars per bushel	Price support: Percent of parity
1966–67	23.4	29.4	9.3	2.90	73
1967–68	20.0	22.3	7.0	2.90	73
1968–69	27.1	24.2	9.8	2.90	72
1969–70	35.1	22.9	22.0	2.75	64
1970–71	30.0	24.0	28.0	2.50	58

CCC LOSSES SELECTED COMMODITIES PRICE SUPPORT AND RELATED PROGRAMS (INCLUDING PUBLIC LAW 480 AND PROGRAM PAYMENTS) REPORT OF FINANCIAL CONDITION—COMMODITY

[In millions of dollars]

Fiscal year	Corn	Grain sorghum	Barley	Oats	Total feed grain payments	Wheat	Wheat payments	Tobacco	Rice	Wool	Cotton	Cotton payments	Peanuts	Soybeans and products
1966	195.6	169.7	3.2	11.7	1,272.3	1,648.6	121.9	31.4	117.1	36.1	201.3	506.1	44.3	38.7
1967	197.9	218.9	4.7	13.3	1,340.3	996.5	304.6	61.9	175.9	32.6	575.8	813.0	43.8	59.8
1968	87.9	95.3	1.8	18.1	832.2	882.6	345.8	61.3	153.9	69.4	497.2	855.0	48.2	3.8
1969	123.2	58.5	9.7	16.6	1,051.8	620.0	362.7	64.1	201.6	65.1	154.8	730.9	38.8	23.1
1970	176.1	61.3	28.6	28.1	1,643.6	758.8	473.8	99.9	228.6	52.6	218.2	1,042.5	36.0	46.6

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. All time set aside under the previous order for the transaction of routine morning business having now expired, morning business is closed.

POUNDAGE QUOTAS FOR BURLEY TOBACCO

The PRESIDING OFFICER. In accordance with the previous order, the Chair lays before the Senate for its consideration S. 789, which the clerk will please state by title.

The assistant legislative clerk read the the bill (S. 789) by title, as follows:

A bill to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

The Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with amendments on page 1, line 9, to strike out: "if the amount of the national marketing quota for burley tobacco for the marketing year beginning October 1, 1971, as determined under section 312 of the Act will result in a reduction of more than 15 per centum in farm acreage allotments which are subject to reduction, and the Secretary finds that acreage allotments provided in section 313 of the Act as limited by Public Law 528, Eighty-second Congress (66 Stat. 597), as amended by Public Law 21, Eighty-fourth Congress (69 Stat. 24), approved March 31, 1955 (7 U.S.C. 1315), will not continue in future years to be effective in adjusting supplies to the reserve supply level, because of increasing per acre yields, decreasing usage, or otherwise, the Secretary shall".

And insert, in lieu thereof: "the Secretary shall, within thirty days following the enactment of this section,".

On page 6, line 25, insert a colon, and the following:

Provided, That such factor for the marketing year beginning October 1, 1972, shall not be less than 95 per centum: *Provided further,* That such factor for the marketing year beginning October 1, 1973, shall not be less than 92½ per centum: *And provided further,* That such factor for any subsequent year shall not be less than 90 per centum.

On page 11, line 19, strike out "(d)" and insert "(b)"; on line 25, strike out "Subsection" and insert "Clause";

On page 12, line 2, strike out "follows: "(e)" and insert "follows: (c)"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1938, as amended, hereinafter referred to as the "Act", is amended by adding immediately following section 318 a new section 319 to read as follows:

"FARM POUNDAGE QUOTAS FOR BURLEY TOBACCO

"SEC. 319. (a) Notwithstanding any other provision of law the Secretary shall, within thirty days following the enactment of this section, proclaim national marketing quotas for the three marketing years beginning October 1, 1971, as provided in this section.

"Within thirty days following such proclamation, the Secretary shall conduct a referendum of the farmers engaged in the production of the 1970 crop of burley tobacco to determine whether they favor or oppose the establishment of farm marketing quotas on a poundage basis as provided in this section for the three marketing years beginning October 1, 1971. If the Secretary determines that two-thirds or more of the farmers voting in such referendum approve marketing quotas on a poundage basis, marketing quotas as provided in this section shall be in effect for those three marketing years. If marketing quotas on a poundage basis are not approved by at least two-thirds of the farmers voting in such referendum, no marketing quotas or price support for burley tobacco shall be in effect for the marketing year beginning October 1, 1971. Thereafter, the provisions of section 312 of the Act shall apply: *Provided,* That national marketing quotas for burley tobacco for any marketing year subsequent to the marketing year beginning October 1, 1971, shall be proclaimed as provided in this section.

"(b) The Secretary shall determine and announce, not later than the February 1 preceding the second and third marketing years of any three-year period for which marketing quotas on a poundage basis are in effect under this section, the amount of the national marketing quota for each of such years. If marketing quotas have been made effective on a poundage basis under this section, the Secretary shall, not later than February 1 of the last year of three consecutive marketing years for which marketing quotas are in effect under this section, proclaim national marketing quotas for burley tobacco for the next three succeeding marketing years as provided in this section. Within thirty days following such proclamation, the Secretary shall conduct a referendum in accordance with section 312(c) of the Act. If the Secretary determines that more than one-third of the farmers voting oppose the national marketing quotas, he shall announce the results and no marketing quotas or price support shall be in effect for such kind of tobacco for the first marketing year of such three-year period. Thereafter, the provisions of section 312 of the Act shall apply: *Provided,* That the national marketing quota and farm marketing quotas shall be determined as provided in this section. Notice of the farm marketing quota which will be in effect for his farm for the first marketing year covered by any referendum under this section shall insofar as practicable be mailed to the farm operator in sufficient time to be received prior to the referendum.

"(c) The national marketing quota determined under this section for burley tobacco for any marketing year shall be the amount produced in the United States which the Secretary estimates will be utilized in the United States and will be exported during such marketing year, adjusted upward or downward in such amount as the Secretary, in his discretion, determines is desirable for the purpose of maintaining an adequate supply or for effecting an orderly reduction of supplies to the reserve supply level. Any such downward adjustment shall not exceed 10 per centum of such estimated utilization and exports. For each marketing year for which marketing quotas are in effect under this section, the Secretary in his discretion may establish a reserve (hereinafter referred to as the 'national reserve') from the national marketing quota in an amount not in excess of 1 per centum of the national marketing quota to be available for making corrections and adjusting ineqiuties in farm marketing quotas, and for establising marketing quotas for new farms (i.e., farms for which farm marketing quotas are not otherwise established).

"(d) When a national marketing quota is first proclaimed under this section, the Secretary shall through local committees determine a farm yield for each farm for which a burley tobacco acreage allotment was established for the marketing year beginning October 1, 1970. Such yield shall be determined by averaging the yield per acre for the four highest years of the five consecutive years beginning with the 1966 crop year: *Provided,* That if *burley* tobacco was produced on the farm in fewer than five of such years, the farm yield shall be the simple average of the yields obtained in the years during such period that burley tobacco was produced on the farm: *Provided further,* That if no burley tobacco was produced on the farm but the farm was considered as having planted burley tobacco during the immediately preceding five years, the farm yield will be appraised on the basis of the yields established for similar farms in the area on which burley tobacco was produced during such five-year period: *And provided further,* That the farm yield established for any farm shall not exceed three thousand five hundred pounds per acre.

"(e) A preliminary farm marketing quota shall be determined for each farm for which a burley tobacco acreage allotment was established for the marketing year beginning October 1, 1970, by multiplying the farm yield determined under subsection (d) of this section by the farm acreage allotment (prior to any reduction for violation of regulations issued pursuant to the Act) established for such farm for the marketing year beginning October 1, 1970. For each farm for which such a preliminary farm marketing quota is determined, a farm marketing quota for the first year shall be determined by multiplying the preliminary farm marketing quota by a national factor obtained by dividing the national marketing quota determined under subsection (c) of this section (less the national reserve) by the sum of all preliminary farm marketing quotas as determined under this subsection: *Provided,* That such national factor shall not be less than 95 per centum.

"The farm marketing quota for each succeeding year shall be determined by multiplying the previous year's farm marketing quota by a national factor obtained by dividing the national marketing quota determined under subsection (c) of this section (less the national reserve) by the sum of the farm marketing quotas for the immediately preceding year for all farms for which burley tobacco marketing quotas will be determined for such succeeding marketing year: *Provided,* That such factor for the marketing year beginning October 1, 1972, shall not be less than 95 per centum: *Provided further,* That such factor for the marketing year beginning October 1, 1973, shall not be less than 92½ per centum: *And provided further,* That such factor for any subsequent year shall not be less than 90 per centum. The farm marketing quota so computed for any farm for any year shall be increased by the number of pounds by which marketings from the farm during the immediately preceding year were less than the farm marketing quota (after adjustments): *Provided,* That any such increase shall not exceed the amount of the farm marketing quota (including leased pounds) for the immediately preceding marketing year prior to any increase for undermarketings or decrease for overmarketings. The farm marketing quota so computed for each farm for any year shall be reduced by the number of pounds by which marketings from the farm during the immediately preceding year exceeded the farm marketing quota (after adjustments): *Provided,* That if on account of excess marketings in the preceding year the farm marketing quota is reduced to zero

pounds without reflecting the entire reduction required, the additional reduction required shall be made in subsequent marketing years.

"The farm marketing quota for a new farm shall be the number of pounds determined by the county committee with approval of the State committee to be fair and reasonable for the farm on the basis of the past burley tobacco experience of the farm operator; the land, labor, and equipment available for the production of burley tobacco; crop rotation practices, and the soil and other physical factors affecting the production of burley tobacco: *Provided*, That the farm marketing quota for any such new farm shall not exceed 50 per centum of the average of the farm marketing quotas for similar farms for which farm marketing quotas are otherwise established: *Provided further*, That the number of pounds allocated to all new farms shall not exceed that portion of the national reserve provided by the Secretary for establishing quotas for new farms.

"(f) When a poundage program is in effect under this section, the farm marketing quota next established for any farm shall be reduced by the amount of burley tobacco produced on any farm (1) which is marketed as having been produced on a different farm; (2) for which proof of disposition is not furnished as required by the Secretary; and (3) as to which any producer on the farm files, or aids or acquiesces in the filing of, any false report with respect to the production or marketings of tobacco: *Provided*, That if the Secretary through the local committee finds that no person connected with such farm caused, aided, or acquiesced in any such irregularity, the next established farm marketing quota shall not be reduced under this subsection. The reductions required under this subsection shall be in addition to any other adjustments made pursuant to this section.

"(g) When a poundage program is in effect under this section, farm marketing quotas (after adjustments) for burley tobacco may be transferred to other farms in the same county under the terms and conditions contained in section 316 of the Act: *Provided*, That such transfers shall be on a pound for pound basis: *Provided further*, That any adjustment for undermarketings or overmarketings shall be attributed to the farm to which transferred: *And provided further*, That not more than five thousand pounds may be transferred to any farm under this section.

"(h) Effective with marketing year beginning October 1, 1976, no marketing quota, other than a new farm marketing quota, shall be established for a farm on which no burley tobacco was planted or considered planted in any of the five years immediately preceding the year for which farm marketing quotas are being established.

"(i) When marketing quotas under this section are in effect, provisions with respect to penalties for the marketing of excess tobacco and the other provisions contained in section 314 of the Act shall apply, except that:

"(1) No penalty on excess tobacco shall be due or collected until 110 per centum of the farm marketing quota (after adjustments) for a farm has been marketed, but with respect to each pound of tobacco marketed in excess of such percentage the full penalty rate shall be due, payable, and collected at the time of marketing on each pound of tobacco marketed, and any tobacco marketed in excess of 100 per centum of the farm marketing quota (after adjustments) will require a reduction in subsequent farm marketing quotas in accordance with section 319(e): *Provided*, That if the Secretary in his discretion, determines it is desirable to encourage additional marketings of any grades of burley tobacco during any marketing year to insure traditional market patterns to meet the normal demands of export and domestic markets, he may authorize the marketing of such grades without the payment of penalty or deduction from subsequent quotas to the extent of 5 per centum of the farm marketing quota for the farm on which the tobacco was produced, and such marketings shall be eligible for price support.

"(2) The provisions with respect to penalties contained in the third sentence of section 314(a) shall be revised to read: 'If any produced falsely identifies or fails to account for the disposition of any tobacco, the Secretary, in lieu of assessing and collecting penalties based on actual marketings of excess tobacco, may elect to assess a penalty computed by multiplying the full penalty rate by an amount of tobacco equal to 25 per centum of the farm marketing quota (after adjustments) and the penalty in respect thereof shall be paid and remitted by the producer."

"(3) The provisions contained in the fourth sentence of section 314(a) shall not be applicable. For the first year a marketing quota program established under the provisions of this section is in effect, the farm marketing quota determined under the provisions of section 319(e) shall receive a temporary upward adjustment equal to the amount of carryover penalty-free burley tobacco for the farm. For subsequent years, the provisions of section 319(e) shall apply.

"(j) The Secretary shall prescribe such regulations as he considers necessary for carrying out the provisions of this section."

SEC. 2. Section 378 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding subsection (b) to read as follows:

"(b) In applying the provisions of this section to a farm for which a tobacco marketing quota has been determined under section 319 of this Act, the words 'allotment' and 'acreage', wherever they appear, shall be construed to mean 'marketing quota' and 'poundage', respectively, as required."

SEC. 3. Clause (c) of section 106 of the Agricultural Act of 1949, as amended, is amended to read as follows:

"(c) If acreage-poundage or poundage farm marketing quotas are in effect under section 317 or 319 of the Agricultural Adjustment Act of 1938, as amended, (1) price support shall not be made available on tobacco marketed in excess of 110 per centum of the marketing quota (after adjustments) for the farm on which such tobacco was produced. and (2) for the purpose of price support eligibilty, tobacco carried over from one marketing year to another shall, when marketed, be considered tobacco of the then current crop."

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. TALMADGE. Mr. President, the pending bill would amend the burley tobacco marketing quota law to substitute poundage controls for acreage controls for burley tobacco.

For many years acreage allotments were effective to keep burley tobacco supplies in line with demand at little cost to the Government. In recent years, however, they have proved inadequate. Production exceeded disappearance in 1969–70 by 26 million pounds and Commodity Credit Corporation loans outstanding at the end of the marketing year increased by 105 million pounds. The Department of Agriculture testified at hearings held on this bill that there can be no doubt that the acreage allotment program will not continue in future years to be effective in adjusting supplies to the reserve supply level.

The inability of the existing allotment program to continue to keep supplies in line with demand is caused by first, decreasing demand; second, increasing yields; and, third a minimum allotment provision which prohibits any reduction in the majority of the allotments.

Average yields per acre have increased from 833 pounds in 1938, when the law was enacted, to 2,488 pounds in 1969, and an estimated 2,585 pounds in 1970.

Acreage allotments provide an incentive for each producer to increase his yield, and to the extent yields are increased the control program is defeated.

The existing law prevents further reduction of any allotment of one-half acre or less. As shown by the table on page 30 of the committee's hearings 168,893 farms, or approximately 60 percent of all farms having 1970 allotments, were at the minimum and could not be reduced further. The number of allotments which cannot be reduced becomes greater each year as national allotments are reduced, so that effective control becomes more difficult each year. The average allotment is now .82 acre.

Under the bill before the Senate each farm would receive a quota in pounds. It could market without penalty up to 110 percent of that quota, but then its quota would be reduced for the following year by the amount of the overage. On the other hand a farm which had a crop failure 1 year would have its quota increased the following year, so that the amount marketed by all farmers would average out to the amount of the national quota. No farmer could increase his quota by increasing yields, and all farmers would share in any increase or decrease in the national quota ratably.

The bill provides for an orderly reduction of supplies. The national quota for any year would be equal to estimated domestic consumption and exports, increased as necessary to maintain adequate supplies, or decreased by not more than 10 percent as necessary to reduce supplies to the reserve level. No farm quota for 1971 could be reduced more than 5 percent below its 1970 allotment multiplied by its yield factor. No farm quota could be reduced below that for the preceding year by more than 5 percent in 1972, 7½ percent in 1973, and 10 percent in any year thereafter. This would prevent too drastic an impact in any one year on burley tobacco farmers and producing areas, but would begin reducing stocks immediately and soon level off at a sizable reduction in stocks each year. As indicated by the table on page 7 of the committee report, production in 1971–72 would be about 4 million

pounds less than disappearance. It would be 25 million pounds less in 1972–73, 59 million pounds less in 1973–74, 62 million pounds less in 1974–75, and 61 million pounds less in 1975–76. Because it is expected that private stocks rather than Government loan stocks would be reduced in 1971–72, CCC outstanding loan stocks are expected to increase by 18 million pounds the first year, but they are expected to drop by 10 million pounds the next year, 40 million pounds the following year, 43 million pounds the year after that, and 41 million pounds in 1975–76.

The bill also permits leasing of burley tobacco quotas to other farms in the same county, with a limit of 5,000 pounds on the amount which may be leased to any one farm. This is now permitted for other kinds of tobacco.

Effective controls are absolutely necesary for the continuation of the burley tobacco program for the benefit of the small grower, as well as for those who are above the current minimum allotment. Practically every witness at the committee's hearings advocated poundage controls, although some advocated even more stringent controls than those provided by the bill.

Mr. President, there are typographical errors in the committee amendments shown on page 11, lines 18 and 19. The subsection designation "(b)" in each case should be "(f)". Accordingly, I modify these committee amendments by striking "(b)" where it appears in lines 18 and 19 on page 11 and inserting "(f)". With these changes the amendments will conform with the description of them on page 3 of the committee report and with the changes in existing law shown on page 19 of the committee report.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. TALMADGE. I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be treated as original text for the purpose of further amendment.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc and the bill will be treated as original text for the purpose of further amendment.

The bill is open to further amendment.

Mr. COOPER. Mr. President, I wish to express my appreciation to the distinguished Senator from Georgia (Mr. TALMADGE) for his assistance in bringing before the Senate the bill (S. 789) which I introduced, for the committee hearings he arranged, and for his very able explanation of the purposes of the bill.

My statements before the committee at the December 8 hearing, in the Senate on December 31, and again on February 11 when I introduced the bill, and at the hearing on March 2, are all included in the RECORD. They describe the situation in the burley program, the necessity for this bill, its purpose and provisions. I will not take time to repeat them here.

As I said when I first introduced this bill on December 31, 1970, I have followed our tobacco program throughout my service of several terms in the Senate. Kentucky is the largest producer of burley tobacco. In volume and value, burley tobacco is second only to the Flue-cured tobacco which is grown chiefly in North Carolina.

I listed some figures in my statement in December to show the importance of burley tobacco to our agricultural economy. Burley tobacco was grown on about 282,000 farm allotments totalling some 231,000 acres in 1970, and producing a crop valued at $400 million. More than 135,000 of these burley farm allotments are in Kentucky, which produces nearly three-fourths of the crop, providing cash receipts to Kentucky farm families in 1970 of nearly $300 million.

In addition to the value and the benefit which it obtains to growers, tobacco produces for our citizens in taxes several times the income it brings to growers. It is very highly taxed, and is an important source of revenue—about $4.5 billion in 1970—for our States and for the Federal Government.

I have followed the tobacco program for many years, and have done my best, as one Senator, to attempt to keep it sound and of value to the farmers. In 1948, when the first farm bill after World War II was before Congress, I offered an amendment, in which the late Senator Barkley joined, to assure to all growers of Flue-cured and burley tobacco a fair market price of 90 percent of parity. For dark air-cured and Fire-cured tobacco, the support was not fully 90 percent, but the support levels for those products were graduated according to their production and use.

In 1960 the Senator from North Carolina (Mr. JORDAN) and I offered an amendment to further stabilize the price of tobacco, and to maintain the support price at 90 percent of modernized parity.

I believe that those amendments, which I had the privilege to offer and secure, have resulted in literally hundreds of millions of dollars of income for tobacco growers. But the price support program for tobacco depends upon strict production control. If the Government is to assure each tobacco grower a price equal to 90 percent of parity, by taking under loan any unsold tobacco on the market, the Government must have the assurance that production will be controlled and held at levels no greater than demands, or domestic use, plus exports.

There was not much difficulty about the control of production for several years after 1948, but in the last 10 years particularly, tobacco growers, through the use of fertilizers, closer planting, pesticides, newer varieties, and lately irrigation, have increased production upon their limited acreage allotments until the average yield per acre has increased from about 1,600 pounds in the 1956–60 period to 2,585 pounds last year. As a result of these increased yields and some declines in use, the stocks of burley tobacco on hand now exceed the desirable statutory level, calculated by multiplying "disappearance" or annual use by 2.8 percent. The total supply of burley has now reached about 3.4 year's use, and while much of that is held by the trade and in manufacturer's stocks, Government loan holdings now exceed half a billion pounds of burley tobacco.

So it has come to the state where I believe that our burley tobacco farmers, who have always been very good about controlling their production, must know that this situation cannot go on, that the Government cannot continue to buy tobacco from farmers when the stocks are piling up.

Also, there is another situation which we must recognize—that of the opposition to cigarette tobacco itself, expressed in the anticigarette campaign. So I think it imperative that burley growers agree in the coming referendum upon a price support and production control program which will be sound.

The poundage program authorized by this bill provides that those growers who now grow one-half acre or less—growers who have in the past been protected against acreage cuts—would no longer have that complete protection but would share alike with all other burley tobacco growers any reductions in total production. But we have tried to provide for the protection of these smaller growers. The bill which I introduced provided that the initial poundage quota for each farm would be calculated by taking the 4 best years of the last 5 years of production for each farmer, including the good year of 1970, and using that average as his preliminary 1971 poundage quota.

My bill provided that this "preliminary farm quota" could not be reduced more than 5 percent in establishing the 1971 farm quota. It provided that the national burley quota could not be less than 90 percent of estimated use. I asked the committee to limit the cuts in any year to not more than 5 percent, and they did agree to not more than 5 percent in 1972, 7½ percent in 1973, and 10 percent in 1974 and thereafter. Under the committee bill it seems likely that within 3 or 4 years, by 1973 or surely by 1974, the program would be in order; and, if disappearance does not continue to go down, there would be no further cuts. Of course, if the use of burley tobacco then increases, there could be a corresponding increase in farm quotas.

I must say that at times, and even recently, the burley program has been characterized as if it were a program divided into large and small growers. The truth is that, because of the successive cuts in the last 10 years, there really are not many large allotments, as shown by the fact that there are now 282,115 farm allotments, totaling only 230,947 acres.

I conceive the bill I have introduced as a protection for the small farmer as well as the large farmer, because I am afraid that if the present acreage program is continued and large acreage cuts are ordered, as has been proposed for the 1971 crops year, we will reach one of two situations:

First, that those farmers who now grow more than half an acre and who still represent more than the one-third which could vote out the program, would

vote it out, and there would be chaos, because no one in the country would be restricted from raising burley tobacco. It is likely that in the first 2 or 3 years without a program that each grower would increase his acreage and production far beyond his present practice; there would be no production controls and no 90-percent support price; there would be no support price, the market price might be cut in half, and there would be utter chaos. In that case, I think the advantage would probably go to the larger growers, who have better land, who have capital and resources, who are close to the warehouses, who are able to put on more fertilizer; and I think the adverse effect would be upon many small growers.

Second, if the present acreage program is continued and the required cuts in acreage are not made, the surplus and the Federal investment in loan stocks could continue to build up. If this should happen, in 3 or 4 years a remedy might be sought and enacted which would be much more radical than the one I am proposing; I believe the program would lose public support and the Congress itself would enact legislation to abandon tobacco price supports and abolish the burley tobacco program.

It is not easy to offer a bill such as the one I have helped develop and propose today, because I know it may be characterized—and has already been by some—as a battle between the large growers and the small growers. I come from a section of the country which has many more small growers—one-half acre or less—than large growers. But if I may say so, without being immodest, I have had something to do with protecting this program and protecting small growers during my years in the Senate. I offered the amendment in 1948 which gives to every tobacco grower the assured 90-percent support price, and no other agricultural crop in this country enjoys that level of price support. Wool has had at times support more than 100 percent, but so far as a crop grown on the land is concerned, no other agricultural commodity has had that. As I have said, in 1960, the Senator from North Carolina (Mr. JORDAN) and I further assured and guaranteed that price.

I feel that I have a duty to those whom I represent in my State, because I have championed their tobacco program and have spoken for it throughout the State. When acreage-poundage was before the burley growers of Kentucky in 1966 and 1967, I went around the State and spoke to the farmers and urged them to support it, which they did; but it was defeated because it was not supported in some of the other States. In my years here, I have tried to lead with respect to protecting the tobacco program. I think I have an obligation and a duty to help keep it successful and effective, and to prevent its being lost to all growers, large and small, at some future date.

Mr. President, this bill also provides for the leasing of burley quotas—not more than 5,000 pounds. I had opposed the leasing of burley allotments in earlier years, but I have changed my mind about it if the amount leased can be kept to a maximum of, say, 5,000 pounds or not much more. I have done so because leasing could enable older people, disabled people, people who are not able to stay on the small farms, to lease their quota to another farmer and so be assured of some income from it. The leasing provision can be as valuable to small growers as to large growers, because it will also enable them, if they desire, to lease some additional poundage—enough to grow a reasonable family farm size crop. I hope the 5,000-pound limit will not, however, be increased in the House or by the conference.

I absolutely oppose the sale of quotas. I hope very much that this will not be placed in the bill in the House or in conference. If it is, I think I would expect to vote against the bill. I do not want to see those who have large financial capacity, perhaps better land, machinery, and able to hire labor, enabled to buy up the small quotas of people in less favorable circumstances, perhaps at a time when they could be in dire need of funds. I just do not want to see that happen. I hope and I urge that this bill not include the sale of quotas in its enactment by the House.

I want to say again to the distinguished Senator from Georgia (Mr. TALMADGE), the chairman of the Senate Committee on Agriculture and Forestry, as well as to the Senator from Iowa (Mr. MILLER), who conducted the March hearings, and to the Senator from Mississippi (Mr. EASTLAND) and others who attended the hearings, and to all the members of the committee that I appreciate very much their deep interest. I would have preferred the bill as I proposed to the committee, to permit a cut in farm quotas not over 5 percent in any year. But the bill as recommended by the committee would allow cuts for the first and second years of 5 percent, the third year 7½ percent, and the fourth and subsequent years not to exceed 10 percent. I do not believe it will be necessary to cut that much if we adopt the bill, and if it becomes effective for this crop year.

I want to make one other statement, and then I shall close, because I think it is necessary to make this statement for the record. The Department of Agriculture, through its representatives at the hearings, made the statement and took the position that the poundage cut for the first year should be at least 15 percent or even 20 percent, the idea being that they could immediately bring the program into balance and, in doing that, same some money for the Department because it would not have to take much tobacco under loan this year.

I recognize that if the Department looked at the problem simply from the position of the Office of Management and Budget, its proposal would save some money in the first year over the bill which I had introduced. But I want to say to the Department of Agriculture and its Secretary, and the Office of Management and Budget, that we cannot look at this program simply from the standpoint of some saving in 1971 and 1972. We are dealing with farmers who represent a part of the American economy. We cannot reduce their income so drastically—or should not—in 1 year, even from the standpoint of improving the economy of the country, which is a program of the President and the administration.

Also, these men who grow tobacco—not all are men, some are women on the small farms, growing small plots of tobacco—we have to take into account their income next year and the necessity to enable them to move gradually into a position where the program will be sound and helpful.

One other provision in the bill I introduced is the insurance feature; namely, if a grower desires, he can grow 110 percent of his quota in 1 year and sell it, but the following year his poundage would be correspondingly reduced 10 percent, to 90 percent. Similarly, if there should be a failure in the crop, hail or drought or blight or some disaster should cause a reduction in the crop, this feature would enable the grower to make up that income next year. In fact, he could lay out of production 1 year, and grow his quota for that year in the following year, along with the second year's quota. The burley program has not had that insurance feature before and it should, therefore, be of interst to all burley growers.

Mr. President, let me close by saying that I thank again the distinguished Senator from Georgia (Mr. TALMADGE) and the members of the Committee on Agriculture and Forestry. I hope very much that this bill will be passed and that our farmers will accept it. Otherwise, I feel that we are moving down a road where the burley acreage program will be voted out, resulting in loss of price support, unlimited production, and chaos for all burley growers. And if we wait too long, the result will be a radical change and hard upon tobacco growers and the economy of rural areas.

Mr. ERVIN. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. ERVIN. As I understand it, the Senator from Kentucky was prompted to offer his bill because the amount of burley on hand is far more than is necessary to satisfy current needs.

Mr. COOPER. That is correct.

Mr. ERVIN. And the Senator from Kentucky was afraid that if we continued to increase the pileup of surpluses of burley above current needs, the price support system might be abolished.

Mr. COOPER. I think that is a possibility. I may say that that could occur, and it would be a danger not only to burley growers but also to Flue-cured growers and growers of dark tobacco.

Mr. ERVIN. In other words, the ultimate purpose of the distinguished Senator from Kentucky is to provide continued protection for all those who grow burley.

Mr. COOPER. Yes.

Mr. ERVIN. If the pending bill is enacted by Congress and approved in referendum by the burley growers, it is to be a substitute for past programs.

Mr. COOPER. That is correct.

Mr. ERVIN. The bill attempts to protect the burley growers against drastic reductions, by providing that reductions in their marketable quotas cannot exceed 5 percent during the first and second years of operation, 7½ percent during the third year, and 10 percent——

Mr. COOPER. The first 2 years it is 5 percent, the third year 7½ percent, and the fourth year and thereafter 10 percent, as amended by the committee.

Mr. ERVIN. Third year 7½ percent. Fourth year 10 percent.

Mr. COOPER. Yes.

Mr. ERVIN. As I understand it, the bill would not require that the reductions be as much as 5 percent in the first 2 years or 7½ percent in the third year, or 10 percent in the fourth year unless such reductions are necessary to bring a proper balance.

Mr. COOPER. That is correct. If, as we hope, it will bring the program into balance, with production 5 or 10 percent less than use, it would not be necessary to make further reductions after 1973 or perhaps 1974 unless use declines further.

Mr. ERVIN. This act would take effect, if approved by Congress, only after approval in a referendum by the growers.

Mr. COOPER. That is correct.

Mr. ERVIN. I thank the Senator.

Mr. COOPER. Mr. President, one more statement. Someone may say, well, we can cut the acreage sharply this year, under the present acreage program, and we will bring production into balance. But that will never bring it into balance, because those who grow tobacco will continue to increase their yields per acre as they lose acreage—and every person growing one-half acre or less can do the same—by use of fertilizer, by use of pesticides, by planting high-yielding varieties, by irrigation, and by planting rows closer together. I see no way to bring this program into balance under the old acreage allotment program.

Since 1948, when I first came here and first became interested in this program in a legislative way, acreage has been reduced to less than one-half; and yet the amount of burley produced is about the same as before the cuts came. It is impossible to keep this acreage allotment program working in its present shape.

Mr. BAKER. Mr. President, I am very glad to support the bill before the Senate today, S. 789, for it is an effort to save the burley tobacco price support program, which has been a good program for Tennessee tobacco producers and is important to the agricultural economy of Tennessee—and particularly to eastern Tennessee which is my home. There are nearly 100,000 farm tobacco allotments in Tennessee, of which 87,000 are burley allotments, and the burley crop last year brought Tennessee farmers $70 million cash income—which generates several times that volume of economic activity for the people of the area.

Those familiar with the farm programs—certainly the chairman of the committee, Senator TALMADGE; and the ranking minority member, Senator MILLER; and the author of the bill, Senator COOPER—know that the tobacco program has been a successful program over the years. It is unusual in several respects, including the level of price support at 90 percent of parity; its method of extending price support which actually establishes the market price paid by the buyers at or above the price support level; but principally in its strict production controls designed to assure that the program operates without substantial cost to the Government, in sharp contrast to most other farm commodity programs. It has often been said that the success of the program rests on the willingness of growers to make the sacrifices necessary to keep the program sound. In effect, tobacco growers accept controls designed to hold production at a level no greater than the use of tobacco, in exchange for the guarantee of fair prices.

The proposal embodied in the bill before the Senate today would change the method of production control from acreage allotments, limiting the amount of land on which farmers may plant and harvest burley tobacco, to poundage quotas, restricting the actual amount of burley tobacco which they may sell each year. This is, of course, a very strict means of controlling production, but it is one which clearly assures effective control, which will enable any surplus now held under Government loan to be moved into the channels of trade in an orderly fashion over a period of years, and for that reason will protect the essential basis for burley tobacco price supports, and protect the income of thousands of farmers and the economy of burley producing areas.

In preparation for this discussion, I want to point out that I have talked with farm and industry leaders in Tennessee. They have been represented at the Agriculture Committee hearings, and they have made known their concern over the burley tobacco program.

As Senator COOPER has pointed out in the course of developing this legislation, and as affirmed by the testimony of farm groups and tobacco experts, including those from Tennessee, the need to change the method of production control arises from the combined effect of increasing yields per acre in recent years, and the shift from an upward trend in use to a stable, and, in fact, modest decline in the total domestic use and exports of burley tobacco. It seems clear that acreage controls can no longer, in the coming years, be effective in maintaining production at a level less than use. For example, officials of the Department of Agriculture have said that a 30-percent cut in acreage allotment would be required for the 1971 croup under the present system, and have said that even that reduction would not prevent future annual cuts in acreage. Such cuts would be a terrible blow to thousands of farmers and to the agricultural economy of the region. Conceivably, such a cut could lead farmers to reject the burley program in the coming referendum—a tragic consequence which would result in loss of price support. unlimited production, ruinous market prices, and chaotic conditions. Or, if a surplus were allowed to build up on the other hand, with the eventual sale of Government loan stocks at heavy losses, the program could come under attack, and lose support in the country and in the Congress.

The present acreage program has given farmers an incentive to fertilize, plant closer, use high-yield varieties—to some degree without regard for the best quality leaf which has given American burley its preeminent position in domestic and world trade. In addition to this "yields race"—in effect requiring each farmer to try to outproduce his neighbors each year and keep ahead of the cuts ordered by the Secretary of Agriculture—and to the decline in use, the bill addresses itself to a difficult area, unique in the burley program, which has brought the acreage control program to the end of its ability to work as effectively in the future as it has in the past. That is the provision which I think all of us, and certainly Senator COOPER, have supported and defended in the past, that acreage allotments of one-half acre and less could not be reduced. It has been a wonderful thing over the years for thousands of small growers, a great many of them in Tennessee. It has meant that only the growers having an allotment of more than one-half acre—a modest amount, after all, representing annual income of perhaps $700 to $1,000—made the sacrifices and took the cuts required to keep the price support program for all. But, however popular and desirable this special provision may have been, I think it is clear that with more than half the farms exempt from cuts, the old program—which would allow all farmers to increase their yields per acre each year, but then try to control the total by reducing the acreage of only some farms—could not possibly continue to work.

The senior Senator from Kentucky has kept me informed at every stage of this legislation and I commend him and all who have worked on this measure for developing a responsible bill, one which I believe is fair to all growers, large and small, in all States; which protects the interests of taxpayers and of the Federal investment; and, of greatest interest to Tennessee burley producers, which will insure the continuation of the burley tobacco price support program by keeping it sound in the years ahead.

I know the development of this bill has not been an easy task. It is easier, perhaps, to talk about provisions which appear to give some temporary advantage to farmers, or to one or another groups of farmers, without regard to the consequences for all if the price support program goes down, because of surplus production and loss of public support, or even division of support among farmers themselves. But the difficulties in this bill are those of dealing realistically with the problem and offering farmers a responsible program. Tobacco farmers have shown before, and I believe they are ready to consider now, that they know that a good program must abide by the facts of life if it is to survive and serve. I believe burley tobacco growers understand their program and can face facts, as I believe we in the Congress are doing

in this bill, and I hope the measure will be adopted by the Senate and the House and promptly enacted.

Mr. President, I have expressed my general support for the bill, S. 789. However, I have been concerned about its effect on the many small farmers who have been protected from cuts under the acreage allotment program. Of the 87,209 burley allotments in Tennessee, 62,847 are 0.5 acre or less and, therefore, could not be reduced under the old program. These small allotments are often an important source of cash income to rural families, not the only source in most cases but an important one nevertheless, and one which has been protected—perhaps even to the point of finally raising serious difficulty in the operation of the burley price support program.

I know that in developing this bill, Senator Cooper and others have been concerned about small burley growers; he knows them from his own area and has always fought for the small farmer. And I recognize that the bill protects the interests of small growers in several ways:

First, and mainly, it promises to maintain the burley price support program—and without that no allotment or quota would be worth much.

Second, poundage quotas would be fixed in 1971 based on each farm's average yield multiplied by its 1970 acreage allotment—that is, following the 10-percent cut in 1969 acreage borne by all farms larger than one-half acre. It follows also the earlier years of acreage reductions for other farms, including many of those now reduced to one-half acre. The effect, as I understand, is to preserve under poundage quotas whatever advantage has accrued to small growers over the years. The bill maintains for them their relative position and their share of the market—and would maintain that position for every future year. If I may ask the Senator from Kentucky, is it not correct that the bill as written would establish poundage quotas for 1971, and for each future year, on the basis of the 1970 distribution of acreage? It accepts all the cuts that have been made in the past, and maintains the relationship now existing?

Mr. COOPER. The Senator from Tennessee is correct. Poundage quotas would be fixed for future years on the present relationship—last year's acreage allotments times the farm's average yield in recent years.

Mr. BAKER. I thank the Senator.

Third, there is the provision that would reduce any average yields larger than 3,500 pounds to that figure. I have been told that many small growers do not have such high yields and consider they have not contributed as much to any surplus. To this extent the 3,500-pound ceiling on yields will be helpful.

Fourth, the bill provides for the first time for the leasing of burley quotas. In this way any small grower can lease up to 5,000 pounds of additional quota, a reasonable amount for a family farm operation, increasing his production by perhaps four or five times. Or, if he prefers, he may lease his own quota to another farmer and have that income without having to produce the tobacco himself. While some farm groups in Tennessee urge the sale of quotas, and the lease of quotas across county lines, I know this leasing provision will be helpful.

Fifth, the bill includes a crop insurance feature, so that if a small grower, or a large grower, is hit by hail or drought—or simply wishes to lay out of burley production for 1 year, he may produce and sell it the next year.

Sixth, I know the Senator from Kentucky has included a provision that the Secretary shall set the national burley quota at not less than 90 percent of estimated use. That will permit any surplus to be moved out into the channels of trade in substantial quantity each year—some 50 million pounds—but will protect the small growers, and all growers, from a sharp and destructive cut in quotas.

Seventh, the committee bill provides for adjustment to that level of surplus disposal in steps over the next 3 or 4 years: The 1971 farm poundage quota would be not more than 5 percent under the farm's average yield; not more than a 5-percent cut in 1972, not more than a 7½-percent cut in 1973, or not more than a 10-percent cut in any later year.

Mr. President, I recognize, as I have said, that this bill is carefully constructed to protect small burley growers, and all burley growers, by the provisions I have cited, most of which it is true are applied equally. While they make no distinction between size or location of farmers, they give assurance—and an assurance which we have not had under previous law—against large cuts in any year, and against drastic cuts unrealistically designed to dispose of a surplus accumulated over many years in only 2 or 3 years.

Nevertheless, in the past, small growers have enjoyed a special degree of protection, and their income from burley tobacco is very modest indeed. Under this bill they would for the first time be accepting modest reductions, and I would hope these reductions could be accomplished gradually and as painlessly as possible so that they would have time to adjust. For that reason, I offer an amendment to limit the reduction for small growers—those protected from acreage reductions under the old law—to not more than 5 percent a year. I hope very much that the Senator from Kentucky, and the chairman of the committee and manager of the bill, might be able to accept the amendment.

Mr. COOPER. Mr. President, I understand the concern of the Senator from Tennessee. He has stated very well the interest of small burley tobacco growers in this bill, and has described the provisions designed to protect all growers, both large and small. I have always defended the small grower provision, but I think it is clear that the acreage minimum has contributed to the difficulty the burley tobacco program is now in, and a poundage minimum would raise anew the same difficulties in the practical operation of the program. But what the Senator from Tennessee proposed is simply a modification which would protect small growers from cuts larger than 5 percent.

When the bill was before the full Committee on Agriculture, I had proposed a similar provision, applicable to all farmers. But after considering the position of the Department of Agriculture, which was requesting larger cuts in poundage, and cuts to a lower level of production, the committee developed the amendment included in the bill authorizing reductions not in excess of 5 percent in 1972, after poundage came into effect with the 1971 crop, 7½ percent in 1973, and 10 percent in any later year—although the Department estimates a reduction of only 2 percent in 1974 and 1 or 2 percent thereafter according to the annual changes in the use of tobacco.

I would have no opposition to the amendment, consider it a reasonable and good proposal, and would gladly support it and join the Senator in urging its adoption. I hope the Senator from Georgia, and the Senate might accept the amendment of the Senator from Tennessee.

Mr. BAKER. Mr. President, it may be asked what the effect of my amendment may be upon production, and the fiscal effect on the operating of the Commodity Credit Corporation. The practical effect of the amendment would be that in 1973, when the Secretary may order a cut of 7½ percent in quotas, small growers would be cut only 5 percent. These growers produce less than 30 percent of the burley crop. I am informed by the Department of Agriculture that the amendment would result in a 1973 effective national farm quota about 4 million pounds larger than under the committee bill. That is less than 1 percent of the total crop. The 1973 crop would still be 50 million pounds less than estimated use. We can still expect a large net reduction in Government loan stocks. The next year, in 1974, the difference would be made up, when perhaps a 3-percent, rather than a 2-percent, reduction in all quotas would be required. So it represents a very modest change, over 1 year only, in the fiscal and stocks' position of the program.

I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 7, strike out the period in line 6, insert a colon in lieu thereof and insert the following:

"*And provided further,* That in the case of any farm having an acreage allotment of .50 acre or less for the marketing year beginning October 1, 1970, the farm marketing quota shall not be less than 95 per centum of the farm marketing quota established under this section for the previous year.

Mr. TALMADGE. Mr. President, I have consulted with the author of the bill, the Senator from Kentucky, and others interested. I find that it would have no effect whatever for the years 1971–72

and 1972–73. The only effect it would have would be beginning in the year 1973–74. At that time, it would cause the production to be some 4 million pounds greater than it would be under the committee bill. The cost to the Government would be approximately $4 million for that year.

In view of the fact that about 60 percent of the burley tobacco growers in the United States have allotments of one-half acre or less, some 168,839 farms are involved.

I am willing to accept the amendment on behalf of the committee. I think that the benefits to the people involved would be greater than the additional cost to the Government.

Many of them are marginal farmers. This is practically the only cash crop money that many of these farmers have. Without it, many of them would be pushed off the land and be forced to move into the cities and go on welfare. I think it is highly beneficial from the social standpoint. On behalf of the committee, I accept the amendment.

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

Mr. BAKER. I yield to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I ask unanimous consent that I be made a cosponsor of the amendment offered by the distinguished Senator from Tennessee.

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

Mr. ERVIN. Mr. President, I take this position because, like the Senator from Tennessee, many of my constituents are engaged in growing burley and they are in the main small farmers.

I wish to commend him for offering the amendment, and the Senator from Georgia, the chairman of the committee, for accepting the amendment, because it minimizes the impact of the bill upon the small farmers.

Mr. BAKER. Mr. President, I thank the Senator. I ask unanimous consent that he may be added as a cosponsor of my amendment.

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

Mr. BAKER. Mr. President, I wish to point out that the amendment sent to the desk was offered on behalf of myself and the distinguished junior Senator from Kentucky (Mr. COOK).

I thank the distinguished chairman of the committee for accepting the amendment, I thank the Senator from North Carolina for his comments, and I thank the Senator from Kentucky for his leadership in this field.

I believe this additional amendment will help very materially in easing the dislocation to the very small farmers.

Mr. President, I hope the Senate agrees to the bill as amended.

Mr. COOK. Mr. President, once more I find myself rising in support of Kentucky's and the Nation's tobacco growers. During the past decade, and particularly in my first 2 years in the Senate, this great and valuable industry has been under a constant and vicious attack by many interests. These attacks, based more on statistical fantasy than hard fact, have had some effect on a heretofore relatively stable commodity.

Today we are considering S. 789, a bill introduced by my very distinguished senior colleague from Kentucky, which would amend the burley tobacco marketing quota provisions of the Agriculture Adjustment Act of 1938 as amended. Essentially, this legislation provides for a change in the quantitative control of burley tobacco by implementing a poundage control system in place of the present acreage allotment program.

Mr. President, I personally do not take lightly any action which would change the burley program that many of my farmer constituents have lived under for over two decades. Tobacco accounts for approximately 40 percent of Kentucky's farm income and produces $400 million annually for some 200,000 farm families. These farm families are the backbone of Kentucky. I consider this a very serious proposal, and accordingly, I have studied it very carefully for a considerable length of time.

A little more than a year ago, on February 30, the Secretary of Agriculture announced the marketing quota provisions for the 1970 growing season. By law, the Secretary was also required to simultaneously impose a reduction of 10 percent on all burley acreage allotments. Minimum acreage growers, or those with 0.5 acre or less, were not affected by the cut. Although I vigorously protested the Secretary's action, I also realized that more than the allowable 2.8 years' burley supply existed and that his action was mandatory under the law. Through the efforts of many burley State senators and congressmen, and I might say, particularly under the leadership of the senior Senator from Kentucky, the Secretary limited the acreage reduction to only 10 percent with the understanding that a new control program must be devised before the next growing season. At that time I urged our burley growers, warehousemen, agricultural specialists, processors, and the various farming groups to work together and come up with an alternative program which would prevent even larger acreage cuts in the future. I am pleased to say that the burley tobacco interests in Kentucky held many meetings throughout the State and by this process hammered out a proposal similar to S. 789.

The proposed change has come none too soon. The Department of Agriculture has estimated that if the averages of the past 10 years are used as normal years for domestic and export consumption and without any adjustments an acreage reduction of 40 percent could be imposed in this growing year. Using his discretionary authority, and optimistically calculating possible trends, the Secretary could hold the reduction to 25 percent or 30 percent in 1971 under the present program. Even this figure is completely unacceptable and could cause havoc in Kentucky's agricultural economy. What is more disturbing is the obvious fact that this would not preclude even further reductions in the years ahead.

The decline in domestic use coupled with an increased burley yield per acre are the basic reasons that make the future very bleak under the present program. Very briefly let us explore the latter. In the 1940's when the program was first initiated the average acreage yields were as little as 1,000 pounds. Gradually, through intense cultivation and fertilization, these yields have increased to well over 2,500 to 3,000 pounds per acre. The present acreage limitations encourage increased poundage. At the same time, especially in the past few years, the tobacco farmer has been confronted with a declining market resulting in a market surplus, today, we are confronted with approximately 3½ years' supply of burley tobacco as opposed to the 2.8 years' supply allowed by law.

Mr. President, the ability and ingenuity of the burley grower to obtain everincreasing yields per acre in an area of declining usage makes it impossible to control the supply under the present system. Already over 60 percent of burley allotments are minimum acreage and cannot be reduced under the present law. Ultimately, in the very near future, we could be faced with the situation of as many as 75 percent of the allotments being covered by the minimum acreage rule and still not be able to keep supply in line with demand. For example, between 1946 and 1970 burley allotments were reduced by 113 percent. And yet, production still exceeds demand.

Obviously, the present system is unworkable. We plant acreage but we sell pounds. Some minimum acreage growers have expressed concern over a system by which they too would share in any attempt to control production. I sincerely believe that S. 789 provides the best solution for all of Kentucky's burley growers, both large and small. If the present unworkable system continues, then we shall certainly be in a situation of no Government price supports for burley tobacco. In such a competitive market the small farmer stands to lose more than the larger, better equipped growers. We cannot allow such a situation to occur.

Mr. President, I was not elected to represent either the larger grower or the small grower—but rather to look out for the best interests of all burley tobacco growers. Again, I sincerely believe that a poundage program affords the best protection for Kentucky's and the Nation's burley tobacco industry.

I wish to thank my senior colleague from the Commonwealth, particularly, for his efforts at the hearings. I also wish to thank the Senator from Iowa (Mr. MILLER) and the Senator from Georgia (Mr. TALMADGE). I hope we will be able to move forward.

Mr. COOPER. Mr. President, I thank my colleague for his statement. He is absolutely correct when he states that last year a cut of 25 percent was suggested, and this year 30 percent is proposed. Those of us who represent tobacco States went to the Department of Agriculture and consulted with the Secretary and urged him to hold the cut to 10 percent. We said to him that if this could

be done, we would work during the year to see if the program could be revised to keep the burley tobacco program sound. That is what we have tried to do.

I would like to comment briefly on the amendment offered by the Senator from Tennessee. Actually I had proposed to the committee that cuts in farm quotas be limited to no more than 5 percent in any year, and for all growers, whether smaller or larger than one-half acre.

I will support the amendment. The practical effect of the amendment would be that in 1971 and 1972 there would be no change at all in the bill I proposed and the bill reported by the committee. So this represents a major change so far as the opinion of the small growers is concerned, and in recognizing the special position of small growers, but really not a great change in its effect on the bill I proposed or as it has been reported from the committee.

I shall support the amendment offered by the Senator from Tennessee, and would be glad to join with him as a cosponsor of the amendment.

Mr. BAKER. Mr. President, I thank my colleague from Kentucky, who has been so instrumental in formulating this measure and in bringing it to the floor in a form which will be approved by the Senate and which promises to be successful in meeting this phase of the tobacco problem.

Mr. President, I ask unanimous consent that the name of the distinguished senior Senator from Kentucky (Mr. COOPER) be added as a cosponsor of my amendment to the tobacco bill.

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

Mr. BAKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. May I ask if my amendment is pending before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and read the third time.

SUBSIDIES FOR TOBACCO

Mr. MOSS. Mr. President, as we consider S. 789 to provide poundage quotas for the burley tobacco price-support program, I should like to point out the questionable practice of the Government providing price supports for a product universally condemned as a health hazard.

Whether or not the burley tobacco price support program is based on an acreage formula, an acreage-poundage formula, or a poundage formula, as S. 789 would require, is not germane to the larger problem of price supports for tobacco. I note that some have argued that the bill would reduce Government's costs for tobacco price supports. Others argue that the change in formula will hurt the small farmer, the very individual held on a pedestal whenever opponents of tobacco price supports attempt to eliminate this program.

I have introduced a bill to terminate all price support programs for tobacco beginning with the 1972 crop. I introduced similar legislation in the last Congress, and I offered a simple amendment to end price supports to the Agriculture Appropriations bill for fiscal 1971. Neither the bill nor the amendment was successful, yet they both produced some enlightening dialog. For additional discussion of this problem, and perhaps some insight into the value of continuing these tobacco crop supports, I suggest that Senators watch "CBS 60 Minutes" tomorrow, March 30, at 10 p.m.

CBS will review in detail the overall tobacco price support problem, and I might note, they will consider this problem in greater detail than has Congress since the passage of the Agricultural Adjustment Act some 33 years ago.

I strongly urge the Committee on Agriculture and Forestry to hold hearings on my bill, S. 322, in the not too distant future, so that Congress will be better prepared to evaluate whether we should continue to spend almost $30 million for tobacco export subsidies annually, $240,000 for tobacco advertising abroad annually, $4 million for tobacco crop supports annually, and $4 million for unreimbursed tobacco inspection and crop information programs annually. Additionally, more than $30 million is spent annually for tobacco in the food for peace program.

Mr. President, should the United States spend almost $68 million per year in support of a crop which is one of the major causes of death and disability among our people? I think not. Let us get on with the consideration of the more significant issue so that Congress might finally determine whether or not the time has come to say "enough" and to stop the continuation of this hypocritical policy of supporting a condemned product.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 789) was passed, as follows:

S. 789

An act to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1938, as amended, hereinafter referred to as the "Act", is amended by adding immediately following section 318 a new section 319 to read as follows:

"FARM POUNDAGE QUOTAS FOR BURLEY TOBACCO

"SEC. 319. (a) Notwithstanding any other provision of law, the Secretary shall, within thirty days following the enactment of this section, proclaim national marketing quotas for the three marketing years beginning October 1, 1971, as provided in this section.

"Within thirty days following such proclamation, the Secretary shall conduct a referendum of the farmers engaged in the production of the 1970 crop of burley tobacco to determine whether they favor or oppose the establishment of farm marketing quotas on a poundage basis as provided in this section for the three marketing years beginning October 1, 1971. If the Secretary determines that two-thirds or more of the farmers voting in such referendum approve marketing quotas on a poundage basis, marketing quotas as provided in this section shall be in effect for those three marketing years. If marketing quotas on a poundage basis are not approved by at least two-thirds of the farmers voting in such referendum, no marketing quotas or price support for burley tobacco shall be in effect for the marketing year beginning October 1, 1971. Thereafter, the provisions of section 312 of the Act shall apply: *Provided,* That national marketing quotas for burley tobacco for any marketing year subsequent to the marketing year beginning October 1, 1971, shall be proclaimed as provided in this section.

"(b) The Secretary shall determine and announce, not later than the February 1 preceding the second and third marketing years of any three-year period for which marketing quotas on a poundage basis are in effect under this section, the amount of the national marketing quota for each of such years. If marketing quotas have been made effective on a poundage basis under this section, the Secretary shall, not later than February 1 of the last year of three consecutive marketing years for which marketing quotas are in effect under this section, proclaim national marketing quotas for burley tobacco for the next three succeeding marketing years as provided in this section. Within thirty days following such proclamation, the Secretary shall conduct a referendum in accordance with section 312(c) of the Act. If the Secretary determines that more than one-third of the farmers voting oppose the national marketing quotas, he shall announce the results and no marketing quotas or price support shall be in effect for such kind of tobacco for the first marketing year of such three-year period. Thereafter, the provisions of section 312 of the Act shall apply: *Provided,* That the national marketing quota and farm marketing quotas shall be determined as provided in this section. Notice of the farm marketing quota which will be in effect for his farm for the first marketing year covered by any referendum under this section shall insofar as practicable be mailed to the farm operator in sufficient time to be received prior to the referendum.

"(c) The national marketing quota determined under this section for burley tobacco for any marketing year shall be the amount produced in the United States which the Secretary estimates will be utilized in the United States and will be exported during such marketing year, adjusted upward or downward in such amount as the Secretary, in his discretion, determines is desirable for the purpose of maintaining an adequate supply or for effecting an orderly reduction of supplies to the reserve supply level. Any such downward adjustment shall not exceed 10 per centum of such estimated utilization and exports. For each marketing year for which marketing quotas are in effect under this section, the Secretary in his discretion may establish a reserve (hereinafter referred to as the 'national reserve') from the national marketing quota in an amount not in excess of 1 per centum of the national marketing quota to be available for making corrections and adjusting inequities in farm marketing quotas, and for establishing marketing quotas for new farms (i.e., farms for which farm marketing quotas are not otherwise established).

"(d) When a national marketing quota is first proclaimed under this section, the Secretary shall through local committees determine a farm yield for each farm for which a burley tobacco acreage allotment was established for the marketing year beginning

October 1, 1970. Such yield shall be determined by averaging the yield per acre for the four highest years of the five consecutive years beginning with the 1966 crop year: *Provided*, that if burley tobacco was produced on the farm in fewer than five of such years, the farm yield shall be the simple average of the yields obtained in the years during such period that burley tobacco was produced on the farm: *Provided further*, That if no burley tobacco was produced on the farm but the farm was considered as having planted burley tobacco during the immediately preceding five years, the farm yield will be appraised on the basis of the yields established for similar farms in the area on which burley tobacco was produced during such five-year period: *And provided further*, That the farm yield established for any farm shall not exceed three thousand five hundred pounds per acre.

"(e) A preliminary farm marketing quota shall be determined for each farm for which a burley tobacco acreage allotment was established for the marketing year beginning October 1, 1970, by multiplying the farm yield determined under subsection (d) of this section by the farm acreage allotment (prior to any reduction for violation of regulations issued pursuant to the Act) established for such farm for the marketing year beginning October 1, 1970. For each farm for which such a preliminary farm marketing quota is determined, a farm marketing quota for the first year shall be determined by multiplying the preliminary farm marketing quota by a national factor obtained by dividing the national marketing quota determined under subsection (c) of this section (less the national reserve) by the sum of all preliminary farm marketing quotas as determined under this subsection: *Provided*, That such national factor shall not be less than 95 per centum.

"The farm marketing quota for each succeeding year shall be determined by multiplying the previous year's farm marketing quota by a national factor obtained by dividing the national marketing quota determined under subsection (c) of this section (less the national reserve) by the sum of the farm marketing quotas for the immediately preceding year for all farms for which burley tobacco marketing quotas will be determined for such succeeding marketing year: *Provided*, That such factor for the marketing year beginning October 1, 1972, shall not be less than 95 per centum: *Provided further*, That such factor for the marketing year beginning October 1, 1973, shall not be less than 92½ per centum: *And provided further*, That such factor for any subsequent year shall not be less than 90 per centum: *And provided further*, That in the case of any farm having an acreage allotment of .50 acre or less for the marketing year beginning October 1, 1970, the farm marketing quota shall not be less than 95 per centum of the farm marketing quota established under this section for the previous year. The farm marketing quota so computed for any farm for any year shall be increased by the number of pounds by which marketings from the farm during the immediately preceding year were less than the farm marketing quota (after adjustments): *Provided*, That any such increase shall not exceed the amount of the farm marketing quota (including leased pounds) for the immediately preceding marketing year prior to any increase for undermarketings or decrease for overmarketings. The farm marketing quota so computed for each farm for any year shall be reduced by the number of pounds by which marketings from the farm during the immediately preceding year exceeded the farm marketing quota (after adjustments): *Provided*, That if on account of excess marketings in the preceding year the farm marketing quota is reduced to zero pounds without reflecting the entire reduction required, the additional reduction required shall be made in subsequent marketing years.

"The farm marketing quota for a new farm shall be the number of pounds determined by the county committee with approval of the State committee to be fair and reasonable for the farm on the basis of the past burley tobacco experience of the farm operator; the land, labor, and equipment available for the production of burley tobacco; crop rotation practices, and the soil and other physical factors affecting the production of burley tobacco: *Provided*, That the farm marketing quota for any such new farm shall not exceed 50 per centum of the average of the farm marketing quotas for similar farms for which farm marketing quotas are otherwise established: *Provided further*, That the number of pounds allocated to all new farms shall not exceed that portion of the national reserve provided by the Secretary for establishing quotas for new farms.

"(f) When a poundage program is in effect under this section, the farm marketing quota next established for any farm shall be reduced by the amount of burley tobacco produced on any farm (1) which is marketed as having been produced on a different farm; (2) for which proof of disposition is not furnished as required by the Secretary; and (3) as to which any producer on the farm files, or aids or acquiesces in the filing of, any false report with respect to the production of marketings of tobacco: *Provided*, That if the Secretary through the local committee finds that no person connected with such farm caused, aided, or acquiesced in any such irregularity, the next established farm marketing quota shall not be reduced under this subsection. The reductions required under this subsection shall be in addition to any other adjustments made pursuant to this section.

"(g) When a poundage program is in effect under this section, farm marketing quotas (after adjustments) for burley tobacco may be transferred to other farms in the same county under the terms and conditions contained in section 316 of the Act: *Provided*, That such transfers shall be on a pound for pound basis: *Provided further*, That any adjustment for undermarketings or overmarketings shall be attributed to the farm to which transferred: *And provided further*, That not more than five thousand pounds may be transferred to any farm under this section.

"(h) Effective with marketing year beginning October 1, 1976, no marketing quota, other than a new farm marketing quota, shall be established for a farm on which no burley tobacco was planted or considered planted in any of the five years immediately preceding the year for which farm marketing quotas are being established.

"(i) When marketing quotas under this section are in effect, provisions with respect to penalties for the marketing of excess tobacco and the other provisions contained in section 314 of the Act shall apply, except that:

No penalty on excess tobacco shall be due or collected until 110 per centum of the farm marketing quota (after adjustments) for a farm has been marketed, but with respect to each pound of tobacco marketed in excess of such percentage the full penalty rate shall be due, payable, and collected at the time of marketing on each pound of tobacco marketed, and any tobacco marketed in excess of 100 per centum of the farm marketing quota (after adjustments) will require a reduction in subsequent farm marketing quotas in accordance with section 319(e): *Provided*, That if the Secretary in his discretion, determines it is desirable to encourage additional marketings of any grades of burley tobacco during any marketing year to insure traditional market patterns to meet the normal demands of export and domestic markets, he may authorize the marketing of such grades without the payment of penalty or deduction from subsequent quotas to the extent of 5 per centum of the farm marketing quota for the farm on which the tobacco was produced, and such marketings shall be eligible for price support.

"(2) The provisions with respect to penalties contained in the third sentence of section 314(a) shall be revised to read: 'If any producer falsely identifies or fails to account for the disposition of any tobacco, the Secretary, in lieu of assessing and collecting penalties based on actual marketings of excess tobacco, may elect to assess a penalty computed by multiplying the full penalty rate by an amount of tobacco equal to 25 per centum of the farm marketing quota (after adjustments) and the penalty in respect thereof shall be paid and remitted by the producer."

"(3) The provisions contained in the fourth sentence of section 314(a) shall not be applicable. For the first year a marketing quota program established under the provisions of this section is in effect, the farm marketing quota determined under the provisions of section 319(e) shall receive a temporary upward adjustment equal to the amount of carryover penalty-free burley tobacco for the farm. For subsequent years, the provisions of section 319(e) shall apply.

"(j) The Secretary shall prescribe such regulations as he considers necessary for carrying out the provisions of this section."

SEC. 2. Section 378 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding subsection (f) to read as follows:

"(f) In applying the provisions of this section to a farm for which a tobacco marketing quota has been determined under section 319 of this Act, the words 'allotment' and 'acreage', wherever they appear, shall be construed to mean 'marketing quota' and 'poundage', respectively, as required."

SEC. 3. Clause (c) of section 106 of the Agricultural Act of 1949, as amended, is amended to read as follows: "(c) If acreage-poundage or poundage farm marketing quotas are in effect under section 317 or 319 of the Agricultural Adjustment Act of 1938, as amended, (1) price support shall not be made available on tobacco marketed in excess of 110 per centum of the marketing quota (after adjustments) for the farm on which such tobacco was produced, and (2) for the purpose of price support eligibility, tobacco carried over from one marketing year to another shall, when marketed, be considered tobacco of the then current crop."

Mr. TALMADGE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BAKER. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, later today it is the intention of the leadership to lay before the Senate H.R. 5432, a bill to provide an extension of the interest equalization tax. That bill will become the unfinished business tomorrow by virtue of the adjournment over until tomorrow.

I shall not ask that the bill be laid before the Senate now because there are Senators who wish to speak on matters not germane to the bill, and the Pastore rule would prevent their doing so.

Therefore, I ask unanimous consent that the distinguished Senator from Washington (Mr. JACKSON) be recognized for not to exceed 30 minutes; and that at the conclusion of his remarks, there again be a period for the transaction of routine morning business for not to exceed 15 minutes, with statements limited therein to 3 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there may be a quorum call without prejudice to the Senator from Washington (Mr. JACKSON) under the previous order.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Under the previous order, the Senator from Washington (Mr. JACKSON) is recognized for a period not to exceed 30 minutes.

SALT: A NEW INITIATIVE

Mr. JACKSON. Mr. President, there are few tasks of government more difficult than the successful conduct of international negotiations; and there is no subject for negotiation so complex as the limitation of strategic arms. The prudent search for stabilizing measures of arms control is essential, not only to our national security, but to the collective hopes of mankind for a lessening of risk of nuclear war.

Nothing in the arms control area comes quickly or easily. Such success as we have had in past arms control negotiations has been the product of care, deliberation and, above all, unremitting patience. In consequence we have, in concert with the Soviet Union, moved to prohibit atmospheric nuclear testing, to inhibit the proliferation of nuclear weapons, to keep certain environments free of nuclear weapons and to establish reliable channels of communication for use in severe crises.

We are now engaged in the most important arms control negotiations since the development of nuclear weapons in the closing days of World War II. On March 15, representatives of the United States and the Soviet Union met for the first session of the fourth round of the Strategic Arms Limitation Talks in Vienna, Austria. There they continue to explore measures to increase the stability of the strategic balance.

I

My immediate concern, Mr. President, is that the pace of events may overtake our efforts to conclude a SALT agreement covering the whole range of systems under consideration. Our past experience in arms control negotiations does not encourage the view that we have the time in which to resolve all the problems that should be discussed at SALT. The test-ban treaty, for example, took 5 years to negotiate—and even then it failed to provide for the control of underground testing. The nonproliferation treaty took several years, as did the establishment of a nuclear-free zone in the Antarctic.

In my view, we should take immediate steps to bring about a period of relative stability in which it will be possible to address the many complex issues that surround the terms and provisions of a comprehensive arms control agreement. We need to buy time. Without time—without a pause in the offense momentum—our best efforts to negotiate a comprehensive agreement may be overtaken by events.

I have come to the conclusion, therefore, that we ought to consider a partial, interim agreement with the U.S.S.R. that would at once have the effect of slowing the strategic arms competition and adding to the immediate security of the strategic balance. Ideally, such an interim measure would be both simple and immediate: simple so as to obviate complex negotiation and immediate so as to arrest the decline in the security of our deterrent. Such an agreement would focus on the principal source of the mounting instability in the strategic balance: the increasing offensive potential of the Soviet forces. It is clear that the current United States-Soviet strategic balance is threatened—not by efforts to protect our respective deterrent forces—but by the developing Soviet capability to attack and destroy our deterrent. It is this development, therefore, that ought to be the subject of an immediate freeze of sufficient duration to facilitate the conclusion of a more comprehensive agreement.

I have in mind an agreement that would constrain the deployment of additional land-based offensive weapons in both the United States and Soviet Union—and it would do so at once. Specifically, I propose a mutual United States-Soviet agreement for an initial period of 1 year providing the following:

First. The United States would immediately halt the deployment of Minuteman III missiles with their MIRV warheads.

Second. The Soviet Union would immediately halt the deployment of new ICBM launchers and missiles including those now under construction.

Third. Both countries would retain the freedom to assure the survivability of their strategic land-based forces so long as they did not add to their offensive potential.

Fourth. Neither side would deploy a population defending ABM.

Mr. President (Mr. BUCKLEY), such a program would greatly increase the security of our strategic forces. Moreover, it would, I believe, calm any possible Soviet concern that we might be increasing the offensive potential of our forces so as to threaten the security of *their* deterrent. I would hope, therefore, that such a proposal would meet with a favorable reception at the SALT talks.

II

In my view, such a proposal would have several advantages. First, and most important, it would bring a halt to the program that threatens to disturb the stability of the strategic balance. Once that stability is seriously impaired—once the Soviet offense appears to be capable of destroying a large fraction of our deterrent—it will be extremely difficult to achieve a negotiated agreement at SALT. The proposal I am making would thus give us the vital pause in which to search for a more comprehensive agreement.

Second, by permitting us to deploy defenses to protect our Minuteman silos, we would be able to counter any likely qualitative upgrading of the current Soviet offensive forces. And we could do this without in any way adding to our capacity to strike the Soviet deterrent.

Third, by preventing the deployment of ABM systems for the purpose of defending populated areas—thick city defenses—we would diminish the necessity for deploying MIRV's on our Minuteman force. At the same time, we could continue to deploy the much smaller warheads of the MIRV'ed Poseidon missile on our Polaris submarine so as to increase the effectiveness of our sea-based deterrent.

Fourth, it would be well for the United States to put forward an alternative to the current Soviet proposal for a defense-only limitation. Since I am convinced that the Soviet proposal is dangerous and unwise, and because I believe that it would actually provide an incentive for the Soviets to increase their offensive forces, I am concerned that an alternative be advanced that does genuinely add to the security of both countries.

Finally, the discussion surrounding this proposal may help to illuminate the nature of Soviet strategic objectives. In spite of the obvious importance of having such knowledge, we really know very little about Soviet strategic doctrine. My own view is that we will not emerge from the SALT talks with a very comprehensive agreement unless we and the Soviets succeed in arriving at some common understanding as to the nature and objectives of strategic nuclear forces.

It seems to me that the risks involved in proposing such an interim agreement for an initial period of 1 year are minimal. The advantage of halting the de-

ployment of Soviet offensive weapons would be real, immediate, and stabilizing. It would diminish the pressure that we are now under to press ahead with new offensive nuclear systems of our own. Its advantages over the Soviet proposal to limit only defensive weapons should be clear: It would add to the stability of the balance of terror, while the Soviet proposal would accelerate the decline in the stability of the balance.

III

Mr. President, in my view the central objective of our strategic force is to prevent a nuclear war by deterring any potential adversary from launching a first strike against the United States. That our security should lie in deterrence—in the threat to launch an overwhelming retaliatory strike against a nuclear aggressor—is an unhappy necessity for which I have more regret than enthusiasm. Nevertheless, it is essential, for our own security and for the assurance of peace, that there be no doubt as to the certainty and severity of our response in the event that an attack should be made against us.

I believe that arms control arrangements have a vital role to play in increasing the stability of the strategic balance, and in deepening the conviction, on both sides, that an all-out nuclear war would be suicidal.

The stability of the strategic balance results from the fact that the United States has developed, and is determined to maintain, an invulnerable retaliatory force. So long as our deterrent is certain to survive any effort to destroy it, the Soviet Union, our principal nuclear adversary, will have no incentive to initiate a first strike. It is the capacity of our strategic force to survive in sufficient numbers that makes the strategic balance a stable one. And we can increase the stability of the balance by measures that remove any possible incentives to a first strike.

Now, the chief incentive to a nuclear strike is the belief, on the part of a potential aggressor, that a first strike might destroy enough of our deterrent force so that we would be unable to use our few surviving weapons to retaliate. If the Soviet Union ever believed the nuclear balance implied this outcome, we would be subjected, at the very least, to blackmail and intimidation across a broad range of foreign policy issues. Beyond that, we would find ourselves in a situation that encouraged Soviet brinkmanship with a resulting risk of accident, miscalculation, and nuclear war.

It is for this reason that we should welcome arms control arrangements that diminish the vulnerability of our deterrent forces while soundly rejecting proposals whose effect would be to place our deterrent at greater risk.

IV

The urgency many of us associate with the SALT talks results from the fact that the Soviet Union has been increasing its offensive strategic forces in spite of 5 years of American restraint. We have watched the number of SS–11, SS–13, and SS–9 missiles climb steadily since 1965. We have watched the growth of those forces pass the level necessary for a deterrent posture that mirrors our own. We have watched, most recently, the ominous development of what may be a new generation of offensive missiles of a size and disposition that gravely threatens the security of our deterrent force. In short, Mr. President, we have watched the security of our deterrent—the principal source of strategic stability—eclipsed by the shadow of increasing Soviet offensive strength.

Our response to this development has included the deployment of a system of ballistic missile defense designed to protect the retaliatory capacity of our Minuteman missiles—the heart of the strategic deterrent. We have taken this step in the hope that it would impress upon the Soviet Union the futility of its effort to deploy offensive forces capable of threatening our deterrent.

But this deployment of defenses to offset the Soviet threat has not been our only response to their build-up. We have also proposed to the Soviet Union a SALT agreement designed to limit our strategic forces in such a way as to increase the security of our respective retaliatory forces. We have said, in effect, that if the Soviet Union will stop building up its strategic offensive forces, we will agree to limit our defenses.

Unfortunately, the Soviets have chosen to press for an agreement on terms that would limit defenses only, and that would prevent us from defending our deterrent. The clear implication of this Soviet position is that they wish to inhibit our defenses while proceeding to increase the capability of their offensive force to strike—and perhaps destroy—our deterrent.

Such a position is, of course, completely unacceptable. Far from slowing down the arms race, it would provide an incentive to the Soviets to press ahead on the deployment of more offensive weapons in the full knowledge that we, for our part, have nothing in prospect with which to counter their increasing strength. Far from increasing the stability of the strategic balance, adoption of the Soviet position would prejudice that stability. Rather than controlling the *offensive* forces that threaten our deterrent, it would limit the *defensive* forces that protect it.

I would hope, Mr. President, that the United States would therefore act immediately to propose the alternative interim freeze that I have outlined. The stability of the strategic balance and the prospects for a comprehensive SALT agreement would be greatly improved by such a move.

Mr. President, I yield back the remainder of my time.

FURTHER ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, under the previous order does the Senate now proceed again to the transaction of routine morning business?

The PRESIDING OFFICER (Mr. BUCKLEY). The Senate will now proceed to the consideration of further routine morning business for a period not to exceed 15 minutes, with statements therein limited to 3 minutes.

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that morning business be closed.

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

PROGRAM FOR TOMORROW

Mr. BYRD of West Virginia. Mr. President, it was hoped by the leadership that the Senate could proceed with consideration of H.R. 5432 today through to completion of action on that measure; but because of the fact that an amendment is now expected to be offered to that measure—an amendment which cannot be offered today but which must wait until tomorrow—it is the plan of the leadership to lay the bill before the Senate today and make it the pending business, so that it will become the unfinished business on tomorrow.

It is hoped that action will be completed tomorrow on H.R. 5432—the bill to which I have just referred—a bill to provide an extension of the interest equalization tax, and for other purposes.

Mr. President, the only remaining measure, at this time, is S. 31, a bill to provide during times of high unemployment for programs of public service employment for unemployed persons, to assist States and local communities in providing needed public services, and for other purposes.

AUTHORIZATION FOR COMMITTEES TO SUBMIT REPORTS DURING ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, it is expected that committees may report additional bills and resolutions for placement on the calendar, and I therefore ask unanimous consent that committees may be authorized to submit reports during the adjournment over until tomorrow.

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

ORDER FOR ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. tomorrow.

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

ORDER FOR RECOGNITION OF SENATOR MUSKIE TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on tomorrow, immediately following the recognition of the two leaders or their designees under the standing order, the distinguished Senator from Maine (Mr. MUSKIE) be recognized for not to exceed 15 minutes.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

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

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

INTEREST EQUALIZATION TAX EXTENSION ACT OF 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 50, H.R. 5432.

The PRESIDING OFFICER (Mr. HANSEN). The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 5432), to provide an extension of the interest equalization tax, and for other purposes.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, there will be no action on this bill today but it will be the unfinished business on tomorrow.

Mr. President, I ask unanimous consent that upon completion of the period for routine morning business tomorrow, the Senate proceed to the consideration of the unfinished business, Calendar No. 50, H.R. 5432, to provide an extension of the interest equalization tax, and for other purposes.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there may now be a period for the transaction of routine morning business not to exceed 10 minutes, with statements therein limited to 3 minutes.

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

SOVIET MILITARY AID INCREASES

Mr. SCOTT. Mr. President, an interesting and significant phenomenon is developing in world affairs that is worth examining more carefully by the Senate. It appears the Soviet Union is stepping up its military aid to non-Communist nations while the United States is attempting to lower its own profile.

According to an article in the New York Times Tuesday by its noted foreign affairs specialist, Drew Middleton, the Soviet Union is now spending in excess of $800 million annually in foreign military assistance to countries other than the Warsaw Pact powers. There is, of course, no really valid estimate on how much the Russians are spending to maintain their hegemony in Eastern Europe.

Much of the assistance outside Eastern Europe, according to the Times story, goes to the United Arab Republic. But Soviet aid has expanded far beyond Egypt. In 1962, Russia was providing assistance to 10 non-Communist countries at a rate of about $110 million a year. By last year she was providing assistance to 25 non-Communist countries at the $800 million rate.

At present, according to the story, the Soviets have some 25,000 military advisors serving in these non-Communist nations.

Meanwhile, the United States is working hard at cutting its military presence abroad. Our own military assistance program is running at about $700 million a year, exclusive of aid to South Vietnam.

Soviet aims, according to the Times dispatch, involve a two-front objective, increasing Arab strength in the Middle East, and bolstering strength of countries in Asia abutting Red China.

Thus, the Soviets are concentrating large portions of their foreign military assistance in Egypt and the other Arab countries on the one hand, and in India and Afghanistan on the other.

It is significant that Russia—always critical of American efforts to support the military strength of countries around the world—has quietly embarked on a program of such magnitude herself. It is another evidence of the Soviet Union's ever-widening effort to make its presence felt worldwide.

Mr. President, I ask unanimous consent to have the text of Mr. Middleton's story printed in the RECORD.

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

SOVIET AID SAID TO RUN $2 BILLION YEARLY

(By Drew Middleton)

Soviet military aid to Communist and underdeveloped countries amounted to more than $19-billion in the years from 1955 to 1970, according to authoritative sources in the United States and Allied governments.

According to a recently disclosed American report, assistance is increasing in value and geographical scope, with North Vietnam in the Communist world and the United Arab Republic of the underdeveloped countries receiving the largest shares.

Only 10 non-Communist countries received military aid in 1962. Eight years later the number had risen to 25 and annual aid in arms had jumped to $800-million from $110-million. The number of Soviet military advisers and technicians around the world, exclusive of Warsaw Pact countries, is now estimated to be at least 25,000.

U.S. AID IS ROTATED

United States military aid through the Mutual Defense Act of 1949 and the Foreign Assistance Act of 1961 totaled over $33-billion from 1950 to 1968. The amount for the fiscal year 1968, excluding South Vietnam, was more than $718-million.

Intelligence analysts in the United States and in governments of members of the North Atlantic Treaty Organization estimate the Soviet Union's current annual bill for economic and military aid at something more than $2-billion. Reports of criticism of this expenditure have reached the west from Moscow, although the Russian people are unaware of the full extent of foreign aid.

These reports add that Communist party speakers addressing meetings on Soviet collective farms or in factories are provided with guidance for answering questions concerning the Government's foreign aid.

OBJECTIVES LISTED

Government sources here and abroad believe the Soviet military aid program has these political objectives:

To increase the dependence of Arab states on the Soviet Union by providing arms, advisers, equipment and replacements.

To maintain the military strength of North Vietnam and, consequently, enable the Soviet Union to wield greater influence than China in Hanoi.

To increase the military preparedness of Asian countries such as India and Afghanistan, which adjoins China.

To raise the power of the Soviet Union's Warsaw Pact allies by introducing modern weapons systems, including guided missiles.

Soviet military aid to Communist countries amounted to about $12.7-billion in 1955–1970.

The largest share went to North Vietnam. Its value, reckoned in dollars at Soviet foreign-trade prices, was $1.4-billion from 1954 through 1968. Aid in 1969 was estimated at $120-million.

TOTAL PACKAGE FOR HANOI

One allied estimate is that the combined military and economic aid agreement signed by the Soviet Union and North Vietnam last year will cost Moscow about $1-billion annually.

Total economic and military aid to North Vietnam from 1954 through 1968 by the Soviet Union, Communist China and eastern Europe is put at $4.1-billion.

Soviet military help to its Warsaw Pact allies averaged about $500-million annually in the fiscal years 1961–1971. The bulk was in the form of advanced aircraft, missiles, tanks and electronic weapons systems.

Other Warsaw Pact forces fly the MIG–21, the most advanced fighter in general service with the Soviet Air Force, and expect to receive the new MIG–23 after the Soviet Union has been equipped. Three types of surface-to-air missiles, the SAM–2, the SAM–3 and the SAM–4, have been delivered to east European forces.

The latest United States estimate is that Soviet military aid to Cuba amounts to $20-million annually.

The United Arab Republic receives the largest amount of military aid among non-Communist recipients.

Dependence on the Soviet Union, it was said, increased dramatically after the introduction of SAM–3 missiles into Egypt and a modern antiaircraft defense system in 1970.

The aid program for Egypt, already costly, rose sharply after the 1967 war with Israel. According to one intelligence estimate, the entire program from 1955 through the end of 1970 amounted to $2.7-billion. This excludes, however, the military and economic assistance pact signed in Moscow in December, 1970.

COMMITTEE REPORTS ON UTILIZATION OF FOREIGN CURRENCIES

Mr. ELLENDER. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the reports of committees of the Senate, certain joint committees, and parliamentary bodies, concerning the foreign currencies and U.S. dollars utilized by them in calendar year 1970 in connection with foreign travel.

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

CALENDAR YEAR 1970, FOREIGN TRAVEL FUNDS EXPENDED—ALL COMMITTEES, U.S. SENATE

	U.S. dollars	Foreign currency dollar equivalent
Aeronautical and Space Sciences		$674.89
Appropriations		5,777.01
Armed Services		12,386.86
Banking and Currency		11,801.36
Commerce		13,270.40
Finance		2,897.40
Foreign Relations		29,292.09
Senate delegation, British-American Parliamentary Conference, Bermuda		606.36
Senate delegation, 13th Canada-United States Interparliamentary Conference, Washington, D.C.; Cape Kennedy, Fla.; Houston and San Antonio, Tex	$9,643.43	
North Atlantic Assembly Conference, The Hague, The Netherlands; Rome, Italy; and Dublin, Ireland	13,424.24	14,438.44
Mexico-United States Interparliamentary Conference, Washington, D.C., and San Francisco, Calif	16,712.26	
U.S. Group, Interparliamentary Union	$12,537.30	$27,974.59
Government Operations		26,061.64
Interior and Insular Affairs		4,712.76
Judiciary		12,504.25
Labor and Public Welfare		22,336.59
Public Works		8,918.26
Rules and Administration		4,364.22
Joint Committee on Atomic Energy		9,417.32
Joint Economic Committee		26,807.00
Total	52,317.23	234,241.44
U.S. dollars	52,317.23	
Foreign currency dollar equivalent	234,241.44	
Grand total, funds expended	286,558.67	

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES, U.S. SENATE EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

		Lodging		Meals		Transportation		Miscellaneous		Total	
Name and country	Name of currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
James J. Gehrig:											
Germany	DM	195.00	$53.71	153.60	$42.32	475.58	$130.71	98.86	$27.24	923.04	$253.98
The Netherlands	Guilders	166.85	46.35	124.80	34.67	58.55	16.26	24.20	6.72	374.40	104.00
William Parker:											
Germany	DM	195.00	53.72	144.73	39.87	484.35	133.13	72.06	19.85	896.14	246.57
The Netherlands	Guilders	103.00	28.61	74.00	20.55	45.00	12.50	31.25	8.68	253.25	70.34
Total			$182.39		$137.41		$292.60		$62.49		$674.89

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$674.89
Total	$674.89

CLINTON P. ANDERSON,
Chairman, Committee on Aeronautical and Space Sciences.

February 19, 1971.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON APPROPRIATIONS, U.S. SENATE EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

		Lodging		Meals		Transportation		Miscellaneous		Total	
Name and country	Name of currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Gordon Allott:											
Transportation	Netherlands Florins					1,092.50	$303.73			1,092.50	$303.73
Finland	Markkas							155.20	$37.45	155.20	37.45
Senator Allen J. Ellender:											
Transportation	German marks					4,315.87	1,188.62			4,315.87	1,188.62
Austria	Shillings					899.00	34.94	2,000.00	77.76	2,899.00	112.70
Belgium	Francs					4,350.00	87.31			4,350.00	87.31
Czechoslovakia	Korunas							667.00	46.48	667.00	46.48
France	Francs							550.00	99.65	550.00	99.65
Greece	Drachmas					80.00	2.67			80.00	2.67
Italy	Lire							62,500.00	100.00	62,500.00	100.00
Poland	Zlotys							9,750.00	150.00	9,750.00	150.00
Romania	Lei							1,251.	70.20	1,251.	70.20
United Kingdom	Pounds					21.11.8	51.56	20.14.0	49.68	41.25.8	101.24
Senator James B. Pearson:											
Transportation	German marks					5,128.39	1,389.80			5,128.39	1,389.80
Italy	Lire	10,900	16.50	20,205	33.28					31,105	49.78
Israel	Pounds	157.50	41.14	290.16	58.19	129.40	36.97			477.06	136.30
Lebanon	Lebanese pounds	72.00	21.00	417.75	129.00	38.00	11.78			527.75	161.78
Jordan	Dinars					16.150	45.24			16.150	45.24
Frederick David Seaton:											
Transportation	German Mark					5,128.39	1,389.80			5,128.39	1,389.80
Italy	Lire	10,900	16.50	20,200	33.28					31,100	49.78
Israel	Israeli pound	157.50	41.14	290.16	58.19					347.66	99.33
Lebanon	Lebanese pound	72.00	21.00	417.75	129.00					489.75	150.00
United Arab Republic	Egyptian pound							2,855	5.15	2,855	5.15
Total			157.28		440.94		4,542.42		636.37		5,777.01

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$5,777.01
Total	5,777.01

ALLEN J. ELLENDER,
Chairman, Committee on Appropriations.

Mar. 10, 1971.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON ARMED SERVICES, U.S. SENATE, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Sen. Peter Dominick:											
So. Vietnam	Piastres			767.00	$6.50			1233.10	$10.45	2000.10	$16.95
Hong Kong	Dollar	327.44	$54.08	120.27	20.00	204.90	$33.77	59.79	10.00	712.40	117.85
Japan	Yen	15,120	42.00	15,480	43.00	4000	11.11	5400	15.00	40,000	111.11
Germany	Deutche marks					3422.83	927.60			3422.83	927.60
Col. John O. McFalls, USAF:											
So. Vietnam	Piastres	10,620	90.00	5,310	45.00	590	5.00	1160	9.83	17,680	149.83
Hong Kong	Dollar	332.75	55.07	222.97	36.76	36.30	6.07	60.50	10.08	652.50	107.98
Japan	Yen	15,120	42.00	12,600	35.00	3,960	11.00	4,320	12.00	36,000	100.00
Germany	Deutche marks					3422.83	927.60			3422.83	927.60
Sen. Henry M. Jackson:											
Israel	Israeli pounds	798.65	228.12	74.20	21.20	1020.95	291.70	2.15	.68	1895.95	541.7
United Kingdom	Pounds	20.3	48.53	2.2	5.07			2.2.7	5.13	24.7.7	58.7
Richard Perle:											
Israel	Israeli pounds	493.50	141.00	385.00	110.00	1249.85	357.10	117.25	33.50	2245.60	641.60
Germany	Deutche marks					3202.50	881.99			3202.50	881.99
Lt. Col. Thomas W. McGuire, Jr.:											
United Kingdom	Pounds	62.5.9	150.00	20.15.3	50.00			20.95.3	50.00	103.16.5	250.00
Germany	Deutschemarks	552	150.00	184	50.00	3257.40	883.48			3993.40	1083.48
Sen. John G. Tower:											
Germany	Deutschemarks					3257.40	883.48			3257.40	883.48
Sen. Stephen M. Young:											
Dominican Republic	RD Dollar	86.00	86.00	32.75	32.75	12.80	12.80	15.00	15.00	146.55	146.55
Romania	Lei	2138.40	120.00	891.00	50.00	178.20	10.00	721.80	40.00	3920.40	220.00
Italy	Lire	566.10	90.00	157.25	25.00	125.80	20.00	113.22	18.00	962.37	153.00
Portugal	Escudos	1429.700	50.00	428.910	15.00	142.970	5.00	171.564	6.00	2173.144	76.00
Spain	Pesetas	3480.00	50.00	1392.00	20.00	556.80	8.00	1392.00	20.00	6820.80	98.00
Poland	Zlotys	9100.00	140.00	2600.00	40.00			1625.00	25.00	13325.00	205.00
Belgium	Francs	3000.00	60.00	1000.00	20.00	600.00	12.00	500.00	10.00	5100.00	102.00
Netherlands	Florin	789.80	220.00	244.12	68.00	2654.2306	739.34	140.78	42.00	3828.9306	1069.34
Germany	Deutschemarks			29.04	8.00	5927.5722	1632.94			5956.6122	1640.94
Cdr. J. L. Larson:											
Dominican Republic	Rd dollar	32.00	32.00	22.00	22.00			8.00	8.00	62.00	62.00
Netherlands	Florin					1,050.10	291.53			1,050.10	291.53
Italy	Lire	25,160.00	40.00	27,676.00	44.00	6,290.00	10.00	20,674.00	32.88	79,800.00	126.88
Portugal	Escudos	1,229.54	43.00	955.04	33.40	142.97	5.00	661.65	23.14	2,989.20	104.54
Spain	Pesetas	1,893.82	27.21	2,644.80	38.00	556.80	8.00	864.58	12.42	5,960.00	86.63
Germany	Deutche marks					4,377.36	1,205.55			4,377.36	1,205.55
Total			1,959.01		838.68		9,180.06		409.11		12,386.68

JOHN C. STENNIS,
Chairman, Committee on Armed Services.

Mar. 23, 1971.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON BANKING AND CURRENCY, U.S. SENATE, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
John B. Childers:											
Belgium	BFrancs	8,157	$163.14	2,001	$40.02	133	$2.66	440	$8.80	10,731	$214.62
Germany	DMarks					3,081.72	846.86			3,081.72	846.86
Subtotal			163.14		40.02		849.52		8.80		1,061.48
Senator Wallace F. Bennett:											
Japan	Yen	21,600	60.00	9,000	25.00			2,692	7.48	33,292	92.48
Korea	Won	14,664	48.00	23,218	76.00	3,971.50	13.00	5,521.50	17.54	47,375	154.54
Subtotal			108.00		101.00		13.00		25.02		247.02
Senator Harrison A. Williams, Jr.:											
Vietnam	Piasto	14,750	125.00	8,260	70.00			490	4.15	23,500	199.15
Thailand	Baht	1,041.25	50.00	937,125	45.00			104,125	5.00	2,082.50	100.00
Hong Kong	HK$	606.00	100.00	484.80	80.00	75.45	12.43	121.20	20.00	1,287.45	212.43
Korea	Won	13,635	45.00	9,090	40.00			1,915	6.31	24,640	81.31
Japan	Yen	27,000	75.09	21,600	60.00	33,865	94.07	5,400	15.00	87,865	244.07
Germany	D Marks					7,158.55	1,939.50			7,158.55	1,939.50
Subtotal			395.00		285.00		2,046.00		50.46		2,776.46
Stephen J. Paradise:											
Vietnam	Piasto	14,750	125.00	8,260	70.00			490	4.15	23,500	199.15
Thailand	Baht	1,041.25	50.00	937,125	45.00			104,125	5.00	2,082.50	100.00
Hong Kong	HK$	606	100.00	484.80	80.00			121.20	20.00	1,212.00	200.00
Korea	Won	13,635	45.00	9,090	30.00			1,915	6.31	24,640	81.31
Japan	Yen	27,000	75.00	21,600	60.00	12,370.00	34.36	5,400	15.00	66,370	184.36
Germany	D Marks					7,158.55	1,939.50			7,158.55	1,939.50
Subtotal			395.00		285.00		1,973.86		50.46		2,704.32
Senator Charles H. Percy:											
Belgium	B Francs	1,920	38.40	1,500	30.00	750	15.00	830	16.60	5,000	100.00
France	F Francs	810	146.70	372	67.40	196.50	35.60	277.50	50.30	1,656	300.00
Finland	F Marks	447.80	107.00	121.80	30.00	74.80	18.00	187.20	45.00	831.60	200.00
Germany	D Marks					6,769.54	1,864.37			6,769.54	1,864.37
Ethopia	Eth. $					86.85	35.00	161.28	65.00	248.13	100.00
Nigeria	N £							35.14.5	100.00	35.14.5	100.00
United Kingdom	£	47	112.00	14	34.00	7.6.8	18.17			68.6.8	164.17
Subtotal			404.10		161.40		1,986.14		276.90		2,828.54

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON BANKING AND CURRENCY, U.S. SENATE, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970.—CONTINUED

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hugh H. Smith, Jr.:											
Belgium	B Francs	1,680	$33.60	6,070	$121.40	1,884.00	$37.76	1,500	[1] $30.00	11,138.00	$222.76
Denmark	D Kroner	1,207	161.00	915	122.00	120.00	17.00	300	[1] 0	2,542.00	300.00
Spain	Pesetas	2,010	29.00	4,200	60.00	700	10.00	3,570	[1] 51.00	11,604.20	150.00
Total			223.60		303.40		64.76		[1] 81.00		672.76
Carl A. S. Coan:											
England	Pounds	23.44	55.80	6.08	14.50	28.19	67.50	51.6	12.20	62.83	150.00
Denmark	D. Kroner	1,140	152.00	285	38.00	112.27	14.96	35	4.67	1,572.27	209.63
Guatemala	Quetzal	66	66.00	67.75	67.75	9.50	9.50	14.75	14.75	158.00	158.00
Nicaragua	C	0	0	365.41	52.20	24.50	3.50	55.09	7.87	445.00	63.57
Germany	D Marks	0	0	0	0	1,651.93	449.86	0	0	1,651.93	449.86
Subtotal			273.80		172.45		545.32		39.49		1,031.06
John R. Evans:											
Belgium	B. francs	1,680	33.60	2,020	40.40	1,137.50	22.75	500	10.00	5,337.50	[2] 106.75
Denmark	D. kroner	1,207.50	161.00	579.38	77.25	37.50	5.00	44.03	5.87	1,868.41	[2] 249.12
Spain	Pesetas	2,010	29.00	3,850	55.00	700	10.00	2,040	29.85	8,620	123.85
Subtotal			223.60		172.65		37.75		45.72		479.72
Total			2,186.24		1,520.92		7,516.35		577.85		11,801.36

RECAPITULATION

	Amount
Amount	$11,801.36
Total	11,801.36

JOHN SPARKMAN,
Chairman, Committee on Banking, Housing, and Urban Affairs.

[1] Expenses totaled more than indicated but were paid for by personal funds.
[2] $116.11 (5,805.50 B. francs) carried into Denmark to cover expenses in that country.

Mar. 17, 1971.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON COMMERCE, U.S. SENATE EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

me and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Emanuel L. Rouvelas:											
Greece	Drachma	8,250.00	$275.00	4,500.00	$150.00	2,100.00	$70.00	1,650.00	$55.00	16,500.00	$550.00
Germany	DM					4,377.36	1,202.90			4,377.36	1,202.90
Subtotal			275.00		150.00		1,272.90		55.00		1,752.90
Scott Hugh:											
Taipei	NT	4,000.00	100.00	4,000.00	100.00	1,000.00	25.00	1,000.00	25.00	10,000.00	250.00
Hong Kong, B.C.C.	Hong Kong Dollars	1,200.00	200.00	1,200.00	200.00	315.00	50.00	315.00	50.00	3,030.00	500.00
Germany	DM					6,507.48	1,763.54			6,507.48	1,763.54
Subtotal			300.00		300.00		1,838.54		75.00		2,513.54
Sutcliffe, S. Lynn:											
Belgium	Fr.	1,568	31.36	2,640	52.80	1,020	20.40	1,962	39.24	7,190	143.80
France	Fr.	195	35.30	350	63.40	90	16.30	63	11.00	698	126.00
United Kingdom	L.	19.00	45.25	20.00	48.00	8.00	21.00	15.00	36.00	62.00	150.25
Japan	Yen	51,840	144.00	33,840	94.00	54,799	152.22	33,840	94.00	174,319	484.22
Germany	DM					8,661.39	2,383.54			8,661.39	2,383.54
Total											
Subtotal			255.91		258.20		2,593.46		180.24		3,287.81
Wedin, John:											
Japan	Yen	397,800	1,105.00	91,440	254.00	312,562	868.23			801,802	2,227.23
Germany	DM					5,668.83	1,561.23			5,668.83	1,561.23
Subtotal			1,015.00		254.00		2,429.56				3,788.46
Arthur Pankopf, Jr.:											
Japan	Yen	61,586	170.99	31,176	86.61	42,199	117.22	5,826	16.19	140,787	391.01
Germany	DM					5,579.67	1,536.68			5,579.67	1,536.68
Subtotal			170.99		86.61		1,653.90		16.19		1,927.69
Total			2,106.90		1,048.81		9,788.26		326.43		13,270.40

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$13,270.40
Total	13,270.40

Warren G. Magnuson,
Chairman, Committee on Commerce.

Mar. 24, 1971.

[1] Expended between Dec. 30, 1969, and Jan. 12, 1970.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON FINANCE, U.S. SENATE EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
McCarthy:											
France	Francs	630.00	$113.31	275.00	$49.46	54.00	$9.71	153.00	$27.52	1,112.00	$200.00
	Marks					[1] 4,449.83	$1,205.92			4,449.83	1,205.92
Eller:											
France	Francs	270.00	48.56	464.95	83.62	100.00	17.99	277.05	49.83	1,112.00	200.00
U.S.S.R.	Rubles			51.00	56.67			26.00	28.89	77.00	85.56
	Marks					[1] 4,449.83	1,205.92			4,449.83	1,205.92
Total			161.87		189.75		2,439.54		106.24		2,897.40

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$2,897.40
Total	$2,897.40

Signed: RUSSELL B. LONG,
Chairman, Committeeton Finance.

[1] Flight transportation.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON FOREIGN RELATIONS, U.S. SENATE EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Pell:											
France	New franc	425	$76.99	308	$55.80	61	[1] $11.06	95	$17.21	889	$161.06
Switzerland	Franc	110	25.58	75	17.44	1,923	[1] 447.31	30	6.98	2,138	497.31
Germany	Mark					1,009.70	[1] 278.00			1,009.70	278.00
France	New franc	828	150.00	586	106.16			242	43.84	1,656.00	300.00
Germany	Mark					1,696.014	[1] 467.00			1,696.014	467.00
Senator Frank Church:											
Mexico	Peso	1,300	104.00	1,040	83.35			158	12.65	2,498	200.00
Robert Dockery:											
Germany	Mark					1,489.62	403.69			1,489.62	403.69
Venezuela	Bolivar	675	150.07	1,008	225.00	225.00	50.22	110.25	24.71	2,018.25	450.00
Colombia	Peso	1,225	68.29	2,650	147.71	550.00	30.66	854.00	47.60	5,279.00	294.26
Germany	Mark					3,329.10	892.07			3,329.10	892.07
Switzerland	Franc	1,304	303.61	1,050	244.46	2,046	473.86	96.00	22.39	4,496	1,044.32
Francis R. Valeo:											
Philippines	Peso	489.88	125.00	391.91	100.00			319.91	81.63	1,201.70	306.63
Philippines	Peso					139.00	35.46			139.00	35.46
Hong Kong	H.K. dollar	242.34	40.00	121.17	20.00			142.49	23.52	506.00	83.52
Germany	Mark					6,791.13	1,840.47			6,791.13	1,840.47
J. G. Lowenstein:											
Hong Kong	HK$	434.11	81.85	331.28	54.88	61.29	10.24	264.42	43.84	1,091.10	190.81
Vietnam [2]	P/	18,301	155.09	7,562	64.08			717	6.08	26,580	225.25
Cambodia	Riel	3,988	71.95	9,847	180.20	3,422	61.24	1,497	28.02	[3] 18,754	[3] 341.41
Thailand	Bht							120.63	5.79	120.63	5.79
France	Franc	825.51	149.67	478.17	86.70			64.58	11.72	1,368.26	248.09
	DMark					5,004.64	1,369.72			5,004.64	1,369.72
Vietnam [3]	P/	8,291	30.15	7,714	28.05			1,435	5.22	17,440	63.42
Richard Moose:											
Hong Kong	HK	450.60	73.84	332.60	56.04	52.40	8.64	247.0	39.78	1,076.65	178.30
Vietnam [4]	P/	7,816.6	67.09	6,862.9	58.16	6,664.7	60.15	4,702.3	39.85	26,667	225.25
Vietnam [4]	P/	7,068.0	25.70	6,500.0	23.62	2,000.0	7.27	1,432.0	5.23	17,000	61.82
Cambodia	Riels	2,935.0	52.95	6,589	121.92	337.9	68.18	1,962	35.77	[5] 11,863.9	[5] 278.82
Thailand	B					68.63	3.29			68.63	3.29
Germany	DM					2,052.85	556.78			2,052.85	556.78
France	Franc	585	106.21	449.66	81.55					1,035.66	187.76
Seth Tillman:											
UAR	Pound	97.509	175.53	8.263	14.86	55.586	99.93	3.192	5.86	164.550	296.18
Lebanon	Pound	88.00	27.00	50.40	15.80	29.10	9.20	7.00	2.15	174.50	54.15
Jordan	Dinar					30.150	84.45			30.150	84.45
Israel	Pound	349.65	97.90	160.30	46.47	273.20	78.08	53.05	16.46	836.20	238.91
Vietnam	Piaster	31,223	113.54	20,673.	75.10			1,354.	5.00	53,250.	193.64
Norvill Jones:											
Japan	Yen	48,600	135.00	27,000	75.00	3,600	10.00	10,800	30.00	90,000	250.00
Korea	Won	21,597	69.00	15,024	48.00	2,191	7.00	6,925	23.18	46,065	147.18
Indonesia	Rp	45,243	118.75	31,623	83.00	1,714	4.50	25,146	65.99	103,725	272.24
Hong Kong	HK$	490.68	81.00	254.52	42.00	36.36	6.00	162.63	26.87	944.57	155.87
Germany	DM					7,186.04	1,979.08				1,979.08
D. G. Henderson:											
Uruguay	Peso	14,200	56.98	25,650	102.93	750	3.01	2,537	10.18	43,137	173.10
Brazil	N. Cruzeiro	230	51.57	380	85.20	12	2.69	25	5.61	647	145.07
	D. Mark					3,081.72	846.86			3,081.72	846.86
France	New Franc	345	62.50	494	89.49	144	26.08	133	24.10	1,116	202.17
Belgium	Franc	5,250	105.00	6,762	135.24	650	13.00	338	6.76	13,000	260.00
England	Pound	43.3.0	103.55	51.2.0	122.63	99.12.6	239.08	6.18.6	16.62	200.16.0	481.88
W. H. Pincus:											
Iceland	Kronar	2,422	27.55	1,793	20.40			245	2.79	4,460	50.74
United Kingdom	Pound	32.34.4	78.56	27.0.6	65.75	6.16.0	15.74	14.72.1	36.28	80.23.6	196.33
Norway	N. Kr	120.75	16.93	11	1.55	201.50	28.23	5	.70	338.25	47.41
Germany	D.Mark	344.08	94.74	225	61.95	150	41.29	204.92	56.42	924	254.04
Belgium	B.Franc	1,516	30.32	1,013	20.26	404	8.08	4,437	88.74	7,370	147.04
Morocco	DH	199.18	39.45			35.82	7.09	100	19.80	335	66.34
Iran	Rls	5,123	67.18	3,640	47.74	700	9.18	785	10.29	10,248	134.39
United Arab Republic	E.Pnds			1.5	2.71	1.920	3.46			3.420	6.17
Ethiopia	E.Dirs	175.01	70.53	36.12	14.56	201.05	81.04	39.06	15.74	451.24	181.87
Italy	Lira	15,240	24.23	10,500	16.69	5,250	8.35	460	.73	31,450	50.00
	D.Mark					8,758.02	2,375.38			8,758.02	2,375.38

Footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON FOREIGN RELATIONS, U.S. SENATE EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
R. A. Paul:											
Iceland	Kronar	2,917.60	$33.17	2,231.83	$25.38	200	$2.27	107.40	$1.26	5,456.83	$62.08
U.K.	Pound	40.4	97.35	23.64	57.11	11.16	27.16	11.5	27.97	86.7	209.59
Norway	N. Kr.	139.75	19.58	14	1.98	201.50	28.23	63	8.83	418.25	58.62
Germany	D. Mark	336.10	91.22	382.10	104.33	160	43.18	225.80	61.27	1,104	300.00
Belgium	B. Franc	3,642	72.84	2,000	40.00	1,300	26.00	558	11.16	7,500	150.00
Morocco	DH	175	34.65			75	14.86	100	19.80	350	69.31
Iran	Rls.	4,998	65.56	1,100	14.42	800	10.49	940	12.32	7,838	102.79
U.A.R.	Eg. Pounds			1.5	2.71	1.920	3.46			3.420	6.17
Ethiopia	E. Dollars	211.75	85.34	28	11.30	216.05	87.07	101.44	40.88	557.24	224.59
Israel	Is. Pnds.	163.25	46.65	175	50.00	189	54.00	44.75	12.78	572	163.43
France	Franc	178.40	32.33	200	36.12	95	17.08	80.60	14.47	554	10.00
D. Mark						8,758.02	2,375.38			8,758.02	2,375.38
Pat M. Holt:											
Jamaica	Jamaican dollar	103.00	123.60	93.00	111.60	58.20	69.84	11.56	13.87	265.76	318.91
Barbados	Barbados dollar	207.82	103.91	83.80	41.90	28.24	14.12	14.98	7.49	334.84	167.42
Trinidad and Tobago	T & T dollar	476.12	238.06	281.20	140.60	89.00	44.50	41.68	20.84	888.00	444.00
Guyana	Guyana dollar	150.00	75.00	110.10	55.05	16.00	8.00	23.90	11.95	300.00	150.00
Germany	Mark					1,722.76	473.42			1,722.76	473.42
Charles D. Ferris:											
Germany	Mark					4,541.69	1,230.81			4,541.69	1,230.81
New Zealand	New Zealand dollar	129.43	115.20	200.89	178.80	52.13	46.40	58.53	52.10	440.98	392.50
Arthur M. Kuhl:											
The Netherlands	Guilder	1,214.25	337.30	980.01	272.22	184.45	51.11	161.55	44.87	2,540.26	705.50
Spain	Peseta	3,758	54.47	4,169	60.42	6,130	88.84	1,051	15.23	15,108	218.96
Germany	Mark					3,237.50	887.10			3,237.50	887.10
Total			$5,130.78		$4,146.69		$18,665.43		$1,349.19		$29,292.09

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$29,292.09
Total	29,292.09

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

————, 19—

[1] Used to purchase air transportation to and from countries visited.
[2] Vietnam is shown twice because of the great difference in the rate of exchange between April and December.
[3] These are preliminary figures as all receipts have not yet been returned from the field.
[4] Reason for listing Vietnam twice is because of great difference in rate of exchange.
[5] These are preliminary figures as all receipts have not yet been returned from the field.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE SENATE DELEGATION, BRITISH-AMERICAN PARLIAMENTARY CONFERENCE, BERMUDA, FEB. 20–24, 1970; EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
William B. Spong, Jr.:											
Bermuda	Bermuda dollars	75.00	$75.00	75.00	$75.00					150.00	$150.00
Bermuda	German Marks [1]					333.06	$90.36			333.06	90.36
Mike Gravel:											
Bermuda	Bermuda dollars	100.00	100.00	100.00	100.00	91.00	91.00			291.00	291.00
Carl Marcy:											
Bermuda	Bermuda dollars	125.00	125.00	125.00	125.00	25.00	25.00			275.00	275.00
Total			200.00		200.00		206.36				606.36

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$606.36
Total	606.36

WILLIAM B. SPONG, Jr.
Chairman, Senate Delegation, British-American Parliamentary Conference.

Mar. 8, 1971.

[1] Used for purchase of airline ticket, Bermuda to Washington, D.C.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS SENATE DELEGATION, 13TH CANADA-UNITED STATES INTERPARLIAMENTARY CONFERENCE, WASHINGTON, D.C.; CAPE KENNEDY, FLA.; HOUSTON AND SAN ANTONIO, TEX., EXPENDED BETWEEN MAR. 10 AND MAR. 15, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Frank Church: United States	U.S. dollar		$108.96		$6.47						$115.43
Senator Ted Stevens: United States	U.S. dollar		17.87								17.87
Norvill Jones: United States	U.S. dollar		52.34		9.30						61.64
Myrna Sasser: United States	U.S. dollar		52.34		4.83						57.17
Milrae Jensen: United States	U.S. dollar		48.20		5.93				$7.28		61.41
Abner Kendrick: United States	U.S. dollar		52.34		6.84				4.43		63.61
Mildred Mitchel: United States	U.S. dollar		56.50		4.83						61.33

Name and country	Name of currency	Lodging: Foreign currency	Lodging: U.S. dollar equivalent or U.S. currency	Meals: Foreign currency	Meals: U.S. dollar equivalent or U.S. currency	Transportation: Foreign currency	Transportation: U.S. dollar equivalent or U.S. currency	Miscellaneous: Foreign currency	Miscellaneous: U.S. dollar equivalent or U.S. currency	Total: Foreign currency	Total: U.S. dollar equivalent or U.S. currency
Delegation expenses:											
Official meals and receptions	U.S. dollar				$8,044.09						$8,044.09
Transportation	U.S. dollar						$843.87				843.87
Control room rental	U.S. dollar		$78.91								78.91
Telephone charges	U.S. dollar								$27.45		27.45
Books and newspapers	U.S. dollar								98.56		98.56
Printing	U.S. dollar								13.70		13.70
Stamps	U.S. dollar								3.00		3.00
Portfolios and badges	U.S. dollar								78.99		78.99
Reporters fees	U.S. dollar								16.40		16.40
Total			467.46		8,082.29		843.87		249.81		9,643.43

RECAPITULATION

Appropriated funds:	Amount
PL86-42	$9,643.43
Total	9,643.43

FRANK CHURCH,
Chairman, Senate Delegation, 13th Canada-United States Interparliamentary Conference.

Feb. 19, 1971.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE NORTH ATLANTIC ASSEMBLY CONFERENCE NOV. 4–15, 1970, THE HAGUE, THE NETHERLANDS, ROME, ITALY, AND DUBLIN, IRELAND

Name and country	Name of currency	Lodging: Foreign currency	Lodging: U.S. dollar equivalent or U.S. currency	Meals: Foreign currency	Meals: U.S. dollar equivalent or U.S. currency	Transportation: Foreign currency	Transportation: U.S. dollar equivalent or U.S. currency	Miscellaneous: Foreign currency	Miscellaneous: U.S. dollar equivalent or U.S. currency	Total: Foreign currency	Total: U.S. dollar equivalent or U.S. currency
Senator Sparkman:											
Holland	Dollar		$132.96		$107.50				$17.04		$257.50
Ireland	Dollar		75.68		82.29				10.81		168.78
Holland	Guilder					253.50	$70.48				70.48
United Kingdom	Pound	20.0.11	48.05	18.3.9	43.70	36.2.3	86.27	3.8.8	8.25	77.15.7	186.27
Senator Allott:											
Holland	Dollar		132.96		106.43				24.39		263.77
Italy	Dollar		48.54		62.68		26.32		26.53		164.07
Ireland	Dollar		26.43		22.13				5.30		53.86
Senator Bayh:											
Holland	Dollar		132.96		123.26				18.52		274.74
Italy	Dollar		48.54		59.87		11.33		26.17		145.91
Ireland	Dollar		26.43		21.56				2.92		51.91
Senator Case: Holland	Dollar		132.96		88.98				3.85		225.79
Senator Cooper:											
Holland	Dollar		90.97		75.38	226.80	63.05		2.32		231.72
England	Pound	100.0.0	240.00	33.5.3	80.00	101.17.3	243.34	16.12.11	40.00	251.5.0	603.34
Senator Eagleton:											
Holland	Dollar		132.96		115.91		6.35		22.89		278.11
Italy	Dollar		48.54		62.14		12.14		25.80		148.62
Ireland	Dollar				24.32				7.80		32.12
Senator Griffin:											
Holland	Dollar		132.96		112.47				.68		254.11
Italy	Dollar		48.54		55.17		9.71		21.80		135.22
Senator Jackson:											
Holland	Dollar		79.77		80.12				11.61		171.50
Senator Kennedy:											
Holland	Dollar		132.96		138.82		51.70		34.51		357.99
Holland	Guilder					135.00	37.53			135.00	37.53
France	New Franc	170	30.94	210	38.22	90	16.33	82	14.51	552	100.00
Senator Javits:											
Holland	Dollar		135.84		144.88				17.95		298.67
Senator McIntyre:											
Holland	Dollar		132.96		84.43				9.73		227.12
Italy	Dollar		48.54		64.03		8.90		14.45		135.92
Ireland	Dollar		26.43		24.91				7.57		58.91
Senator Nelson:											
Holland	Dollar		132.96		9.59				7.42		230.97
Italy	Dollar		48.54		51.22				14.72		114.48
Ireland	Dollar		26.43		24.03				12.01		62.47
Senator Percy:											
Holland	Dollar		128.49		87.97				12.48		228.94
Italy	Dollar		48.54		65.48				23.34		137.36
Senator Saxbe:											
Holland	Dollar		159.55		148.62				23.66		331.83
Italy	Dollar		48.54		62.79		7.28		23.08		141.69
Ireland	Dollar		26.43		55.24						81.67
Senator Schweiker:											
Holland	Dollar		132.96		107.31				22.70		262.97
Italy	Dollar		48.54		62.87		10.20		22.92		144.53
Ireland	Dollar		26.43		26.19						52.62
Senator Spong:											
Holland	Dollar		132.96		135.52				21.36		289.84
Italy	Dollar		48.54		59.22		8.80		23.53		140.09
Ireland	Dollar		26.43		25.02				5.58		57.03
Senator Stevens:											
Holland	Dollar		132.96		120.27				16.20		269.43
Italy	Dollar		48.54		62.81		10.86		24.37		146.58
Ireland	Dollar		26.43		29.25				9.58		65.26
John Childers:											
Holland	Dollar		104.96		78.89				2.66		186.51
Italy	Dollar		32.36		26.83				8.47		67.66
Ireland	Dollar		14.42		22.99						37.41
Donald G. Henderson:											
Holland	Dollar		90.97		92.84						183.81
Italy	Dollar		32.36		44.21		7.57		7.83		91.97
Ireland	Dollar		14.42		19.31				5.60		39.33
Milrae Jensen:											
Holland	Dollar		104.96		65.10				8.82		178.88
Italy	Dollar		32.36		22.54						54.90
Ireland	Dollar		14.42		13.90						28.32

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE

NORTH ATLANTIC ASSEMBLY CONFERENCE NOV. 4–15, 1970, THE HAGUE, THE NETHERLANDS, ROME, ITALY, AND DUBLIN, IRELAND—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Arthur [illegible]. Kuhl:											
Holland	Dollar		$104.96		$111.17				$22.44		$238.57
Italy	Dollar		32.36		29.54				6.94		68.84
Ireland	Dollar		14.42		17.31				7.01		38.74
William Miller:											
Holland	Dollar		132.96		73.70				11.34		218.00
Italy	Dollar		32.36		30.17				8.04		70.57
Ireland	Dollar		14.42		23.32				6.60		44.34
Angela Morris:											
Holland	Dollar		62.98		75.23				9.73		147.94
Italy	Dollar		32.36		25.66				8.14		66.16
Ireland	Dollar		14.42		22.57				6.70		43.69
Judith M. Morrison:											
Holland	Dollar		90.97		74.06				4.62		169.65
Italy	Dollar		32.36		22.11				7.37		61.84
Ireland	Dollar		14.42		19.75				1.37		35.54
Clark Norton:											
Holland	Dollar		90.97		46.94						137.91
Italy	Dollar		32.36		27.09				9.41		68.86
Ireland	Dollar		14.42		18.43				4.59		37.44
Nell Ryan:											
Holland	Dollar		104.96		90.84				12.42		208.22
Italy	Dollar		32.36		25.91				7.55		65.82
Ireland	Dollar		14.42		19.97				6.10		40.49
Charles Ferris:											
Holland	Dollar		112.96		120.60		$8.40		6.40		248.36
Italy	Dollar		36.36		63.40		15.60		12.50		127.86
Ireland	Dollar		28.84		41.60				10.58		81.02
Delegation expenses—The Netherlands:											
Official meals	Dollar				1809.03						1809.03
Transportation	Guilder					21,440.07	5,972.17			21,440.07	5,972.17
Hotel Offices, supplies and equipment rental	Guilder	7,602.87	2,117.81							7,602.87	2,117.81
Overtime, embassy personnel	Guilder							5,786.25	1,611.71	5,786.25	1,611.71
Telephone	Guilder							277.61	77.33	277.61	77.33
Telephone	Dollar								57.70		57.70
Miscellaneous	Dollar								43.76		43.76
Delegation expenses—Italy:											
Hotel offices	Lira	153,356	246.14							153,356	246.14
Transportation	Lira					901,522	1,447.06			901,522	1,447.06
Overtime, embassy personnel	Lira							194,456	312.13	194,456	312.13
Official meals	Dollar				555.15						555.15
Miscellaneous	Lira							91.75	17.93	91.75	17.93
Delegation expenses	Ireland:										
Official meals	Dollar				1238.90						1238.90
Hotel offices	Pound	29.01.11	69.90							29.01.11	69.90
Transportation	Pound					549.01.0	1319.09			549.01.0	1319.09
Overtime embassy personnel	Pound							77.12.06	186.50	77.12.06	186.50
Total			7251.91		8002.66		9450.48		3,157.63		27,862.68

RECAPITULATION

	Amount
Foreign currency (U.S. equivalent)	$14,438.44
Appropriated funds:	
Public Law 84-689	13,424.24
Total	27,862.68

JOHN SPARKMAN,
Chairman, U.S. Senate Delegation.

Mar. 19, 1971.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE MEXICO-UNITED STATES INTERPARLIAMENTARY CONFERENCE, WASHINGTON, D.C. AND SAN FRANCISCO, CALIF. EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Alan Bible: United States	Dollar		$131.63		$18.16				$0.30		$150.09
Joseph Montoya: United States	Dollar		154.08		76.76		$229.95		9.08		469.87
Jennings Randolph: United States	Dollar		154.08		32.81		177.45		17.67		382.01
Robert Dockery: United States	Dollar		109.14		22.39				14.79		146.32
Pat M. Holt: United States	Dollar		154.08		37.80		29.25		25.35		245.48
Milrae E. Jensen: United States	Dollar		109.14		8.11				1.54		118.79
Arthur M. Kuhl: United States	Dollar		219.35		45.24		177.45		3.75		445.79
Delegation expenses:											
Hotel offices	Dollar	1,197.13									1,197.13
Official meals and receptions	Dollar				9,856.53						9,856.53
Transportation	Dollar						2,488.80				2,488.80
Interpreter fees	Dollar								722.73		722.73
Telephone charges	Dollar								129.96		129.96
Public stenographer	Dollar								42.50		42.50
Typewriter rental	Dollar								40.80		40.80
Stationery and supplies	Dollar								107.37		107.37
Miscellaneous	Dollar								126.39		126.39
Total			2,228.63		10,097.80		3,102.90		1,241.93		16,712.26

RECAPITULATION

	Amount
Appropriated fuuds:	
Public Law 86-420	16,712.26
Total	16,712.2

MIKE MANSFIELD
Chairman, Senate Delegation.

Feb. 23 1971.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE UNITED STATES GROUP, INTERPARLIAMENTARY UNION, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Birch Bayh:											
France	F	189.75	$34.25	45.20	$8.15					234.95	$42.40
Monaco	F	500.00	90.90	821.70	148.21			284.50	$51.21	1,606.20	290.32
	US$						$465.00				465.00
Tunisia	TD							16,000	30.48	16,000	30.48
Henry Bellmon:											
Poland	ZL	1,573.00	24.20	235.00	3.62					1,808	27.82
Romania	Lei	480.00	26.88	76.00	4.02					556	30.90
Netherlands	FL	855.00	237.50	1,106.55	307.61			170.00	47.00	2,131.55	592.11
Belgium	BF	2,239.00	44.78	4,582.00	91.64			900.00	18.00	7,721.00	154.42
Thomas J. Dodd:											
France	F	189.75	34.25	95.00	17.10			1.00	.18	285.75	51.53
Monaco	F	700.00	127.30	565.90	101.96			217.60	39.55	1,483.50	268.81
Tunisia	TD							9.000	17.14	9.000	17.14
B. Everett Jordan:											
France	F	189.75	34.25	432.20	78.00			318.00	57.40	939.95	169.65
Monaco	F	700.10	127.30	370.30	66.65			236.40	42.65	1,306.70	236.60
Tunisia	TD							15.000	28.27	15.000	28.27
Poland	ZL	1,136.00	17.48	1,802.95	27.73			169.00	2.60	3,107.95	47.81
Romania	LEI	480.00	26.88	54.85	2.82			652.00	36.59	1,186.85	66.29
Netherlands	FL	855.00	237.50	435.25	120.90			1,145.50	319.34	2,435.75	677.74
Belgium	BF	2,240.00	44.80	8,778.00	175.56			271.00	5.42	11,289.00	225.78
Mike Gravel:											
Poland	ZL	1,181.00	18.17	1,655.10	25.47			172.00	2.72	3,013.10	46.36
Romania	LEI	480.00	26.88	884.00	49.35					1,364.00	76.23
Netherlands	FL	855.00	237.50	919.65	256.28			710.00	197.00	2,484.65	690.78
Belgium	BF	2,239.00	44.78	3,933.00	78.62			4,698.00	94.00	10,870.00	217.40
Len B. Jordan:											
France	F	189.75	34.35	36.25	6.53					226.00	40.88
Monaco	F	700.00	127.30	323.50	58.65			20.00	3.60	1,043.50	189.55
	U.S. dollar								10.00		10.00
Tunisia	TD							4.000	7.62	4.000	7.62
Charles H. Percy:											
Monaco	F	700.00	127.30	599.55	108.22			951.25	171.70	2,250.80	407.22
	U.S. dollar				66.00						66.00
Hugh Scott:											
France	F	189.75	34.25	256.00	46.18					445.75	80.43
Monaco	F	700.00	127.30	957.30	172.62			246.20	44.65	1,903.50	344.57
Tunisia	TD							26.250	50.00	26.250	50.00
John Sparkman:											
France	F	189.75	34.25	58.90	10.65					248.65	44.90
France	U.S. dollar				24.47						24.47
Monaco	F	1,400.00	254.55	1,716.25	309.59			1,310.90	236.97	4,427.15	801.11
Poland	ZL	1,226.00	18.86	566.80	8.72			6,130.00	94.31	7,922.80	121.89
Romania	LEI	480.00	26.88	58.00	3.01			382.00	21.44	920.00	51.33
Netherlands	FL	855.00	237.50	1,366.70	380.43	306.50	85.21	615.50	171.45	3,143.70	874.59
Belgium	BF	2,240.00	44.80	1,560.00	31.20					3,800.00	76.00
Strom Thurmond:											
France	F	189.75	34.25	179.60	32.33					369.35	66.58
Monaco	F	500.00	90.90	497.20	90.30					997.20	181.20
Ralph Yarborough:											
Poland	ZL	1,136.00	17.48	86.55	1.33			4,819.00	74.13	6,041.55	92.94
Romania	LEI	480.00	26.88	101.25	5.42					581.25	32.30
Netherlands	FL	855.00	237.50	213.70	59.38					1,068.70	296.88
Belgium	BF	2,239.00	44.78	761.00	15.22					3,000.00	60.00
Stephen Young:											
Poland	ZL	1,136.00	17.48	308.90	4.75			3,250.00	50.00	4,694.90	72.23
Romania	LEI	480.00	26.88	72.00	3.82					552.00	30.70
Netherlands	FL	855.00	237.50	250.00	69.44					1,105.00	306.94
Belgium	BF	2,239.00	44.78	756.00	15.12					2,995.00	59.90
Jo Anne Green:											
France	F	115.00	20.75	65.90	12.00			6.05	1.15	186.95	33.90
Monaco	F	490.00	89.10	823.00	148.55					1,313.00	237.65
Milrae Jensen:											
France	F	605.00	109.85	756.05	137.09			20.00	3.60	1,381.00	250.54
Poland	ZL	721.00	11.10	728.00	30.33			108.00	1.66	1,557.00	43.09
Romania	LEI	480.00	26.88	356.00	20.00					836.00	46.88
Netherlands	FL	585.00	162.50	315.30	87.58			14.00	3.85	914.30	253.93
Belgium	BF	1,514.00	30.28	1,604.00	32.30			27.00	.54	3,145.00	63.12
Jay H. Long:											
France	F	115.00	20.75	16.10	2.90					131.10	23.65
Monaco	F	159.10	101.85	395.10	71.12			96.80	17.61	651.00	190.58
	U.S. dollars						331.00				331.00
Poland	ZL	481.00	7.40	559.70	8.60			72.00	1.10	1,112.70	17.10
	U.S. dollars						83.00				83.00
Netherlands	FL	585.00	162.50	433.70	120.48					1,018.70	282.98
	U.S. dollars				47.50						47.50
Belgium	BF	757.00	15.14	87.00	1.74			93.00	1.86	937.00	18.74
Denise Snyder:											
Monaco	F	490.00	89.10	57.80	10.50					547.80	99.60
Katharine St. George:											
Monaco	F	490.00	89.10	129.10	23.50					619.10	112.60
Poland	ZL	721.00	11.10					108.00	1.70	829.00	12.80
Rumania	LEI	480.00	26.88	24.80	1.17					504.80	28.05
Netherlands	FL	585.00	162.50	225.80	84.72					810.80	247.22
Belgium	BF	1,504.00	30.08	913.00	18.26					2,417.00	48.34
Octa Watson:											
France	F	115.00	20.75							115.00	20.75
Monaco	F	490.00	89.10	1,183.40	213.84			900.00	162.45	2,573.40	465.39
Poland	ZL	1,136.00	17.48	67.90	1.05			6,669.00	102.60	7,872.90	121.13
Romania	LEI	480.00	26.88	36.25	1.82			432.00	24.24	516.25	52.94
Netherlands	FL	855.00	238.16	225.55	62.82			1,206.00	333.00	2,286.55	633.98
Belgium	BF	2,240.00	44.80	926.00	18.52			680.00	12.41	3,846.00	75.73
Darrell St. Claire:											
France	F	189.75	34.25	20.70	3.73			493.00	88.98	703.45	126.96
Monaco	F	700.00	127.30	1,877.25	339.39			567.20	102.48	3,144.45	569.17
Tunisia	TD							20,220	38.47	20,200	38.47
Morocco	U.S. dollar								100.00		100.00
Poland	ZL	1,136.00	17.47	111.10	1.70			15,270.00	234.92	16,517.10	254.09
Romania	Lei	480.00	26.88	136.40	7.37			94.50	5.30	710.90	39.55
Netherlands	FL	855.00	237.50	546.90	151.95			359.00	100.00	1,760.90	489.45
Belgium	BF	2,240.00	44.80	623.00	12.46			5,000.00	100.00	7,863.00	157.26

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE UNITED STATES GROUP, INTERPARLIAMENTARY UNION, EXPENDED BETWEEN JAN. 1, AND DEC. 31, 1970—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Delegation expenses:											
France	F					3,041.35	$548.48			3,041.35	$548.48
	U.S. dollars				$2,043.55				$93.30		2,136.85
Monaco	F			1,219.00	220.05	6,476.00	1,169.00			7,695.00	1,389.05
	U.S. dollars				1,464.49		124.05				1,588.54
Tunisia	U.S. dollars				292.00		124.19		28.28		444.47
Morocco	DH					531.27	105.20			531.27	105.20
	U.S. dollars						174.79				174.79
Poland	ZL			46,020	708.01	18,291	281.50	15,033	231.27	79,344	1,220.78
	U.S. dollar						504.00				504.00
Romania	U.S. dollar				601.25						601.25
Netherlands	FL	258.08	$71.89	1,285	357.94	42,714	11,898.05			44,257	12,327.88
	U.S. dollar		233.26		1,597.27		35.00		218.22		2,083.75
Belgium	BF	8,180	163.59	30,023	611.30	92,342	1,853.51	2,045	41.20	132,590	2,699.60
	U.S. dollar				256.04						256.04
Total			5,842.34		12,911.96		17,781.98		3,975.61		40,511.89

RECAPITULATION

	Amount
Foreign currency (U.S. $ equivalent)	$27,974.59
22 U.S.C. 276	[1] 12,537.30
Total	40,511.89

[1] $400 of this amount rebated by Darrell St. Clarie to IPU accounts for personal expenditures.

JOHN SPARKMAN,
Chairman, U.S. Group, Interparliamentary Union.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON GOVERNMENT OPERATIONS, U.S. SENATE, EXPENDED BETWEEN JAN. 1 AND DEC. 31 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Dorothy Fosdick:											
West Germany	DM					167.71	$46.20			167.71	$46.20
Netherlands	Guilders	385.00	$107.24	325.00	$90.52	100.00	27.86	87.50	$24.38	897.50	250.00
United Kingdom	Pounds, Shillings, Pence	53	127.48	12	28.86	6	14.43	3S. 3d.	.40	71.3.3	171.17
Subtotal			234.72		119.38		88.49		24.78		467.37
Robert J. Wager:											
Japan	Yen	126,000	350.00	108,000	300.00	3,890.00	10.81	18,000	50.00	255,890	710.81
Germany	DM					5,579.67	1,536.68			5,579.67	1,536.68
Subtotal			350.00		300.00		1,547.49		50.00		2,247.49
Subtotal			584.72		419.38		1,635.98		74.78		2,714.86
Albert A. Lakeland:											
Israel	Pounds		75.71		62.00		10.00		7.15		154.86
Turkey	Kiras		29.27		46.00		10.00		3.73		89.00
Iran	Rials				25.00		4.00		3.00		32.00
India	Rupees				65.00		25.00		20.00		110.00
Thailand	Baht		16.50		24.00		6.00		3.50		50.00
Vietnam	Piasters				10.00				20.00		30.00
Japan	Yen		53.50		50.00		25.00		21.50		150.00
Subtotal			174.98		282.00		80.00		78.88		615.86
Albert A. Lakeland:											
Belgium	Francs		36.00		29.00		9.00		11.00		85.00
England	Pounds		75.00		64.00		34.25		20.00		193.25
Germany	Marks				30.00		5.00		15.00		50.00
Subtotal			111.00		123.00		48.25		46.00		328.25
Subtotal			285.98		405.00		128.25		124.88		944.11
Albert A. Lakeland:											
France	Francs								5.00		5.00
Netherlands	Guilders		75.00		80.00		27.00		40.00		222.00
England	Pounds		70.00		82.00		32.75		48.00		232.75
Ireland	Pounds		15.00		15.00		5.00		15.00		50.00
Subtotal			160.00		177.00		64.75		108.00		509.75
Jacob K. Javits:											
France	Francs			165.00	30.00			110.40	20.00		50.00
United Kingdom	Pounds			54.03.02	130.00	73.19.03	176.69	8.06.08	20.00	136.01.10	326.69
Germany	DM					2,183.85	601.45			2,183.85	601.45
Subtotal					160.00		778.14		40.00		978.14
Subtotal			160.00		337.00		842.89		148.00		1,487.89

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jacob K. Javits:											
Israel	Pounds	635.30	$181.53	64.65	[1] $18.47					700.00	$200.00
Turkey	Liras	648.00	72.00	104.00	[1] 46.56					1,067.00	118.56
Iran	Rials			2,438	[1] 31.97					2,438	31.97
India	Rupees			937.00	123.29			190.00	$25.00	1,127.00	148.29
Thailand	Baht	1,793	[2] 86.10	(3)	(3)					1,041.25	50.00
Vietnam	Piasters			17,700	[3] 150.00					17,700	150.00
Japan	Yen	82,896	[2] 230.27							54,000	150.00
	German marks					7,503.14	$2,036.16				2,036.16
Subtotal											2,884.98
Jacob K. Javits:											
Belgium	Francs	3,198	63.96	1,802	[5] 36.04	3,906	78.40			8,906	178.40
Italy	Lira	72,989	116.04	21,386	[5] 34.00	26,992	58.81			131,367	208.81
England	Pounds			41.13.6	[5] 100.00	49.10.7	118.37			91.4.1	218.37
Germany	Marks			312.81	[5] 86.00	3,107.16	853.50	[6] 50.82	14.00	3,470.16	953.50
Subtotal			180.00		256.00		1,109.08		14.00		1,559.08
Carmine S. Bellino:											
Japan	Yen	20,215	56.15	28,327	78.68			1,458	4.05	50,000	138.88
Philippines	Pesos	57,254	88.91	106.61	16.56			39.00	6.05	718.15	111.52
Hong Kong	HK$	1,181.15	194.91	969.60	160.00			74.00	12.58	2,227	367.49
Vietnam	Piasters	13,960	50.91	6,750	24.55			2,500	9.09	23,210	84.55
Italy	Lira	37,521	60.32	18,179	29.23	2,000	3.22			57,700	92.77
Germany	D. marks	72.60	19.99	129.50	35.65			108.90	29.98	311	85.62
Germany	D. marks					7,136.01	1,965.30				1,965.30
Total			471.19		344.67		1,968.52		61.75		2,846.13
L. J. Duffy:											
Hong Kong	HK $	1,181	195.11	969	160.10			886	146.46	3,036.00	501.67
Philippines	Pesos	772.8	120.00	144.9	22.50			48.3	7.50	966	150.00
Japan	Yen	38,400	106.67	54,720	152.00			2,880	8.00	96,000	266.67
Vietnam	Piaster	11,232	40.84	5,429	19.74			2,059	7.49	18,720	68.07
Germany	D. Marks					7,136.01	1,965.30				1,965.30
Thailand	Baht	360	17.30	410	19.68	105	5.04	166.25	7.98	1,041.25	50.00
Thailand	Baht	869.31	41.74	993.50	47.68	248.37	11.93	372.57	17.90	2,483.75	119.25
Korea	Won	3,144	10.00	3,218	10.22	599	1.88	524	1.64	7,485	23.74
Malaysia	M $	115.70	37.97	105	34.47	18	5.92	19.55	6.43	258.25	84.79
Subtotal			569.63		466.39		1,990.07		203.40		3,229.49
Philip W. Morgan:											
Hong Kong	Dollar	251	41.55	309	51.13	19	3.14	65	10.75	644	106.57
Philippines	Pesos	130	20.19	140	21.73	15	2.33	37	5.75	322	50.00
Thailand	Baht	360	17.30	410	19.68	105	5.04	166.25	7.98	1,041.25	50.00
Japan	Yen	21,760	60.44	25,200	70.00	1,440	4.00	5,600	15.56	54,000	150.00
Malaysia/Singapore	M$	115.70	37.97	105	34.47	18	5.92	19.55	6.43	258.25	84.79
Vietnam	Piasters	6,754	24.56	5,010.5	18.22			732.25	2.67	12,500	15.45
Korea	Won	6,545	20.89	6,810	21.73	1,200	3.83	1,114	3.55	15,669	50.00
Germany	DM					7,136.01	1,965.30				1,965.30
Subtotal			222.90		236.96		1,989.56		52.69		2,502.11
James J. Garibaldi:											
Hong Kong	Dollars	340	56.12	420	69.32	25	4.13	84	13.87	869	143.44
Philippines	Peso	130	20.19	140	21.73	15	2.33	37	5.75	322	50.00
Thailand	Baht	360.15	17.30	410	19.68	105	5.04	166.10	7.98	1,041.25	50.00
Japan	Yen	21,758	60.44	25,202	70.00	1,440	4.00	5,600	15.56	54,000	150.00
Malaysia/Singapore	Dollar	115.25	37.97	105.45	34.02	18	5.95	19.55	6.40	258.25	84.79
Vietnam	Piasters	6,480	23.56	4,220	15.35	180	2.95	1,440	5.23	12,950	47.09
Korea	Won	6,546.6	20.89	6,808.4	21.73	1,200	3.83	1,114	3.55	15,669	50.00
Germany	DM					7,136.01	1,965.30				1,965.30
Subtotal			236.47		252.28		1,993.53		58.34		2,540.62
Charles L. Mangers:											
Hong Kong	HK$	340	56.12	426	70.32	44.3	7.31	58.7	9.69	869	143.44
Philippines	Peso	130	20.19	148.0	22.98	10.2	1.58	33.8	5.25	322	50.00
Thailand	Baht	360.15	17.30	455.8	21.93	84.2	4.04	140.2	6.73	1,041.25	50.00
Japan	Yen	21,758	60.44	27,540	76.50	1,080	3.00	3,622	10.06	54,000	150.00
Malaysia/Singapore	M$	115.25	37.97	110.8	36.28	13.8	4.53	18.4	6.01	258.25	84.79
Vietnam	Piastres	2,750	10.00	6,891.2	25.06	1,197.8	4.35	1,661	6.04	12,500	45.45
Korea	Won	6,546.6	20.89	7,126.3	22.74	705	2.25	1,291.1	4.12	15,669	50.00
Germany	DM					7,469.55	2,057.16			7,469.55	2,057.16
Subtotal			222.91		275.81		2,084.22		47.90		2,630.84
Senator Edward J. Gurney:											
Hong Kong	HK$	340	56.12	432.5	71.44	76.4	[7] 12.52	66.5	10.97	915.4	151.05
Philippines	Peso	130	20.19	156	24.23	7.0	1.08	29.0	4.50	322	50.00
Thailand	Baht	360.15	17.30	482.8	23.18	58.1	2.79	140.2	6.73	1,041.25	50.00
Japan	Yen	21,758	60.44	28,080	78.00	31,903	[7] 88.62	4,162	11.56	85,903	238.62
Malaysia/Singapore	M$	115.25	37.97	120.2	39.36	214.27	[7] 69.86	15.8	5.18	465.52	152.37
Korea	Won	6,546.6	20.89	7,399	23.61	548.4	1.75	1,175	3.75	15,669	50.00
Vietnam	Piastre							951.5	3.46	951.5	3.46
Germany	DM					7,356.52	2,026.03			7,356.52	2,026.03
Total			212.91		259.82		2,202.65		46.15		2,721.53

[1] Actual expenses exceeded these amounts due to representational requirements. Excesses were paid out of pocket.
[2] Hotel bills exceeded local currencies received. Additional expenses were paid personally.
[3] Includes dinner for American press in Saigon.
[4] Actual expenses exceeded this amount as noted above. This is amount received in local currencies from various embassies.
[5] Actual expenses exceeded this amount as I entertained members of press and foreign officials. Excess expenses were paid personally.
[6] Used for purchase of airline ticket.
[7] Includes charges for transportation furnished by U.S. embassies for the entire party. All expenditures were handled either by Mr. Mangers or Commander Garibaldi.

JOHN L. McCLELLAN, Chairman, Committee on Government Operations.

March 15, 1971.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, U.S. SENATE, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jerry T. Verkler:											
New Zealand	NZ$		$121.91		$120.00		$50.00		$118.09		$410.00
New Zealand	DM					6,132.33	1,661.88			6,132.33	1,661.88
Ronald G. Birch:											
New Zealand	NZ$		113.00		96.00		45.00		125.00		379.00
New Zealand	DM					6,132.33	1,661.88			6,132.33	1,661.88
Daniel A. Dreyfus: New Zealand	NZ$		83.00		68.00		40.00		9.00		200.00
Thomas J. Smythe: New Zealand	NZ$		83.00		68.00		40.00		9.00		200.00
Senator Mark O. Hatfield: New Zealand.	NZ$		83.00		68.00		40.00		9.00		200.00
Total			483.91		420.00		3,538.76		270.09		4,712.76

HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs.

Mar. 16, 1971.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON THE JUDICIARY, U.S. SENATE, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Birch Bayh:											
France	Franc	1,100	$200.00	550	$100.00	1,545	$281.59			3,195	$581.59
Netherlands	Guilder	241	70.00	108	30.00					359	100.00
Total			270.00		130.00		281.59				681.59
Dale S. deHaan:											
Hong Kong	Dollars	424.20	70.00	393.90	65.00	30.30	5.00	60.60	$10.00	909.00	150.00
Laos	Kip	15,075	30.00	12,562.50	25.00			11,356.50	22.60	38.99	77.60
Thailand	Baht	2,249.10	108.00	1,770.10	85.00			145.80	7.00	41,650	200.00
Vietnam	Piasters			4,248	36.00			472.00	4.00	4,720	40.00
United Kingdom	Pounds	21	50.00	27	65.00	16.00	39.60	6.00	15.00	70.14.4	169.60
Netherlands	Guilders	71.91	20.00	71.91	20.00	25.17	7.00	10.79	3.00	179.78	50.00
Switzerland	Francs	686.40	160.00	643.50	159.00	928.69	216.48	107.25	25.00	2,365.84	551.48
Germany	D marks					8,025.10	2,210.16			8,025.10	2,210.16
Total			438.00		446.00		2,478.24		86.60		3,448.84
A. C. H. Kanters:											
Netherlands	F					1,306.5	359.22			1,306.5	359.22
Charles McC. Mathias, Jr.:											
Belgium	BF	1,250	25.00	750	15.00			500	10.00	2,500	50.00
France	F			696	125.00	139	25.00	270	50.00	1,105	200.00
Total			25.00		140.00		25.00		60.00		250.00
Fred M. Mesmer:											
Germany	Mark					7,524.41	2,072.27				2,072.27
Hong Kong	HK $	712.05	117.50	651.45	107.50	45.85	7.51	151.50	25.00	1,560.85	257.51
India	Rupee	714.40	94.00	653.60	86.00			152	20.00	1,520	200.00
Italy	Lira	40,183.5	64.50	43,921.5	70.50			9,345	15.00	93,450	150.00
Japan	Yen	33,840	94.00	30,960	86.00	3,556	9.88	7,200	20.00	75,556	209.88
Switzerland	Sw. Franc	740.03	172.00	808.87	188.00			172.10	40.00	1,721	400.00
Thailand	Baht	1,468.16	70.50	1,343.21	64.50			312.38	15.00	3,123.75	150.00
United Kingdom	Pounds	26.70	64.50	29.19	70.50	9.10	22.69	6.21	15.00	71.20	172.69
Vietnam	Piastres	45,337.5	164.50	41,387.5	150.50			9,525	35.00	96,250	350.00
Total			841.50		823.50		2,112.35		185.00		3,962.35
Howard E. O'Leary, Jr.:											
Belgium	Francs	2,190	43.08	2,850	57.00	750	15.00	1,335	26.70	7,125	141.78
Germany	DM					3,081.72	846.86			3,081.72	846.86
Total			43.08		57.00		861.86		26.70		988.64
Jerry M. Tinker:											
Hong Kong	Dollar	424.20	70.00	363.60	60.00	42.42	7.00	78.78	13.00	909.00	150.00
Laos	Kip	15,075	30.00	7,411.88	14.75					22,486.88	44.75
Thailand	Bhat	1,686.82	81.00	1,249.50	60.00			187.43	9.00	3,123.75	150.00
Vietnam	Piaster			11,800	100.00	1,180	10.00	420.08	3.56	13,400.08	113.56
United Kingdom	Pound	22	50.00	25	60.00	7	17.00			62.11.0	150.00
Germany	D. mark					8,025.10	2,205.30	9.00	23.00	8,025.1	2,205.30
Total			231.00		294.75		2,239.30		48.56		2,813.61

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$12,504.25

JAMES O. EASTLAND,
Chairman, Committee on the Judiciary.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON LABOR AND PUBLIC WELFARE, U.S. SENATE, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Wade P. Clarke:											
Hong Kong	HK$	414	$68.00	388	$64.00	73	$12.00	36	$6.00	909	$150.00
Thailand	B	1,748	84.00	1,315	63.00			60	3.00	3,123.75	150.00
Vietnam	P/	20,060	170.00							20,060	170.00
Japan	¥	18,000	50.00	24,120	67.00			11,880	33.00	54,000	150.00
Germany	DM					6,900.93	1,900.56			6,900.93	1,900.56
Jay B. Cutler:											
Hong Kong	HK$	486	81.00	405	66.00			18	3.00	909	150.00
Japan	¥	32,400	90.00	20,880	58.00			720	2.00	54,000	150.00
Thailand	B	1,874.25	90.00	1,249.50	60.00					3,123.75	150.00
Vietnam	P/	20,060	170.00							20,060	170.00
Germany	DM					6,900.93	1,900.56			6,900.93	1,900.56
Total			803.00		378.00		3,813.12		334		5,041.12
ohn S. Forsythe:											
Sweden	S. Kronor	7,445	143.69	450	86.85	200	38.60	158	30.86	1,552.5	300.00
Sweden	DM					3,460.9	953.15			3,460.9	953.15
Gene E. Godley:											
Switzerland	Sw. Fr	241.36	56.00	170.24	39.50	19.40	4.50			431.00	100.00
United Kingdom	Pounds	54	129.60	41	98.40	8	19.20	1.0.6	2.80	104.0.6	250.00
Germany	Marks					3,228.12	887.09			3,228.12	887.09
Total			329.29		224.75		1,902.54		33.66		2,490.2
Robert O. Harris:											
Hong Kong	HK$	486	81.00	414	67.50	49.10	8.12	9	1.50	958.10	158.12
Japan	Y	32,400	90.00	21,600	60.00	32,028	88.97			86,028	238.97
Thailand	B	1,874.25	90.00	1,249.50	60.00					3,123.75	150.00
Vietnam	P/	20,060	170.00							20,060	170.00
Germany	DM					6,900.93	1,900.56			6,900.93	1,900.56
Roy H. Millenson:											
Sweden	Kronor	730	140.89	410	80.13	173	33.39	185	35.70	1,498	290.11
Eugene Mittelman:											
Switzerland	Sw. Fr	603.40	140.00	323.25	75.00	279.75	64.81	107.75	25.00	1,314.15	304.81
Switzerland	DM					1,701.90	467.68			1,701.90	467.68
Total			711.89		342.63		2,563.53		62.20		3,680.25
Ralph T. Smith:											
Switzerland	Sw. Fr									431.00	100.00
Switzerland	Sw. Fr					316.50	73.30			316.50	73.30
Germany	DM					3,601.44	989.68			3,601.44	989.68
Hong Kong	HK dollars	374	61.50	420	69.00	94	15.50	21.00	4.00	909	150.00
Julian F. Granger:											
Japan	Y	28,800	80.00	25,200	70.00	59,472	165.20			113,472	315.20
Thailand	B	992	47.00	1,455	70.50	260.25	12.50	416.50	20.00	3,123.75	150.00
Korea	W	4,400	14.00	9,356	30.00			1,838	6.00	15,594	50.00
Vietnam	P/	14,650	124.00	3,078	26.00			2,332	20.00	20,060	170.00
Germany	DM					6,900.93	1,900.56			6,900.93	1,900.56
Total			326.50		265.50		3,156.74		50.00		3,898.74
Richard J. Wise:											
Hong Kong	HK$	486	81.00	375	61.00			48	8.00	909	150.00
Japan	¥	32,400	90.00	18,540	51.50	12,100	33.61	3,060	8.50	66,100	183.61
Thailand	B	1,874.25	90.00	1,103.50	53.00			147	7.00	3,123.75	150.00
Vietnam	P/	20,060	170.00							20,060	170.00
Germany	DM					6,900.63	1,900.56			6,900.93	1,900.56
Total			431.00		165.50		1,934.47		23.50		2,554.17
Ralph W. Yarborough:											
Switzerland	Sw. Fr									431.00	100.00
Switzerland	Sw. Fr					447.50	103.64			447.50	103.64
Switzerland	Sw. Fr									648.00	150.00
Switzerland	Sw. Fr					325.00	75.60			325.00	75.60
United Kingdom	Pound									104.0.6	250.00
United Kingdom	Pound					65.5.6	155.94			65.5.6	155.94
United Kingdom	Pound									62.10.0	150.00
Romania	Lei									272.00	15.26
Germany	DM					3,228.12	887.09			3,228.12	887.09
Germany	DM					3,617.54	996.29			3,617.54	996.29
France	Fr					4,696.00	851.34			4,696.00	851.34
Total											
Ralph W Yarborough:											
Netherlands	F									1,615.50	450.00
Netherlands	F					246.00	68.39			246.00	68.39
Belgium	B. Fr									7,500.00	150.00
Italy	Lit									156,250	250.00
Italy	Lit					11,650	18.52			11,650	18.52
Total							3,156.51				4,672.07

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$22,336.59
Total	22,336.59

HARRISON WILLIAMS,
Chairman, Committee on Labor and Public Welfare.

Mar. 16, 1971.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON PUBLIC WORKS, U.S. SENATE EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Graham, L. O.:											
Morocco	Dirham	358	$70.88	301	$59.60	200	$39.60	104	$20.59	963	$190.67
Tunisia	Dinar	35	66.67	28.875	55.00			28.350	54.04	92.225	175.71
Yugoslavia	New Dinar	1,170	93.60	547	43.76			223	17.84	1,940	155.20
Poland	Zloty	2,085	86.87	1,356	56.50			242	10.09	3,683	153.46
Pakistan	P Rupees	686.00	143.51	640.00	133.89	12,628.91	2,630.40	706.87	147.88	14,661.78	3,055.68
India	Rupee	1,514	199.22	902	118.70			1,590.91	209.33	4,006.91	527.25
Burma	Kyat	332.75	70.49	172.00	36.44			692.63	146.74	1,197.38	253.67
Gravel, Mike:											
Kuwait	K Dinar	27.720	78.00	1.835	5.16	39.250	110.47	5.995	16.84	74.800	210.47
U.A.R.	E£	33.333	60.00	13.888	25.00	.800	1.44	8.334	15.00	56.355	101.44
Jordan	JD							3.545	9.94	3.545	9.94
U.K.	£	14.3.4	35.00	16.13.4	40.00	5.8.4	13.00	5.0.0	12.00	41.9.8	100.00
Germany	DM					5,801.83	1,573.59			5,801.83	1,573.59
Lebanon	LL	296.35	90.00	213.95	65.00			148.20	45.00	658.50	200.00
Hamei, Charles:											
Kuwait	KD	27.720	78.00	6.290	17.71	39.250	110.47	1.540	4.29	74.800	210.47
U.A.R.	EL	33.333	60.00	13.888	25.00	.800	1.44	8.334	15.00	56.355	101.44
Jordan	JD	32.130	90.00	12.490	35.00			8.925	25.00	53.545	150.00
Germany	DM					5,801.83	1,573.59			5,801.83	1,573.59
Lebanon	LL	296.40	90.00	181.21	55.00			100.98	30.68	578.50	175.68
Total			1,312.24		771.76		6,054.00		780.26		8,918.26

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$8,918.26
Total	8,918.26

Jennings Randolph,
Chairman, Committee on Public Works.

Mar. 18, 1971.

REPORT OF EXPENDITURE OF FOREGIN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON RULES AND ADMINISTRATION, U.S. SENATE EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
William M. Cochrane:											
Japan	Yen	7,200	$20.00	21,600	$60.00			9,000	$25.00	37,800	$105.00
Hong Kong	H.K. dollar	560.00	93.33	450.00	75.00			150.00	25.00	1,160	193.33
Transportation (air)	Deutschmark					6,507.48	$1,764.98			6,507.48	1,764.98
Subtotal			113.33		135.00		1,764.98		50.00		2,063.31
John F. Haley:											
Japan	Yen	36,000	100.00	27,000	75.00			9,000	25.00	72,000	200.00
Hong Kong	H.K. dollar	750	125.00	600	100.00			150	25.00	1,500	250.00
Transporation (air)	Deutschmark					6,507.48	1,764.98			6,507.48	1,764.98
Transporation (ground)	Yen					309.33	85.93			309.33	85.93
Subtotal			225.00		175.00		1,850.91		50.00		2,300.91
Total			338.33		310.00		3,615.89		100.00		4,364.22

RECAPITULATION

	Amount
Foreign currency (U.S. $ equivalent)	$4,364.22
Total	4,364.22

B. EVERETT JORDAN,
Chairman, Committee on Rules and Administration.

Mar. 12, 1971.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON ATOMIC ENERGY, U.S. SENATE EXPENDED BETWEEN JAN. 1 AND DEC. 31 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent of U.S. currency
Congressman Aspinall:											
Australia	Australian dollar	112.16	$125.00	40.37	$45.00	4.48	$5.00	8.97	$10.00	165.98	$185.00
Austria	Schilling	1,371.64	53.00	1,020.44	39.43	3,218.69	124.37	258.80	10.00	5,869.57	226.80
Belgium	B. Franc			3,272.10	65.00	4,335.28	86.12	503.34	10.00	8,110.72	161.12
France	F. Franc	310.57	56.00	209.30	37.74	274.41	44.69	55.46	10.00	822.74	148.43
Germany	D. Marks					8,436.52	2,323.47			8,436.52	2,323.47
India	Rupee			90.67	12.00			113.34	15.00	204.01	27.00
Italy	Lira	128,453.00	205.00	46,995.00	75.00			12,532.00	20.00	187,980.00	.00.00
Japan	Yen	35,820.00	100.00	20,776.60	58.00	69,217.20	119.34			125,812.80	277.34
Switzerland	S. Franc	290.24	67.00	43.32	10.00			16.02	3.70	349.58	80.70
United Kingdom	Pound	31.7.0	74.40	17.10.0	42.60	31.7.9	74.98	2.5.0	6.06	79.20.0	198.04
Australia	Australian dollar	78.96	88.00	64.60	72.00	8.97	10.00	8.97	10.00	161.50	180.00

Footnote at end of table.

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
George F. Murphy, Jr.:											
Austria	Schilling	2,070.40	$80.00	2,058.23	$79.53	258.80	$10.00	517.60	$20.00	4,905.23	$189.53
Belgium	Belgian franc	8,220.00	164.50	7,270.00	144.00	30,980.00	[1] 633.48	1,258.50	25.00	47,728.40	966.93
France	French franc	305.03	55.00	277.30	50.00	55.46	10.00	55.46	10.00	693.25	125.00
Germany	Deutsche mark					11,694.43	[1] 3,218.85			11,694.43	3,218.85
India	Rupee			37.78	5.00			113.34	15.00	151.12	20.00
Italy	Lira	95,243.20	152.00	61,406.80	98.00	6,266.00	10.00	9,399.00	15.00	172,315.00	275.00
Japan	Yen	33,310.80	94.00	10,566.90	29.50	25,768.90	71.94	3,582.00	10.00	73,218.60	205.44
Switzerland	Swiss franc	207.93	48.00	116.96	27.00	21.66	5.00	43.32	10.00	389.87	90.00
United Kingdom	Pound	30.00	72.00	43.75	105.00	11.66	26.48	6.33	16.19	91.74	218.67
Total			1,433.90		994.80		6,773.67		214.95		9,417.32

RECAPITULATION

	Amount
Foreign currency (U.S. equivalent)	9,417.32
Total	9,417.32

JOHN O. PASTORE,
Chairman, Committee on Atomic Energy.

Mar. 16, 1971.

[1] Commercial Air Transportation.

JOINT ECONOMIC COMMITTEE, U.S. SENATE EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hale Boggs:											
France	Franc	441.68	$80.00	303.65	$55.00	2,804.57	[1] $507.98	82.81	$15.00	3,632.71	$657.98
Germany	Mark					3,617.54	[2] 996.29			3,617.54	996.29
Italy	Lira	32,079	51.00	26,733	42.50	12,240	19.46	4,088	6.50	75,140	119.46
Switzerland	Franc	224.54	52.00	185.67	43.00	351.50	[1] 81.40	21.59	5.00	783.30	181.40
United Kingdom	Pound	35/8/4	85.00	23/19/2	57.50	1/15/0	4.20	3/2/6	7.50	64/5/0	154.20
Total			268.00		198.00		1,609.33		34.00		2,109.33
Gary Hymel:											
France[3]	Franc	419.60	76.00	303.50	55.00			104.90	19.00	828.00	150.00
Germany	Mark					3,617.54	996.29			3,617.54	996.29
Italy	Lira	88,060	140.00	81,770	130.00			3,145	5.00	172,975	275.00
Switzerland	Franc	172.72	40.00	194.31	45.00	45.34	10.50	19.43	4.50	431.80	100.00
United Kingdom[3]	Pound	20/16/8	50.00	14/11/8	35.00	3/2/6/	7.50	1/0/10	2.50	39/11/8	95.00
Total			306.00		265.00		1,014.29		31.00		1,616.29
George D. Krumbhaar, Jr.:											
Demark	Krone	1,140	152.00	672	89.60	189	25.20	249	33.20	2,250	300.00
Germany	Mark					784.70	216.11			784.70	216.11
Total			152.00		89.60		241.31		33.20		516.11
Loughlin F. McHugh:											
Ireland	Pound	6/0/0	14.40	12.10/0	30.00	8/0/0	19.16			26/10/0	63.56
United Kingdom	Pound	10/0/0	24.00	10/16/8	26.00					20/16/8	50.00
Total			38.40		56.00		19.16				113.56
Myer Rashish:											
Belgium	Franc	6,250	125.00	3,750	75.00	4,022	80.86	1,250	25.00	15,272	305.86
France	Franc	1,104	200.00	662	120.00	221	40.00	221	40.00	2,208	400.00
Germany	Mark					1,592.10	[2] 437.51			1,592.10	437.51
Switzerland	Franc	752	175.00	453	105.00	1,484	343.4	150	35.00	2,839	658.94
United Kindom	Pound	62/10/0	150.00	37/10/0	90.00	12/10/0	30.00	12/10/0	30.00	125/0/0	300.00
Total			650.00		390.00		932.31		130.00		2,102.31
Henry S. Reuss:											
Germany	Mark					1,854.16	[2] 502.89			1,854.16	502.89
Spain	Peseta	4,194	60.00	6,640.50	95.00	1,607.70	23.00	1,537.80	22.00	13,980	200.00
Total			60.00		95.00		525.89		22.00		702.89
John R. Stark:											
France	Franc	412	74.63	248	44.92	78	14.14	90	16.31	828	150.00
Germany	Mark					3,617.54	[2] 996.29			3,617.54	996.29
Italy	Lira	83,200	132.27	94,310	149.94	32,570	51.78	1,170	1.86	211,250	335.85
Switzerland	Franc	161.23	37.34	187.06	43.32	14.98	3.47	19.60	4.54	382.87	88.67
United Kingdom[3]	Pound	35/0/0	84.00	23/0/0	55.20	4/10/0	10.80			62/10/0	150.00
Total			328.24		293.38		1,076.48		22.71		1,720.81
Franz Aschinger:[4] Switzerland (3 days per diem at $50 per day).	Franc		[5] 150.00			3,859	897.65			4,507.55	1,047.65
Kar. Casserini[4]: Switzerland (3 days per diem at $50 per day).	Franc					3,846	890.48			4,490.25	1,040.48
Total			[5] 150.00				890.48				1,040.48

Footnotes at end of table.

JOINT ECONOMIC COMMITTEE, U.S. SENATE EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1970—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
A. Cattani: [4] Italy (3 days per diem at $50 per day).	Lira					616,500	$980.13			710,850	$1,130.13
Total			[5] $150.00				980.13				1,130.13
Hugh Corbett: [4] Germany	Mark					2,920.68	792.16			2,920.68	792.16
United Kingdom (4 days per diem at $50 per day).	Pound									82/18/0	200.00
Total			[5] 200.00				792.16				992.16
John H. Dunning: United Kingdom (3 days per diem at $50 per day).	Pound					333/15/0	800.94			396/1/6	950.94
Total			[5] 150.00				800.94				950.94
Pierre-Robert Goetschin [4]: Switzerland (3 days per diem at $50 per day).	Franc					3,846	890.48			4,491.55	1,040.48
Total			[5] 150.00				890.48				1,040.48
Mary Goldring: [6] United Kingdom (3 days per diem at $50 per day).	Pound					332/10/0	797.94			394/14/0	947.94
Total			[5] 150.00				797.94				947.94
Heribert Maier: [4] Belgium (3 days per diem at $50 per day).	Franc					44,100	888.75			51,600	1,038.75
Total			[5] 150.00				888.75				1,038.75
Herman C. Posthumus Meyjes: [4] Netherlands (3 days per diem at $50 per day).						3,073.30	845.01			3,618.35	995.01
Total			[5] 150.00				845.01				995.01
Okita Saburo: [4] Japan (3 days per diem at $50 per day).	Yen									54,000	150.00
Total			[5] 150.00								150.00
Peter Oppenheimer: [4] United Kingdom (3 days per diem at $50 per day).	Pound					333/15/0	797.30			396/5/0	947.30
Total			[5] 150.00				797.30				947.30
Samuel Pisar: [4] France (3 days per diem at $50 per day).	Franc									827.66	[7] 150.00
Total			[5] 150.00								150.00
Kurt Richebacker: [4] Germany (3 days per diem at $50 per day).	Mark					3,239.10	892.07			3,783.60	1,042.07
Total			[5] 150.00				892.07				1,042.07
Jean Royer: [4] Switzerland (3 days per diem at $50 per day).	Franc					3,846	890.48			4,491	1,040.48
Total			[5] 150.00				890.48				1,040.48
Roger Savary: [4] France (3 days per diem at $50 per day).	Franc					4,679.41	839.81			5,510.41	989.81
Total			[5] 150.00				839.81				989.81
Jean-Jacques Servan-Schreiber: [4] France (3 days per diem at $50 per day).	Franc					4,697	851.52			5,525	1,001.52
Total			[5] 150.00				851.52				1,001.52
Ota Sik: [4] Switzerland (6 days per diem at $50 per day).	Franc					2,350	546.64			3,642.60	846.64
Total			[5] 300.00				546.64				846.64
Jan Tinbergen: [4] (3 days per diem at $50 per day).	Franc					4,680	844.00			5,508	994.00
Total			[5] 150.00				844.00				994.00
John Tuthill: [4] France (3 days per diem at $50 per day).	Franc					4,680	844.00			5,508	994.00
Total			[5] 150.00				844.00				994.00
Peter Wiles: [4] United Kingdom (3 days per diem at $25 per day).	Pound					213/1/2	511.34			244/6/2	586.34
Total			75.00				511.34				586.34
Grand total			5,002.64		$1,386.98		20,219.47		$272.91		26,807.00

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	26,807.00
Total	26,807.00

WILLIAM PROXMIRE,
Chairman, Joint Economic Committee.

Mar. 16, 1971.

[1] Transportation expenses incurred on behalf of the entire party which were charged to Representative Boggs as chairman of the subcommittee.
[2] Round-trip transportation purchased by State Department.
[3] Expenses and cost of rooms for press conferences have been included under lodging and food since it was done at the hotels. This item was approximately $200 for Representative Boggs, John Start, and Gary Hymel.
[4] Testified at hearings before the Subcommittee on Foreign Economic Policy.
[5] Advance by U.S. Embassies before departure for the United States—no breakdown furnished the Joint Economic Committee. For accounting purposes entire amount included under "Lodging."
[6] Testified at hearing before Subcommittee on Economy in Government.
[7] State Department did not furnish transportation expenses for this witness.

Mr. ELLENDER. Mr. President, I point out that the number of U.S. dollars spent for foreign travel last year was $52,317.23. In foreign currencies dollar equivalent was $234,241.44 for a total expenditure in 1970 of $286,558.67 for travel by members of Senate committees, as well as staff.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for tomorrow is as follows. The Senate will convene at 9:45 a.m. Following the recognition of the two leaders under the standing order, the distinguished Senator from Maine, (Mr. MUSKIE) will be recognized for not to exceed 15 minutes, following which there will be a period for transaction of routine morning business not to exceed 30 minutes, with a 3-minute limitation on speeches therein. At the conclusion of the routine morning business, the unfinished business, H.R. 5432, a bill to provide an extension of the interest equalization tax, will be laid before the Senate. The junior Senator from Indiana (Mr. BAYH) plans to offer an amendment, dealing with unemployment compensation, to H.R. 5432. There may be rollcall votes tomorrow. On tomorrow, the leadership will announce the further schedule for the remainder of the week, so far as programing can be anticipated.

S.31, to provide during times of high unemployment for programs of public service employment for unemployed persons, to assist States and local communities providing needed public services, and for other purposes, will be scheduled for action, following the completion of action on the interest equalization tax bill.

Whether S. 31 will be taken up immediately following H.R. 5432 remains to be seen. Therefore, whether it will be taken up tomorrow, or on Wednesday or on Thursday, will have to be determined by the joint leadership, perhaps tomorrow.

Mr. GRIFFIN. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I yield.

Mr. GRIFFIN. The distinguished acting majority leader just made reference to the fact that consideration of H.R. 5432, a bill to provide an extension of the interest equalization tax, and for other purposes, is being held up, because an amendment is to be offered tomorrow—an amendment which could not be offered today.

Can the distinguished Senator from West Virginia enlighten us as to whether that amendment is printed and available, and the nature of the amendment?

Mr. BYRD of West Virginia. I am only told that it is an amendment which will deal with unemployment compensation. The author of the amendment is not available today to offer the amendment. It is for that purpose only that it was decided it go over until tomorrow.

COMMITTEE AGENDA

Mr. SCOTT. Mr. President, if the acting majority leader will yield, I merely take this time to mention that I have discussed with the distinguished majority leader the agenda of the various committees of the Senate. I know that he has had some conversation from time to time with the chairmen of the committees, as I have with the ranking members of the committees.

It is our joint hope that the committees will continue to review their agenda, in order to bring out those bills which could be acted upon promptly in committee and, hopefully, promptly on the floor of the Senate, before we reach that point of legislative logjam which inevitably occurs when certain major bills arrive and certain major appropriation bills press for action.

The distinguished acting majority leader has made some cogent and useful suggestions as to what we may be considering doing as we near the end of the session, but we all know that each day we do not meet at the beginning of a session in itself adds to the ultimate burden.

I raise this question only in the hope that those Senators who read the RECORD will be impressed by the fact that we are now offering bargain rates, a clover day, special white sales, and special black sales—since I am a politician—and special red and yellow sales and that, therefore, we are available for legislation.

We know the problems of committees and we know how busy Senators are in committees. That is where so much of the work is being done. But we do earnestly hope that this opportunity which the leadership offers to Senators will be taken advantage of.

I thank the distinguished acting majority leader.

Mr. BYRD of West Virginia. Mr. President, I thank the distinguished minority leader for his timely and pertinent and very appropriate remarks. They underline the statements that have been made from time to time on the floor by the joint leadership to the effect that the calendar is pretty bare and that this affords the commitees an opportunity to meet and take action on bills and resolutions to be reported for placement on the calendar so that Senate floor action can immediately follow.

As the distinguished minority leader has pointed out, now is the time to act so as to avoid the logjams which may come along in the heat of the summer and in the fall. And now is the time to act in such a way as to insure the adjournment of the first session of the 92d Congress at some date, hopefully, before October or November.

Mr. SCOTT. Mr. President, we used to have certain built-in conditions weatherwise for getting Congress out of town. However, since the advent of air conditioning, we have fallen into year-round sessions. I hope that we will surmount even these technological improvements in order to get some actual work done.

Mr. BYRD of West Virginia. Mr. President, I thank the distinguished minority leader. I feel that the chairmen of the committees are working diligently to order bills and resolutions to the floor.

The majority leader held a meeting with the committee chairmen last week and, based on their reports at that time, I think we can be somewhat optimistic and that we can expect measures to be reported from the various committees fairly regularly and at an increasing pace now. However, we call attention again to the sparseness of measures on the current calendar and to the necessity for committees to utilize the full days, that are being given from time to time, to the very best of advantage so that the Senate can expedite business rapidly as, if, and when measures are placed on the calendar.

ADJOURNMENT TO 9:45 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move in accordance with the previous order that the Senate stand in adjournment until 9:45 a.m. tomorrow.

The motion was agreed to; and (at 2 o'clock and 12 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, March 30, 1971, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate March 29, 1971:

U.S. CIRCUITS COURTS

Robert A. Sprecker, of Illinois, to be a U.S. circuit judge, seventh circuit, vice Latham Castle, retired.

U.S. DISTRICT COURTS

Thomas R. McMillen, of Illinois, to be a U.S. district judge for the northern district of Illinois, vice William J. Campbell, retired.

Walter T. McGovern, of Washington, to be a U.S. district judge for the western district of Washington, vice William J. Lindberg, retired.

DEPARTMENT OF JUSTICE

Donald B. Mackay, of Illinois, to be U.S. attorney for the southern district of Illinois for the term of 4 years, vice Richard E. Eagleton, resigned.

U.S. AIR FORCE

The following officer to be placed on the retired list in the grade of lieutenant general under the provisions of section 8962, title X of the United States Code:

Lt. Gen. Joseph H. Moore, [redacted] FR (major general, Regular Air Force) U.S. Air Force.

Maj. Gen. George J. Eade, [redacted], Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of lieutenant general, under the provisions of section 8066, title X of the United States Code.

U.S. ARMY

The following-named officers to be placed on the retired list in grades indicated under

the provisions of title X, United States Code, section 3962:

To be general

Gen. Berton Everett Spivy, Jr., xxx-xx-xxxx xxx-... Army of the United States (major general, U.S. Army).

To be lieutenant general

Lt. Gen. Vernon Price Mock, xxx-xx-xxxx, Army of the United States (major general, U.S. Army).

Lt. Gen. Harry Jacob Lemley, Jr., xxx-xx-xx... xxx-... Army of the United States (major general, U.S. Army).

Lt. Gen. William Pelham Yarborough, xxx... xxx-xx-xxxx Army of the United States (major general, U.S. Army).

Lt. Gen. Beverley Evans Powell, xxx-xx-x... xxx-... Army of the United States (major general, U.S. Army).

U.S. MARINE CORPS

Lt. Gen. Louis B. Robertshaw, U.S. Marine Corps and Lt. Gen Frederick E. Leek, U.S. Marine Corps, when retired, to be placed on the retired list in the grade of lieutenant general in accordance with the provisions of title X United States Code, section 5233.

Having designated, in accordance with the provisions of title X, United States Code, section 5232, Maj. Gen. Ormond R. Simpson, U.S. Marine Corps and Maj. Gen Earl E. Anderson, U.S. Marine Corps, for commands and other duties determined by the President to be within the contemplation of said section, I nominate them for appointment to the grade of lieutenant general while so serving.

IN THE NAVY

The following-named (Naval Reserve Officers Training Corps candidates) to be permanent ensigns in the line or staff corps of the Navy, subject to the qualification therefor as provided by law:

David W. Clark
Dennis J. Kern
Thomas A. Galloway

The following-named (naval enlisted scientific education program candidates to be permanent ensigns in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law:

Terry G. Christiansen
Dennis H. Miller
Mark S. Hosier
Andrew C. Rutan
James A. Jones
Samuel J. Visage

James R. Landry (naval enlisted scientific education program candidate) to be a permanent lieutenant (junior grade) in the line or staff corps of the Navy, in lieu of permanent ensign as previously nominated, to correct grade, subject to the qualification therefor as provided by law.

The following-named (naval enlisted scientific education program candidates) to be permanent lieutenants (junior grade) in the line or staff corps of the Navy, in lieu of permanent ensigns as previously nominated and confirmed to correct grade, subject to the qualification therefor as provided by law.

Frederick E. Mace, Jr.
Luis C. Martinez

Arthur R. Pearson (Naval Reserve officer) to be a permanent lieutenant and a temporary lieutenant commander in the Medical Corps of the Navy, subject to the qualification.

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualification therefor as provided by law:

John A. Boice II
Linton E. McCracken, Jr.
Thomas G. Cook
Jonathan H. Cress
Lee J. Melton, III
Richard H. Nealis

The following-named (civilian college graduates) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualification therefor as provided by law:

William H. Farrar, Jr.
James T. Mann III

Floyd D. Trautmann (Naval Reserve officer) to be a permanent lieutenant and a temporary lieutenant commander in the Dental Corps of the Navy, subject to the qualification therefor as provided by law.

The following-named (naval Reserve officers) to be permanent lieutenants (junior grade) and temporary Lieutenants in the Dental Corps of the Navy, subject to the qualification therefor as provided by law:

Jeffrey P. Allen
Ralph E. Nettlehorst
Melvin E. Ball
George S. Pugh
Walter T. Cunningham
Byron E. Snell, Jr.
Earl F. Fisher

Robert J. Hassl (civilian college graduate) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Dental Corps of the Navy, subject to the qualification therefor as provided by law.

The following-named midshipmen (Naval Academy) to be permanent ensigns in the line or staff corps of the Navy, subject to qualification therefor as provided by law:

Thomas H. Abernathy
James A. Bolcar
Mark C. Ablett
David T. Bolduc
Thomas G. Acton
Charles R. Bongard
David A. Adams
John M. Boniface
Thomas D. Adams, Jr.
Barry E. Boswell
Robert F. Adkins
Richard B. Bottenberg
Robert J. Agnor
Edwin H. Bouton, Jr.
Jeffrey H. Albright
John F. Alburger
John D. Bowen, III
John F. Alexander III
Richard T. Bowman, Jr.
Patrick J. Alexander
William K. Boyd, Jr.
Ralph M. Alford, Jr.
Patrick D. Brady
David P. Alleman
Peter D. Brady
Richard E. Alvarez
Terry A. Brake
Edward A. Ammons
John C. Brandes
Robert E. Annis
William B. Brasel
Joseph D. Anthony
Donald S. Brewer
Ralph E. Architzel
James M. Brick
Vincent Ardizzone
Daniel E. Brown
Karl J. Athow
Duane W. Brown
Leland D. Atkinson
Steven A. Brown
Simeon H. Austin
William B. Brown
Robert S. Ayers
Robert C. Brubaker
Eric W. Baittinger
Stephan R. Bruce
Leonyx G. Baker
Glenn A. Bruggemann
Peter A. Baker
Duane L. Brunelli
Gary C. Bakken
Dennis R. Bruwelheide
John C. Ball
James B. Bryant
Charles E. Banellis
George C. Bullard, Jr.
Daniel S. Barrett
John S. Burd
John M. Barrett, Jr.
Lee E. Burgess
James D. Barron, Jr.
Richard S. Burgess
Glenn J. Barrowman
Ferree R. Burkhead
John M. Barry
Charles F. Burlingame III
David C. Barton
Richard A. Burman
Walter H. Barton
Timothy J. Burns
Harry W. Bashore III
Stephen B. Butkus
Bruce T. Batten
William A. Butler
Carl O. Bauer
Cyrus H. Butt IV
Richard B. Baxter
Robert E. Byrd
Frederick B. Beacham, Jr.
Gerald L. Byrnes
Drew W. Beasley
Charles J. Cadden
Edward C. Beck, III
John E. Calia
Fred R. Becker, Jr.
Joseph A. Callahan II
Don H. Beckham
David A. Capizzi
Tommy L. Beckham
Robert A. Capra
Robert J. Beckman
James J. Carlin, Jr.
Michael H. Beelby
Thomas M. Carnahan
John P. Bender
Russell M. Carr
James W. Benefiel
Stephen J. Carro
Ronald V. Benigno
Thomas H. Carson III
Arthur K. Bennett, III
David A. Chaney
Eric J. Benson
Robert B. Chapman
Eugene T. Benson
David E. Charvat
Sanford K. Bernard
Richard M. Cheliras
Keith P. Bersticker
John M. Cherry
John C. Bickford
David W. Chew
Michael S. Bilecky
Robert A. Chimenti
Richard D. Blake
William R. Chiquelin
Sankey L. Blanton, III
Jon L. Cichucki
James A. Bloom
Lawrence F. Clark
Michael S. Bluestein
MacKenzie C. Clark
Daniel D. Bogdewic
John W. Closs
Bradley D. Closson
Charles T. Cochran
David P. Cocolin
William J. Cocos
Michael F. Cohen
Alan S. Cohlmeyer
Fred G. Cole
Warren B. Cole
Charles M. Collier
Michael J. Collier
Arthur K. Colling, Jr.
James P. Collins
William B. Collins
Richard E. Colquitt, Jr.
Stephen A. Comer
John K. Condon
John A. Conkey
Douglas G. Conklin
Richard J. Connelly
Jeffrey D. Conners
Jack L. Conrad
Mark G. Cooksey
Richard W. Cooper II
Ronald F. Cornelison
Thomas E. Crabtree, Jr.
David C. Cradduck
James S. Creelman III
Richard M. Crouch
Jackie M. Crowther
Frank L. Culbertson, Jr.
Harold H. Cummings, Jr.
Daniel L. Curry
Robert C. Custer
Thomas N. Dale
Bradley L. Daley, Jr.
Donnie B. Davis
James A. Davis
Terry L. Davis
Joseph C. Dean
Michael F. DelBalzo
Ronald M. DeLoof
Harry M. Dereniuk
Dennis A. Desmond
Ross S. Dessert
Peter F. de Vos
Steven M. DiAntonio
Gregory B. Dies
Donald B. Disney, Jr.
Stephen F. Dmetruk
Timothy G. Dobrovolny
James A. Dokos
John K. Dolan
William H. Donges
Robert J. Donlon
Michael S. Donnelly
Gale N. Doores
Patrick M. Doyle
Carroll M. Drake
Eugene N. Dubay
Michael G. Duncan
Patrick J. Dunford
Philip S. Dunlap
Peter H. DuRocher
Thomas R. Dussman, Jr.
Ralph P. Earhart
William M. Ecker
Richard H. Ector
Joseph F. Edgerton
John K. Eldridge
James M. Elfelt
Robert L. Elsbernd
William A. Emslie
John P. Enderle
Richard H. Enderly
Gregory A. Engel
Joseph E. Enright
Bruce N. Erickson
Jerald L. Erickson
Alfred E. Ericson, Jr.
Vincent J. Esposito III
John S. Etcher
William J. Farley, Jr.
Kenneth L. Farner, Jr.
Richard J. Farrell
Michael E. Feeley
John P. Feeney
William S. Felts, Jr.
Randal C. Finch
Brian D. Finegold
Richard G. Finley
Theodore A. Fischer II
Robert S. Fisher, Jr.
Edward M. Flanagan
Thomas J. Flanagan
Peter A. Flannery
Patrick J. Fletcher
Richard S. Fletcher
John M. Foley
Bradley S. Foster
Finley B. Foster
John T. Foust
Roger A. Franssen
Parker C. Freeman
Michael J. French
Wilson J. Fritchman
Robert W. Fritz
Jack W. Frost
Scott A. Fry
Thomas B. Fulton
James C. Funke
Harry E. Fuqua II
Harold L. Furrevig
Michael G. Gaffney
Robert M. Gallagher
James B. Gallemore
Thomas R. Galloway
Frank C. Garcia
James W. Garrow
James K. Gatchell
Douglas D. Gavrich
Stephen L. Gemmell
Scott N. Gessis
Timothy T. Gilman
John B. Gilmer, Jr.
James W. Gokey
James G. Gonzales
Thomas H. Gorski
Grant J. Gorton II
James A. Gosma
Grant L. Graeber
Clive Graham, Jr.
Steven M. Grames
Donald F. Gray, Jr.
Kevin P. Green
Brenton C. Greene
Charles H. Griffiths, Jr.
Thomas M. Gross
Donald L. Gunther
David J. Hackett
Michael R. Hagy
Donald K. Hakanson
Daniel J. Haley
William M. Hall
Michael J. Hallahan
Wayne J. Hallenbeck, Jr.
Michael G. Hambleton
Thomas J. Hammons III
Gregory P. Harper
Charles P. Harris
Gordon F. Harris
Jodie R. Harris, Jr.
Randy L. Hartshorn
David F. Hash
William L. Hatcher III
Willard C. Hay, Jr.
Michael P. Hayden
Gregory G. Heath
Edward R. Hebert
Michael R. Hecomovich
William N. Heflin, Jr.
James P. Heil
John T. Held
William B. Hemphill
Robert P. Hendershot
James Hergenroeder
Joseph F. Herger
Bruce Hermanson
Theodore A. Hermeling, Jr.

Thomas Herring III
Mark W. Hess
George B. Hewes III
Ronald E. Hewett
Michael J. Hichak
Daniel G. Hickey
Stephen E. Hickman
Charles H. Hiles, Jr.
William R. Hilton
Edward C. Hines, III
Leander L. Hingle, Jr.
Louis M. Hirsh
Michael J. Hoert
Thomas L. Hoffman
Raymond J. Hogan
Benjamin A. Holland
John P. Holland, Jr.
John A. Holm, II
Kurt E. Holmquist
Garry Holmstrom
Kenneth J. Hook
William C. Hoover
Roger K. Hope
Brian J. Horais
Mark M. Horgan
Richard C. Hormel
Scott A. Hornung
Mark D. Hovermale
John L. Howard
David B. Howe
Mark H. Howe
James D. Hower, Jr.
John H. Hubbard
Steven D. Hudson
Eric M. Hughes
John T. Hughes II
John G. Hume, Jr.
Alfred R. Hupp, Jr.
Leo O. Hura
Brian D. Hurst
Alfred G. Hutchins, Jr.
Thomas W. Hutson III
Peter J. Ibert
Forester W. Isen, Jr.
Alfred J. Jacobs
Robert W. Jacobs
Michael T. James
Charles E. Janes
Jan D. Janiec
John P. Jarabak, Jr.
Michael E. Jastrab
Harry D. Jenkins
John A. Jensen
Steven K. Joens
Joseph H. Johns
Larry C. Johnson
Wayne M. Jones
Franklin W. Jordan
Kenneth S. Jordan
Carl E. Josefson, Jr.
Peter R. Jouannet
Dennis M. Junge
Edward W. Kaiser, Jr.
Charles L. Keating
Timothy J. Keating
Michael J. Kehoe
Frederick W. Keith
Edward W. Kelly
Patrick R. Kelly
Allan W. Kemp
Phillip J. Keuhlen
Jackson G. Kimball
Michael R. King
Fred C. Klein
John R. Knight, Jr.
Gary L. Koger
John G. Kohut
George N. Kolle, Jr.
Paul W. Kolody
John S. Kotz
Boleslaw A. Kovacinsk
Frank J. Kratochvil
Edward H. Krueger
David E. Kunselman
Thomas A. Laboon, Jr.
John R. Lambert
William R. Large, III
Robert J. Larkin
David A. Larson
Abraham J. Lassman
David T. Laws
Thomas N. Ledvina
David L. Lee
David C. Leestma
Alan E. Legacy
Michael P. Lehman
Bruce S. Lemkin
Mark H. Lepick
Jeffrey E. Lewis
Victor T. Linck
Bruce R. Linder
Paul W. Lindgren
John J. Linnehan, II
Victor J. Linnenbom, Jr.
Richard W. Loerch
Gary W. Lohman
James W. Loiselle
John H. Long
Paul B. Long
William T. Long
Paul J. Longinotti, Jr.
Paul J. Loustaunau
Aljurnel E. Lowe
Robert C. Loyd
James W. Luckey
Robert W. Lucy
David W. Luengen
Michael J. Lynch
James J. Lynn II
Daniel W. Lyons
Frank M. McAfee, Jr.
Michael P. McBride
Bruce P. McClure
Daniel D. McConnell
Bruce A. McCroskey
Michael E. McCuddin
Michael J. McDonald
Lawrence L. McDonald
Craig L. McFarlane
Paul G. McIntire
Stanley W. McKee
William L. McKinney
John C. McMacken
Geoffrey L. McMullin
John M. McNallen
Paul E. Madurski
Stanton V. Mahoney, Jr.
Fred J. Mallgrave, III
Milutin Marich
James R. Maris
Kenneth A. Marks
Michael D. Marks
William H. Marle
David T. Martin
John F. Martin, III
Michael R. Martin
Stephen R. Martin
Perry J. Martini, Jr.
David C. Maskaluk
Lewis G. Mason
Richard Massa
John L. Massie
Monty G. Mathews
Edward F. Mathus
William P. Matz
Mark E. Mauriello
Gregory J. Maxfield
Charles W. May
John T. Meister
Peter J. Mellin
Thomas L. Mendenhal
James W. Metzger
William A. Meyers
Joe C. Midgett
Michael J. Miernicki
Arlington R. Miller, Jr
Charles R. Miller
David B. Miller
David E. Miller
Donald P. Miller
Jan S. Milligan
John H. Minnich, III
Scott A. Monson
Frank W. Montesano
Glenn H. Montgomery
George H. Moore
Richard T. Morawski, Jr.
Roger A. Morin
Michael P. Morrell
Ernest L. Morris, Jr.
John L. Morris
John T. Morris
Robert L. Morris
Patrick C. Mullins
Gregg P. Mulvany
John C. Muncie
Douglas A. Murphy
Raymond M. Murray
Thomas F. Musso
Stephen R. Myck
Frederick H. Myers
Daniel S. Naedel
Richard P. Naple
Herbert M. Nave
Frederick D. Nelson
Robert E. Nelson
John D. Nevins, Jr.
William R. Nevitt, Jr.
Stephen R. Newberger
Micajah W. Newman
Stephen H. Newnam
Bruce E. Nichols
David J. Nichols
Kevin C. Nicolin
William G. Nielson
Leslie R. Nixon
Lawrence F. Nolan
Neal D. Noland, Jr.
William F. Nold
Michael T. Nordin
Joseph D. Norton
Keith E. Novin
Jon R. Nus
Thomas F. O'Brien
Kenneth M. O'Bryant
Joseph M. O'Connor
Kevin J. O'Connor
David J. Odland
James K. Opsal
William E. Organek
Michael P. O'Rourke
Michael L. Orirson
Lonnie D. M. Ortner
Christopher Osier
Louis J. Oswald III
William E. Otto
Edward M. Oxford
Gerald A. Padgett
Henry B. Palmer
Michael C. Palmer
Phillip K. Parker
Edward J. Parks
Robert C. Parsons
John J. Paulson
Robert K. Pearce, Jr.
David A. Pearl
Stephen Pelstring
Stephen E. Penner
William T. Penniman III
Charles A. Perkins
George W. Perkins, Jr.
Claus P. Perkuhn
Charles S. Pesce
Wayne A. Peters
Richard G. Plank, Jr.
Elwood H. Plourde
Robert D. Plyler
David P. Polatty III
Valentin Poleshaj
David E. Polzien
Timothy E. Poole
Samuel J. Porter
James F. Postel, Jr.
David C. Poyer
John R. Price
Alan C. Ptak
Stephen R. Purdy
Troy K. Pyles
Charles A. Quinlan III
Barry J. Quinn
David E. Radcliffe
Thomas F. Radich
David R. Rainey
Michael M. Rand
Richard J. Rankin
Stephen T. Raphael
James D. Reasoner, Jr.
Gary A. Reese
Edward J. Reeve
James A. Rehkopf
Anthony J. Rehwaldt
John J. Ripicky, Jr.
Kenneth A. Richardson
Danny L. Rickard
James W. Rightmire, Jr.
Michael E. Riordan
Dana A. Roberts
Brian D. Robertson
David C. Robertson
Donald E. Rockwell III
Ted E. Rogers
Michael G. Rohrbaugh
John F. Rosinski
Ronald A. Route
Daniel J. Rowe
Mitchell L. Rowland
Woody M. Rubino
Theodore D. Ruddock III
Howard S. Russell
Bruce E. Rychener
John P. Sagi
Douglas E. Sameit
George M. Samons
Edward J. Sanderson, Jr.
John I. Sauls, Jr.
Roger S. Saylor
Alan B. Schaffter
George E. Schall, Jr.
Mark C. Scharfe
Albert A. Schaufelberger III
Michael R. Scherr
Leon A. Schierer
Thomas P. Schlax
Peter P. Schneider, Jr.
Ronald D. Schroder
Richard E. Schuknecht
John A. Schultz
Joseph M. Schultz
Robert R. Schultz
Warren R. Schultz
John H. Schuyler
John E. Scott
Bradley D. Scroggins
Thomas A. Secorsky
John W. Seil
Peter J. Selde
Michael W. Senior
Rex W. Settlemoir
Charles W. Setzer, Jr.
Lewis A. Shatzer, Jr.
Henry M. Shaw, Jr.
Russell T. Shaw
Harold L. Sheffield
John P. Shelton, Jr.
William M. Shepherd
James J. Sheppard
Loren R. Shim
Steven J. Shimmin
Mann A. Shoffner III
William L. Shutt
Kenneth M. Sieminski
Lawrence F. Simoneau
Charles J. Simpson
Paul L. Simpson
Stephen D. Sitler
Michael E. Skinner
George L. Skirm III
Arthur F. Slater
Douglas A. Smartt
Jeffery T. Smith III
John K. Smith
Leonard G. Smith, III
Richard M. Smith
James L. Smogen
Guy B. Snodgrass
Theodore E. Snoots
Ludwig A. Sorrentino
William E. Soule
Mark E. Spanbauer
Steven C. Spancake
William N. Sparhawk III
Jan T. Sparks
Robert G. Speer
Philip D. Stafford
Russell F. Stahlak
Scott W. Stahler
David M. Stahlhut
William J. Steelman
Norman W. Steffen
Paul D. Steinke
Michael R. Stephens
William T. Stevens
John H. Stevenson
Scott C. Steward
Daniel D. Stewart
Michael B. Stewart
Robert D. St. Germain
Robert R. Stilwell
Hugh J. Strain
James W. Stratton
Robert J. Strobbe
William W. Strom
Robert W. Stuart
Robert H. Stuhlman
Paul D. Sudds
Edward L. Sullivan
Paul D. Swetland
Thomas L. Sydnor
Stanley R. Szemborski
John M. Tapajcik
Kenneth J. Taplett
Perry R. Taylor, Jr.
Richard W. Taylor
John W. Tennant
Thomas J. Ternes
James M .Theis
Averill E. Tilden
John P. Timmins
Lynden R. Toliver
James E. Toomey
Bruce G. Towne
Thomas L. Travis
Leo J. Tredway, Jr.
Michael F. Trent
Michael D. Trice
Henry J. Turowski, Jr.
Miles E. Twaddell III
David M. Vander Els
David L. Vandover
George A. Vassos III
Timothy L. Vaughan
Louis C. Vest
Thomas E. Vickery
Dennis E. Viglienzone
Michael P. Vining
Terry P. Virus
John W. Vivian
James W. Vivoli
James B. Waddell
Wallace J. Wagemaker
Randall D. Wagner
Robert C. Wagoner
Frank T. Walker, Jr.
Allan D. Wall
Dennis M. Walsh
Richard F. Walsh
Robert E. Walter
Robert L. Walton
James T. Ward
Michael C. Ward
Joseph W. Wargo
Gary I. Washam
Raymond S. Waters, Jr.
Patrick R. Watts
Christopher E. Weaver
Rolland E. Weibley, Jr.
Richard D. Weidman
Daniel R. Welch
David C. Welling
Edward J. Welsh III
David L. Wenner
Gerald C. Werner
Richard C. Wheeler
Richard G. Wheldon
H. Leland Whitfield III
Daniel L. Whitford
David A. Whitman
Forrest R. Whittaker
Alfred J. Whittle III
Carl J. Weidemann II
Henry L. B. Wilder
Tom D. Wiles
John R. Wilhelm, Jr.
Donald G. Williams, Jr.
Eugene J. Williams, Jr.
John A. Williams
William R. Williams
Frederick D. Wilson
Michael K. Wilson
Robert B. Wilson
William T. Wimett
James A. Wish
John A. Withrow
Francis M. Wnek
David A. Woerner
Stephen A. Wohler
Robert L. Wolnewitz II
Jack J. Wong, Jr.
Charles E. Wood, Jr.
Reginald W. Woolard II
Lawrence F. Wray
Carroll G. Wright
James R. Yeakley
Thomas H. Yee
William E. Yocum, Jr.
Cassin Young II
Roger A. Young
Vincent N. Zabala, Jr.
Richard G. Zajicek
William E. Zapf, Jr.
Richard F. Ziska
Michael T. Zurfluh

Thomas D. Schonauer, Medical Corps, U.S. Navy, for temporary promotion to the grade of lieutenant commander in the Medical Corps subject to qualification therefor as provided by law.

Stephen B. Gallagher, Supply Corps, U.S. Navy, for temporary promotion to the grade of lieutenant in the Supply Corps subject to qualification therefor as provided by law.

Jean J. Farver, U.S. Navy, for permanent promotion to the grade of lieutenant in the line subject to qualification therefor as provided by law.

Edward L. Erickson and Stuart P. Timm, U.S. Navy, for permanent promotion to the grade of lieutenant (junior grade) in the line subject to qualification therefor as provided by law.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 29, 1971:

In the Coast Guard

The nominations beginning Glenn G. Kolk, to be lieutenant (junior grade), and ending Robert C. North to be lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on Mar. 24, 1971.