

The cornerstone of the church was laid on Dec. 3, 1862.

John Greenleaf Whittier sent a special poem for the dedication services on Jan. 10, 1864. King, himself, donated the organ.

When the new church was dedicated, King estimated that the income of his church was \$25,000 per year, contrasted to \$30,000 per year that Henry Ward Beecher raised in his famous Brooklyn church, and Beecher's church was twice as large as King's. King said that based on membership, his church was the number one church financially in America.

Any one of his labors would have been enough for one man, much less the outstanding success of all of them combined.

With a new and prosperous church, the Sanitary Commission on a solid and functioning basis, and Union victories at Gettysburg and Vicksburg sealing the doom of the South, he had every reason to sit back and relax.

He was now also financially secure personally. Still another of his parishioners, William C. Ralston, the great financier of the Comstock Lode, had given him solid advice on investments in Nevada silver mines.

He was due a sabbatical. He could now look forward to rest, travel, and writing his book on the Sierras.

Yet, as his congregation had deduced on the very first day, his health was never good. Only devotion to what he considered God's will and "being mad" kept him going as long as they did. Now the Herculean labors began to take their toll.

All along, there were indications he was driving himself too hard for his weak little body.

Indeed, in 1861, he collapsed after speaking to the thunderous applause of 3,000 persons at a major Republican rally with Leland Stanford.

When Bret Harte found him almost passed out on a sofa in the dressing room while the applause continued, Harte asked, "What a triumph! How did you manage to get through the long last sentence?"

King feebly responded, "I hardly know. I seemed quite unconscious of my surroundings. My imagination beheld the scenes, my mind worked out the sentences moments before I uttered them."

Frequently his friends urged him to ease up.

Yet, now that he had the chance and every right to take it easy, disaster struck.

On Feb. 28, 1864, he was hit by diphtheria soon complicated by pneumonia. For two days, he clung tenuously to life.

Then a second attack of pneumonia struck. A doctor was summoned. The doctor told him that he now had only a half hour to live.

King glanced at the calendar. "Today is the fourth of March," he sighed. "Sad news will go over the wires today."

Next, he dictated his will. Then he turned to his wife, "Do not weep for me. I know it is all right. I wish I could make you feel so. I wish I could describe my feelings. It is strange. I see all the privileges and greatness of the future. It already looks grand, beautiful. Tell them that I went lovingly, trustfully, peacefully."

One by one across San Francisco the American flags dropped to half mast. The city hall and all the state and federal offices immediately closed. Soon the foreign consulates and foreign ships in San Francisco harbor joined in dropping their flags to half mast.

The State Legislature in Sacramento adjourned for three days in mourning after passing a resolution that "he had been a tower of strength to the cause of his country."

A military honor guard was posted at his casket. His body lay wrapped in the American flag in front of the altar of his church.

Mrs. Fremont placed violets on his chest. As King lay in state, some 20,000 people came to pay tribute. Many broke into tears as they passed the coffin. Some kissed the flag that was his shroud.

In the bay at Fort Alcatraz, in Union Square in downtown San Francisco, and at

other federal military installations, the cannons boomed in memorial tribute.

Bret Harte composed the eulogy, "Relieving Guard."

"A Star? There's nothing strange in that." "No, nothing; but above the thicket Somehow it seemed to me that God Somewhere had just relieved a picket."

Such a mammoth outpouring of emotion and sorrow was not equaled on a national level until 99 years later with the murder of President John F. Kennedy.

Services were conducted by the Masons, with ministers of the Methodists and Presbyterian Churches joining in the rites.

His body was buried in the front lawn of the church he had just completed building.

It still lies in a crypt in front of the church today at the corner of Franklin and Starr King streets. In the early 1960's, the state designated Starr King's church and tomb to be a historical monument.

In 1913, the State Legislature voted Starr King and the great Catholic missionary Father Junipero Serra to be the state's two greatest heroes. It appropriated \$10,000 to erect a bust in King's memory in the U.S. Capitol to stand with those of George Washington and Robert E. Lee for Virginia.

The statue was unveiled on March 1, 1931, by King's grandson, U.S. Navy Lt. Comdr. Thomas Starr King.

In addition to the giant granite mountain in Yosemite National Park, one of the great trees that he admired in Yosemite is also named for him. There is another mountain in the White Hills of New Hampshire also named Mt. Starr King.

California has many public schools and Masonic Lodges bearing his name. In Long Beach, there is even a Starr King Presbyterian Church.

The Unitarians have named their major seminary the Starr King School of Theology.

However, like his compatriot and admirer, Abraham Lincoln, his greatest monument is the dream he labored for, "One nation, under God, indivisible, with liberty and justice for all."

SENATE—Tuesday, June 13, 1972

The Senate met at 10:30 a.m. and was called to order by Hon. GALE W. MCGEE, a Senator from the State of Wyoming.

PRAYER

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

O God, whose mercies are new every morning, we raise to Thee our grateful praise.

For the glory of sunrise and sunset, for shelter and raiment and daily bread, for work to do and good colleagues with whom to do it, for the blessings of family life and good neighbors and friends, we give Thee thanks.

For joys that hearten and refresh us, for afflictions that bring new insights, for better understanding and compassion for trials whereby we are tested and for the power to triumph over disaster, we give Thee thanks.

Above all, we thank Thee for Thyself, O Thou whose faithfulness is unto all generations. For the love which endures despite our neglect and ingratitude, for Thy guiding hand upon us and Thy watchful care over us, we give Thee thanks.

Now accept the service which we offer here in Thy name that it may enhance

the welfare of the Nation and advance Thy kingdom on earth.

We pray in the Redeemer's name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 13, 1972.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. GALE W. MCGEE, a Senator from the State of Wyoming, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

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

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of

yesterday, Monday, June 12, 1972, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

RESCISSION OF ORDER TO RECOGNIZE SENATOR HARRIS TODAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the recognition of the distinguished Senator from Oklahoma (Mr. HARRIS) today be vacated.

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

ORDER FOR RECOGNITION OF SENATOR HUGHES TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, following the remarks of the two

leaders under the standing order, the distinguished Senator from Iowa (Mr. HUGHES) be recognized for not to exceed 15 minutes.

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

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Does the Senator from Ohio desire to be heard under the standing order?

Mr. SAXBE. No, Mr. President.

TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business, with a limitation of 3 minutes on statements of individual Senators, and the business of the morning hour will not be extended beyond the hour of 11 o'clock.

ORDER FOR RECOGNITION OF SENATOR KENNEDY TODAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that immediately following the votes on the three treaties scheduled for today and the Senate's return to the transaction of legislative business by the Senate, the distinguished Senator from Massachusetts (Mr. KENNEDY) be recognized for the purpose of offering an amendment to S. 3390, the unfinished business.

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

The Senator from Vermont is recognized.

(The remarks that Senator AIKEN made at this point on the introduction of S. 3699, dealing with the establishment of certain recreation areas within the national forest system, are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

RESCISSION OF ORDER FOR CONSIDERATION ON FRIDAY OF SENATE RESOLUTION 299

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order providing for the consideration on Friday of Senate Resolution 299 at the hour of 1 o'clock be vacated.

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

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

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

The second assistant legislative clerk proceeded to call the roll.

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

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

FOREIGN ASSISTANCE ACT OF 1972—TIME LIMITATION ON KENNEDY AMENDMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that time on the

amendment to be offered today by the senior Senator from Massachusetts (Mr. KENNEDY) be limited to 1 hour, to be equally divided between the distinguished mover of the amendment (Mr. KENNEDY) and the distinguished manager of the bill (Mr. SPARKMAN), with time on any amendment to the amendment, debatable motion, or appeal to be limited to 10 minutes, equally divided between the mover of such and the manager of the bill (Mr. SPARKMAN).

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

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

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

The second assistant legislative clerk proceeded to call the roll.

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

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

TIME LIMITATION ON SAXBE AMENDMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that immediately upon the disposition of the amendment by Mr. KENNEDY this afternoon, the Senate proceed to the consideration of amendment No. 1220, to be proposed by Mr. SAXBE; that there be a time limitation on the amendment of 1 hour, to be equally divided between the distinguished mover of the amendment (Mr. SAXBE) and the distinguished manager of the bill (Mr. SPARKMAN); that time on any amendment to the amendment, debatable motion, or appeal be limited to 10 minutes, to be equally divided between the mover of such and the distinguished manager of the bill.

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

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

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

The second assistant legislative clerk proceeded to call the roll.

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

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENT, ETC.

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

REPORT ON CLAIM

A report certified by the Chief Commissioner, United States Court of Claims, relating to Congressional Reference Case No. 3-69, filed June 9, 1972, Robert D. Bechtel and Lawanda Bechtel, his wife; H. Wayne Sprawls and Audrey Sprawls, his wife; and Wide River Farms, Inc., an Arizona Corporation against the United States; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on Agriculture and Forestry, with an amendment:

S. 2699. A bill to authorize the acquisition of lands within the Vermejo Ranch, New Mexico and Colorado, for addition to the National Forest System, and for other purposes (Rept. No. 92-854);

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 3414. A bill for the relief of Alexandria Nicholson (Rept. No. 92-855).

By Mr. EASTLAND, from the Committee on Agriculture and Forestry, with amendments:

S. 3105. A bill to authorize the Secretary of Agriculture to develop and carry out a forestry incentives program to encourage a higher level of forest resource protection, development, and management by small non-industrial private and non-Federal public forest landowners, and for other purposes (Rept. No. 92-856); and

H.R. 13089. An act to provide for acceleration of programs for the planting of trees on national forest lands in need of reforestation, and for other purposes (Rept. No. 92-857).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S. Res. 304. A resolution authorizing expenditures by the Special Committee on the Termination of the National Emergency (Rept. 92-858). Referred to the Committee on Rules and Administration.

AUTHORITY FOR COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS TO PRINT THE REPORT OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Mr. SPARKMAN. Mr. President, during the consideration of legislation to clarify the liability of national banks for certain taxes, the committee required in section 4 of Public Law 91-156 appendix December 24, 1969, that:

The Board of Governors of the Federal Reserve System shall make a study to determine the probable impact on the banking systems and other economic effects of the changes in existing law to be made by section 2 of this act governing income taxes, intangible property taxes, so-called doing business taxes, and any other similar taxes which are or may be imposed on banks.

Parts I and II of the report from the Board of Governors was received in May 1971 and were subsequently printed as a committee print by our committee. Later in December 1971, part III was received from the Board of Governors and it was also printed as a committee print by the committee.

In December 1971, the President approved a Joint Resolution of the Congress postponing for 1 year or until January 1, 1973, the effective date for certain changes in laws relating to State and local authority to tax national banks. In the committee report, Senate Report 92-254, which accompanied the extending resolution, the committee required additional information from the Board of Governors of the Federal Reserve System concerning this entire matter. That additional report has now been submitted to the committee.

Mr. President, this subject matter has

caused a good deal of interest not only in the banking industry but also in State and local governments whose authority to tax national banks would be affected. The supply of our committee prints covering parts I, II, and III have been exhausted. Since we now have the additional report from the Board of Governors which we requested last December, I ask unanimous consent that the committee be allowed to reprint parts I, II, and III along with a new report from the Board of Governors of the Federal Reserve System as one volume.

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

EXECUTIVE REPORTS OF COMMITTEES

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

By Mr. RANDOLPH, from the Committee on Public Works:

Robert Lewis Sanson, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. AIKEN (for himself and Mr. TALMADGE):

S. 3699. A bill to establish a system of wild areas within the lands of the national forest system. Referred to the Committee on Agriculture and Forestry.

By Mr. RIBICOFF:

S. 3700. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents. Referred to the Committee on Finance.

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

S. 3701. A bill to extend and improve the Federal Highway Safety Program, and for other purposes. Referred to the Committee on Public Works.

By Mr. BIBLE (for himself and Mr. CANNON):

S. 3702. A bill to expand the Boulder Canyon Project to provide for the construction of a highway crossing of the Colorado River immediately downstream from Hoover Dam. Referred to the Committee on Interior and Insular Affairs.

By Mr. BIBLE:

S. 3703. A bill granting the consent and approval of Congress to the California-Nevada Interstate Compact. Referred to the Committee on the Judiciary.

By Mr. FULBRIGHT:

S.J. Res. 241. A joint resolution authorizing the President to approve an interim agreement between the United States and the Union of Soviet Socialist Republics. Referred to the Committee on Foreign Relations.

By Mr. MANSFIELD and Mr. SCOTT:

S.J. Res. 242. A joint resolution approving the acceptance by the President for the United States of the Interim Agreement between the United States of America and the Union of Soviet Socialist Republics on certain measures with respect to the limitation of strategic offensive arms. Referred to the Committee on Foreign Relations.

By Mr. MATHIAS:

S.J. Res. 243. A joint resolution relating to United States support of United Nations

measures to provide and coordinate disaster relief. Referred to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AIKEN (for himself and Mr. TALMADGE):

S. 3699. A bill to establish a system of wild areas within the lands of the national forest system. Referred to the Committee on Agriculture and Forestry.

Mr. AIKEN. Mr. President, the distinguished senior Senator from Georgia (Mr. TALMADGE) and I are today introducing a bill to authorize the establishment of a system of primitive-type recreation areas in the Eastern United States within the national forest system.

I am especially gratified to have the senior Senator from Georgia, who is chairman of the Committee on Agriculture and Forestry, join in sponsoring the bill.

It is strictly nonpartisan.

The need for this legislation has been apparent for some time.

Citizens in heavily populated centers east of the Mississippi River need access to areas where they can enjoy the unique experience of solitude that only wilderness can provide.

At present, nearly all of the major wilderness areas, defined as areas unspoiled by man that are at least 5,000 acres in size, are in the West far from Eastern population centers.

But in the national forests of the East, there are numerous areas of lesser size that are reverting to primitive conditions following abandonment by man.

While these areas do not meet the strict criteria of the Wilderness Act of 1964, they do contain physical and scenic features that would enable outdoor-minded people to enjoy experiences which the wilderness provides.

In order for these areas to be protected, maintained, and managed for wilderness-type recreation it is desirable to identify and designate them formally in a wild areas system.

This is the purpose of the proposal offered today for consideration of the Senate.

This bill, which Senator TALMADGE and I are offering would—

First. Provide present and future generations with primitive recreation opportunities in a spacious, scenic, natural, and wild setting removed from the activities of man;

Second. Create a system of wild areas designated by Congress within national forests east of the 100th meridian to be administered by the Secretary of Agriculture as a part of the national forest system;

Third. Authorize public use consistent with the ability of the area to support such use;

Fourth. Limit developments to those necessary for the health, safety, and well-being of the visiting public;

Fifth. Limit use of motorized equipment to that necessary for administration, protection, health, and safety;

Sixth. Prohibit commercial harvesting of timber;

Seventh. Authorize Federal acquisition of private inholdings by donation, purchase, gift, exchange or condemnation;

Eighth. Withdraw federally owned lands from all forms of appropriation under the mining laws, except for existing valid claims;

Ninth. Permit hunting, fishing, and trapping in accordance with Federal and State laws;

Tenth. Authorize the Secretary of Agriculture to make such rules and regulations as he deems necessary to carry out the purposes of the act.

Mr. President, the bill Senator TALMADGE and I are introducing today is companion legislation to H.R. 14392, which was introduced in the House on April 17 by Mr. KYL of Iowa.

I am glad to note that the other body is giving this problem serious attention and I should also point out, as part of the record, that earlier this year the administration requested the establishment of additional wilderness areas in the Eastern United States.

In line with this request, the President directed that a study be made to determine potential wilderness areas in the East.

Mr. President, I ask unanimous consent that the attached report from the Forest Service on alternatives for preserving and managing our wild lands in the East be printed in the RECORD at this point.

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

ALTERNATIVES FOR PRESERVING AND MANAGING NATIONAL FOREST WILD LAND VALUES IN THE EAST

In his February 8, 1972, message on the environment, the President directed that the Secretaries of Agriculture and Interior accelerate the identification of areas in the eastern United States having Wilderness potential. In response to that direction, the Forest Service is inviting interested individuals and organizations to consider possible alternatives and offer advice which will answer this question: "How can the National Forest System in the East and South meet those needs of people which are answered in the West by National Forest Wilderness?"

The need for the kind of solitude and spiritual refreshment found in primitive, scenic surroundings is most acute in the populous southern and eastern States. Opportunities for meeting this need are very limited in this part of the country because the impact of civilization has drastically altered the original ecosystem of two centuries ago. While many affected areas have recovered some appearance of undisturbed nature, it is questionable whether these lands are comparable to those set aside as Wilderness in the West. In any event, opportunities for restoring and preserving primitive values east of the 100th meridian are not abundant, and they will diminish unless positive action is taken.

Public lands also are relatively limited in the East and South. The National Forests are the most extensive of these, and contain some of the best remaining opportunities for the preservation and management of wild land values. The Forest Service is striving to find the most workable alternative for realizing these opportunities.

Although the criteria of the Wilderness Act do not appear to fit eastern conditions because of the obvious evidence of past land

use by man, some proposals have been made that the classification of wild lands could be achieved under the Wilderness Act.

Several other alternatives are available. Some were suggested even before the 1971 Forest Service invitation to the public for discussion of possible solutions. These alternatives can form the basis now for discussion and an ultimate decision.

One array of alternatives deals with action through legislation:

An amendment or supplement to the Wilderness Act to define a new category of wild lands in the South and East could achieve the purposes of new basic legislation and at the same time bring eastern units into the Wilderness System. Provisions for acquiring mineral rights and land could be made, but other amendments are possible once the subject is opened.

New basic legislation to establish a system of wild lands managed to restore their natural values is another possibility. It could authorize acquisition of lands and mineral rights to establish viable units for preservation. Time might be consumed in the legislative process, possibly delaying full protection.

Individual legislative actions to establish units meriting management to preserve primitive values could achieve the same result as new basic legislation. However, there is the possibility that these Acts could establish diverse management conditions and the legislative process could be lengthy.

Before the Wilderness Act became effective, the Forest Service established Wild and Wilderness Areas through administrative action. Several alternatives are still available through this procedure. All share the advantage of providing protection early because legislation is not required. On the other hand, they do not solve problems of land and mineral ownership. There is also a concern that administrative actions can be too easily reversed in the future.

Forest Service multiple use plan units can be established under existing authorities with the approval of Regional Foresters.

Classification by the Secretary of Agriculture or the Chief of the Forest Service would assure higher level consideration and public involvement at the national level.

Executive Order classification represents the highest level of administrative action. It has been an effective device in the case of many National Monuments which have been long and effectively protected under these Presidential directives.

Additional alternatives or modifications of those listed should be considered as they are identified.

The ultimate solution should be that which best meets the needs of the American people which recognizes all of the resource values of the National Forests and which best overcomes some basic obstacles, such as the following:

Ownership patterns are fragmented. Only about one-half of the land surface within the boundaries of the eastern National Forests is in Federal ownership.

Of lands where surface rights have been acquired, the Government holds only 50 percent of the mineral rights.

Most waterways and water surfaces are not owned or controlled by the Federal Government, even within the National Forests.

The Forest Service is seeking public involvement in considering the alternatives. Individuals and organizations are urged to assist in these considerations.

Mr. TALMADGE. Mr. President, I am pleased to join the distinguished Senator from Vermont to introduce the National Forest Wild Areas Act of 1972, a bill to establish natural and wild areas within the economic means and commuting distance of the population of the Eastern United States.

It is no secret that despite efforts by some communities to limit their growth, we are paving a wall-to-wall city from Maine to Norfolk, Va., and beyond, and another one around the southern rim of the Great Lakes from Minneapolis-St. Paul to New York City.

Our lives are seemingly governed by series of flat, green signs along an Interstate Highway System that moves us at a steadily slower pace from one urban sprawl to another, telling travelers the monotonous tale of how our Nation has compressed its people—without any planning at all—into a bone-hard catacomb of steel and asphalt that only leads people to want to escape.

It is an amazing commentary on the content of this modern civilization that it has become more perilous and tense for today's Americans to drive to work in the morning than it was for the pioneers to troop out in their covered wagons from St. Louis to settle the West.

Dimly we perceive that there is something all wrong with the way we have put our resources together. Now along that Interstate System a new kind of vehicle can be seen lumbering along. People call them campers, but they are really an escape device—the means by which hundreds of thousands of people are fleeing big city and suburban living for the sake of their sanity.

Each weekend the newspapers urge the residents of our eastern cities to buy "a little bit of heaven" in the countryside. And the people are buying—seeking a place to hide from the pressures of what we unfortunately have to call everyday living.

These little bits of heaven, which thousands of people are buying, are in a way an ominous sign. In aggregate they amount to a big chunk of heaven that is being withdrawn from the last remaining natural areas in the Eastern portion of our Nation.

Beautiful, forested areas are being divided into lots. Top soil and trees are often stripped from the earth to make way for get-away-from-it-all dream homes. Not all of this development is bad, but much of it is, making no provisions for maintaining the natural features of the land, and often making no provisions for sewage and pollution control.

Meanwhile, the suburbs continue to expand in a menacing proliferation of fancy-named subdivisions, shoving their bland, treeless parkways up to what was once lush wilderness.

Clearly it is time to take action to save the wild and natural areas remaining east of the Mississippi River for the generations of children—100 million of them—who will be with us in America in the 30 or 40 years to come.

Our highways may be filled with campers, and the developers may be pleased with their profitable land sales, but there are hundreds of thousands of our people who do not have the financial means to use these forms of escape.

More than half of the people in this country live in the Eastern portion of America, but only 2 percent of the land designated as wilderness area is in this part of the Nation.

Under the regulations established for the wilderness system, most natural Eastern areas do not qualify, because at one time or another they have been logged or cultivated or mined. But there are thousands of acres threatened by development, which have grown back to nearly their natural state, and they should be preserved for the careful use of the middle-class American who needs to take his family and get away from the tensions of urban living.

Just as we need to move a higher percentage of economic development and growth to our rural areas to balance up our population distribution, so also do we need to provide the opportunity for both rural and nonrural people to visit and commune with our land in its natural state.

If this Nation is to survive, I am convinced we need to spread out our population over our country through rural development, and to provide areas for the re-creation of mind, spirit, and body that comes by getting surcease from the crowded streets and teeming activity that accompanies modern life.

The establishment of wild areas such as those proposed in the bill we are introducing today will provide that release from modern strains by utilizing lands within our Eastern States that are well suited to the wilderness-type experience, and are neither needed nor desirable for other forms of rural community development. In fact, the provision of these proposed wild and natural areas within commuting distance of the millions of people living in the large cities of the East will itself have a beneficial effect upon the economic prosperity of our rural communities—raising business activity, local incomes, and the local tax base by more than the possible cost.

Conservation leaders have long recognized a need in the Eastern United States for primitive recreation opportunities in a specious, scenic, and wild setting, removed from activities and highly developed works of man.

The need for such primitive recreation opportunities in the East is so great because most of the people of the United States live in the East and most of the wilderness areas are in the Western States. We need to balance this situation if most of the residents of the Eastern States are to have an opportunity to benefit directly.

Many areas in the Eastern national forests—although not having the qualifications for inclusion in the National Wilderness Preservation System, have been or are being restored through nature's healing processes. Through further protection, these areas can offer the atmosphere, solitude, and recreation opportunities that approximates that of a true wilderness and is so urgently needed by the people of the East.

The bill Senator AIKEN and I are introducing today represents one means to provide for the establishment and protection of the needed Eastern wild areas. In fact, it would provide stronger, more complete protection than would the Wilderness Act in many ways. For instance, subject to existing valid claims, the areas would be withdrawn from pos-

sible mineral exploitation. The bill would provide condemnation authority to protect these Eastern areas from nonconforming, adverse interior development, and attendant access requirements. Significant as it is, the Wilderness Act of 1964 falls short in a few areas of providing absolute protection. Our bill would, for the wild areas of the East and South, correct these shortcomings and give land managers the adequate tools they need to carry out their task of preserving and restoring these priceless lands.

The National Forest Wild Areas Act will, as would several of the other alternatives in varying degrees, recognize the special qualities of some of the lands within the eastern national forests and will provide the special management measures to maintain, restore or protect such areas for present and future generations of Americans.

Mr. Joe Penfold, conservation director of the Izaak Walton League of America, recently wrote "Wilderness East—a Dilemma" for American Forests. I ask that this be inserted into the RECORD at this point in my remarks as a scholarly discussion of the philosophy of wild land preservation and its potential implementation in the East and South.

Senators will note that the bill we are introducing today provides for extensive and careful base touching with all interested groups, including the people who will use it, before a proposed wild area could be established. Not only would the Forest Service be required to hold public hearings on each proposed addition to the wild area system, but the bill also specifies careful and extensive prior notification concerning details of the proposal.

Our bill makes specific provision for detailed intergovernmental coordination—involving not only the Governors and State government but also the counties, towns, municipalities, and the relatively new multijurisdictional general purpose planning and development districts and environmental councils.

We do not consider the bill we are introducing as the final word in any sense. We want to hear what those most directly affected have to say. We also wish to hear the advice of experts in outdoor recreation, and land management, in rural development and in urban affairs.

Everyone in the Eastern and Southern United States will be affected by this proposal and by how it is implemented.

I want to hear what the people of Atlanta want done about this; and I want to hear what our rural counties and development districts and their residents think of the idea and their advice of how to put the proposal into operation with the greatest advantage to the rural community.

We have made many mistakes in setting this great land of ours and building our crowded cities. Some of these our parents and grandparents have already paid for with bankruptcies and heartaches. But the children of some of these people are still paying in drugs and crime and degradation.

Our bodies and minds were formed and nurtured in a relatively simple rural en-

vironment. Today many of us are subjected to the traffic jams and noise, air, and water pollution and mental and emotional strains pressed upon us by an increasingly technological high-speed society. As a people we can take just so much of this without cracking up.

To relieve the pressure we need to make more room in the country—more room to live, work and play. And we need to provide relaxation and escape for those who cannot benefit from full-time rural living. We need to systematically provide land areas where people can get off by themselves, away from the pressures of civilization and its mechanics.

The sponsors of this bill feel it is designed to meet some of these needs.

But we need to find how many other people would be interested in utilizing these wild areas, if they are provided. Before passing the legislation we need to determine what kind of land management practices are compatible with the wilderness experience that people—city people as well as rural residents—desire and will use. We need to study carefully the availability of land in our various States for this wilderness-type use.

By extensive hearings and careful consideration by the committee on this proposal we can draft proposed legislation that will provide a positive impetus to both rural development and to a higher quality of life for both city and rural people.

Despite the many ravages of men, there are still vast areas east of the Mississippi River where cathedrals of trees protect the moist green ground cover from the rays of the summer sun. There are still unpolluted streams that trickle quietly past proud stands of hardwood that tenuously cling to life under the pressure of the Nation's growing demand for more lumber.

These sylvan settings must be maintained and protected for the millions of Americans in the eastern part of America who have not got the money for a down payment on their own little bit of heaven. They must be maintained to preserve a semblance of the ecological system that was here before our forefathers arrived. They must be protected and maintained as an investment in a greener, less hurried future for this land we all love so well.

I ask unanimous consent that an article written by Mr. J. W. Penfold, conservation director of the Izaak Walton League of America, be printed in the RECORD as a part of my remarks.

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

WILD AREAS

(By J. W. Penfold)

The Wilderness Act of 1964 provided the administrative-legislative mechanism by which Primitive Areas of the national forests can be brought within a system to be protected, preserved and managed as wilderness in perpetuity. The Act became law roughly a half century after the wilderness concept first took meaningful form in the minds of a handful of visionaries—the Arthur Carharts, the Aldo Leopolds. The concept became firmly rooted in 1924 by designation of the first Wilderness area, the Gila in New Mexico and shortly thereafter by action to set

aside for special protection and management the roadless areas of the canoe waters along the Minnesota-Canadian boundary. During the 1930's under the stimulus of Robert Marshall, many more wild and wilderness areas were created by executive action of the Chief of the Forest Service and the Secretary of Agriculture respectively.

The Wilderness Act (which also provided for wilderness in the National Park and National Wildlife Refuge systems) came about for two principal reasons—to obtain the protection and permanence offered by positive Congressional action, rather than leaving wilderness preservation solely to administrative discretion and determination, and, to establish the high standards and criteria in which wilderness would be established and managed. A crucial point is that every effort made by conservationists in the half century leading to the Wilderness Act was premised on obtaining recognition and acceptance of wilderness as a natural ecosystem, untrammelled by man in the past and permitted to continue untrammelled and undisturbed by man's activities in the future. The Act established such standards and criteria, though, perhaps less strict than needed.

But, the Wilderness Act, as it applies to national forests, has other shortcomings—geographic and demographic. The great bulk of national forest primitive areas eligible for inclusion in the wilderness system are located in the western states, while the bulk of the American population lives east of the Mississippi. Curiously, in retrospect, this was used as a major argument against the Act by most of its principal opponents.

The Wilderness Act, in addition to blanketing into the system those areas already restudied and designated "primitive" by Executive action, provided for the detailed study of the remaining areas previously designated. If they are found to meet the standards and criteria of the Act, they are presented to Congress for specific inclusion in the system by legislation. A period of 10 years was provided during which the operation was to be completed. As of this writing, Congress has taken action on 7, another 8 are awaiting Congressional action, 9 are in the final reporting and recommendation stage, and 11 are in the study and field hearing pipeline.

The Wilderness Act also provided authority to the Forest Service and Department of Agriculture to nominate additional areas, not having been designated before but meeting the standards and criteria of wilderness as provided in the Act. The number and location of such "de facto" areas are uncertain. Some have been identified by the Forest Service and/or citizen wilderness groups and some have received preliminary reconnaissance study. One of these, the Scape Goat, awaits Congressional action. The Forest Service has been subject to extensive criticism from some quarters, however, for not moving more aggressively and quickly to study, recommend and get "de facto" areas into the wilderness designation pipeline. Understandably, the Forest Service (and other federal agencies involved in definitive studies under the Act) has necessarily given first priority to the primitive areas specified for study under the Act.

Meanwhile, citizen wilderness interests have also pushed hard for early inclusion in the wilderness system many other prime areas which retain a high degree of wilderness character and offer the atmosphere and recreation opportunities of a near wilderness environment. Such areas, many of which are located in eastern national forests, may bear to a greater or lesser extent the heavy imprint of man's activities—logged, farmed, roaded, developed—but have been abandoned and to a substantial degree have recovered or on the road to recovery, through natural processes. It is argued by some that such areas reversing to wilderness should be eli-

gible for inclusion in the wilderness system. They argue that the criteria and standards of wilderness established by the Act are sufficiently flexible now to embrace such areas; or, that the Wilderness Act should be amended to provide such flexibility. Others, including the writer, feel just as strongly that lowering wilderness standards by amendment of the Act or by its more liberal interpretation, in the long run, can only threaten the integrity of all designated wilderness. Even if the line can be held rigorously against the invasion by commercial development—and pressures for such are unrelenting—there still remains the growing and nearly irresistible pressure of recreationists themselves who, with snowmobile, outboard, ATV and other gadgetry, or sheer numbers lean their weight against every wilderness boundary.

But, the wilderness preservation advocates are profoundly correct that there is need for more wilderness to meet the requirements of a growing population of outdoor minded citizens who have the right as well as the desire for the unique experience which only wilderness can provide. And, especially are such areas essential east of the Mississippi close to burgeoning metropolitan areas, where opportunities for classic wilderness are least.

The question to be answered and the dilemma to be resolved are thus found to be rather simply stated: how can wilderness value and experience be provided close to populations living in the midwest, east and south without lowering Wilderness Act criteria and standards. The Forest Service itself, tormented by the question and harassed by constant and sometimes hypercritical demands, took a major step. At the 12th Biennial Wilderness Conference staged by the Sierra Club and Wilderness Society, the Forest Service invited the forces for Wilderness to sit down with them to discuss the issues and find the answer. Implicit in the invitation was the thought, among other alternatives, that the mechanism for accomplishing the objective might be creation of another system. Such areas would possess to a substantial degree the prime characteristics of wilderness, in spite of man's past activities, from which they are recovering, but which do not measure up to the strict criteria and standards required by the Wilderness Act. For lack of a better name, we've called it a system of "wild" areas.

Follow-up discussions were initiated by wilderness interested organizations. A consensus has not yet developed, however alternative courses of action quickly became apparent:

1. Create a system of "Wild Areas" by statutory or executive designation.
2. Amend the Wilderness Act so that eastern areas that do not meet the present stiff requirements of the Wilderness Act can be included under that Act.

Have Congress reinterpret the Wilderness Act to the extent that reconstituted or recoverable wilderness can be included in the National Wilderness Preservation System.

There appears to be agreement, if alternative one is chosen, that the "wild" area system should be established by Act of Congress and individual areas be brought into the system by Act of Congress. This procedure would parallel that provided by the Wilderness Act for bringing areas into the Wilderness System. The regulations on management and use of "wild" areas would parallel those required for wilderness. Additionally, they should be withdrawn from all forms of appropriation under the mining laws and from disposition under leasing or disposition of mineral materials. Moreover, because of complex ownership patterns prevalent in eastern forests, acquisition of inholdings could be made by condemnation where necessary. In these two latter re-

spects the "wild" area system would offer greater protection than does the Wilderness Act itself and the present 5,000 acre limitation need not be inhibiting.

Establishment of a system of "wild" areas would not mitigate against consideration of eastern areas for designation under the Wilderness Act. Areas which meet the criteria and standards of the Wilderness Act would continue to be eligible for wilderness designation. However, if they do not meet those stiff requirements because of man's past activities, but nonetheless offer high potentials for wilderness values and experience, they could be eligible for designation under the "wild" area system and their wilderness characteristics be preserved into the future.

Adoption of the "wild" area system approach would provide another category of federal areas at no additional administrative or management cost. It would parallel the Wilderness System. It would be consistent with the several category approach provided in the Wild and Scenic River Systems already established by Congress. It would assure the preservation of prime national forest areas in the east to provide wilderness recreation and other values for the millions of citizens residing far from our great western Wilderness areas. Moreover, it would accomplish this without threatening the integrity of the wilderness principle or wilderness system and without opening the Wilderness Act to weakening amendments by those interests which would gladly scuttle the whole wilderness concept.

Following the same Executive-Legislative procedures as provided in the Wilderness Act the public could be assured that actions taken under a "wild" system act would be consistent with overall national forest objectives and purposes as specified in the Multiple Use Act of 1960. Finally, there would be full opportunity for citizen input all along the line.

As it stands now, the need for action is apparent. All options for action are open. A working consensus on the best course of action to be followed could get this important job accomplished.

By Mr. RIBICOFF:

S. 3700. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents. Referred to the Committee on Finance.

TUITION TAX CREDITS FOR NONPUBLIC SCHOOLS

Mr. RIBICOFF. Mr. President, I am today introducing legislation allowing tax credits for tuition to nonpublic elementary and secondary schools. Emotional and legal controversy surrounds the question of aid to private or parochial schools and the fate of these schools is an issue which everyone concerned with the future of our entire education system must consider.

If the Nation's 21,800 nonpublic schools were thriving institutions, Government assistance would not be needed. But that is not the case.

The President's Panel on Nonpublic Education has reported that non-public-school enrollment has been declining at a rate of 6 percent per year. Roman Catholic schools have been the hardest hit, but they are not alone. In the past 2 years, independent school enrollment has dropped 11 percent, military schools 10 percent, and boarding schools 4 percent. At this rate one-fourth of the schools operating in 1970 will be closed by 1975.

If this trend continues we will experience a massive dislocation in our public school system. Over 10 percent of America's total elementary and secondary students attend nonpublic schools. Should these schools collapse, our public school system would have to absorb over 5 million more children. Most of the impact would be felt in urbanized areas already heavily burdened by the need to provide public service.

In the 20 largest cities, nearly two out of five schoolchildren are enrolled in nonpublic schools. The public school systems in New York City would have to expand to accommodate over 358,000 new students if private schools closed. In Chicago, 208,000 students would be added and in Philadelphia 146,000.

My own State of Connecticut faces a similar potential burden. Over 100,000 students, 14 percent of all students, now attend parochial and private schools. Twelve of these schools closed in 1971 and more may close this year. We all have a stake in this problem.

Some critics of aid to nonpublic schools argue that public assistance will weaken support of our public school system. They point out that less than half of the public school bond issues were ratified last year.

We cannot ignore, however, the enormous costs involved in transferring nonpublic students into the public schools. It has been estimated that collapse of our nonpublic schools would cost local taxpayers an additional \$5 billion a year. Taxes would have to increase or more public schools close to meet this expense. The American public should not be forced to assume this additional tax burden unless it is absolutely necessary.

In addition, proposals for aiding nonpublic education at the levels generally discussed will not encourage expansion of the system, but will only serve to stem their decline. The difficulty arises in what form that aid should take.

In the past cities and States have been most ingenious in developing assistance programs. Few of them, however, have satisfied the constitutional prohibitions against the "establishment of religion." In 1971 the Supreme Court in Lemon against Kurzman, summarized the cumulative criteria it had developed. First, the program must have a secular purpose; second, its primary effect must not be the advancement or inhibition of religion; finally, it must not foster "an excessive governmental entanglement with religion."

I believe that tax credits meet these tests. First, the program's purpose is to lower the expense of education to the students' parents. No tax funds would be given to the school. Second, its effect is to enable parents to decide which type of education is best for their child. Finally, because the taxpayer, not the school, is subject to audit, there are no excessive governmental entanglements.

The formula I am proposing is similar to that used in S. 1111, my bill to provide tax credits for higher education expenses. A parent would be allowed a maximum credit of \$475 for each student's tuition. The credit would be com-

puted on the basis of 100 percent of the first \$200 for tuition; 50 percent of the next \$300; and 25 percent of the subsequent \$500.

Unless some governmental aid is forthcoming, most of our nonpublic schools will eventually disappear. Those that survive will do so by requiring exorbitant tuitions which only the very wealthy can afford. The result will be that private and parochial schools, rather than being educational options open to all, will be sanctuaries for the rich.

My proposal would avoid these problems. By allowing middle- and lower-income families the ability to send their children to nonpublic schools, it will guarantee the continued existence of these schools plus a well balanced student body.

I ask unanimous consent that the text of S. 3700 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. 3700

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by redesignating section 42 as section 43, and by inserting after section 41 the following new section:

"Sec. 42.

TUITION PAID FOR ELEMENTARY OR SECONDARY EDUCATION

"(a) GENERAL RULE.—There shall be allowed to an individual, as a credit against the tax imposed by this chapter for the taxable year, an amount determined under subsection (b), for tuition paid by him to any qualified private non-profit elementary or secondary school during the taxable year for the elementary or secondary education of any dependent with respect to whom the taxpayer is allowed an exemption for the taxable year under section 151(e).

"(b) LIMITATIONS.—

"(1) AMOUNT PER DEPENDENT.—The credit allowable under subsection (a) with respect to any dependent shall be an amount equal to the sum of—

"(A) 100 percent of so much of such expenses as does not exceed \$200,

"(B) 50 percent of so much of such expenses as exceeds \$200 but does not exceed \$500, and

"(C) 25 percent of so much of such expenses as exceeds \$500 but does not exceed \$1,000.

"(c) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

"(1) TUITION.—The term 'tuition' means any amount required for the enrollment or attendance of a student at a qualified private nonprofit elementary or secondary school. Such term does not include any amount paid directly or indirectly for meals, lodging, transportation, extracurricular activities, supplies, equipment, clothing, or personal or family expenses. If the amount paid for tuition includes any amount (not separately stated) for an item described in the preceding sentence, the portion of the amount paid for tuition which is attributable to such item shall be determined under regulations prescribed by the Secretary or his delegate.

"(2) QUALIFIED PRIVATE NONPROFIT ELEMENTARY OR SECONDARY SCHOOL.—The term 'private nonprofit elementary or secondary school' means an educational institution—

"(A) which is described in sections 501(c)(3) and 503(b)(2) and which is exempt from tax under section 501(a),

"(B) which regularly offers education at the elementary or secondary level,

"(C) attendance at which by students who are subject to the compulsory education laws of the State satisfies the requirements of such laws, and

"(D) which does not discriminate, through its tuition or scholarship policies, or otherwise, in the admission of students, in the hiring of personnel, or in any other activity, on the basis of race, color, or national origin.

"(3) ELEMENTARY OR SECONDARY EDUCATION.—The term 'elementary or secondary education' does not include education at a level beyond the 12th grade.

"(d) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) to the taxpayer shall not exceed the amount of tax imposed on the taxpayer for the taxable year by this chapter, reduced by the sum of credits allowable under this subchapter (other than under this section and sections 31 and 39).

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

(b) The table of sections for such subpart A is amended by striking out the item relating to section 42 and inserting in lieu thereof the following:

"Sec. 42. Tuition paid for elementary or secondary education.

"Sec. 43. Overpayment of Tax."

Sec. 2. The amendments made by this Act shall apply to taxable years beginning after December 31, 1971.

By Mr. BAYH (for himself and Mr. Randolph):

S. 3701. A bill to extend and improve the Federal Highway Safety Program, and for other purposes. Referred to the Committee on Public Works.

THE HIGHWAY SAFETY ACT OF 1972

Mr. BAYH. Mr. President, I am pleased today to introduce for appropriate reference "The Highway Safety Act of 1972" on behalf of the distinguished chairman of the Public Works Committee (Mr. RANDOLPH) and myself. This bill and others pending before the Subcommittee on Roads, which I am privileged to serve as chairman, will be considered at highway safety hearings scheduled for Thursday, June 15.

In the words of Howard Pyle, president of the National Safety Council, automobile accidents "remain the largest violent threat to life in the United States." In 1970 there were 54,800 fatalities on our Nation's streets and highways, and 2,735,122 nonfatal injuries. Even more people died and were injured in 1971. Carnage on the highway is a reality, not a slogan Mr. President, and we have to do something about it.

Of course the States and the Federal Government have long been concerned about highway safety, and a considerable amount of progress has been made in this field. But much, more remains to be done. The bill I introduce today will help us reach our goal of safe and sane highways in five ways: first, by removing from the road drivers who are under the influence of alcohol or narcotic drugs; second, by improving our existing roads and bridges; third, by providing emergency medical care to victims of highway accidents;

fourth, by authorizing sharply increased funding for Federal highway safety programs and grants to the States; and finally by providing a financial incentive for States to bring their safety programs into compliance with Federal standards. Let me discuss these aspects of the bill in more detail.

First, an attack on the intoxicated driver. The National Highway Traffic Safety Administration has stated that—

The use of alcohol by drivers on the highways, particularly the continued, excessive use of alcohol by problem drinkers, is the single most important highway safety issue today.

And there is growing concern that the use of drugs by drivers also contributes significantly to accidents. The Highway Safety Act of 1972 deals with these problems. It encourages all the States to bring their safety programs into compliance with Federal standards on alcohol in relation to highway safety by requiring the Secretary of Transportation to cut off 10 percent of Federal-aid highway funds to States which do not meet those Federal standards by July 1, 1974. It directs the Secretary to prepare a new safety standard requiring the States to have laws against driving while under the influence of alcohol or drugs, to enforce these laws effectively, and to provide meaningful penalties for the violation of these laws and, where appropriate, medical treatment for violators. It provides for a special research program into the relationship between drug use and highway safety, and it directs the Secretary to prepare highway safety standards on this topic. As chairman of the Senate Juvenile Delinquency Subcommittee, I have seen firsthand the results of the use and abuse of drugs. Persons under their influence, even properly so, should not be on our highways.

Second, a program to improve the safety of our existing streets and highways. The bill establishes a special program to assist States in eliminating roadway dangers, including high accident locations and roadside obstacles. For this program, \$200,000,000 a year is authorized. The bill also creates a new, special pavement marking program for all roads other than those on the Interstate System, with preference to be given to rural areas—where badly marked roads often produce terrible accidents. For this program \$100,000,000 is authorized. Finally, a new authorization of \$250,000,000 is included for the bridge replacement program.

Third, a way to provide emergency medical care to victims of highway accidents. This is a crucial new program. If "accidents will happen," then we must help those who are hurt, to prevent needless complications, even death. But too often today we do not. Arthur Freese in an article in the Saturday Review recently asserted that:

Experts returning from Korea and Vietnam * * * have openly declared that, in case of injury, chances for survival would be better in the zone of combat than on the average city street.

Perhaps this is just a tribute to our servicemen overseas. But why should not the emergency medical care available to

highway accident victims here in the United States be as good? The bill I introduce today provides funds to assist States in preparing comprehensive plans for the provision of emergency medical care, and, after approval of the plans, provides funds to help implement them. Whether it is more equipment, like ambulances or helicopters, or better training for personnel involved, this part of the bill will make Federal funds available where they are deeply needed.

Fourth, a sharp increase in highway safety funding. In addition to the authorizations I have already mentioned, the bill authorizes \$270 million for Federal highway safety programs and grants to the States under existing law, more than twice the amount authorized at present. In addition, \$175 million is authorized for highway safety research, again a substantial increase over existing levels. This is a lot of money, Mr. President, I know, but it is needed, and it can be used effectively. There are, after all, more than 50,000 lives at stake. I should also point out, Mr. President, that all of the money authorized by the bill will come from the highway trust fund. This is a change from existing law, and a desirable one: for what could possibly be more highway related than highway safety?

Fifth, and finally, the Highway Safety Act of 1972 creates two new incentive programs designed to encourage States to comply with Federal highway safety standards. This is a "carrot" rather than a "stick" approach. Under one new section, the Secretary will distribute \$10 million to those States which have obtained above average results in the highway safety area. Under another section, the Secretary will distribute \$10 million to those States which have made the most significant improvements in highway safety. The money will be used by the States to further their efforts in this field.

Mr. President, highway accidents cost the Nation over 50,000 lives and an estimated \$14.3 billion in 1971. This extravagant waste of national treasure must be curbed. We must once again have safe streets—safe to drive on, safe to ride on, safe to walk by. That will be the goal of the Roads Subcommittee when we consider highway safety legislation.

I ask unanimous consent that the text of the bill, a summary of the Highway Safety Act of 1972, and the article to which I referred by Arthur Freese be printed in the RECORD.

There being no objection, the bill, summary, and article were ordered to be printed in the RECORD, as follows:

S. 3701

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 "Highway Safety Act of 1972".

PENALTIES FOR DRIVING WHILE INTOXICATED

SEC. 2. Subsection (a) of section 402 of title 23 of the United States Code is amended by inserting after the fifth sentence the following: "Effective as soon as practicable after the date of enactment of the Highway Safety Act of 1972 such standards shall also include provisions requiring (1) laws prohibiting persons from operating motor vehicles while

under the influence of intoxicating liquors or any narcotic or drug which impairs their ability to operate a motor vehicle properly and safely, (2) procedures for effective enforcement of such laws, (3) penalties for violation of such laws which provide a meaningful deterrent to their violation, and, where appropriate, adequate medical treatment for persons violating such laws who are in need of treatment."

COMPLIANCE WITH ALCOHOL SAFETY STANDARD

SEC. 3. Subsection (c) of section 402 of title 23 of the United States Code is amended by inserting before the period at the end of the penultimate sentence thereof a comma and the following: "Provided however, That the provisions of this sentence shall not apply in the case of any State which has not prior to July 1, 1974, properly implemented the Secretary's Highway Safety Program Standard Numbered 8 (relating to alcohol in relation to highway safety) or any modification or addition to such standard prior to such date."

INCENTIVES FOR COMPLIANCE WITH HIGHWAY SAFETY STANDARDS

SEC. 4. (a) Subsection (c) of section 402 of title 23 of the United States Code is amended by adding immediately after the penultimate sentence thereof the following: "Whenever the Secretary suspends the application of the sixth sentence of this subsection, he shall report within ten days the reasons for such suspension and the period of such suspension to the Committees of the Senate and House of Representatives on Public Works, Commerce, and Interstate and Foreign Commerce, and shall publish such report in the Federal Register, and shall notify the State or States involved of such suspension, the reasons therefor and the period thereof, and warn them of the penalty involved."

(b) Section 402 of title 23 of the United States Code is amended by adding a new subsection (1), as follows:

"(1) The Secretary shall award, in addition to other grants pursuant to this section, \$10,000,000 in grants in each fiscal year to States which he determines, in accordance with criteria which he shall establish and publish, to have attained above average results in carrying out and achieving the purposes of this chapter. Such grants shall be used by recipient States only to further the purposes of this chapter. The amount appropriated in each fiscal year for the purpose of carrying out this paragraph shall be apportioned among the States eligible for grants pursuant to this paragraph in the ratio which the total apportionments to each State pursuant to section 104(b) (1), (2), and (3) for such year bears to the total such apportionments to all such eligible States for such year.

"(2) The Secretary may also award, in addition to other grants pursuant to this section, \$10,000,000 in grants in each fiscal year to States which he determines, in accordance with criteria which he shall establish and publish, to have made the most significant improvements in carrying out and achieving the purposes of this chapter. Such grants shall be used by recipient States only to further the purposes of this chapter. No States shall receive in excess of \$500,000 in any fiscal year pursuant to the provisions of this paragraph."

ELIMINATION OF ROADWAY DANGERS

SEC. 5. (a) Chapter 4 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

"§ 405. Assistance for the Elimination of Roadway Dangers.

"(a) (1) Each State, in accordance with regulations to be issued by the Secretary, shall conduct a survey of all expressways, major streets and highways, and through streets to identify locations of significant danger to road users (including, but not lim-

ited to, identification of sections of roads which have high accident experience or high accident potential, and identification of roadside obstacles which may constitute a hazard to out-of-control vehicles), and assign priorities and establish and implement a schedule for elimination of such dangers.

"(2) The schedule for the elimination of such dangers referred to in subsection (a) (1) shall provide for the replacement to the extent appropriate of existing sign and light supports which are not designed to yield or break away upon impact; and yielding or break away sign and light supports shall be used, to the extent appropriate, on all new construction or reconstruction carried out pursuant to this section.

"(b) (1) Upon application, the Secretary shall approve a State's schedule for elimination of roadway dangers which is in compliance with his regulations, and shall make grants to the States for implementation of approved schedules. Such grants shall be for 70 per centum of the cost of implementing such approved schedule.

"(2) Commencing in 1974, the Secretary shall, in the report to Congress required to be submitted by section 202 of the Highway Safety Act of 1966 (80 Stat. 731; Public Law 89-564), include an analysis and evaluation of the progress made by the several States during the preceding calendar year in eliminating highway dangers.

"(c) Funds appropriated to carry out the purposes of this section shall be apportioned to the States in the same manner as sums authorized to be appropriated under paragraph (1) of section 105 of the Federal Aid Highway Act of 1970. Sums apportioned to any State under this subsection shall continue to be available to that State for a period of two years after the close of the fiscal year for which such sums are authorized, and any amounts so apportioned remaining unexpended at the end of such period shall be reapportioned to the other States in accordance with the applicable provisions of law."

(b) The analysis of Chapter 4 of title 23 of the United States Code, is amended by adding at the end thereof the following:

"405. Assistance for the elimination of roadway dangers."

DRUG USE AND HIGHWAY SAFETY

SEC. 6. (a) Section 403 of title 23 of the United States Code is amended by inserting "(a)" immediately before the first sentence thereof, and by striking out "this section" each place it appears and inserting in lieu thereof "this subsection", and by adding at the end thereof the following new subsection:

"(b) In addition to the research authorized by subsection (a) of this section, the Secretary, in consultation with such other government and private agencies as may be necessary, is authorized to carry out safety research on the relationship between the consumption and use of drugs and their effect upon highway safety and drivers of motor vehicles. As soon as practicable, the Secretary shall promulgate a highway safety program standard with respect to drug use in relation to highway safety. The research authorized by this subsection may be conducted by the Secretary through grants and contracts with public and private agencies, institutions, and individuals."

EMERGENCY MEDICAL CARE FOR VICTIMS OF HIGHWAY ACCIDENTS

SEC. 7. (a) Chapter 4 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

"§ 406. Assistance for Emergency Medical Care for Victims of Highway Accidents.

"(a) The Secretary is authorized to make grants to the States to assist in developing comprehensive plans for providing improved emergency medical care for victims of high-

way accidents. Such grants shall cover 70 percentum of the cost of developing such plans, except that no State shall receive in excess of a total of \$100,000 pursuant to this section.

"(b) The Secretary is authorized to approve State plans submitted to him and to make grants to the States for the implementation of approved plans for improved emergency medical care for victims of highway accidents. Such grants shall cover 70 per centum of the cost of implementing such approved plans to the extent such cost exceeds the average amount spent by the State on provision of emergency medical care to victims of highway accidents in the three years preceding the enactment of this bill, as determined in accordance with regulations issued by the Secretary. Funds authorized to be appropriated for the purpose of carrying out the provisions of this section shall be apportioned to the States in the same manner as is provided in subsection (b) (2) of section 104 of this title.

"(c) The Secretary shall not approve such plan under this section which does not:

"(1) comply with Highway Safety Program Standard No. 11 (relating to emergency medical services); and

"(2) comply with regulations established by the Secretary with respect to (A) the availability of necessary equipment (including, but not limited to ambulances and, where appropriate, helicopters), (B) the training of medical, paramedical and other personnel, (C) the utilization to the maximum extent feasible of existing emergency medical care equipment which meets the standards and regulations the Secretary establishes, and (D) such other regulations as he deems necessary to assure that adequate medical care is available to victims of highway accidents throughout the State."

(b) The analysis of Chapter 4 of title 23 of the United States Code is amended by adding at the end thereof the following:

"§ 406. Assistance for Emergency Medical Care for Victims of Highway Accidents."

PAVEMENT MARKING PROGRAM

Sec. 8. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new sections:

"§ 145. Special Pavement Marking Program.

"(a) Notwithstanding the provisions of the last sentence of subsection (a) of section 105 of this title, the Secretary may approve under this section pavement marking projects on any highway whether or not on any Federal-aid system, but not included in the Interstate System, as he may find necessary to bring such highway to the pavement marking standards issued or approved by the Secretary.

"(b) In approving projects under this section, the Secretary shall give priority to those projects which are located in rural areas and which are either on the Federal-aid secondary system or are not included in any Federal-aid system.

"(c) The federal share of projects approved under subsection (a) of this section shall be 70 per centum of the cost thereof and shall be paid from sums authorized to carry out this section. Funds authorized to be appropriated for the purpose of carrying out the provisions of this section shall be apportioned on the same basis as is provided in paragraph (2) of section 104(b) of this title. Sums apportioned to any State under this subsection shall continue to be available to that State for a period of two years after the close of the fiscal year for which such sums are authorized, and any amounts so apportioned remaining unexpended at the end of such period shall be reapportioned to the other States in accordance with the applicable provisions of law.

"(d) Each State shall report to the Secretary in January 1975, and in each January thereafter for three years following completion within that State of the special pave-

ment-marking program authorized by this section, with respect to the effectiveness of the pavement-marking improvements accomplished since commencement of the program. The report shall include an analysis and evaluation with respect to the number, rate, and severity of accidents at improved locations, and the cost-benefit ratio of such improvements to annual periods subsequent to completion of such improvements. The Secretary shall submit a report to Congress not later than June 30, 1975, and not later than June 30 of each year thereafter until completion of the special pavement-marking program authorized by this section, with respect to the effectiveness of the pavement-marking improvements accomplished by the several States under this section."

AUTHORIZATIONS

Sec. 9. There is authorized to be appropriated—

(a) \$240 million out of the Highway Trust Fund for the fiscal year ending June 30, 1974, and each of the succeeding two fiscal years for carrying out section 402 of title 23 of the United States Code (relating to highway safety programs) by the National Highway Traffic Safety Administration, of which \$10,000,000 in each such year shall be for the purposes of section 402(1) (1), and \$10,000,000 for section 402(1) (2).

(b) \$50,000,000 out of the Highway Trust Fund for the fiscal year ending June 30, 1974, and each of the succeeding two fiscal years, for carrying out such section 402 by the Federal Highway Administration.

(c) \$175,000,000 out of the Highway Trust Fund for the fiscal year ending June 30, 1974, and the succeeding fiscal year, for carrying out section 403 of such title (relating to highway safety research and development) by the National Highway Traffic Safety Administration, of which \$25,000,000 in each such year shall be for subsection (b).

(d) \$25,000,000 out of the Highway Trust Fund for the fiscal year ending June 30, 1974, and the succeeding fiscal year, for carrying out such section 403 by the Federal Highway Administration.

(e) \$200,000,000 out of the Highway Trust Fund for the fiscal year ending June 30, 1974, and the succeeding fiscal year, for carrying out section 405 of title 23 of the United States Code (relating to elimination of roadway dangers).

(f) \$5,000,000 out of the Highway Trust Fund for the fiscal year ending June 30, 1974 for carrying out section 406(a) of title 23 of the United States Code (relating to emergency medical care), to remain available until expended; \$25,000,000 out of the Highway Trust Fund for the fiscal year ending June 30, 1975, for carrying out section 406(b) of such title.

(g) \$250,000,000 out of the Highway Trust Fund for the fiscal year ending June 30, 1974, and for the succeeding fiscal year, for carrying out section 144 of title 23 of the United States Code (relating to the special bridge replacement program).

(h) \$100,000,000 out of the Highway Trust Fund for the fiscal year ending June 30, 1974, and for the succeeding fiscal year, for carrying out section 145 of title 23 of the United States Code (relating to pavement markings).

SUMMARY OF THE HIGHWAY SAFETY ACT OF 1972

Section 1. Title. Provides that the Act may be cited as "The Highway Safety Act of 1972."

Section 2. Penalties for Driving While Intoxicated. Directs the Secretary of Transportation to develop highway safety standards which require the States to have laws against driving while under the influence of alcohol or drugs, to enforce these laws effectively, and to provide meaningful penalties for the violation of these laws and, where appropriate medical treatment for violators of these laws.

Section 3. Compliance With the Alcohol Safety Standard. Requires the Secretary to cut off ten percent of a State's Federal-Aid Highway money if that State is not in compliance with the Alcohol Safety Standard by July 1, 1974.

Section 4. Incentives For Compliance With Highway Safety Standards. Creates a new incentive program to encourage the States to comply with the Highway Safety Standards. The Secretary will award \$10,000,000 a year to those States which he determines "have obtained above average results "in the highway safety area. He will award another \$10,000,000 to those States which "have made the most significant improvements" in their efforts. The money will be used by the States in their highway safety programs. This section also requires the Secretary to report to the Congress whenever he decides not to withhold Federal-Aid Highway funds from States which are not in compliance with the Highway Safety Standards.

Section 5. Elimination of Roadway Dangers. Adds a new section to the Highway Safety Act which provides funds for States to eliminate dangerous locations and roadside obstacles on all roads. The States will inventory their roads, set priorities, and establish a schedule for elimination of such dangers. The Secretary, after approving the schedules, will award the State 70 percent of the cost of the projects. Sign and light supports replaced or built pursuant to this section will, to the extent appropriate, be designed to yield or break away upon impact. (\$200,000,000 is authorized for each of the next two fiscal years for this program.)

Section 6. Drug Use and Highway Safety. Authorizes the Secretary "to carry out safety research on the relationship between the consumption and use of drugs and their effect upon highway safety," and directs him as soon as practicable to issue highway safety standards relating to drug use and highway safety. (\$25,000,000 is authorized for each of the next two fiscal years for this program.)

Section 7. Emergency Medical Care for Victims of Highway Accidents. Creates a new program to help the States provide emergency medical care to victims of highway accidents. The States are to develop comprehensive plans for such care, with the federal government paying 70 percent of the planning costs. After approval of the plans, the federal share of the new implementation costs will also be 70 percent. (\$5 million is authorized for planning grants, and \$25 million is authorized for the first year of implementation grants.)

Section 8. Pavement Marking Program. Creates a new, special pavement marking program for all roads, other than the Interstate system. Rural areas are to get preferences for funds under this section. The federal share of the pavement marking projects is 70 percent. (\$100,000,000 is authorized for each of the next two fiscal years for this program.)

Section 9. Authorizations. All Highway Safety Programs will be funded entirely out of the Highway Trust Fund. In addition to the authorizations already mentioned, the bill provides: \$270,000,000 for each of the next two fiscal years for carrying out federal highway safety programs; \$175,000,000 for each of the next two fiscal years for carrying out federal highway safety research; \$250,000,000 for each of the next two fiscal years for carrying out the bridge replacement program.

[From the Saturday Review, May 13, 1972]

TRAUMA: THE NEGLECTED EPIDEMIC

(By Arthur S. Freese)

A twenty-two-year-old motorist overturned his car thirty miles southeast of Atlanta this winter. Pulled from the wreckage by the ambulance attendants, he was loaded into their vehicle and rushed to a hospital. There the examining physician

found the young man paralyzed from the waist down—due, the doctor said, to mis-handling by the ambulance personnel. It seemed that no one had bothered to teach these attendants, employees of a local undertaker, how to handle accident victims with spinal injuries.

According to physicians who specialize in trauma (medically defined as accidental injury), this tragic episode is far from unique; such incidents probably occur somewhere in America every day. Experts returning from Korea and Vietnam, for example, have openly declared that, in case of injury, chances for survival would be better in the zone of combat than on the average city street.

Dr. John M. Howard, professor of surgery at Philadelphia's Hahnemann College of Medicine, recently described an incident that took place in his city: A man in his mid-twenties was the victim of an automobile accident. The police came promptly to the scene, but were trained neither to examine the victim nor to evaluate his injuries. They merely loaded the young man into an ambulance and rushed him to the nearest hospital.

X-rays revealed that the victim was suffering from a broken leg, which the doctors splinted. They then packed the young man back into the ambulance and sent him on to another hospital, as theirs was already overcrowded. At the second hospital doctors found that the blood supply to the broken leg was blocked off, and, twelve hours after the initial injury, they performed arterial surgery to restore blood flow. The attempt was unsuccessful. Gas gangrene had set in, and the doctors were forced to amputate the leg. Nevertheless, the young man died.

In discussing this tragedy, Dr. Howard sadly summarized the causes: "Every facet of the system was at fault. Inadequate hospital evaluation and inadequate early care—a preventable death because our capabilities had not been effectively mobilized."

The "system"—emergency medical care—actually has two phases. The first stretches from the time of the accident to the time the victim enters the hospital; the second spans the time the victim spends in the hospital emergency room (now called the Emergency Department or ED). Failures in both phases afflict trauma care all over the country.

The National Research Council of the National Academy of Sciences, in its classic little volume *Accidental Death and Disability*, describes trauma as "the neglected epidemic of modern society . . . the nation's most important environmental health problem . . . a public health problem second only to the ravages of ancient plagues or world wars." Actually, trauma is what happens to every one of us: the child injured in a bad spill; the elderly person who falls and breaks a hip; the victim of a knife or gunshot wound; the person who falls from a stool or several-story window; the victim of an auto accident; the person with a slight burn or one that leaves a good part of the body's skin destroyed. Trauma may require no more than careful bandaging, or it may require teams of surgeons working for a dozen hours on end. It also may put its victims beyond help in a matter of seconds.

The figures are enough to boggle the mind. According to the U.S. Public Health Service and the National Safety Council, each day trauma kills 310 Americans, injures 137,000, confines 32,000 to bed, leaves 1,100 with some degree of impairment, and costs our nation some \$58-million. In 1971 trauma left 114,000 dead, more than 50 million injured (one out of every four Americans), and 500,000 permanently impaired—all at a cost of some \$21-billion.

Trauma is a problem of evenings and nights, holidays and weekends, one that wipes out its victims' most productive years; it is the leading cause of death among Americans

of both sexes, from ages one to forty-five. And tragically, much of its toll is unnecessary. Experts say that up to a third of the death and much of the disability could be prevented with adequate emergency medical care. Yet for many years the American College of Surgeons' Trauma Committee was virtually alone in its war on this epidemic. Only recently, thanks to a series of studies that reveal the shocking facts, has trauma treatment begun to attract attention.

In a study of highway fatalities in California, for example, Dr. Julian A. Waller found that four times as many deaths occurred in rural accidents as in urban, even though injuries in the former were "inherently more survivable." The figures, Waller says, evidence a failure of both the ambulance and hospital phases of rural emergency medical systems. University of Michigan surgeon Dr. Charles Frey headed a similar study of 159 highway fatalities in Michigan. He concluded that twenty-eight of these people (nearly one-fifth) would have been saved and, more significantly, restored to health as good as that before the accidents, had they received the proper emergency treatment. Another nine also might have survived. In other words, one-quarter of the victims would have lived with proper care. Frey attributed almost all the unnecessary deaths to inadequately trained ambulance personnel.

Dr. William T. Fitts, Jr., professor of surgery at the University of Pennsylvania and editor of the *Journal of Trauma*, studied all of the 950 trauma deaths reported in a single calendar year in Philadelphia and concluded that fifty-one (51 per cent) of these deaths were avoidable. The fatal mistakes he found were virtually all made by doctors in the hospital. They involved lack of proper patient care, wrong diagnosis, or both.

The situation has many people troubled. Physicians themselves display little confidence in their own system. Dr. Robert H. Kennedy, who for twelve years directed the Trauma Committee of the American College of Surgeons, recently admitted: "I don't feel that if I'm in an accident on a trip, I can be sure of just getting to the hospital alive."

Another well-known trauma surgeon, who recently carried out a survey of the emergency departments in one of our largest cities, commented, "There's not an emergency department in this city where I'd feel comfortable having a severely injured member of my family treated." And Howard Pyle, president of the National Safety Council, summing up the problem in *Traffic Safety Magazine*, remarked: "The state of emergency medical services in the nation today is, in a word, grim."

The Second World War was the watershed of emergency medical care. Before the war interns rode ambulances and staffed emergency rooms and, with the limited medical expertise then available, provided emergency care adequate to the times. But with the war came an explosion in medical know-how and technology, and also the beginning of specialization. The effect of all this was critical to emergency care. Captain John Waters, former chief of the U.S. Coast Guard Rescue and Research, points out: "The massive trend toward specialization resulted in doctors retreating into their hospitals and clinics, where they waited with sophisticated equipment and training for the dead and dying to be brought to them—hopefully in a viable condition." The burden of the first phase of trauma care, therefore, fell on the shoulders of the ambulance personnel—not doctors, but technicians.

Today's properly trained ambulance attendant, however, can perform far more life-saving procedures than the pre-World War II physician ever dreamed of. Dr. Henry C. Huntley, director of the U.S. Public Health Services, emphasizes that "We can save lives

with adequately equipped ambulances and properly trained personnel. It may be 50,000 or 75,000, but a figure of 60,000 is in the right ballpark."

Many stories about ambulance operations are shocking. They tell of ambulance services run by undertakers making little effort to save the living because funerals are more profitable; employees of these services arguing over dead bodies while the living injured go unattended; ambulances, in a race to the scene of an accident, colliding with each other; ambulance personnel maiming victims not only by carelessness and inadequacy, but, some say, sadistic handling. More than one physician has described the majority of our ambulance attendants as nothing more than "freight handlers."

Exaggerations? Perhaps. But the stories, unfortunately, are founded in hard facts. A recent University of Iowa study found that some 60 per cent of the state's ambulance services were run by undertakers. Only half required their attendants to have even simple first-aid training. Almost half administered no first aid in severe injuries, and nearly two-thirds carried no splints. Less than half bothered to clean their equipment after it was used.

The most recent U.S. Public Health figures on emergency services show that nearly half the nation's ambulances are operated by undertakers, a quarter by volunteers, and the rest by commercial agencies and fire or police departments. Hospitals run only 3 per cent. The setup, however, varies according to region: In the Northeast volunteers make up a large percentage; in the South undertakers provide the bulk of service; in the Midwest commercial companies are plentiful; in states west of the Mississippi hospital-owned ambulances are common.

The vehicles used as ambulances are indicative of the state of these services. Slightly over a third of the ambulances in the country are custom-designed, and less than one-tenth are rescue vehicles, and even among these only a very small percentage meet the criteria set by the National Academy of Sciences or carry the advised equipment. Hearse still make up nearly a quarter, station wagons another fourth, and panel trucks or vans comprise a tenth of the total.

Not exactly model vehicles. Ideally, an ambulance should be high enough to allow attendants to stand erect so they can work efficiently and wide enough to hold a litter on each side with working room in between. It should carry every needed type of splint, bandage, and backboard (for spinal injuries), an obstetrics kit, oxygen and ventilation units, drug and intravenous fluid outfits, a portable electrocardiograph (EKG), and a defibrillator to shock a stopped heart back into action. It also should carry equipment to broadcast an EKG to the hospital for instant diagnosis, a blood pressure measuring device, and a stethoscope. In short, an ambulance should be a mobile emergency room. Moreover, it should carry shovels, power jacks, fire axes, and hacksaws—whatever is needed for the safe extrication of victims from a wreck.

Another essential of good ambulance service is a two-way voice communication system so that the ambulance can converse with its dispatcher and its hospitals to obtain medical advice on the handling of an emergency. With vehicles so equipped, doctors in the hospital can give tentative diagnoses and advice for treatment, and also direct the ambulance to a specific hospital for specialized care—and away from those too crowded to handle the case. The chosen hospital can then be alerted so that it can prepare for the victims. Yet, vital as such communication is, Dr. Huntley finds that only half the ambulances now in service can communicate with their dispatchers, only one in seventeen with their hospital.

How many of our ambulances are adequate

for proper emergency treatment? At the National Symposium on Emergency Medical Services held last May in Philadelphia, Dr. Vernon E. Wilson, administrator of the U.S. Health Services and Mental Health Administration, noted: "Of the 25,000 ambulances used in the United States today for transporting medical emergencies, not more than 1,000 meet the recommended standards for design and equipment."

All of this equipment is virtually worthless, however, unless ambulances are staffed with what one trauma expert described as "a professional, a career man, trained, equipped, and licensed to render essential life support." Such an individual is now called an Emergency Medical Technician—Ambulance or EMT, but one can be found in only a few top ambulance services.

Most states do not have realistic requirements for training or licensing ambulance personnel. It's a sad commentary, for example, that while Pennsylvania requires barbers to attend barber college for 1,500 hours (50 of which must be anatomy and physiology) and manicurists to take 200 hours at a school of beauty culture, the state has no requirements for ambulance personnel. There are, of course, a few communities such as Jacksonville, Louisville, Baltimore, and Miami where ambulance personnel are properly trained. But the total is a mere handful.

The training of EMTs may soon reach the point of a two-year college program. But even now they are taught to check a victim's vital signs (heart rate, blood pressure, respiration), take a quick medical history, and observe and evaluate the victim's condition. In an emergency situation EMTs first establish and maintain an airway (after four minutes without air a victim will either die or be paralyzed for life) and administer cardiopulmonary resuscitation (CPR), mouth-to-mouth breathing, and closed chest massage. CPR has maintained innumerable Americans who, although clinically dead (without a pulse or respiration), were kept alive until medical action could restart the heart. Once the airway is restored, the EMT stops any bleeding, splints a broken back or neck, administers intravenous fluids, gives drugs, uses a stethoscope, takes an EKG, extricates a victim from a wreck, treats a bad burn, delivers a baby—you name it.

The value of properly organized and equipped ambulance services employing EMTs can actually be measured in lives; for example, more than 100 lives a year are said to be saved by the ambulance services of Jacksonville, Florida, in auto accidents alone. The Jacksonville Rescue Squad is often cited as the best in the country, and John Waters, now executive assistant to the mayor, is usually held responsible for its excellence. Waters, who in addition to his work with the Coast Guard has directed rescue for the Federal Highway Administration, notes: "In 1967, before we started our rescue service, we had 139 killed in roughly 15,000 auto accidents. In 1971 we had only 118 killed, despite a rise in these accidents to around 24,000."

There are a number of ways to bring good ambulance service to any community. Police and fire departments are especially successful at running these operations because they already have the communications, the availability, and often a good part of the know-how. The model ambulance services of Jacksonville, Baltimore, and Louisville all use this approach. But volunteer companies also have done top-notch lifesaving jobs. Where these are not feasible solutions, experts suggest franchising private companies to operate as public utility monopolies supervised by the government. In sparsely settled areas ambulance services have been successfully based at hospitals with attendants doubling as hospital technicians when not out on runs.

A more glamorous approach to emergency service is the ambulance helicopter, which

has attracted interest because of its space-age appeal. But most individuals involved in emergency care don't consider "choppers" a viable solution to the present problems; they are simply too expensive to operate. The money would be better spent on improving ordinary ambulance service and personnel, and the hospital emergency departments. Waters, however, suggests utilizing the helicopters of the military, police, and Coast Guard for emergencies. The Jacksonville Rescue Squad, for example, has arranged to call upon helicopters stationed at a local air base in case of an emergency requiring air lift.

Another way to improve emergency care would be to standardize victim-hospital communications. In other words, the toll-free 911 emergency number should become national in scope. The 911 operator should have a direct connection to a central dispatcher who can recognize the medical problem, order the appropriate ambulance, and then direct the ambulance to the proper hospital. Like the EMT, the dispatcher should be a professional and should receive a salary commensurate with the training he has. There are only 125 communities in the United States that have the 911 system in operation. We have a long way to go.

For many experts the problem boils down to a matter of economics and the public's sense of values. As Waters sees it, "We typically pay \$30 per capita for police protection in an urban area and \$24 for fire—yet we won't pay \$1.50 for good emergency medical care outside the hospital." He went on to say, "Thirty thousand trauma victims will needlessly die this year in their homes and on the streets, wasted due to lack of emergency medical care; Americans will die valuing their hair and fingernails more than their lives!"

But the trauma victim must survive more than just the immediate care on the scene and the ambulance ride; he must also face the hospital.

One of the biggest problems, for example, is where to take a trauma victim. Any nurse can clean and bandage a child's knee, but what about a serious burn or extensive injuries from an auto accident? This dilemma has led to a growing movement among experts in emergency medical care. Many now call for categorization, a system classifying hospitals and their EDs according to the severity of trauma they are equipped and staffed to handle. For example, Category I would include the best medical centers, capable of dealing with cases requiring highly intensive and specialized treatment. Category II would include the better general hospitals—those able to handle all but the most highly specialized trauma cases. But would have round-the-clock physicians in their EDs. Category III would be more limited: an ED staffed by a registered nurse with a physician on call within the hospital. The victim would be resuscitated and stabilized in the ED, then passed on up the line. And Category IV would be, in effect, a glorified first-aid station with a nurse on call in the hospital and a physician (perhaps in his own office) available within a few minutes. Except for very minor problems, EDs in this category would be able to give no more than temporary aid.

The disgraceful weaknesses of our present EDs stand out starkly against these proposed categories. According to Dr. Huntley's U.S. Public Health figures, only one out of seven hospitals have EDs that could be classified in Categories I, II, and III. Of our 7,000 hospitals, as many as 3,000 would not even qualify for Category IV. Less than half of our EDs have written policies and procedures ("Indefensible," Huntley says); only one out of six have twenty-four-hour coverage by physicians, and only half have routine staff training. Other surveys reveal equally deplorable conditions: Barely one in six hospitals had X-ray and laboratory facilities

available round-the-clock; only one in seven hospital administrators felt their own EDs were adequate in space, traffic flow, or location.

One of the major difficulties in emergency departments is physician coverage. Traditionally the responsibility of the intern, the ED needs the best qualified and the most experienced professionals, not the least, if lives are to be saved. Although a variety of new approaches have been tried in recent years, most have proved inadequate.

Rotation of hospital staff doctors, for example, has failed because a psychiatrist or a dermatologist can not necessarily perform a tracheotomy, deal with a gunshot wound, or use a defibrillator. Attempts to hire doctors specifically for the ED proved no better: These doctors invariably were either new practitioners trying to get started (they would quit when their situations improved), retired physicians no longer able to practice, or doctors whose personal problems, such as alcoholism, prevented them from maintaining their own private practice.

Today, successful solutions seem to depend on the institutions involved. In major hospitals, teaching institutions, and medical centers, residents (often supervised by a staff doctor) are commonly found in the EDs, with backup specialists always available; smaller hospitals use physicians specializing in emergency medicine—doctors making a career of staffing the EDs.

But politics itself infects the business of saving lives. "One of the greatest follies I've seen in some of our metropolitan areas is this business of political boundaries," Waters complains. "A fire engine or ambulance will roll up to a city line with its lights and siren going, and then refuse to cross into the adjacent city or county to render help. When human lives are at stake we've got to forget the parochialism of political entities."

Most experts agree that the regionalization of emergency medical systems is a necessity. In terms of both money and manpower, the wasteful duplication of facilities—for example, hospitals across the street from each other that offer the same highly specialized facilities, such as a burn center—simply cannot be afforded. "The pattern of the future," says Waters, "is very clear; large cities with sophisticated communications, transportation facilities, and major hospitals must provide help to the surrounding rural areas. In Jacksonville we're working on a medical evacuation proposal encompassing a twenty-two-county area of northeast Florida and southeast Georgia. We promise to offer our sophisticated Fire Control Center as the emergency medical communications nerve center for the area. A call to the center can bring a military helicopter or a special intensive-care ambulance to effect a transfer—each with our trained medical technicians."

But even if the finest emergency-care systems could be augmented nationwide, trauma would still be a serious problem. For example, one out of every ten trauma patients entering a hospital dies within a few hours, and doctors often don't know why. After forty years in the battle for better emergency care, Dr. Kennedy admits, "We still don't know what happens in trauma, and you can't lick a problem until you know what the problem is." Why does the vigorous person succumb to injuries that an older, less athletic person survives? Why do some of the body organs break down or stress ulcers appear? Why do burn victims on their way to recovery succumb to kidney failure? Why does pneumonia occur? Nobody really knows.

Until a year or so ago, only seven institutions in the country were being funded by the Institute of General Medical Sciences for trauma research. At the head of one of these, the Trauma Research Center of New York City's Columbia Presbyterian Hospital, is Dr. John M. Kinney, professor of surgery. Says

Kinney, "We're just beginning to learn more about the function of vital organs—that you don't need certain tissues in your body to function on a minute-to-minute basis for survival."

The lack of research on trauma is particularly frustrating because success in its treatment could be total. Unlike the seriously ill person, whose body organs are hopelessly destroyed and who must lead a restricted life, the victim of trauma, if kept alive, usually will recover completely. As Kinney explains, "If you can get the patient past the life-threatening period, he will be up and around, a functioning member of society once more."

Federal money is needed for this research and for improvement in our emergency services. This will require, however, that the government agree to provide funds for a relatively unglamorous form of research.

As Pennsylvania's Secretary of Health Dr. J. Finton Speller said at a recent national symposium, "President Nixon's war on cancer is a gamble in two respects: Ultimate success rests on the hope that we will discover scientific principles now unknown; and there is no way of guessing how many lives may eventually be saved." But, as Speller goes on to say, "To declare war on unnecessary death in the ditch, in the ambulance, and in the emergency department is no gamble at all."

Indeed, the tragedy of our national emergency care programs is clearly pinpointed by Dr. Pitts: "In the treatment of accidental injury, the gap between what can be done and what is being done is wider than for any other disease." The story of another trauma victim clearly illustrates the immense potential that is now being wasted.

At 11:00 p.m. on March 29, 1969, a thirty-eight-year-old professor at MIT was in a two-car head-on collision on Route 2 in Arlington, just outside Boston. At the nearby community hospital, a doctor shook his head as he examined the badly broken body. There seemed little hope of saving the professor's life, and restoring him to anything approximating normality seemed too remote even to consider. Nevertheless, two hours later the victim was in the Massachusetts General Hospital emergency ward. His skull was fractured, as were bones in his right lower leg and left forearm; his nose and most facial bones were crushed; his left hip and shoulder were dislocated as well as broken; his chest had collapsed, he had three broken ribs, and as a result he was having trouble breathing; his right eye was beyond repair and his left one questionable. Later, with tubes in his windpipe and chest, he developing pneumonia, a heart infection, and a fever of 106 degrees. A ruptured spleen necessitated more emergency surgery; one eye was removed and, for a while, he lost the sight in the other. He continually slipped in and out of mental clarity. All told there were seven major operations along with a few dozen other complications.

But on July 22, just four months after his accident, the professor walked out of the hospital! At least thirteen specialists had been involved in his medical care, not counting nurses, therapists, and social workers. Six weeks after leaving the hospital, he returned to his MIT duties, and the following summer he was mountain climbing.

How can we reduce the terrible toll of trauma? Dr. Kennedy points out that "It's the public that's got to do it; you can't do it by law." Toward this goal an infant movement called the Community Council on Emergency Medical Services, comprising representatives from all phases of our emergency system, has begun agitating for improved emergency treatment.

In Dr. Pitts' words, "The tools are available. There are enough men and women for the job in the population, but they must be recruited and trained. Coordination, cooperation, and leadership are needed for the Seventies."

By Mr. BIBLE (for himself and Mr. CANNON):

S. 3702. A bill to expand the Boulder Canyon project to provide for the construction of a highway crossing of the Colorado River immediately downstream from Hoover Dam. Referred to the Committee on Interior and Insular Affairs.

Mr. BIBLE. Mr. President, on behalf of myself and my colleague, Senator CANNON, I introduce for proper reference a bill to expand the Boulder Canyon project to provide for the construction of a highway crossing of the Colorado River immediately downstream from Hoover Dam.

Since at least 1967, a serious traffic situation has existed at the crossing of the Colorado River in the vicinity of Hoover Dam on U.S. Highway 93-466, in both Nevada and Arizona. The excessive traffic over this narrow and dangerous facility resulted in a request by Senator CANNON and myself to request an alternative traffic crossing to relieve the existing congestion and hazards present in the continuation of the highway across the crest of Hoover Dam.

In December of 1970, the Bureau of Reclamation awarded a contract to make a study of improvements in the accommodations for visitors at Hoover Dam. The report submitted in April 1971, included consideration of the impact that construction of the proposed bridge might have on visitor attendance, traffic congestion, parking, and existing facilities at the dam. The recommendations, relative to the bypass bridge crossing the Colorado River below Hoover Dam, are "that plans for the planning, design, and execution of the highway bypass be started as soon as possible." It concludes saying that by 1975, without a bypass, through-traffic will have to be diverted or else traffic in, around, and through the project area will be unmanageable, with restrictions on visitation at the dam.

We urge early committee consideration of this very critical proposal.

By Mr. BIBLE:

S. 3703. A bill granting the consent and approval of Congress to the California-Nevada Interstate Compact. Referred to the Committee on the Judiciary.

Mr. BIBLE. Mr. President, I introduce for proper reference a bill to grant the consent and approval of Congress to the California-Nevada Interstate Compact.

This legislation is being introduced at the request of the Nevada members of the California-Nevada Interstate Compact Commission as set out in a letter signed by Mr. Roland D. Westergard, the chairman of the Nevada delegation.

On March 17, 1971, a similar bill was introduced in the House of Representatives by Congressman HAROLD JOHNSON of California, who represents that portion of California covered by the proposed water compact. Since that time, numerous meetings have been held between the administration and representatives of the States to try to resolve some of the differences that apparently existed between them.

Since little progress has been made in these negotiations, I have been requested to submit the proposal on the

Senate side. In accordance with the request, I am submitting the bill today.

By Mr. FULBRIGHT:

S.J. Res. 241. A joint resolution authorizing the President to approve an interim agreement between the United States and the Union of Soviet Socialist Republics. Referred to the Committee on Foreign Relations.

Mr. FULBRIGHT. Mr. President, I send to the desk a joint resolution approving the interim agreement between the United States and the Union of Soviet Socialist Republics on certain measures with respect to the limitation of strategic offensive arms, with an accompanying protocol, hereafter referred to as the Interim Agreement.

The letter from the Secretary of State to the President, which is included in the documents submitted today to the Senate, points out that the Interim Agreement can, by its terms, enter into force only upon the exchange of written notices of acceptance by both countries and only when and if the ABM Treaty is brought into force.

In view of the fact that the Committee on Foreign Relations will begin hearings in the near future on the treaty and this Interim Agreement, I thought it would be helpful to have a specific joint resolution referring to the Interim Agreement before the committee.

By Mr. MANSFIELD and Mr. SCOTT:

S.J. Res. 242. A joint resolution approving the acceptance by the President of the United States of the interim agreement between the United States of America and the Union of Soviet Socialist Republics on certain measures with respect to the limitation of strategic offensive arms. Referred to the Committee on Foreign Relations.

Mr. MANSFIELD. Mr. President, on behalf of the distinguished minority leader (Mr. SCOTT) and myself, I send to the desk a joint resolution and ask that it be read and referred to the appropriate committee.

The PRESIDING OFFICER. The joint resolution will be read by the Clerk.

The legislative clerk read the joint resolution by title, as follows:

A joint resolution approving the acceptance by the President of the interim agreement between the United States and the Union of Soviet Socialist Republics on certain measures with respect to a limitation of strategic offensive arms.

The PRESIDING OFFICER. Without objection, the joint resolution will be received and appropriately referred.

By Mr. MATHIAS:

S.J. Res. 243. A joint resolution relating to U.S. support of United Nations measures to provide and coordinate disaster relief. Referred to the Committee on Foreign Relations.

Mr. MATHIAS. Mr. President, in past years we have witnessed natural and other human disasters in many parts of the world. These misfortunates have brought unequalled misery and despair to millions of men, women, children and elderly people whose only offense was

to be in the wrong place at the wrong time—in the path of cyclones and civil disturbances, of earthquakes and political upheaval. This country has a proud tradition of response to the appeals for aid and relief from the weak and defenseless. But as the tragedies in Peru, Turkey, and Yugoslavia have shown us in recent years, no single nation's resources and determination to help another are sufficient in times of major catastrophe.

Such problems are better dealt with by international mechanisms which distribute humanitarian burden-sharing among those who are best able to help. As we have seen in cases of Biafra and Bangladesh, although disaster may grow out of political conflicts, especially in secessionist movements in developing countries, the consequences for innocent people caught in the path of advancing armies and campaigns of guerilla warfare are almost always duplication of the disasters wrought by nature—hunger, famine, pestilence and urgent shortages of food and medical facilities. The same kinds of reconstruction and rehabilitation efforts are needed in tragedy's aftermath. But because of complex foreign policy considerations, individual nations are not always able to respond to human needs with the speed which a single sense of humanity would otherwise dictate. In such cases, as in cases of earthquakes, drought, cyclones, tidal waves, epidemics and hurricanes, there is an international alternative to bilateral relief efforts. The organizational potential exists awaiting only the standing agreements which will make it possible to move into such situations with the necessary speed.

I refer to the United Nations and its Office of Disaster Relief Coordination. This Office, established early this year, holds great potential for dealing with future natural and other disasters. Given the proper support from the member nations of the U.N., it could move quickly to prevent the human misery, mass starvation, malnutrition and death which we have seen on a previously unprecedented scale in recent years.

But if we truly want to improve and strengthen the U.N.'s potential for alleviating human misery and want, we will be much better served by constructive efforts such as those proposed in the legislation I introduce today than by petulant actions taken in the heat of anger and disappointment.

In January of this year, the Secretary-General of the United Nations appointed a distinguished international public servant, Mr. Faruk N. Berkol of Turkey, as the first United Nations Disaster Relief Coordinator. This position was authorized by the 26th General Assembly in response to the kinds of needs I have discussed earlier. His new office will be responsible for directing international relief efforts in cases of natural or other disaster, promoting the prevention and prediction of natural disasters, providing advice to governments on pre-disaster planning and disseminating information relevant to disaster relief.

This is a good beginning but the Office does not yet have the authority to deal with the most pressing problems which

arise in the aftermath of disaster situations. It does not have the human or financial resources to conduct rehabilitation and reconstruction programs.

Today I submit a resolution that urges the President to express through our delegation at the U.N. a commitment to share in providing such material support for this disaster relief office. More importantly, the resolution urges for an unqualified American offer to provide a unit of 1,000 technical and noncombatant personnel from the Department of Defense to serve as a permanent standby unit subject to call by the U.N. This unit should serve as a symbol of America's faith in the United Nations and its principles.

This preparedness is crucial to the success of relief operations. I strongly believe that the American Government's capacity to act quickly and with a single voice in such situations requires a greater degree of organization within our own executive branch with established lines of authority and direction, than we have seen in the past.

It is a service neither to the recipients nor to the American taxpayer who pays for these worthy activities, that time and money be wasted while the bureaucracies of Federal agencies on the one hand and of national and international private and public relief agencies on the other dispute who is to provide what to whom. The fundamental value of this office at the U.N., provided that it receives the clout it requires, is that such wasteful delays would be a great deal less likely to occur. This new program merits U.S. support and participation. My resolution would help to advance that worthy objective.

Mr. President, my resolution would: First, establish within the Department of Defense a permanent unit of 1,000 technical and noncombatant personnel of the Department who shall answer any call for assistance issued by the U.N. Disaster Relief Coordinator and who shall be known as the First Brigade—Forces for International Relief on Standby; second, have the President instruct our United Nations delegation to offer further assistance to the U.N. Office of Disaster Relief in concert with other nations; and third, set forth a series of objectives which we believe this Office should seek to achieve, including: First, the prevention, prediction, and control of disasters; second, pre-disaster planning and preparedness, including stockpiling, training, and assistance from abroad; third, contingency plans for each country of the world or of geographic regions with a history of disasters of severe or frequent nature; fourth, rehabilitation and reconstruction; fifth, international organizational arrangements necessary to effect appropriate relief; and sixth, financial arrangements necessary to effect such relief.

Mr. President, I submit the text of this joint resolution and ask unanimous consent that it be printed at the conclusion of my remarks along with the summary and conclusions of a comprehensive report of the Secretary-General of the United Nations, entitled, "Assistance in Cases of Natural Disaster."

This afternoon we will be asked to restore \$50 million to the full authorization of \$100 million for relief assistance to Bangladesh for the coming year. While I support this move, I think that in the future more and more of this aid should be channeled through international relief efforts such as that I have outlined here today.

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

S.J. RES. 243

Whereas, recent experience with disasters in Turkey, Peru, Yugoslavia, Nigeria and Bangladesh demonstrate an urgent need for coordinated international efforts in such cases; and

Whereas the United Nations recently established a permanent Office of Disaster Relief Coordination, to provide and coordinate disaster relief, which office can be an important instrument in maintaining international stability; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Congress urges the President to instruct the United States delegation to the United Nations to prepare and submit to the United Nations General Assembly an offer to furnish, in concert with other members of the General Assembly, support to the United Nations Office of Disaster Relief Coordination which was established to provide and coordinate disaster relief to any country or region of the world which has been affected by a disaster and solicits such relief.

(b) Such offer should include support to the Office so that the Office may achieve the following objectives—

(1) the prevention, prediction, and control of disasters;

(2) pre-disaster planning and preparedness, including stockpiling, training, and assistance from abroad;

(3) contingency plans for each country of the world or of geographic regions with a history of disasters of severe or frequent nature;

(4) rehabilitation and reconstruction;

(5) international organizational arrangements necessary to effect appropriate relief; and

(6) financial arrangements necessary to effect such relief.

SEC. 2. (a) In affirming the belief of the United States that providing and coordinating disaster relief through the United Nations Office of Disaster Relief Coordination is an essential element in any workable plan for world peace, there is established within the Department of Defense a permanent unit of 1,000 technical and noncombatant personnel of the Department. Such unit shall be known as the FIRST Brigade—Forces for International Relief on Standby. Upon a call of the United Nations Disaster Relief Coordinator, the FIRST Brigade or such members thereof as are called for by the Coordinator, shall be detailed to the Office unless the President determines that detaching the FIRST Brigade or members thereof, as the case may be, would endanger the security of the United States or determines that the disaster region is within an area of ongoing military conflict or civil disturbance. Members of the FIRST Brigade, while so detailed, shall be considered for all purposes as personnel of the United States Government.

(b) In submitting to the United Nations General Assembly the offer referred in the first section of this Act, the United States delegation to the United Nations should also communicate to the General Assembly that the United States has established the FIRST Brigade as evidence of its support of the Office and of its faith in the United Nations and its principles.

ASSISTANCE IN CASES OF NATURAL DISASTER—
COMPREHENSIVE REPORT OF THE SECRETARY-
GENERAL

International Bank for Reconstruction and Development (IBRD) and the International Monetary Fund (IMF) might be of particular value to those involved in such negotiations.

VII. SUMMARY OF CONCLUSIONS AND
RECOMMENDATIONS

100. An attempt has been made in this report to outline some of the ways in which international assistance in connexion with natural disasters might be strengthened. It has identified four main areas to which such increased assistance might be directed: prevention, control and prediction; planning and preparedness; the better organization of relief action when the emergency occurs; rehabilitation and reconstruction. While a Government should be able to count on the help of the international community, provided through Governments, the League of Red Cross Societies and other voluntary agencies or the United Nations organizations, in its preparations against or its efforts to meet such emergencies, the primary responsibility for protecting the life, health and property of people within its frontiers and for maintaining the essential public services rests with that Government. International assistance can only supplement, and will depend very largely for its effectiveness on, the efforts of the country itself through its Government or through such organizations as its national Red Cross society.

101. It is to be hoped that apart from particular defensive or preventive measures required to meet recurrent catastrophes, disaster-prone countries will take steps, where necessary, to:

(a) Establish a pre-disaster plan (or improve an existing plan) specifying, *inter alia*, the organizational arrangements in case of disaster (including areas of ultimate responsibility and chains of command), the available national resources and sources from which other emergency needs can be met;

(b) Strengthen the national Red Cross society or similar body;

(c) Train officials and others for action in disaster situations and to execute particular aspects of the plan, and strengthen the administrative infrastructure in general; establish stockpiles of non-perishable emergency supplies and, where possible, cash reserves as well as, in certain cases, stockpiles of food;

(d) Take legislative or other steps to facilitate the receipt of aid (covering import duties and restrictions, visas, overflight and landing rights and the like as well as special conditions in respect of relief units);

(e) Endeavour to improve national warning systems, where necessary, and arrangements for ensuring that the warnings reach the public;

(f) Ensure by legislation where relevant, that the minimum risk is run by people living (and housed) in disaster-prone areas;

(g) Consider including in their country programmes projects relating to the study, prevention or mitigation of natural disasters.

102. It is hoped that for their part the Governments of countries which expect to give aid will:

(a) Increase the volume and scope of the aid they are prepared to provide, including (i) special equipment and logistical support (vehicles, aircraft including helicopters, hovercraft and other vessels, specifying as far as possible the nature and extent of this aid, with details regarding their type, capacity, range, crews, maintenance and accessory equipment of the vehicles and aircraft); (ii) Relief units, with information concerning the equipment these expect to bring and the timing of their contribution;

(b) Assist, where possible, in establishing appropriate stockpiles (in co-operation with the Red Cross or otherwise);

(c) Take steps to arrange for the co-ordination of their assistance and that of national voluntary organizations and encourage co-ordination among the latter;

(d) Endeavour to co-ordinate their own contribution with that of other donor Governments;

(e) Co-operate with the United Nations permanent office, keeping it advised of the available resources, and informing it immediately of their deployment after a disaster.

103. The League of Red Cross Societies and other international voluntary organizations should be encouraged to develop their traditional activities, not least in

(a) Strengthening national Red Cross societies and similar bodies;

(b) Helping in the preparation or strengthening of national pre-disaster plans, the basic elements of which have been recommended in the Red Cross Disaster Relief Handbook of the League of Red Cross Societies;

(c) Assisting in the establishment of appropriate stockpiles at the subregional and national levels;

(d) Assisting in training programmes and seminars;

(e) Strengthening cooperation among themselves and with their Governments and contributing to the over-all coordination of assistance through close cooperation with the United Nations in the field (in particular between Red Cross delegates and resident representatives) and generally through constant and full exchange of information.

104. Individual United Nations organizations should continue to act promptly in the cases of disaster in accordance with their resources and constitutional obligations. Over the years, they have built up a considerable capacity for assisting Governments at such times, and for contributing to the control or mitigation of the effects of disasters. Among recent developments one may note with satisfaction that the UNICEF emergency reserve has just been increased; that UNDP is now able to speed its assistance to disaster-stricken countries as well as supporting project related to the study, prevention or mitigation of natural disasters; and that IBRD has likewise given greater assistance to countries in connexion with the long-term effects of disasters.

105. Many areas of activity will, on the other hand, require strengthening if the United Nations system (in cooperation with donor Governments, the League of Red Cross Societies and other voluntary agencies) is to play the larger role expected of it. In addition to information services and training programmes, these areas include:

(a) UNESCO activities in scientific research relating to natural phenomena (especially earthquakes, volcanic eruptions, avalanches and the like), including the extension of reconnaissance missions to flood and avalanche disasters;

(b) WMO activities in scientific research relating to natural phenomena (especially wind storms), in association with United Nations regional economic commissions, where geographically relevant, with a view to improving

(i) Preventive/protective measures;

(ii) Predictive and warning systems;

(c) United Nations activities in developing improved methods of building and planning to mitigate or prevent the disastrous effects of natural phenomena and in developing the United Nations communications network;

(d) WHO action in emergency situations and in pursuit of its basic long-term objectives, including activities both before and after the occurrence of a disaster, for the improvement of health infrastructure, in continued collaboration with other organizations in the United Nations system and with the League of Red Cross Societies;

(e) FAO/WFP provision for potential increase in resources to meet needs in years when a large number of emergencies occur;

(f) ITU interest in developing the availability of transmitters and equipment for use in emergencies;

(g) WMO interest in exploring the possibility of having mobile meteorological stations for use when existing facilities have been destroyed or disrupted by a disaster;

(h) ICAO research and rescue service, which might be applied in certain natural disaster situations; also arrangements for special overflying, refueling and landing rights.

106. To stimulate further action in the various areas in question and to help in ensuring that international assistance is as effective and well co-ordinated as possible, will call for a concerted effort among the organizations of the United Nations system. The role of the competent organs of the United Nations—including that of the Secretary-General himself—in ensuring co-ordination will be of particular importance. As regards the specific actions envisaged at the national level, the resident representatives of UNDP, aided by the technical expertise of the agency and UNICEF representatives, should play a major part in their respective countries of assignment, while the central responsibility will fall on the permanent office in the United Nations envisaged in General Assembly resolution 2717 (XXV). The nature and extent of the functions of that office have already been outlined in detail. Here it may suffice to say that:

(a) the office must maintain continuing contacts with the Governments of potential recipient and donor countries, as well as countries of transit; with the United Nations aid-giving agencies and programmes which will be expected to maintain close contact with the office and keep it advised of all relevant activities, as well as with the League of Red Cross Societies and other major voluntary agencies; and with the resident representatives, to whom it must be in a position to provide the support of experienced staff in time of emergency;

(b) it must be able to arrange assistance to disaster-prone countries in pre-disaster planning and disaster-preparedness arrangements;

(c) it must collect, digest, keep up to date and disseminate to those concerned the mass of detailed information concerning the affected country and its resources which is essential for the effective organization of assistance, as well as concerning available aid from within and outside the United Nations system;

(d) top level meetings should take place as necessary between the head of the office and the executive heads of relevant United Nations organizations, and furthermore the operation of the office as well as the programmes of individual United Nations organizations, should be kept under the constant review of the Administrative Committee on Co-ordination;

(e) while the office, at least at the outset, can be quite small, it would in the Secretary-General's view be better not to increase United Nations involvement in the area of assistance in connection with natural disasters if the funds necessary for the modest staffing and other costs required (including facilities for rapid communications) cannot be guaranteed. The risk must be avoided of raising hopes that cannot be fulfilled.

107. The important questions of the location and the over-all direction of the proposed office are left open pending expression of the views of Member States, particularly as regards the precise nature and extent of responsibilities Member States would wish the office to assume.

108. It is recommended that a modest financial provision be made by the United

Nations in respect of assistance requested by disaster-prone countries in pre-disaster planning and preparedness. Stress is also laid on the need for a substantial increase in the funds available to individual Governments, national Red Cross societies and the League of Red Cross Societies for immediate use in case of emergency. More generally, if the objectives of the General Assembly resolutions are to be adequately met, there will be need in the coming years for increased—and in some fields greatly increased—contributions from Governments, voluntary organizations and intergovernmental organizations.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 3291

At the request of Mr. PACKWOOD, the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 3291, a bill to amend the Tariff Schedules of the United States with respect to the rate of duty on certain types and uses of fish nets and netting.

S. 3339

At the request of Mr. SAXBE for Mr. SCHWEIKER, the Senator from New York (Mr. JAVITS) was added as a cosponsor of S. 3339, a bill to designate the portion of the project for flood control protection on Chartiers Creek that is within Allegheny County, Pa., as the "James G. Fulton Flood Protection Project."

S. 3536

At the request of Mr. TAFT, the Senator from Massachusetts (Mr. BROOKE) was added as a cosponsor of S. 3536, a bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents.

S. 3616

At the request of Mr. MCINTYRE, the Senator from Wisconsin (Mr. NELSON) was added as a cosponsor of S. 3616, a bill to provide for the prompt resolution of certain disputes relating to Government contracts, and for other purposes.

SENATE RESOLUTION 319—SUBMISSION OF A RESOLUTION TO CREATE A SELECT COMMITTEE ON THE COORDINATION OF THE ACTIVITIES OF THE FEDERAL BUREAU OF INVESTIGATION

(Referred to the Committee on the Judiciary.)

FBI OVERSIGHT COMMITTEE

Mr. HARRIS. Mr. President, I am submitting today with the junior Senator from Montana (Mr. METCALF) a resolution to establish an FBI congressional oversight committee. According to the provisions of this bill, the majority leader of the Senate would select three Senators, no more than two from a single party, to serve on the oversight committee. Similarly, the Speaker of the House of Representatives would select three Congressmen. The members of the committee would select their chairman by secret ballot at the beginning of each session of Congress.

Now is an opportune time, in my opinion, for the Congress to adopt this legislation. For more than 50 years there has been no congressional investigation of the

FBI's work. This is a clear failure on the part of Congress to perform its function. But, ironically in view of the controversy which surrounded Mr. Hoover, so long as he remained Director, both friends and critics of the FBI may have been somewhat less concerned about Congress' failure to act. With Mr. Hoover as the FBI's head, there was some certainty about the use to which the Bureau would put its massive power. There was, in short, a pattern of behavior, whether we agreed with it or not, which was predictable. There was some assurance that no administration would be able to any great extent to use the FBI's resources for narrow partisan purpose.

This may be the reason for Congress' lack of vigilance; nonetheless, the record is shameful. No committee of the Congress has probed the operations of the FBI since a brief investigation of the Palmer raids by the Senate Judiciary Committee in 1921. Since that date, the only congressional review has taken place during the annual requests for appropriations. But because of Mr. Hoover's unique position in American life, hearings on the FBI's activities have been completely perfunctory. FBI budget requests have been seldom questioned and never reduced. Rather they have increased year after year. In fiscal year 1971, for example, the Bureau operated on a budget of \$335,000,000 and employed 8,482 agents. And it is worth stressing, Mr. President, that like the CIA, the FBI remains free from examination by the General Accounting Office.

Given this past record, today we are in the position of not really knowing what the scope of the FBI's work really is. In fact, only on two occasions has the veil which shrouds the FBI been lifted. In 1949, in the trial of Judith Coplon for espionage, the Government was forced to produce 28 Bureau reports dealing with national security matters. These took up approximately 800 typewritten pages of the record. Then, in 1971 a group calling itself the Citizens' Commission to Investigate the FBI, entered the Bureau's office in Media, Pa., and carried off all of a large proportion of its files, some 800 altogether. Some of these files subsequently were made available to newspapers and others.

The picture which emerged from these sources of information suggests that the FBI predictably considers its function primarily as constituting the first line of defense, and the major bulwark, against threats to the national security. But these documents also suggest that the concepts of "loyalty and subversive" activity, as developed by the Bureau, carry it very far in the direction of viewing all militant or racial dissent as a threat to the national security. These two sources of information—the Coplon reports and the Media documents—identify the following examples of FBI actions in the political arena: First. Because the actor Frederic March and his wife, Florence Eldridge, were reported to have participated in the activities of various organizations associated with the Henry Wallace movement, a dossier was prepared on their actions. Second. A music student was investigated because he visited the New Jersey headquarters of the Com-

munist Party and talked with his mother there. Third. Another person came under surveillance because he "was connected with some pro-Israel organization which was sending representatives to various parts of the world." Fourth. The Media documents established that:

The FBI ordered discreet preliminary inquiries . . . into all BSUs (Black Student Unions) and similar organizations organized to project the demands of black students, which are not presently under investigation.

Fifth. A watch was kept on other black organizations including CORE, SCLC, the Black Coalition, National Black Economic Conference, and a settlement house.

Other isolated cases of FBI actions in the political arena which have come to light include the following: First. In April 1971 Senator EDMUND S. MUSKIE revealed that the Bureau had conducted a "widespread surveillance of antipollution rallies held on Earth Day, including one in which the Senator himself had been a speaker. Second. In 1958 the FBI informed agents in the FBI Bulletin that:

All Americans should view with serious concern the announced intentions and threats by a political candidate, if elected, to take over and revamp the FBI to suit his own personal whims and desires.

This statement was believed to be directed against the candidacy of Senator Eugene McCarthy. Third. On another occasion GEORGE MCGOVERN was running for the Senate against Senator KARL MUNDT in South Dakota. The FBI made public a letter praising Senator MUNDT's anti-Communist activities.

Many Americans would question the propriety of such clearly political actions as we have cited originating from the chief police organ of the Federal Government. Even more troubling, however, is the possibility that the enormous amount of sensitive information gathered by the FBI about the private lives of millions of individuals may find its way into the public domain and undermine the constitutional rights of American citizens.

In 1971, the FBI had an estimated 200 million fingerprint cards in its files, and nearly 6 million investigative files. The proportion of Bureau resources devoted to national security matters is not precisely known, but it has been estimated that the Bureau has 2,000 agents investigating political activities. Other evidence on this point comes from a breakdown of the documents stolen from the Media office. Of over 800 files taken, 40 percent involved political surveillance.

Although charges that the FBI under Hoover evolved into a "Gestapo" are far-fetched, there have been cases of this sensitive information being used for partisan purposes. In 1954 Attorney General Brownell read material from Bureau files in making an attack on the previous Democratic administration for continuing Harry Dexter White in Government service. President Truman followed a general policy of refusing to disclose Bureau files, but in some cases was guilty of allowing individual Congressmen to see them at the White House.

President Eisenhower adhered to the general policy of nondisclosure, but con-

ceded that summaries and factual information about Bureau files had been turned over to congressional committees. Vice President Nixon, in October 1954, disclosed extensive material from Bureau files in an attack upon Representative Robert L. Condon of California.

Senator Joseph McCarthy's Permanent Subcommittee on Investigations obtained substantial amounts of material from Bureau sources, apparently by way of military intelligence. Likewise in the Senate debate over the confirmation of Charles E. Bohlen to be Ambassador to the Soviet Union, Senator Gillette described several items of information which had come from the Bureau by way of Secretary of State Dulles.

Perhaps the most alarming example of a leak of information was reported by the New York Times. In a September 7, 1971, report, the Times disclosed that a former major general by the name of Ralph H. Van Deman—one time head of Army Intelligence—and his wife maintained after Mr. Van Deman's retirement a private collection of files on 125,000 alleged "subversive" persons and organizations. Said the Times:

The heart of the Van Deman files, according to military sources who have seen them, comprises confidential intelligence reports that General Van Deman obtained regularly from Army and Navy intelligence and from the Federal Bureau of Investigation.

I cite these examples not in order to condemn the FBI but to point to the danger of uncontrolled power. Given the total lack of interest by the Congress in the FBI's activities over the years, the astonishing fact is not that such abuses took place but that their extent is not greater than it is. Indeed, the parties guilty of releasing sensitive information in many of these cases is not an official of the FBI but a political figure with access to FBI files.

The question now, however, is whether the Bureau's record in the field of civil liberties will deteriorate or can be improved. A February 8, 1971, article in the Nation quotes a former FBI agent on this point:

I have always been terrified of what might happen after (Hoover) leaves. There is enough data in those files to make them the damndest Gestapo outfit this country has ever seen.

We do not have to accept the alarmist tone of this view to understand that with the departure of Mr. Hoover—a man who ran the FBI with an iron hand—the Nation faces some special problems. There is an immediate need to establish orderly and established procedures for overseeing the important work which the FBI carries out. There is an urgent necessity to prevent any occupant of the White House, from whatever party, from abusing the enormous power which any man he appoints as FBI Director will gain. There is a clear requirement that the Congress play a more active role in protecting the constitutional rights of all Americans from abuse as the FBI carries out its studies in the field of counterespionage.

It is with these points in mind that I am submitting my proposal for an oversight committee. The committee which

my bill would establish should, in my opinion, immediately undertake a thorough study of the FBI under the new conditions which will be created by the passing of Mr. Hoover. It might give consideration to such questions as the following: Limiting through legislation the term of office of the new Director. One need not be dogmatic about the actual length; the important point would be the principle. The New York Times in 1971 suggested a period of 4 or 5 years. The 1968 Omnibus Crime Control and Safe Streets Act originally had a clause, which was defeated, providing for a 15-year term.

Bureaucratic relationship between the Attorney General and the FBI Director. The late Robert Kennedy appears to have been the first Attorney General in years to visit FBI district offices and to issue an order to agents. This is unfortunate and steps should be taken to make the FBI an integral part of the Justice Department.

Legal authority for counterespionage of the FBI. When Mr. Hoover was promoted to Director in 1924, Attorney General Harlan Fisk Stone cut back the FBI's operations to strictly law enforcement activities. But in 1936 President Roosevelt called Mr. Hoover to the White House and directed him to "have investigation made of subversive activities in this country." This was the beginning of the rapid expansion of the FBI into the arena of counterespionage. Clearly with the passage of so many years, the responsibilities of the FBI in this field require full congressional investigation. This review might also study the statutory authority of the FBI to conduct work in criminal cases since there are now some 257 laws and Executive orders empowering the FBI to take action in various fields. There is need for a systematic investigation of all these laws and orders.

Periodic review and evaluation of Bureau operations by an independent body. This might take the form of a distinguished presidential commission. This would be in addition to the committee's own review. Both the committee and the commission definitely should study procedures for eliminating false and irrelevant information from the files on private citizens.

Mr. President, long ago Edmund Burke noted that the greater the powers, the more dangerous the abuse. So long as nations exist, espionage remains a probability and the development of counterespionage techniques is a necessity. But this reality does not relieve the Congress of its obligation to the citizens of this country to protect their constitutional rights.

Now is the time, not 10 months from now, for the Congress to assume its responsibilities. If the Congress does not act before the next election to establish an oversight committee, then any subsequent action of this nature will be seen as a personal rebuke to the future Director of the FBI. This fact will only make it more difficult for the Congress to take the steps required. The Congress should therefore do today what it should have done long ago.

Mr. President, I ask unanimous consent that the text of my resolution be printed at this point in the RECORD. I urge the support of my fellow Senators on this important piece of legislation.

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

S. RES. 319

Whereas it is the responsibility of the Congress to exercise general oversight with respect to the activities of U.S. Government agencies; and

Whereas the Federal Bureau of Investigation is charged with the responsibility of protecting the internal security of the United States and collecting sensitive information pertaining to political crime, espionage and civil disorders; and

Whereas the Federal Bureau of Investigations in carrying out this duty, is also charged with the responsibility of protecting the Constitutional rights of American citizens; and

Whereas there has been no Congressional investigation of the Federal Bureau of Investigation since the brief investigations of the Palmer raids by the Judiciary Committee in 1921; and

Whereas many of the activities of the Federal Bureau of Investigation are not suitable for public debate yet should be subject to impartial Congressional oversight: Therefore be it

Resolved, That there is hereby created, effective at the beginning of the Ninety-third Congress, a select committee to be known as the Select Committee on the Coordination of the activities of the Federal Bureau of Investigation to consist of three Senators and three Congressmen of whom the Senators shall be appointed by the Majority Leader of the Senate, and the Congressmen shall be appointed by the Speaker of the House of Representatives. No more than two of either House shall be from the same political party. The chairmanship of the select committee shall alternate at the beginning of each new session of the Congress between a member of the House and a member of the Senate. The select committee shall select the chairman at the beginning of each session by secret ballot.

SEC. 2. (a) It shall be the function of the select committee to oversee the coordination of all activities of the Federal Bureau of Investigation including its responsibilities pertaining to political crime, espionage and civil disorders. In carrying out its functions under this resolution, the select committee shall keep itself fully and currently informed of all such activities.

(b) The select committee shall meet at least once a month while the Congress is in session and at such other times as the select committee shall determine.

SEC. 3. (a) For the purposes of this resolution, the select committee is authorized in its discretion (1) to make expenditures from the contingent fund of the Senate and the House; (2) to hold hearings; (3) to sit and act at any time or place during the sessions, recesses, and adjournment periods of the Congress; (4) to employ personnel; (5) to subpoena witnesses and documents; (6) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel, information, and facilities of any such department or agency; (7) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, and to provide assistance for the training of its professional staff, in the same manner and under the same conditions as a standing committee of the Congress may procure such services and provide such assistance under

section 202 (i) and (j), respectively, of the Legislative Reorganization Act of 1946; (8) to interview employees of the Federal, State and local governments and other individuals; and (9) to take depositions and other testimony.

(b) The select committee shall have a professional staff of at least three members appointed by agreement of the senior House and Senate member of the select committee from the majority party and the senior House and Senate member of the select committee from the minority party.

(c) Subpoenas may be issued by the select committee over the signature of the chairman or any other member designated by him, and may be served by any person designated by such chairman or member. The chairman of the select committee or any member thereof may administer oaths to witnesses.

(d) A majority of the members of the select committee shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the select committee, shall constitute a quorum for the purpose of taking sworn testimony.

Sec. 5. The select committee shall take special care to safeguard information affecting the Constitutional rights of U.S. citizens and the national security.

Sec. 6. The expenses of the select committee under this resolution, which shall not exceed \$250,000 through February 28, 1973, shall be paid from the contingent fund of the Congress upon vouchers approved by the chairman of the select committee.

EXTENSION OF SERVICEMEN'S GROUP LIFE INSURANCE—AMENDMENT

AMENDMENT NO. 1224

(Ordered to be printed and referred to the committee on Veterans' Affairs.)

Mr. ALLEN submitted an amendment intended to be proposed by him to the bill (H.R. 14742) to amend title 38, United States Code, to encourage persons to join and remain in the Reserves and National Guard by providing full-time coverage under servicemen's group life insurance for such members and certain members of the Retired Reserve up to age 60.

FOREIGN ASSISTANCE ACT OF 1972—AMENDMENT

AMENDMENT NO. 1225

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

Mr. SCOTT submitted an amendment intended to be proposed by him to the bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes.

AMENDMENT NO. 1229

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

Mr. STENNIS submitted an amendment intended to be proposed by him to the bill (S. 3390), supra.

DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1973—AMENDMENT

AMENDMENT NO. 1226

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

Mr. PROXMIRE (for himself and Mr. ERVIN) submitted an amendment in-

tended to be proposed by them jointly to the bill (H.R. 14989) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1973, and for other purposes.

LEAD-BASED PAINT POISONING PREVENTION ACT—AMENDMENT

AMENDMENT NO. 1227

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

Mr. SCHWEIKER. Mr. President, I introduce an amendment to S. 3080, a bill to amend the Lead-Based Paint Poisoning Act, and for other purposes.

I have discussed this amendment with members of the Labor and Public Welfare Committee, which considered S. 3080 and on which I serve, and the chairman and members of the committee have indicated their support for my amendment. The amendment has also been brought to the attention of the Senate Banking, Housing, and Urban Affairs Committee, since it pertains to federally insured housing, and the chairman has indicated to me that he believes this amendment would be acceptable to his committee.

Lead-based paint for interior household use which contained very high percentages of lead compounds, at least 50 percent in several cases, was in fairly wide use during the years before 1950. As a consequence, much housing in existence today which was constructed prior to 1950 is likely to contain paint with these very high levels of lead compounds. My amendment would require the Secretary of Housing and Urban Development to establish procedures to minimize the hazards of lead-based paint poisoning when inspecting residential housing constructed prior to 1950 for which an application for mortgage insurance or housing assistance payments has been made.

Before approving such a mortgage or initiating a subsidized program, HUD is currently inspecting such property to determine compliance with code enforcement and the value of the property for mortgage purposes. Therefore, these procedures would not present an additional burden to HUD. The amendment would require the Secretary to establish procedures to eliminate the hazard when paint in housing constructed prior to 1950 is found to be cracking, scaling, peeling, or loose. This is the condition in which it can most easily be eaten by small children who are subject to the disease of pica, an appetite for nonfood items.

The amendment would also require the Secretary to give to the buyers of such housing assured written notification of the hazards of lead-based paint, as well as a description of the symptoms and treatment of lead-based paint poisoning together with information concerning the importance of the removal of such hazards and techniques currently available to do so.

I have long been concerned with the need to provide a solution and an end to the very serious problem of lead paint poisoning. We should use every means

available, and my amendment would incorporate into an existing HUD procedure the means to warn the buyer of the hazard of lead-based paint and remove the immediate danger before he moves into the house.

S. 3080, the bill which we consider today to extend and expand the Lead-Based Paint Poisoning Prevention Act, would provide a major vehicle for ending for all time this tragic disease by providing additional resources to aid communities in detection and treatment of lead-based paint poisoning as well as assisting them in identifying problem areas where lead-based paint presents a high risk. My amendment to this bill will further increase the ability of the Federal Government to attack this tragic and totally preventable disease.

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

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

AMENDMENT NO. 1227

At the end of the bill add the following:
Sec. 8. (a) Title III of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et. seq.) is amended—

(1) by adding at the end thereof the following:

"FHA REQUIREMENTS

"Sec. 302. The Secretary of Housing and Urban Development (hereafter in this section referred to as the 'Secretary') shall establish procedures to minimize the hazards of lead-based paint poisoning with respect to any existing housing which may present such hazards and which is covered by an application for mortgage insurance or housing assistance payments under a program administered by the Secretary. Such procedures shall apply to all such housing constructed prior to 1950 and shall provide for (1) appropriate measures to eliminate, wherever feasible, immediate hazards due to the presence of cracking, scaling, peeling, or loose paint which may contain lead and to which children may be exposed, and (2) assured notification to purchasers of such housing of the hazards of lead-based paint, of the symptoms and treatment of lead-based paint poisoning, and of the importance and availability of maintenance and removal techniques for minimizing or eliminating such hazards. Such procedures may apply to housing constructed during or after 1950 if the Secretary determines, in his discretion, that such housing presents hazards of lead-based paint.";

(2) by inserting after "PROGRAM" in the caption of such title, a semicolon and the following: "FHA REQUIREMENTS".

(b) The amendments made by subsection (a) of this section become effective upon the expiration of 90 days following the date of enactment of this Act.

SOCIAL SECURITY AMENDMENTS OF 1972—AMENDMENT

AMENDMENT NO. 1228

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

Mr. NELSON. Mr. President, I am introducing today an amendment that would change the method of financing the special minimum benefit approved recently by the Finance Committee.

The committee's provision provides a special minimum of \$10 per year for each year of covered employment in excess of 10 years. This benefit would be paid as an

alternative to the regular benefit if a higher payment would result.

This provision would only benefit people with 18 or more years of employment; for a worker with 18 years of covered employment, the special minimum benefit would exceed the regular minimum—\$80 as compared with the minimum benefit of \$70.40 under present law—or \$74 in H.R. 1 as passed by the House.

Under the committee's provision, a worker with 20 years of employment under social security would receive a minimum benefit of \$100; one with 30 years would receive \$200. The minimum benefits for people with various years of covered employment are as follows:

Years of covered employment	Special minimum benefit
17	\$74
18	80
19	90
20	100
21	110
22	120
23	130
24	140
25	150
26	160
27	170
28	180
29	190
30 or more	200

¹ The regular minimum benefit as provided by the House-passed version of H.R. 1. For years of employment less than 18, the regular minimum benefit would be higher than this special minimum.

Without question, the committee's provision serves an important social goal: to provide a recent retirement income for people who have worked for many years in covered jobs at low wages. Under the present system it is possible to work in covered employment for 30 years and still receive a retirement benefit that is well below the poverty level. The committee's amendment would change that.

But the committee's provision has one major shortcoming. It finances benefits out of the payroll tax that should properly be financed out of general revenues. This amendment would remedy the defect by financing the new minimum from the general fund.

Obviously, the new minimum would represent a sharp departure from the principle that benefits should be actuarially related to past contributions. No doubt, in this case, the departure serves a desirable social objective. But for this very reason, the new minimum should be paid for by all of society, not just by wage earners.

Shifting the financing of the new minimum benefit to general revenues is also desirable from the standpoint of our total tax system. On three separate occasions over the last 8 years, we have reduced one or the other of our two progressive taxes—the personal income tax and the corporate profits tax. Meanwhile, regressive taxes like the social security tax have been increasing dramatically. In the period 1961–72, it is estimated that the percentage of national income raised by the payroll tax rose from 3.9 percent to 6 percent.

The overall result is a tax system that places a greater burden on those who can

least afford it, and a lesser burden on those who can.

It is estimated that the new minimum provision would cost \$300 million and increase benefits for 1.3 million people in the first year—this assumes a 10-percent increase in social security benefits. If a larger increase is approved, the cost and the coverage of the new minimum benefit would be less—on a long-term basis, the cost would be \$1.3 billion a year.

In future years, the annual cost would rise up to and above \$1.3 billion, as the retired population comes to include a greater proportion of people who have been in covered employment for many years. Subsequently the cost would decline as benefit levels rise, and fewer and fewer people have benefits below \$200. Eventually, the new minimum benefit would phase out.

Of course, this is not the first proposal to introduce general revenues into the Social Security System. The idea was recommended by the Committee on Economic Security, whose work led to the Social Security Act of 1935. This recommendation was reiterated by the Advisory Councils on Social Security of 1938 and 1948. The labor movement has for some time supported a plan to finance one-third of the system from general revenues.

But this proposal is much more modest. Only the additional cost of providing the new minimum benefit—of helping a specific group of long-term workers—would come from general revenues. And the drain on the Treasury would be temporary, ending when the new minimum benefit phases out over time.

Mr. President, I ask unanimous consent that two letters endorsing this amendment from Dean Wilbur Cohen of the Michigan University Graduate School of Education and from Mr. Andrew Biemiller of the AFL-CIO, along with the text of the amendment itself be printed in the RECORD at this point.

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

AMENDMENT No. 1228

On page 134, between lines 15 and 16, insert the following new section:

GENERAL REVENUE FINANCING FOR SPECIAL MINIMUM PRIMARY INSURANCE AMOUNT

SEC. 144. In addition to any other sums authorized to be appropriated, for any fiscal year, to the Federal Old-Age and Survivors Insurance Trust Fund or to the Federal Disability Insurance Trust Fund, there is hereby authorized to be appropriated to each of such Funds, for each fiscal year, such sums as may be necessary to place each of such Funds in the same financial position at the end of such fiscal year as the financial position which such Fund would have been in at the end of such year, if section 103 of the Social Security Amendments of 1972 had not been enacted.

THE UNIVERSITY OF MICHIGAN,

Ann Arbor, Mich., May 23, 1972.

HON. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: This is in response to your request for my views on your amendment to H.R. 1 to provide that the cost of the special minimum benefit in the Old Age, Survivors and Disability Insurance Program

(as approved by the Senate Finance Committee) should be financed out of general revenues.

I strongly support such an amendment.

In a very significant article published in June 1938, the then Actuary of the Metropolitan Life Insurance Company, Mr. Reinhard Hohaus, pointed out that a social insurance program aims at providing both equity and adequacy. The equity objective in the Federal Old Age, Survivors and Disability Insurance Program (OASDI), as I see it, attempts to relate benefits in some relation to previous earnings. The adequacy objective on the other hand attempts to provide benefits in some relation to social responsibilities and goals.

In my opinion, it is entirely consistent with sound social insurance objectives for the cost of benefits based on the equity principle to be financed out of contributions related to earnings while the cost of part or all of the benefits related to meeting a minimum level of adequacy be financed out of general revenues.

For those persons in business, industry, and commercial insurance who favor making a sharp distinction between the attributes of private insurance and social insurance, your amendment to finance the special minimum from general revenues, should meet with their philosophical support if they wish to reinforce the distinction.

I should like to point out that any across-the-board increase in social security benefits would serve to decrease the cost of the special minimum. I strongly favor at least a twenty-percent across-the-board increase at this time in addition to other improvements in the social security system.

Sincerely,

WILBUR J. COHEN, Dean.

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,

Washington, D.C., June 8, 1972.

HON. GAYLORD NELSON,

U.S. Senate, Old Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: It is our understanding that at this time the Committee on Finance has tentatively voted a substantial increase in minimum benefits to social security beneficiaries with long attachment to covered employment.

The AFL-CIO recognizes the very serious problem to persons with many years of attachment to employment covered by social security but who qualify for only a minimum benefit amount. We believe that, when benefits are increased at the minimum levels with the result that the benefits are no longer actuarially related to past earnings and contributions, it is desirable that they should be financed from general revenues rather than solely financed from the social security tax.

We urge support of your approach to finance the increase in minimum benefits.

Sincerely,

ANDREW J. BIEMILLER,
Director, Department of Legislation.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPRO- PRIATIONS, 1973—AMENDMENT

AMENDMENT No. 1231

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

Mr. JAVITS. Mr. President, tomorrow I shall move, in an amendment joined in by myself and the Senator from Massachusetts (Mr. KENNEDY), to increase the appropriation for section 236 supplements to mortgage interest from \$150 million to \$225 million.

As this measure came over from the

other body, it provided \$25 million for this item, because the House of Representatives had taken no action on authorizing legislation. In the Senate, the Appropriations Committee has provided \$150 million the budget amount. Since we have passed S. 3248, the housing bill, which authorized \$225 million for this program, the amendment of Senator KENNEDY and myself would raise the appropriation to that authorized amount.

For the purpose of permitting Senators to think about it overnight, let me say that there is no single program which would stimulate more housing in New York and other major core cities and metropolitan areas than section 236. For practical purposes, we can do hardly anything about middle-income housing and moderate-income housing except with adequate 236 funds. These are the scarcest funds of all, and as they are so stimulative in terms of adding to the housing stock, and are absolutely indispensable to so many projects, we really have to consider very seriously at least getting the authorized amount, rather than the budget estimate.

This is our priority; and I shall undertake, Mr. President, to demonstrate tomorrow that it is an absolutely indispensable priority if we really want to build housing and rehabilitate housing for the moderate- and middle-income groups. We certainly do, and this is the grease for the squeaky wheel as well as the wheel that is not turning.

So, Mr. President, I hope very much that Senators will seriously think about this amendment, which can properly be dubbed "the amendment of experience."

I ask unanimous consent that the text of the amendment be printed in the RECORD, and that the amendment be printed under the rule.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table, and, without objection, in accordance with the Senator's request, the amendment will be printed in the RECORD.

AMENDMENT NO. 1231

On page 2, line 26, deleted the figure \$150,000,000 and substitute in lieu thereof the figure \$225,000,000.

ADDITIONAL COSPONSORS OF AN AMENDMENT

AMENDMENT NO. 999

At the request of Mr. CHURCH, the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of Amendment No. 999, intended to be proposed to the bill (H.R. 1) to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child-health programs with emphasis on improvements in their operating effectiveness, to replace the existing Federal-State public assistance programs with a Federal program of adult assistance and a Federal program of benefits to low-income families with children with incentives and requirements for employment and training to improve the capacity for employment of members of such families, and for other purposes.

STATUS OF COMPETITION AND ROLE OF SMALL BUSINESS IN GOVERNMENT PROCUREMENT OF DRUGS—NOTICE OF HEARING

Mr. NELSON. Mr. President, I wish to announce that the Subcommittee on Monopoly of the Select Committee on Small Business will resume its hearings on competitive problems, role of small business, the efficiency and economy of Federal agencies and departments in the procurement and use of drugs.

The hearings will be held on June 20 in room 4221 of the New Senate Office Building and on June 21 in room 318, Caucus Room, of the Old Senate Office Building starting at 10 a.m. each day.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Kieran O'Doherty, of New York, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 3 years, from October 22, 1970, vice Sidney Freidberg.

Maurice H. Sigler, of Nebraska, to be a member of the Board of Parole for the term expiring September 30, 1978. Mr. Sigler is now serving in this position under an appointment which expires September 30, 1972.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, June 20, 1972, any representations of objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING ON HOUSING

Mr. SPARKMAN. Mr. President, on May 31, 1972, I announced that the Subcommittee on Housing and Urban Affairs of the Committee on Banking, Housing and Urban Affairs, would hold hearings on S. 3373, a bill to promote the utilization of improved technology in federally assisted housing projects and to increase productivity in order to meet our national housing goals, and S. 3654, a bill to delete the Davis-Bacon provision from the National Housing Act and the U.S. Housing Act of 1937 relating to FHA-insured housing and public housing programs.

These hearings have been postponed and will now be held on June 20, 21, 22, and 23 in room 5302, New Senate Office Building, commencing at 10 a.m. each morning.

ADDITIONAL STATEMENTS

CRITICISM OF CONGRESS

Mr. SAXBE. Mr. President, David S. Broder, one of the foremost political analysts in the United States, has written a most interesting criticism of the Congress of the United States in this morning's Washington Post. Mr. Broder is

seen on many of the Sunday interview shows and has recently written a book entitled "The Party Is Over," which has received rave reviews.

In an article entitled "A Fallow Congress," David Broder scores the "meager catalog" of Congress, "compared to the needs of the country or the promises Democratic presidential contenders have been making on behalf of their party."

Broder continues by saying:

In any fair accounting for the paralysis on the domestic front, the Democrats who control the Congress must take the lion's share of the blame.

The truth is that while the Democrats have talked change in this campaign to the point that their likely nominee, McGovern, is accused by some of his fellow-partisans of being "too radical," the reality of the party's legislative record is one of pitifully little progress.

Contrasted with the openings Mr. Nixon has made in the areas of foreign policy where he does not have to wait for Congress to come plodding along, there is real question as to which party can honestly claim to be the party of change.

Mr. President, I commend this article to the Senate and ask unanimous consent that it be printed in the RECORD.

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

A FALLOW CONGRESS

(By David S. Broder)

To return from the Democratic presidential primary trial to Washington and the Democratic-controlled Congress is to move from a world of glittering rhetoric to one of petty, paralyzed reality.

While George McGovern, Hubert Humphrey and the rest have been out on the road promising wondrous changes in the offing, their colleagues have been back here—doing what?

Well, the scorecard of major legislation passed by this second session of the 92nd Congress includes two laws that will affect people's lives directly and two other reform measures that may have considerable indirect effect.

LAST WEEK Congress sent the President a massive program of aid to higher education, with a provision included to slow school busing orders. Earlier, it added enforcement powers to the Equal Employment Opportunity Commission. Both those laws will be felt in people's lives.

There's also a public benefit in the stricter campaign financing law, which Congress finally passed last January, a carryover from the previous year, though not many voters will see the advantage in concrete terms. And there may be benefits down the road, if the Equal Rights Amendment for women, which Congress approved, is ratified by the states.

But that about exhausts the lists of significant legislation passed this year. It's a meager catalogue, compared to the needs of the country or the promises Democratic presidential contenders have been making on behalf of their party.

It may be that Richard M. Nixon will overlook this Democratic "credibility gap," but don't bet on it.

For three years, the President has had before the Congress serious proposals on revenue-sharing with states and cities, and reform of the welfare system. For two years, he has had equally significant proposals on reorganization of the federal executive branch and expansion of health insurance protection.

All of these are matters of urgent national priority. They have been acknowledged as matters of major concern by the Democratic

presidential candidates, who—in all the areas except federal reorganization—have offered counter-proposals of their own going well beyond what the President has suggested.

Yet in all these areas, the Democrats will go into convention, less than a month from now, with a record of congressional inaction. To date, the Democratic Congress has neither given the President a final up-or-down vote on his own proposals in these four vital areas nor developed and passed alternative programs of its own.

If there is a justification for this abdication of political responsibility, it does not come readily to mind. And the Democratic convention orators and platform writers will have to be more devious than usual to divert the public's attention from the yawning chasm between their promises and their party's poor record of performance.

It is true, of course, that divided government—with responsibility for the executive branch in the hands of one party and legislative branch in control of the other—is an open invitation to paralysis and irresponsibility. But the Democrats cannot avoid blame by claiming negligence on the part of the President in meeting his domestic responsibilities.

The President has made serious proposals in all these areas. He has not threatened to veto the Democratic alternatives, for, indeed, no alternatives have come close to passage.

In any fair accounting for the paralysis on the domestic front, the Democrats who control the Congress must take the lion's share of the blame.

The truth is that while the Democrats have talked change in this campaign to the point that their likely nominee, McGovern, is accused by some of his fellow-partisans of being "too radical," the reality of the party's legislative record is one of pitifully little progress.

Contrasted with the openings Mr. Nixon has made in the areas of foreign policy where he does not have to wait for Congress to come plodding along, there is real question as to which party can honestly claim to be the party of change.

Where is the Democrats' domestic equivalent of the Nixon "Open Door" China policy? Where is there a law passed by the Democratic Congress in the past four years that rivals in significance the Strategic Arms Treaty Mr. Nixon negotiated in Moscow?

These are questions the voters will be asking, when the rhetoric of the presidential campaign is measured against the record.

MASS SLAUGHTER IN BURUNDI

Mr. McGEE. Mr. President, the Washington Post of June 11 contains an in-depth report on the alleged mass slaughter occurring in the tiny African nation of Burundi. The international community has been both shocked and saddened by these incidents which are receiving increasing attention in the media.

In February 1971, I headed an Appropriations Committee-sponsored study mission to Central and East Africa. The study mission visited Burundi and became the first U.S. Senators to visit that nation. My colleagues on the study mission were the Senator from Utah (Mr. Moss) and the Senator from Hawaii (Mr. FONG).

It was my observation at that time that the potential for massive violence in Burundi was very great and it would take a very little spark to touch off a conflagration.

In the study mission report to the Appropriations Committee, I observed:

The delicate balance currently containing the contrary interests within the country is constantly up against the outside political pressures from contiguous areas where neighboring governments, for assorted reasons, seek to exploit both the geography and the politics of tiny Burundi. It is our assessment that the present stability in the country will require careful nurturing by its government and people.

It is a human tragedy that this delicate stability has not been maintained.

I ask unanimous consent that the Washington Post article be printed in the RECORD.

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

DOUBLE GENOCIDE TEARS BURUNDI APART: WITNESSES TELL OF ORGY OF KILLING AFTER ABORTIVE HUTU COUP

(NOTE.—The following dispatch, based on reporting inside Burundi, was filed from Kinshasa, capital of neighboring Zaire (formerly of the Belgian Congo).)

(By Jonathan C. Randal)

BUJUMBURA, BURUNDI, June 9.—Terrified by yet another bloody uprising against their 500-year-old domination, the minority Tutsi rulers of Burundi are systematically killing the elite of their former Hutu serfs in what can only be termed genocide.

Official Burundi government and impartial estimates alike claim that as many as 100,000 people have been killed in the six weeks since Hutu exiles invaded this poor Maryland-sized mountain nation located in Central Africa between Tanzania and Zaire, the former Belgian Congo.

But such are the difficulties in collecting reliable information in Burundi that the death toll may be considerably higher in the combination Hutu uprising and Tutsi repression in reaction.

By all accounts, the orgy of killing was set off by the invaders' determination to murder all the Tutsis who make up 15 per cent of Burundi's estimated 3.5 million inhabitants. Their plan reportedly then called for the establishment of a purely Hutu regime.

The continuing repression is seemingly dictated by the Tutsis' equal determination to cow Hutu peasants into submission and wipe out the educated Hutu elite in order to ensure Tutsi domination for the foreseeable future.

What has been called an attempt at "double genocide" has few parallels in the post-independence annals of Africa. Even such African tragedies as the Congo turmoil of the early and mid-60s, the Biafran rebellion and the recently concluded Sudanese civil war do not match what has happened here.

Outwardly impervious to international criticism, including from the Belgian government and Pope Paul VI, Burundi President Michael Micombero shows little inclination or ability to stop the killing.

Western embassies are reluctant to talk for fear of jeopardizing the security of their nationals. (There are some 6,000 foreigners in Burundi, half of them Belgians.) Only occasional passes have been issued to diplomats for travel outside the capital since the violence began.

To date the Organization of African Unity, the continent's regional grouping, has refused to investigate the Burundi situation, apparently on the ground that such action would violate its charter forbidding interference in a member state's internal affairs.

At this point, such a move might prove to be too late anyway. The repression has reached down through the ranks of the educated Hutu elite to such an extent that only

a thousand or so secondary school students still survive.

In an informal conversation with visiting reporters, President Micombero alluded to the lasting effects of the civil war by quoting—if only to disagree with—an unidentified missionary who told him "80 years of evangelization has been washed down the drain."

Similarly, a longtime foreign resident lamented that the violence had "cancelled out everything that has been accomplished" since Burundi gained its independence in 1962 after some 80 years of first German and then Belgian colonial tutelage. Now, he added, "We have to start from square one."

Such is the Burundi genius for intrigue that some diplomatic observers are convinced that the government, which has conceded prior knowledge of the Hutu invasion, allowed the rebels to make their move from bases in Tanzania April 29 in the hope that they would be crushed and that the invasion would justify subsequent repression.

ATTACK NO SURPRISE

Officials from the 31-year-old president on down have admitted that the approximate date of the attack was known in advance. The president, who sports an elegant muttonchop beard, dissolved his government just hours before the attack, and his decision to do so has been interpreted less charitably than his own explanation that he was guided by "divine providence."

The morning preceding the invasion, Congolese in Burundi living along the rich plain bordering Lake Tanganyika, between Burundi and Zaire, took to their boats and headed for safety on the Zaire side.

[Burundi ambassador to the United Nations Nsanze Terence, at a press conference in New York June 1, said that an attacking force of some 8,000 crossed Lake Tanganyika and entered Burundi. He said that 3,000 Burundese constituting their "fifth column" joined with the invading force inside the country.]

Once the attack began on the evening of April 29, the rebels surpassed in violence even the followers of the late Pierre Mulele, the Peking-trained Congolese rebel who led the successful rebellion in Kwilu Province in 1964 and whose tactics inspired the Hutu uprising here.

High on Indian hemp, protected by witch doctors' tatoos, anywhere from 3,000 to 25,000 rebels moved out of their bases in the dense forests on the Tanzanian border and went on a rampage. They chanted "Mai, Mai Mulele," the magic Swahili words for the famous Mulele water which was supposed to dissolve the government troops' bullets.

REBELS JUMP GUN

The attacks centered on the south, northeast and Bujumbura, a city of 70,000. The rebels jumped the gun in the capital by refusing to pay for gasoline for Molotov cocktails at a downtown filling station, chopping off the attendants' fingers and thus raising the alarm two hours before operations were to begin.

In the northeast, the attackers were quickly repulsed. But in the southern province of Buriri, they struck with great effectiveness, seeking out their victims with lists of names and addresses. Tracts found on captured rebels harangued them to kill Tutsi men, women and children and even disembowel pregnant Tutsi women to ensure that no Tutsi foetus would survive.

A French journalist who interviewed the widow of a Tutsi gendarmier captain was told that her three children were beheaded by machetes before her eyes, her husband disemboweled and the children's heads stuffed in his stomach while she was repeatedly raped and left for dead.

Micombero recounted that captured documents spoke of plans for a rebel victory

parade in Bujumbura on May 19 during which he, as the last surviving Tutsi, was to be killed.

SECRET HUTU SOCIETY

Although the government so far has failed to produce the documentary evidence, no responsible observer, Burundi or foreign, seriously doubts the government case linking the invasion to a secret Hutu society said to have been formed in 1970 to provide funds to train the rebels.

Monthly contributions varied between 100 Burundi francs (about \$2) for a poor Hutu to \$400 for a rich businessman. The government contends—once again without producing evidence—that thousands of names were on the society's lists, including many prominent Hutus in government and private life.

Bernard Bududira, Tutsi vicar general of the Roman Catholic diocese of Buriri in the south, quoted an eyewitness who saw Alois Barakikana, a Hutu graduate of the University of Arizona and vice director of the government's Economics Ministry, at the lakeside mission at Minago exhorting the rebels to continue their devastation.

According to other testimony, other Hutu leaders were in the vanguard of the southern attack, although, unlike their troops, they were not drugged. Some of the rebel military leaders wore blood-daubed enamel dishpans as helmets.

Although Micombero accused Gaston Soumialot and Martin Kasongo of being in Burundi during the attack, no one else has corroborated the presence of these two former leaders of the 1964 Simba uprising in the Eastern Congo. All the rebels captured spoke the Burundi language, Kirundi, indicating that foreign intervention was probably limited to adapting techniques perfected in the Congo.

A major variation on the Simba rebellion, however, was the strict order given to avoid harming whites.

DEVASTATION EXTENSIVE

The extent of the devastation wrought by the Hutu rebels was brought home by a helicopter flight low over the rich Lake Tanganyika plain and through the green hills where most Burundese live.

Starting at Bugarama Lake, 25 miles south of the capital, and extending to Nyanza Lake near the Tanzanian border to the south, there is an almost uninterrupted record of violence: burned-out cars, huts and buildings in the town of Rumonge; some 30 mutilated bodies, bloated and bleached, in the reeds near the lake shore. They are jealously guarded by crocodiles and a hippopotamus family.

But more telling still was the almost total lack of people seen from the helicopter in this, one of Africa's most densely populated countries.

According to a missionary report, 2,782 homes were burned down in the southern attack, which lasted three days before government forces, reinforced by a company of airlifted Zaire troops turned the tide.

Although most of the rebels retreated back across the Tanzanian border, President Micombero disclosed the existence of a rebel "People's Republic" of Martyazo, which held sway in the southern hills for two weeks before it was crushed by the army and gendarmerie.

But if there is little real argument with the government's explanations about the initial attack, the same cannot be said for its claims about casualties, the continuing repression or the mysterious death of former King Ntare V in Kitega in central Burundi.

In his formal chat, Micombero recounted the demise of the king, who rashly returned to Burundi at the end of March after accepting the president's assurance that he would be protected.

Terming the ex-king a "fool" to have thought that his return would provoke an uprising in favor of the monarchy, Micombero explained how he had honored the letter of his promise to protect the king by placing him under house arrest in the royal palace in Kitega.

Micombero spiked rumors that Ntare had been killed in fighting between the army and rebels seeking to free and use him as a symbol of their revolt. "The king was not assassinated," the president said, "but judged and executed immediately on the night of April 29."

Angered by the importance the Western press has given the aftermath of the attack, Micombero said: "You people insist on the repression without insisting on its causes."

In his eyes, the attack, but not the repression, constituted genocide, which "no government which is civilized could caution."

Indeed, "It was worse than genocide," Micombero said, because the Hutu attackers killed not only Tutsi men, women and children but also some Hutus who refused to join their ranks.

PURSuing GUILTY

He maintained that only those who are guilty are being punished and compared his relentless pursuit of the Hutus to the continuing hunt for Nazis implicated in exterminating European Jews in World War II.

"They're still tracking down those responsible for the Jewish genocide then, and that's more than 20 years ago," he said.

Evasive about the exact death toll, Micombero nonetheless estimated that between 50,000 and 100,000 Burundese had lost their lives. But he insisted that more Burundese were killed in the initial attack than in the subsequent repression.

Since in the past he has said 50,000 Tutsis alone had died in the first rebel push, his estimation was interpreted as the first official admission that large numbers of Hutu were victims of the repression.

Reliable reports from missionaries, the surest sources of information in this country conservatively estimate that no more than 1,700 Tutsis—and far fewer loyal Hutus—were killed in the south in the initial rebel onslaught and that no more than 4,000 lost their lives in the entire country.

In the repression, Hutu casualties in the south alone were said to range from 20,000 to 40,000 dead.

Between 3,000 and 4,000 Hutus have been killed so far in the repression in Bujumbura, an equal number in Kitega and some 15,000 to 20,000 in all the rest of the country, except the north where little information has been available.

HUTU CASUALTIES

Other reliable sources put Hutu casualties as high as 10,000 in Bujumbura alone.

In the capital, authorities no longer drive trucks with Hutu cadavers through the center of town in broad daylight. But every night trucks carrying the dead are seen either along the lakeside road or along Patrice Lumumba Avenue on their way to a giant bulldozed burial ground near the airport.

With relatively few exceptions, only adolescent male or adult Hutu men have reportedly been killed in the repression. However, Hutu women with skills in teaching or nursing have been killed.

For example, five Hutu women teachers were bayoneted to death by the army at the Buriri mission.

As one source put, "The army and gendarmerie haven't wasted many bullets."

In the early weeks of the repression, personal vengeance played a role in the arbitrary denunciation, arrest and death of many Hutus, although the army has shot several soldiers and volunteers who were guilty of such excessive zeal.

ARBITRARY ARRESTS

Now, at least in theory, three citizens must denounce a suspect before he is arrested. But this procedure is not always honored.

The other morning in the center of Bujumbura, a foreign journalist watched three gendarmes jump out of a jeep and bundle three well-dressed men off to an undisclosed destination.

In the south, army atrocities have been reported at at least one mission which was being used as a feeding and pacification center for Hutus lured out of the forests by government promises that calm had been restored. A helicopter mounted with machine guns flew over the assembled Hutus at the Mutumba mission in the south and opened fire, killing about 100 of them.

The United Nations has formally protested against the use of requisitioned UNICEF cars in Bujumbura by the police and against the unauthorized use of a United Nations fishery research vessel which has been armed and used to attack suspected rebel strongholds along the lake shore.

The effects of the repression at Bujumbura University are such that 170 of the 360 Burundese students failed to apply for scholarships for the next school year. Since few Burundese are rich enough to attend without a scholarship, the conclusion is that 170 Hutu students have been killed, arrested or forced into hiding.

Much of the killing at the university and in secondary schools has been carried out by the students themselves. Policemen arrived in some schools with lists, summoned the Hutus outside, and pushed them into trucks where they were bayoneted to death.

At the capital's technical secondary school a professor recounted that on the night of May 19, the Hutu students suddenly put out the lights and tried to escape. Their Tutsi colleagues killed half of them, but strangely enough some of the 100 or so Hutu students are still in school. "And you would never know anything had happened," the professor added.

The great fear of the foreign community is that the remaining Hutu secondary school students in Bujumbura and elsewhere in the country will "disappear," once the foreign teachers go on their annual summer holidays abroad.

At one point last year, the army numbered some 3,500 men. But it is now reported well below strength, not because of casualties suffered in fighting the rebels but rather because its Hutu officers, noncommissioned officers and men have been either purged or killed.

The Christian churches have also paid their tribute to the violence. Missionary sources report the 12 Hutu Protestant pastors and 14 Hutu Catholic priests have been killed so far in the repression.

What lessons the recent events here will hold for the future are impossible to tell. No one takes seriously the threat of an immediate Hutu revolt.

"All the Hutus who lifted their heads have had them severed," said one foreigner.

Reconciliation seems far off. In the immediate future, foreigners here hope that there will be no prolonged rebel insurgency. But eventually, it is believed the Hutus will rise and try once again to oust the Tutsis, probably in less than 10 years.

BURUNDI: LAND OF TRIBAL PASSIONS

Burundi and neighboring Rwanda to the north were both formerly Belgian-administered trust territories. The two countries became independent in July, 1962.

With populations of about 3.5 million each, the two countries are ethnically divided between a Tutsi minority and a Hutu majority. The Tutsis, 15 per cent of the population in

Burundi and 9 per cent in Rwanda are a proud, tall, aristocratic pastoral people who had ruled the poorer, farming Hutus for centuries prior to independence.

In 1959, Belgians and influential Roman Catholic missionaries encouraged a successful if bloody Hutu revolt against the ruling Tutsis in Rwanda. At least 20,000 Tutsis were slaughtered, and some 200,000 others fled the country, many to Burundi.

Following the revolt in Rwanda, the Tutsis in Burundi tightened their control over the Hutus but also sought to establish closer ties. Numerous intermarriages encouraged hopes that a single unified nation would gradually emerge.

Since independence, scarcely a year has passed in Burundi without either an attempted coup, trials followed by hangings or a revolt. But this political turmoil largely involved feuding factions within the Tutsi minority.

In 1966, King Mwambutsa IV of Burundi was forced off his throne by his son, Ntare V, with the help of then Capt. Michel Micombero. Three months later, Micombero, in turn, deposed Ntare and proclaimed a republic with himself as president.

On April 29 of this year, Hutu rebels, some coming from camps in Tanzania and others apparently from across Lake Tanganyika in Zaire (the Congo), invaded the country. They were joined by Hutu tribesmen within the country, and together they attempted to oust the Tutsi-dominated Micombero government. The coup failed and the Tutsis began a bloody repression in reaction.

THE DECIMATION OF LAOS

Mr. CHURCH. Mr. President, the tiny kingdom of Laos is being destroyed in order that it might be saved. I ask unanimous consent that Joseph R. L. Sterne's dispatch from Vientiane be printed in the RECORD so that Senators may have an opportunity to read an exceptional first-hand report about "a hapless land caught in Indochina's web of violence."

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

[From the Baltimore Sun, June 12, 1971]

LAOS: A MUCH BUFFETED BUFFER

(By Joseph R. L. Sterne)

VIENTIANE.—The doctrine of letting Asians fight Asians has developed a macabre twist in Laos, a hapless land caught in Indochina's web of violence. After more than two decades of war, opposing Lao forces are so tired and decimated that the ground fighting is being taken over more and more by other Asian troops.

This is especially true on the Communist side, where Pathet Lao forces totaling an estimated 30,000 fairly ineffective troops were outnumbered two to one last January by their tough North Vietnamese allies. The imbalance has leveled somewhat with the withdrawal of most of the 312th North Vietnamese division to home bases for the current offensive in South Vietnam. But the 316th division remains in the Plain of Jars and several battalions are on the offensive in the south near Pakse.

On the government side, an undisclosed number of Thai "volunteers" (estimates range from 6,000 to 15,000) have been brought in to help a worn but dogged army of 60,000 Royal regulars plus 30,000 of General Vang Pao's assorted irregulars. Loyalist reserves are so depleted that 13-year-old boys are being put into uniform, a measure the enemy has avoided, and the manpower pool is virtually nil.

These Thai "volunteers," who are paid per-

haps ten times more than Lao soldiers, are financed by the United States. Washington also provides indispensable air cover support from bases just across the border in Thailand. Near Long Tieng, a government stronghold in the rugged "Skyline Ridge" north of Vientiane, mountain tops are dotted with the craters of American bombs dropped during heavy fighting from December to March.

As for the village of Long Tieng itself, it is a deserted cluster of dilapidated huts bobby-trapped by their occupants against looters. The villagers of Long Tieng are among the 250,000 people—about one tenth of the nation's population—who have been uprooted by current fighting and are living in camps while depending on food and seed provided by the American government. At a refugee center like Bon Xon, halfway from Vientiane to the Long Tieng outpost, charter planes in amazing variety swoop in and out bearing all manner of supplies.

The United States effort to maintain Laos costs approximately \$350 million per year, of which only \$50 million is spent on economic and budget aid and the rest on military pay, supplies and ammunition. Although U.S. aid was tending to escalate until Senator Stuart Symington pushed through a congressional ceiling, the military situation in Laos has been steadily deteriorating, year by year.

The Communists now control 75 per cent of the country's 91,000 square miles. And while more than 80 per cent of the people have chosen to live in areas where the government still prevails, both American and Laos officials freely admit that North Vietnam could overrun everything if it were so inclined.

That Hanoi has chosen not to do so is a decision reflecting many factors. One is the fear of provoking China, which already has staked out northwest Laos as its own sphere of influence by the classic Peking tactic of building a road. Another is fear of annoying the Soviet Union, a signatory of the 1962 Geneva accords which supposedly were to provide Laos with a coalition government of rightists, neutralists and leftists.

Still another is the calculation that this would draw retaliation from Thailand at a time when North Vietnam has enough on its hands.

As a result, North Vietnam has limited itself to a takeover of the eastern part of Laos. On the north, one of its purposes evidently was to deny U.S. government-supported forces a base from which to counter-attack against North Vietnam itself and to sustain pressure on Vientiane province. On the south, the high-priority goal has been to secure a wide area for development of the Ho Chi Minh trail system into South Vietnam.

Analysts are divided in assessing Hanoi's ultimate intentions. Some anticipate that if North Vietnam can impose a government to its liking in Saigon it will try to integrate all of Vietnam and then place Laos and Cambodia in tributary, status as part of a single Indochina federation or confederation. Others believe China would prefer several weak states in Indochina and will see to it (with U.S. help) that Laos and Cambodia remain at least nominally independent.

It is on the basis of this latter interpretation that some analysts conclude that when and if an Indochina settlement approaches, North Vietnam will make sure it controls the bulk of Lao territory. This would bolster the position of the Pathet Lao in negotiations.

It is most unlikely that the Pathet Lao would be willing to settle in the 'Seventies for the share of power meted to them a decade ago. But, Prince Souvanna Phouma, the wily neutralist premier once opposed and now supported by Washington, has been careful not to fill the seats in his Cabinet that had been allotted to the boycotting Pathet Lao. Instead, he has kept channels open to Prince

Souphanouvong, his half brother and head of the Pathet Lao, in the hopes of creating what one diplomat describes as "the kind of Laos that is 'minimally acceptable' to the contesting elements." For his part, Prince Souphanouvong has abstained from proclaiming a rival government.

Out of the years of fighting it has become fairly clear that outside forces—North Vietnamese and Americans, Chinese and Thais—can pretty well operate on the territory of Laos as they choose. Not only has this brought misery and dislocation to thousands of peasants with no comprehension of these power rivalries but it has raised doubts whether the nation, a French-created artificiality, can endure.

There are, after all, more ethnic Lao in Thailand than in Laos, many of whom are now rebelling under Communist auspices against Thai power in Bangkok. And in Laos itself, about half that population is composed of non-Lao mountain tribesmen who long have been the main source of Pathet Lao strength.

Whether Laos is to remain as a much-buffed buffer state or is to be carved or gobbled up by its neighbors is a question for the future. What is quite certain is that the decision will not be made in this indolent capital on the Mekong.

DRAFT RESISTERS

Mr. TAFT. Mr. President, as the debate continues as to the means for ending the war in Vietnam, we should not forget the problems associated with draft resisters who are now fugitives or in exile. It would be a mistake for us to forget these young men, and it would equally be a mistake for them to forget the obligation which they have to American society. My proposal has been that those interested should be allowed to earn amnesty by 3 years of low pay service.

On June 4, the Los Angeles Times published an article entitled "Proposals to Bring the Outcasts Home Without Punishment." The article was written by Steve Harvey, an opinion staff writer for the Los Angeles Times. In that same issue was published "A List of Amnesties in American history."

I ask unanimous consent that these items be printed in the RECORD.

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

PROPOSALS TO BRING THE OUTCASTS HOME WITHOUT PUNISHMENT

(By Steve Harvey)

An estimated 70,000 young Americans have switched countries rather than fight in Indochina. Draft resisters and deserters, they have found sanctuary mostly in Canada but in other areas of the world as well.

Once, the outcasts would have been objects of revulsion at home. Ever since winning its independence on the battlefield, the United States has taken a special pride in its fighting man.

But the Indochina war has torn apart the nation as no conflict had before. In one poll, 65% of those quizzed termed the war immoral. Even President Nixon has stated that the U.S. involvement was a mistake.

While some view the exiles as traitors or cowards—and point to the more than 50,000 U.S. troops who have died in Indochina—others have come to see them as a unique variety of "prisoner of war." Unable in good conscience to participate in a war they feel unjust, they have made a separate peace.

And, at home, a movement has begun to

enable them to return home without being punished.

Sen. Robert Taft Jr. of Ohio gave the drive a large measure of legitimacy by introducing an amnesty bill late last year.

Taft proposed that draft resisters be pardoned if they agree, in return, to serve for three years in the armed forces or in some alternate form of public service. The offer would remain in effect one year from the date of the bill's passage.

"America is big enough and strong enough to give these young men a chance to come home and play a positive role in a life of their own country," said the former World War II naval officer. "It would be a serious mistake for us to foreclose this road to them forever."

Deserters, however, would be excluded, for Taft believes that to pardon them would greatly damage the fabric of the armed services.

In the House, Rep. Edward I. Koch (D-N.Y.) has introduced a proposal similar to Taft's except that it would require two years of service rather than three.

Neither measure has yet been acted upon. Other developments have provided further evidence of a change in the public's attitude.

The nation's Roman Catholic bishops have issued a statement urging consideration of amnesty for "those who have been imprisoned as selective conscientious objectors, and giving those who have emigrated an opportunity to return to the country to show that they are sincere objectors." Other religious groups such as the United Presbyterians, the United Church of Christ and the American Baptist Convention also support some kind of amnesty.

Former Rep. Charles Porter (D-Ore.) has founded an organization called Amnesty Now, which is proposing unconditional amnesty for draft resisters and deserters. Amnesty Now plans to press both political parties to insert its proposal into their planks at the conventions this year.

President Nixon has altered his stand on amnesty. In November, when he was asked whether he would consider granting amnesty, Mr. Nixon's reply was one word: "No." But two months later, he told an interviewer who asked the same question, "We always, under our system, provide amnesty. . . . I for one would be very liberal with regard to amnesty."

However, the President added that before he could consider any proposal, America's fighting role in South Vietnam must end and all American prisoners of war must be released. (More than 1,600 men are listed by the Defense Department as captured or missing in action.)

Amnesty has also been a lively issue on the campaign trail. Sen. George McGovern (D-S.D.) has called for a general amnesty (as has Sen. Edward M. Kennedy (D-Mass.)). Former Sen. Eugene J. McCarthy first suggested the possibility during his 1968 presidential campaign.

Sen. Edmund S. Muskie (D-Me.) believes amnesty must be delayed until "the war is over and the fighting is ended." Sen. Hubert H. Humphrey (D-Minn.) has adopted a similar stance.

Taft has reported some unfavorable reaction to his bill, including a telegram from Florida offering to buy him a ticket to Canada. But the American public appears to be cautiously favorable to amnesty. A recent Gallup poll showed that 63% favored pardoning the exiles—if they agree to perform national service. But only 7% favored unconditional amnesty, while 22% were totally opposed to any form of amnesty and 7% were unsure.

An important—and sometimes forgotten—aspect of the whole question is the attitude of the exiles themselves.

Many have expressed opposition to any offer short of unconditional amnesty, taking the position that it is the government that should be seeking forgiveness, not them.

"I don't feel guilty about anything," 26-year-old John Toler of Chico, Calif., told an interviewer in Stockholm recently. "And so I don't see why I should have to accept a punishment as a condition."

"It's all a campaign issue," said George Meals, 26, of Atlanta, Ga. "It's not reality and it's not going to happen."

Toler and Meals are two of about 600 war resisters—mostly deserters—who have fled to Sweden. About 450 are still there.

Jack Colhoun, now living in Canada, recently published an open letter to Rep. Koch denouncing the alternative service aspect of both the Koch and Taft proposals.

"We left the States because we did not want to become criminals of the heart and now feel that a government which has the stain of Indochina on its conscience has no business passing judgment on our 'crimes' and meting out punishment no matter how seemingly tolerant and liberal it may be dressed up," Colhoun wrote.

A separate panel of resisters in Canada also issued a statement shortly after Taft's legislation was introduced, demanding "totally nonpunitive restoration of civil rights."

Sweden and Canada have been helpful to the war resisters. The Swedish government gives the American exiles free rent and about \$27 a week in welfare until they get settled and find jobs. Free language lessons and grants to attend school are also available.

Canada, which encourages immigration, asks no question about a newcomer's draft status at home and offers counseling service for jobs. For the immigrant with some higher education, it is reasonably easy to attain the status of "landed immigrant"—entitling him to almost all the privileges of Canadian citizenship, including unemployment and health benefits.

The U.S. extradition agreements with the two countries do not cover offenses such as draft evasion or military desertion.

It is, of course, impossible to calculate how many exiled war resisters would return to the United States given the opportunity. But for now, amnesty . . . conditional or otherwise . . . does not seem near. In the meantime, an estimated 70,000 Americans can't go home again.

A LIST OF AMNESTIES IN AMERICAN HISTORY

The amnesties in American history, including date, issued by, persons affected, and nature of action:

July 19, 1795, Washington, Whiskey Insurrectionists (several hundred). General pardon to all who agreed to thereafter obey the law.

May 21, 1800, Adams, Pennsylvania Insurrectionists. Prosecution of participants ended. Pardon not extended to those indicted or convicted.

October 15, 1807, Jefferson, Deserters given full pardon if they surrendered within 4 months.

Feb. 7, 1812, Oct. 8, 1812, June 14, 1814, Madison, Deserters—3 proclamations. Given full pardon if they surrendered within 4 months.

Feb. 6, 1815, Madison, Pirates who fought in War of 1812 pardoned of all previous acts of piracy for which any suits, indictments or prosecutions were initiated.

June 1, 1830, Jackson (War Department), Deserters, with provisions: (1) those in confinement returned to duty, (2) those at large under sentence of death discharged, never again to be enlisted.

Feb. 14, 1862, Lincoln (War Department), Political prisoners paroled.

July 17, 1862 (Confiscation Act), Congress, President authorized to extend pardon and amnesty to rebels.

March 10, 1863, Lincoln, Deserters restored to regiments without punishment, except forfeiture of pay during absence.

Dec. 8, 1863, Lincoln, Full pardon to all implicated in or participating in the "existing rebellion" with exceptions and subject to oath.

Feb. 26, 1864, Lincoln (War Department), Deserters' sentences mitigated, some restored to duty.

March 26, 1864, Lincoln, Certain rebels (clarification of Dec. 8, 1863 proclamation).

March 3, 1865, Congress, Desertion punished by forfeiture of citizenship; President to pardon all who return within 60 days.

March 11, 1865, Lincoln, Deserters who return to post in 60 days, as required by Congress.

May 29, 1865, Johnson, Certain rebels of Confederate States (qualified).

July 3, 1866, Johnson (War Department), Deserters returned to duty without punishment except forfeiture of pay.

Jan. 21, 1867, Congress, Section 13 of Confiscation Act (authority of President to grant pardon and amnesty) repealed.

Sept. 7, 1867, Johnson, Rebels—additional amnesty including all but certain officers of the Confederacy on condition of an oath.

July 4, 1868, Johnson, Full pardon to all participants in "the late rebellion" except those indicted for treason or felony.

Dec. 25, 1868, Johnson, All rebels of Confederate States (universal and unconditional).

May 23, 1872, Congress, General amnesty law reauthorized many thousands of former rebels.

May 24, 1884, Congress, Lifted restrictions on former rebels to allow jury duty and civil office.

Jan. 4, 1893, Harrison, Mormons—liability for polygamy annulled.

Sept. 25, 1894, Cleveland, Mormons—in accord with above.

March, 1896, Congress, Lifted restrictions on former rebels to allow appointment to military commissions.

June 6, 1898, Congress, Universal Amnesty Act removed all disabilities against all former rebels.

July 4, 1902, T. Roosevelt, Philippine Insurrectionists. Full pardon and amnesty to all who took an oath recognizing "the supreme authority of the United States of America in the Philippine Islands."

June 14, 1917, Wilson, 5,000 persons under suspended sentence because of change in law (not war-related).

Aug. 21, 1917, Wilson, Clarification of June 14, 1917, proclamation.

March 5, 1924, Coolidge, more than 100 deserters—as to loss of citizenship for those deserting since WW I armistice.

Dec. 24, 1945, Truman, several thousand ex-convicts who had served in WW II for at least one year.

Dec. 23, 1947, Truman, 1,523 individual pardons for draft evasion in WW II based on recommendations of President's Amnesty Board.

Dec. 24, 1952, Truman, Ex-convicts who served in armed forces not less than 1 year after June 25, 1950.

Dec. 24, 1952, Truman, All persons convicted for having deserted between August 15, 1945, and June 25, 1950.

DEATH OF SAUL ALINSKY

Mr. FULBRIGHT. Mr. President, it was with sorrow that I read in the morning newspaper of the death of Saul Alinsky. I have known him for many years and considered him a good friend. He was one of the most energetic and imaginative persons I have ever known. He devoted his life in seeking the improve-

ment of the poor people of our country and he succeeded in many of his endeavors. He was a fine citizen and our people are deeply in his debt.

I ask unanimous consent that the article by Mr. David Boldt, published in the Washington Post, be printed in the RECORD.

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

SAUL ALINSKY, 63, ORGANIZED THE POWERLESS IN AMERICA

(By David R. Boldt)

Saul Alinsky, 63, who spent a lifetime organizing the powerless to achieve power through the radical concept of what he called "pure democracy," died yesterday after an apparent heart attack in Carmel, Calif.

Mr. Alinsky's career was a succession of generalships over mass movements of the oppressed in America. It began with battling for dissident mine workers and continued in his native Chicago where he organized white slum-dwellers in the "Back-of-the-Yards" section.

He organized blacks in the ghettos of a dozen cities, including Chicago, Rochester, N.Y., Kansas City and Buffalo. In the end, he sought redress for an increasingly alienated—and powerless—American middle class, while also trying to teach his organizing methods to others.

If his assaults and threats goaded the conservative establishment to rage, he also preserved a distance from liberals "who walk out of the room when an argument becomes a fight," and drew fire from radicals who found him ideologically impure.

He once said of ideologies, "When you have one you suffer from the delusion that you know all the answers. I certainly don't." His chroniclers, including close confidants such as editor T. George Harris said that his ideology actually was that of the "founding fathers of the American nation."

Time magazine, in its profile of Mr. Alinsky, cited James Madison's warning in the "Federalist Papers" against allowing any class or faction to obtain too much power as perhaps the best statement of Alinskyism.

In explaining how he conceived his tactics, which included sending black pickets to the white suburban homes of slumlords, depositing dead rats and garbage on the steps of city hall, Mr. Alinsky sometimes seemed to have the difficulty that comes to anyone who obtains a great talent as a natural gift.

"All I know is what every good organizer knows," he once said in an interview for Harper's magazine, "You react to all the action with a reflex."

Mr. Alinsky began developing his reflexes in Chicago, where he was born the son of a Jewish tailor who had emigrated from Russia, and where he experienced many of the same frustrations that later embittered the city's blacks.

He attended the University of Chicago, where he studied archaeology, and during one summer worked with the dissident miners who were battling against John L. Lewis' United Mine Workers. Out of the battle, oddly, developed a long and close relationship between Mr. Alinsky and Mr. Lewis. Mr. Alinsky later wrote a biography of the union leader.

As a graduate student in criminology, Mr. Alinsky studied the organization of the Capone gang, and also began his own organizing efforts in the Back-of-the-Yards area. He brought about better economic conditions for the impoverished white immigrants who lived in the area by putting pressure on their employers—the meat packing companies—through boycotts and sitdowns.

After the Back-of-the-Yards effort made

him widely known, Mr. Alinsky founded the Industrial Areas Foundation, which worked closely with the Catholic urban programs of Samuel Cardinal Stritch. Mr. Alinsky lectured young priests that they "would have to choose between becoming a bishop and being priests."

In the early 1960s, Mr. Alinsky's IAF organized blacks in a ghetto area of Chicago into the Woodlawn Organization, which used picketing and garbage deposits at city hall to make effective its demands for better housing and municipal services.

From there, he brought efforts to other cities. Constantly seeking ways that the poor could achieve real power beyond the power to outrage and inconvenience, Mr. Alinsky sought to use stockholder power to force Kodak to hire more blacks in Rochester. He urged church and other groups that held blocs of the company's stock to demand changes in hiring policies.

Mr. Alinsky frankly admitted to a split personality. A vociferous and demanding radical in public, he was a quiet and charming conversationalist in private. He also confessed to sometimes being less sure of his righteousness than he sounded.

Since 1967, Mr. Alinsky had devoted himself mainly to teaching at the institute he founded in Chicago, and in keeping in touch with such proteges as Cesar Chavez, the organizer of the California farm workers, and Nicholas Von Hoffman, a columnist for the Washington Post, both of whom worked for Mr. Alinsky.

Mr. Alinsky's life was often touched by personal tragedy. His first wife drowned. His second wife, Jean, has been incapacitated by multiple sclerosis for many years, and lives in Carmel. Friends said that Mr. Alinsky was in Carmel to visit her. He had divorced her two years ago and remarried.

He is survived by his present wife, Irene, his mother, and by a son and daughter of his first marriage.

AMERICAN HEALTH CARE: PROBLEMS AND POTENTIAL

Mr. SAXBE. Mr. President, at a time when a current social debate has reached a peak and yet prior to the enactment of any major corrective legislation, I want to explore the problems and potential of our American health care system.

How can the wealthiest nation on earth permit a sizable segment of its society to go without any health care at all? Why is it that we can spend \$70 or \$80 billion in 1 year alone on health costs and still have literally millions of people who cannot find, or cannot afford, basic medical care?

Why? Because of the delivery system through which Americans receive their health care. The system itself is inadequate, not the components. Most attacks on our system of medical care have not been on the quality of individual care, but on the collective performance of the entire health care system.

Take the availability of care—the fact that certain people in certain places simply cannot find a doctor. Whether this is due to poor geographic distribution of medical personnel or the overspecialization of physicians is not the issue. The point is clear—some people in this country go without medical care, and that is intolerable.

Medical care is a basic right of the people—their right to life. It is wrong when a man's ability to obtain that med-

ical care depends on his color or his ability to pay; on where he lives, or who he knows.

This problem of access is compounded by another—the escalating cost of health care. These costs have risen to such an extent that medical care has become a luxury, rather than a necessity. Some people, even with insurance, cannot afford to pay the exorbitant medical bills of today—and thus, cannot afford the care they rightfully deserve as citizens of this wealthy Nation.

And then, we see the inefficiency and waste in our system. Highly trained physicians perform tasks that could be handled by physician assistants. Patients occupy expensive hospital beds for testing that could be done on an outpatient basis. Many hospitals have duplication of expensive equipment, and others have costly equipment which is rarely used. It is, therefore, not the quality of individual medical care, but the inefficient functioning of a total system that has brought on a crisis in health care.

This crisis must be met, and changes must be made. The public is unhappy with the status quo, and they are demanding that the inefficiencies and inequities be dealt with. I think the public is entitled to these changes, but they should be made gradually with caution and constant evaluation. Otherwise, we might launch broad new programs that would compound our problems, rather than correct them.

How do we change the system? Where do we begin? I think one place to begin is to develop some real cooperation and coordination among the various groups that make up the health care industry—the doctors, hospitals, and insurers. Our system has been a fragmented one, with all parts operating independently, carefully guarding their own special interests. I hope that we can reverse this trend and begin a new attitude—one of coordination and teamwork with the central aim of providing improved health care for everyone.

Once this stage is set, once the basic cooperation is present, then any number of innovative changes could be developed. In some areas, hospitals could merge or consolidate to avoid duplication of expensive equipment. In other areas, affiliation agreements among hospitals or medical centers might be feasible through which services could be shared at reduced costs. Doctors could organize in group settings and could use paramedical personnel to greater advantage. Prepaid group practices, with their characteristic emphasis on efficiency and economy, could be set up in areas lacking health services. Insurers could work with providers in devising methods for covering outpatient services. The list is endless.

The important thing is that change is essential; and if the health care industry refuses to initiate these necessary changes, then government is going to move in and occupy the field. When the private sector fails to provide, government is sure to act. I do not want socialized medicine. I do not want a federally owned and operated medical system.

Therefore, I believe the active participation on the part of the medical profession is vital. I believe that the ultimate solution lies in a true cooperative effort between the public and the private sector. Government can and must make an accommodation with the medical profession in order to make health care legislation work. And equally so, the profession must recognize that there are problems and must not resent or resist the efforts of government. All participants must realize that change is inevitable and should look to the good of the total system, not to the protection of private interests. Only in this way will we have a workable system, uniquely American, where quality health care can be made available to all.

A NEW COALITION

Mr. CHURCH. Mr. President, on Sunday, June 11, the Washington Post published a very good article by Neal Peirce on the new coalition emerging in American politics for change and reform.

Mr. Peirce makes a fundamental point in his analysis:

Neither political party, and no leader, has been able to give effective expression to the hopes and fears of the American people.

But at the same time, he notes, the message of the presidential primaries to date is that "the ice has begun to break."

Mr. Peirce outlines the basis for a new coalition in American politics and points out that the candidate most identified with this trend is Senator GEORGE MCGOVERN.

Mr. President, I commend Mr. Peirce's column to the Senate and ask unanimous consent that it be printed in the RECORD.

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

BEHIND THE WINNER: A NEW COALITION?

(By Neal Peirce)

(NOTE.—The writer, author of "The Megastates of America: People, Politics and Power in the Ten Great States," is a contributing editor of the National Journal and presently a fellow of the Woodrow Wilson International Center for Scholars.)

Now that the 1972 presidential primary season is largely behind us, the time has come to take stock, to see what these elections mean for the country. My own conclusion is that the Democratic primary contests, from New Hampshire to California, mark a portentous turn in American politics.

For at least a decade, American politics—and that means American government—has been like a river clogged by a massive ice jam. The point is not original—seasoned analysts like David Broder have made it time and again—but it bears repeating: Neither political party, and no leader, has been able to give effective expression to the hopes and fears of the American people. Racial discord and lawlessness have stalked the land. We have had the unique experience of high unemployment fused with inflation. There has been a breakdown in our systems of education, of law enforcement, of transportation. The voters, looking to government for solutions, have seen instead political stalemate followed by inaction.

Thus American politics, as John Salama and Frederick Sontag write in their book "Parties," "has been gripped by a sense of frustration and helplessness." At the same time, they note, there is "a mood of anticipation in the country, an expectancy, a rest-

less searching, even a deep yearning for some issue, some leader, some catalyst that will effect a new synthesis, a new reality in political and governmental performance."

The message of the primaries in this: The ice has begun to break.

REJECTING THEMES OF THE PAST

First, we have seen an almost unprecedented willingness of the voters to reject the classic old political themes of votes for past favors and loyalty to safe, centrist candidates. Hubert Humphrey's record of legislative achievements failed to make him a frontrunner; Edmund Muskie's centrism failed to fire the voters' imagination. Instead, we saw heavy votes for two highly unconventional politicians, George Wallace and George McGovern. Some would say that the voters in the Democratic primaries have been disproportionately the activists and the angry—but the fact is that they have rarely, if ever, turned out in such numbers, and with such effectiveness, in earlier years.

Second, we are witnessing an early twilight to the era of the media-groomed candidate. Both Wallace and McGovern cut images that would make Madison Avenue shudder. McGovern, despite the cool, confident demeanor he has developed, is essentially a quiet, nonflamboyant man who might well win a prize as the "anti-media" candidate of 1972. But that would be by past standards; what the voters now seem to want in candidates is credibility, a willingness to take clear-cut and even highly controversial stands, to suggest that real change can take place in this country.

Third, the primaries have shown us startling weakness in the time-honored organs of the old politics—within the Democratic Party, for instance, the traditional bosses and their organizations, and the labor unions. In almost every test, their candidates have lost, or run much more poorly than anticipated. The reason is not that political organizations and labor unions are obsolete. It is that they have failed to catch the rebellious mood of the people, and have lost touch with their followers.

Fourth, there has been a remarkable transformation in the politics of youth, from protest and confrontation into a powerful weapon of a new politics. The demonstrations of the young have largely disappeared from the streets and campuses, only to resurface, in a quiet and highly effective form, in McGovern's phenomenally successful canvassing operations—and in the voting booths. Whether one agrees with McGovern's policies or not, the channeling of youthful protest into the legitimate areas of elective politics is good news we could scarcely have hoped for four or even two years ago.

Is the outpouring of citizen action in politics, exemplified by youth, a temporary phenomenon, likely to fade away if McGovern loses the nomination or the election? I think not. The cork can't be put back in the bottle. The activists have seen what power they can wield; it is in their bloodstream and they are likely to be in the thick of campaigns throughout this decade, no matter who wins in November.

By opening their party to these new activists, who also include large segments of women, minorities and intellectuals, consumer-advocates, environmentalists and anti-war agitators, the Democrats have taken a risk of great internal divisions (as the prototechnics at next month's convention may well demonstrate). But they have brought dynamic elements into their party, a piece of political missionary work that the Republicans may one day have good reason to envy.

It is on the basis of the dramatic "opening up" of the Democratic Party, which had its roots in the reform mandate laid down by the 1968 Democratic convention, that we can move on to a corollary of immense impor-

tance; the outlines of a possible new political alliance, at this moment in the process of creation, that could update and even replace the Democratic coalition created under Franklin D. Roosevelt four decades ago.

Who might be included in a new coalition?

The newly enfranchised youth, of course. It has been popular to say that the young won't count for much because of their traditionally low turnout at the polls. Yet on the Democratic side of last Tuesday's California primary, the turnout of 18-to-24-year-olds (18 per cent) was not far from their share of the voting-age population (21 per cent). According to a CBS News survey, they went for McGovern over Humphrey, 70 to 20 per cent. Without them, McGovern might well have lost the primary. All surveys point to a heavy Democratic edge among the new voters across the country. If they register and turn out in substantial numbers next autumn, and the presidential election is as close as it was in 1968, they could easily tip the scales to the Democrats.

A second element of a new coalition would consist of liberal-minded suburbanites, who make up part of the most highly educated segment of the populace. These are people who feel economically secure enough to indulge their interests in "good government," reform and social welfare issues.

A third and less secure element would be a portion of the low- and middle-income voters, including many blue-collar workers, who chafe under high taxes, find government too unresponsive, and look to any leader who can offer them a change and a better deal—whether it be a Kennedy, a Wallace, or a McGovern. When voters in this group are preoccupied with a race-connected issue such as busing that seems personally threatening to them, they may stray from any new Democratic coalition; when not, they are prime candidates for it.

Last, as McGovern was able to demonstrate in California, a new coalition can include the blacks and Mexican Americans—generally speaking America's dispossessed. (The McGovern vote among blacks has advanced steadily in the primaries, from a nadir of 1 per cent in Florida to about 44 per cent, six points ahead of Humphrey, in California. McGovern also took about 60 per cent of the Chicano vote in California.)

A FLUID ALLIANCE

One can predict that such a coalition will have no staying power, that the interest of its constituent parts are simply too diverse. Without organized labor's enthusiastic support, any Democratic coalition will be hard pressed to win in a general election. Yet the McGovern movement is deeply threatening to big labor's heavy role in the Democratic hierarchy; some labor chiefs might prefer another four years of Nixon, during which they could reestablish their hold on the Democratic Party. As far as youth and the ticket-splitting suburbanites are concerned, they look much too independent to fit into any stable, lasting party organization or voting coalition.

Thus the new coalition may prove very fluid, appearing for some issues and candidates, disappearing for others. But since it is a coalition forming within the largest political party in the country, it is not to be taken lightly.

On an immediate basis, the new coalition cannot elect McGovern president unless his campaign can reach out more effectively than President Nixon's to appeal to the independent, moderate voters of the country. To begin with, McGovern will have to make overtures to the South. And he already faces the politically perilous task of modifying his stands to assuage the fears of millions of centrist, moderate voters—without alienating his ideologically committed volunteers in the process.

It must be remembered, too, that President

Nixon and the Republicans are also in the business of coalition building, appealing on the one hand to blue-collar America with stands like anti-busing and to sophisticated suburbanites with new and creative overtures to the Soviet Union and China. The Republicans believe they have an excellent target in McGovern's "radicalism."

But the Republicans' efforts to build a new majority faltered badly in the 1970 mid-term elections. The potential Republican majority has conflicts as serious as those facing the Democrats. An appeal to the conservative and blue-collar Catholics, for instance, can backfire and alienate the Republicans' traditional base among white-collar Protestants.

In November, moreover, the President will bear the burden—from a quarter century in the limelight of partisan politics—of virtually symbolizing the politics of stalemate and rhetoric that has frustrated the country. Fairly or not, McGovern seems fresh and direct by contrast.

In June, we cannot know if a new Democratic coalition of the type McGovern envisages can carry the day in November. But we do know that a new and powerful brand of citizen politics has been born. And for the first time since the 1930s, one senses at least the potential of a vital new grouping of American voters, one likely to significantly influence the remainder of the 1970s and the 1980s, even if it fails to win a majority in 1972.

THE MINIMUM WAGE LAW—A CRUEL HOAX

Mr. FANNIN. Mr. President, the minimum wage law is one of the cruelest hoaxes perpetrated on the poor of America.

By raising the minimum wage we simply will be cutting off employment opportunities for thousands of workers who hold marginal jobs. On the other end of the scale, we will be touching off a chain reaction of wage increases that will feed inflation without benefiting anyone.

These points were stated succinctly in a letter written by Jonathan Marshall to the Publishers' Auxiliary. The letter was published on May 25, 1972.

Mr. President, I ask unanimous consent that the letter, by one of Arizona's leading newspapermen, be printed in the RECORD.

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

ON MINIMUM WAGES

EDITOR:

Your April 25 issue suggests that newspapers support the Anderson-amendment limiting the increase in the minimum wage so that it only be increased to \$1.80 the first year instead of \$2.00, as proposed in S1861. I suggest that such a compromise is really a cop out.

If this country is serious about fighting inflation, the minimum wage should be held at \$1.60 per hour. If it is allowed to go up, the country will find that its balance of trade will be worse than during the past year because we will not be able to compete with other countries which have cheaper labor. This will mean that our American companies will close plants or assembly lines and unemployment will continue to rise.

The trouble is, we can't have our cake and eat it too. If we want to compete on the world market, reduce unemployment and hold down inflation, we have to start at the bottom, as well as the top. In other words, raising the minimum wage will set off a chain reaction in the total economy and everyone will suffer. For these reasons, I

suggest that our members contact their congressional delegations and urge them to hold the line.

JONATHAN MARSHALL,
Publisher.

GENOCIDE IS NOT A THING OF THE PAST

Mr. PROXMIRE. Mr. President, some people see the Genocide Convention as a gesture of no importance, with no other purpose than the further vilification of already-condemned crimes of past decades. Genocide, it is said, is a thing of the past, and we cannot change history with treaties 30 years after the fact.

But this hopeful view of the future resembles the hopefulness which preceded the genocidal policies of the Nazi regime. The growth of democratic enlightenment in the 18th and 19th centuries presumably had ushered in a time when systematic mass murder would be unthinkable. This naive optimism was rudely shocked by the growth of fascism.

Those who think genocide is no longer a subject of concern would do well to study last Sunday's editions, June 11, of the Washington Post and New York Times. Each newspaper features a front page article on the tragic conflict in Burundi between the ruling minority Tutsis and the majority Hutus. At least 100,000 people, and possibly many more, have been killed in Burundi in the last 6 weeks. The report by Jonathan C. Randal in the Washington Post says, in part:

By all accounts, the orgy of killing was set off by the invaders' determination to murder all the Tutsis who make up 15 per cent of Burundi's estimated 3.5 million inhabitants. Their plan reportedly then called for the establishment of a purely Hutu regime.

The continuing repression is seemingly dictated by the Tutsis' equal determination to cow the Hutu peasants into submission and wipe out the educated Hutu elite in order to ensure Tutsi domination for the foreseeable future.

What has been called an attempt at "double genocide" has few parallels in the post-independence annals of Africa.

The Organization of African Unity has refused even to investigate the Burundi situation on the grounds that its charter forbids interference in its members' internal affairs. What the Genocide Convention does is proclaim that systematic extermination of racial, ethnic, cultural, and religious groups is not a matter of only internal concern, but that it violates international law. The convention allows the United Nations to consider cases of genocide, and determine what action is necessary.

The United States has for too long blithely ignored the issue of genocide. Evidence that genocide is going on in the 1970's should shake our complacency. I urge the Senate to immediately take up and ratify the Genocide Convention.

THE NATION'S LABOR LAWS AND UNION LEADERSHIP

Mr. TAFT. Mr. President, prior to the passage of the Wagner Act, it was difficult for American workers to organize

unions and bargain collectively. The Wagner Act was an attempt to give the workingmen and women of the Nation sufficient bargaining power with their employers in order to advance their economic well-being. As years passed, however, it became evident that the Wagner Act contributed to new problems and failed to touch others which Congress attempted to rectify through the passage of Taft-Hartley and Landrum-Griffin.

Recently, I have received a summary of public opinion attitudes, as developed by Opinion Research Corp. of Princeton, N.J. This public opinion survey, taken late in 1971, is significant with respect to the attitudes of the general public on our Nation's labor laws and union leadership. Because of the importance of this subject, I ask unanimous consent that the summary be printed in the RECORD.

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

JANUARY 19, 1972.

SUMMARY OF LATEST TRENDS IN ATTITUDES ON LABOR UNIONS AND LABOR LAWS

A PERSPECTIVE

1971 was a year in which there was a significant shift in the mood of the American public. For the first time since 1958, concern about the state of the economy topped all other "problems confronting the country," including the war in Vietnam.

Today, President Nixon has the backing of the majority of the American people for his new economic program. Twice as many among the general public agree with Mr. Nixon as agree with Mr. Meany about recent economic decisions.

Concern over high prices and unemployment undoubtedly colors people's attitudes towards labor unions and labor union leadership. When labor spokesmen criticize President Nixon's economic policies or push for inflationary wage settlements, they jeopardize their position in the eyes of the public at large as well as their influence as spokesmen for rank and file union members.

The public is critical of union leadership on such points as:

Meeting their responsibilities to the public as well as to their own members—64% of the public feel that union leadership is doing only a fair or poor job in this area. In the recent debate over government economic policies, 52% of the public felt that, in opposing these policies, union leaders were not truly reflecting the views of their own members.

Opposition to the President's policies—only 29% say that union leaders were right in opposing the President's plans, and a clear majority say they were wrong.

Even among union families, there is disenchantment with recent labor leader conduct.

A minority of union families—29%—believes that top labor leaders represent the average member when they speak out on the wage freeze and price controls. A scant 13% approve the discourteous treatment accorded the President at the AFL-CIO convention in Bal Harbour, Florida. And an impressive 86% of union members say that Mr. Meany was wrong in accepting his 28.6% (\$20,000) annual salary increase.

ATTITUDES TOWARD UNIONS

Concern over inflation (among union members as well as the public at large) has played a role in undermining confidence in union leadership. Over the past year, the general attitude climate for labor unions has deteriorated due to strikes, and particularly the threat of major strikes that characterized the year 1971.

Some of the main findings in this survey: There is a growing feeling since November, 1970, that strikes and labor trouble have seriously hurt the country as a whole (union members 53% to 61%, public 64% to 68%). A majority of union members as well as the public believe that union demands will cause higher prices (union members 57%, general public 68%).

Criticism of union leadership is on the rise in terms of their not being responsive to the public's interests (union members 53% to 59%, public 60% to 64%).

Union members are no less aware than the general public that we are in an inflationary period (union members 95%, public 91%).

Increasing awareness exists among a majority of the public that high wages in this country make it difficult for the U.S. to compete with other countries, both at home and abroad. And a clear majority of union members feel the same way today.

LEGISLATIVE ISSUES

On a number of specific legislative issues, there is solid public support which comes as much, if not more, from union members themselves as from the rest of the public as a whole. These tend to be issues which involve the due democratic process in union affairs.

LATEST SURVEY RESULTS DECEMBER, 1971

	Total public (percent)	Union members (percent)	Points difference
Favor a law to:			
Give unions and management equal rights to communicate with employees.....	78	89	+11
Require a secret ballot after 30-day strike.....	77	81	+4
Guarantee union members right to criticize their leaders.....	74	85	+11
Allow companies and unions to decide whether or not to bargain on things not included in union contracts.....	67	73	+6
Require secret ballot in representation elections.....	65	71	+6
Allow companies and unions to decide whether or not to engage in coalition-type bargaining.....	56	63	+7

On certain other more technical issues, such as common situs picketing, jurisdictional disputes, and so forth, the public's and union members' support is somewhat lower and the gap between union members and the public tends to be smaller.

This study has been updated regularly since 1966. And there have been significant gains in support for specific labor reforms among the public, and in some cases, among union members as well. For example:

	[In percent]			
	Total public		Union members	
Favor a law to—	1966	Latest survey	1966	Latest survey
Guarantee union members' right to criticize their leaders.....	64	74	72	85
Require a secret ballot in representation elections.....	57	65	77	71
Permit management to discipline employees who commit violence in connection with a labor dispute.....	52	62	58	58
Forbid strikes caused by union rivalry.....	44	51	37	52

Most of these gains were recorded in years prior to 1971. The results for this year would suggest that support for legislative changes has begun to stabilize, but at relatively high levels. The main changes since the 1970 survey are those dealing with the general climate for labor (reported on page 2).

The findings in this survey indicate that the impact of 25 million new young voters will not significantly affect the drive for labor law reform. On most questions posed, the views of 18 to 24 year olds do not differ widely from those of the rest of the public.

In sum, the level of support for labor law reform has been maintained, and in some cases, significantly increased.

Of interest: There has been a small drop, on the borderline of statistical significance, in the proportion of the public which believes that we are now in a period of inflation. At the time interviewing for the current survey was done, Phase II controls had been in effect for some weeks. While it is too early to say with any assurance, it is quite possible that this drop may reflect a feeling on the part of the public that the wage-price program can achieve the desired result of putting brakes on the inflationary process.

A CITIZEN'S VIEW OF VIETNAM

Mr. TUNNEY. Mr. President, one of my constituents, Mr. David Lippman, has forwarded to my attention a persuasive and compelling letter written by Mrs. Ruth Henning to the Los Angeles Times.

I am pleased to call Mr. Lippman's letter to me and Mrs. Henning's letter to the Times to the attention of the Senate and ask unanimous consent that they be printed in the RECORD.

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

MONDAY, MAY 22, 1972.

Senator JOHN TUNNEY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TUNNEY: I've enclosed a Beautiful letter by Ruth Henning, Taluca Lake, printed in the Los Angeles Times May 20, 1972.

Ruth Henning's letter should be read to the Senate and placed in the Congressional record.

I take my Hat off to Ruth.

Keep up the good work John.

Sincerely yours

DAVID LIPPMAN.

LETTERS TO THE TIMES—"PERSONAL RESPONSES" TO THE BLOCKADE DECISION (By Ruth Henning)

I read your editorial pages every day and it has always seemed to me that the different opinions expressed are more or less in balance. I have been encouraged that you have spoken out against the war and pray you will continue to do so.

When I read the article (May 12) by Emerson D. Moran and the prominence you gave it, I felt inspired to give you my response to the President's action, which represents an opposing view.

I am a wife and mother with three grown children and a recently acquired college education—San Fernando Valley State, 1968. This is my first letter to The Times.

After watching the President on television, I felt sick, frightened and angry. I have waited to write this because I did not want to strike out while under the influence of such intense emotions. Now, a week later, I am still filled with fear, anger and revulsion. I neither approve nor support this decision,

and I am frankly amazed at the number of Americans who do.

It's too bad the President didn't make his cease-fire-total-withdrawal offer long ago when it might have been believed and accepted. I do not in any way support the Hanoi government, but in all honesty, I cannot blame them for being super-cautious about any "carrot" dangled in front of them by our government whose past actions have included saturation bombing, antipersonnel weapons, napalm, defoliation, systematic destruction of their country and its population, and stubborn support for the unpopular, repressive Thieu regime.

It seemed obvious to me, an ordinary citizen, that Vietnamization was only another name for continued military action, and that it would never work without our continued military support. It also seems obvious that our prisoners of war will never be released until we get out of Vietnam. Our present activities are, far from freeing our prisoners, only creating many, many more.

"We can't just turn tall and run like cowards," say the superhawks. For a decade, we have been there pouring out our life's blood and the major portion of our tax dollars for reasons which none of us can understand or support, if indeed they were ever valid. The President himself admits we were wrong to start the whole thing, but he now seems frozen in the posture that right or wrong, we must win. Win what? A tiny, war-devastated country halfway around the world that will never stay "won" without permanent troops of occupation and permanent financial outlay. We would show far more courage to admit our mistake than to go on doggedly, desperately getting in deeper and deeper.

"There will be a bloodbath if we leave!" agonize others. In the name of heaven, what is going on there now? If we care so much about the Saigon government, we could get them out along with our own people at far less expense.

"We will lose our credibility if we suffer a military defeat!" shout the ardent nationalists. I submit that we have already lost our credibility by our futile, inhumane actions. Does anyone seriously believe the world doubts the strength and power of the United States? Judgment perhaps—but never power.

"We will no longer be Number One!" cry the Flag-wavers. This is such a shallow, childish, arrogant argument it hardly seems worth answering. The world knows we are the richest country, that our technology, our industrial capacity, our national will and strength are second to none when our cause is just—that we have the nuclear capacity to destroy the whole world many times over.

If our national aim is to triumph over communism, it is my belief that we will succeed only by making ourselves once again the shining example of democracy that works, of democracy that feeds its hungry people, takes care of its sick, provides jobs for its unemployed, cleans up its environment; that makes itself responsive to and responsible for all its people, not just the special interests; a democracy that encourages and pays for education, medical advances, cultural development, and the protection of its beauty and natural resources; a democracy that puts the emphasis on the quality of its life rather than the quality of its gross national product; a democracy that, from its plenty, exports help for human needs with no strings attached. We must do what's right for us, and admit with all humility that we may not always know what's right for someone else. If we are true to our own ideals, we will then—and only then—be Number One. This is the kind of supremacy I want for the country I love—for the United States of America!

THE UNITED NATIONS AND THE ATTAINMENT OF PEACE

Mr. PERCY. Mr. President, I invite the attention of Senators to a speech by United Nations Secretary-General Kurt Waldheim explaining the participation of the U.N. in world affairs and particularly its attempts to achieve global peace.

Mr. Waldheim spoke before a gathering of American business and labor leaders at the New York Hilton on May 25, 1972, when President Nixon was visiting Moscow to conclude with the Soviet Union several far-reaching agreements. Mr. Waldheim applauds this sort of accommodation among the world powers which would include, of course, the President's trip to the Peoples Republic of China.

I ask unanimous consent that Secretary-General Waldheim's speech be printed in the RECORD.

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

ADDRESS OF SECRETARY-GENERAL KURT WALDHEIM

I am glad to be here today among so many distinguished businessmen, labor leaders and other great American personalities brought together by the United States Association for the United Nations. I cannot be grateful enough for the support we receive from the Association here in New York and in many other cities of the United States. I knew already of its activities when I was a Permanent Representative of my country in New York, but since my appointment as Secretary-General I have had many more occasions to judge its numerous and valuable contributions to our work. I wish to thank you all for having come here tonight, thus showing your interest in what the United Nations is trying to do.

There have been rather considerable changes in the world scene during the last two years. Several hopes which had been expressed in the United Nations have been fulfilled. One hope was that the heads of state of the Great Powers, including the People's Republic of China, would meet from time to time to end their confrontations and divisions and begin building together a peaceful and better world.

Well, the President of your country has visited China and at this very moment he is in Moscow. In all human affairs, to speak to each other is the first simple but essential step to better understanding, co-operation and ultimately friendship. A fundamental change has thus intervened in world affairs. Cold shoulders have been replaced by face-to-face meetings of men who bear great responsibilities towards humanity in the name of their powerful countries.

The People's Republic of China, the most populous country on earth, in the absence of which the United Nations lacked realism, is now occupying its seat in the world organization and in the Specialized Agencies. Another important event has taken place a few days ago; the German treaties were ratified, opening a new phase of East-West relations in Europe.

Some may like or dislike these developments, but a Secretary-General of the United Nations can only like them because they mean progress towards peace and accommodation amongst the Great Powers. For anyone to wait and hope that one of these powers would disappear or collapse would be tantamount to hoping for world war. There is no other choice. The equilibrium of atomic terror means also equilibrium of an understanding and co-operation between the tenants of power.

Two years ago, I had just finishing writing a book on Austria's foreign policy in which I had concluded that it could be taken as axiomatic that the big powers did not want war and that a period of detente had been initiated by President Eisenhower and Premier Krushchev. Austria was the first beneficiary of this change: It regained its independence and was free of Four-Power occupation. There have been several severe crises and strains in East-West relations since then, but none of them, neither the U-2 incident nor the Cuban Missile Crisis, interrupted the process of detente. There have been two further serious crises recently: Bangladesh and the escalation in Viet-Nam, but again none of them interrupted the trend. We must therefore be aware of a deep current of change in world political relations.

To the men fighting and to the people suffering in Viet-Nam, North or South, Vietnamese or foreign, this is of course no consolation. Death obliterates for them any hope or any vision about a future humanity at peace. The fact that there has been no world war for twenty-seven years in the most populous and more rapidly changing human society the world has ever seen can be no damper on our impatience and concern with bleeding and unsolved conflicts. While welcoming the smiles we must also eliminate the tears.

My readiness and efforts regarding Viet-Nam are known to you through the news media. They reflect not only my own personal human concern but also the fact that the community of nations cannot much longer stand by and wait for the possible but uncertain end of that conflict as a result of efforts among the parties concerned. The Paris negotiations have now lasted for four years and the situation today is not better than it was at that time.

The bloodshed in Viet-Nam does great harm to the United Nations in the eyes of the public which is asking itself: "Why is the United Nations not seized with the problem? Why is the United Nations not doing something about it?"

The United Nations has perhaps not performed miracles, but each conflict brought before it has been solved or has, at least, been stopped. However regrettable protracted unsolved conflicts like Cyprus and the Middle East may be, an armistice is definitely better than an active conflict. I have placed my concern and views before the Security Council in a memorandum to its President. It is my duty to do so in the interest of peace. I have also offered my good offices in order to be helpful in finding a solution to this conflict but it is also evident that we can succeed only if we have the co-operation of the parties concerned.

The community of nations must aim at removing urgently once and for all the various sources of bleeding and irritation which poison international relations from Cyprus to Korea, passing through the Middle East and South-East Asia. During World War II, at Teheran and Yalta, the leaders of the Allied Powers were able to meet, to talk to each other, to review their problems and to come to accommodations and agreements. Why can we not try to do the same today on the whole string of unsettled problems which divide and retard us?

Does it require a new holocaust to do the simple things which any man in the street in any country of the world would recommend to be done: to meet among all concerned, to negotiate, to accommodate and to give, at long last, to the tired inhabitants of this planet lasting peace? The benefits would be enormous for all. In this task we need not only the good will of the big powers but also that of the medium and smaller powers involved. They too must bring their contribution to the common objective of peace and understanding. We

had no United Nations at the time of Teheran and Yalta. Well, we have it now. The United Nations would therefore be the obvious meeting place for such an effort.

I hope that with the ratification of the German treaties we will soon see both Germanys represented at the United Nations, bringing the world organization close to universality.

I urge that this world organization created for peace and global needs be used, supported and strengthened. We know the objectives: They are inscribed in the Charter. We have the instrument which is now almost universal and in which the big powers have been given big privileges. In our highly complex and interdependent world, multilateral co-operation is an absolute must.

The billions of people deprived of atomic power, of satellites and of scientific superiority have also a right on this planet: The right to live in peace, to strive towards their progress and to build together an orderly and peaceful world. Lest we create the bonds of solidarity today among all countries there will be other big powers tomorrow pursuing the same obsolete dreams of today. We hear nowadays several lists of big powers; two, three, four or five. Never does one hear mentioned in such lists the name of the United Nations. This is wrong and short-sighted, for by disregarding and underestimating the world organization, one belittles the many poor of this world who have also a nationhood, a pride, a value and a culture. One deprives the community of nations of the strength, were it only the moral strength, which resides in their union. It is high time that in our deeply interdependent world, we discover the simple laws and immense benefits of unity. We must give its collective instruments the first place it deserves.

The process of accommodation among the big powers and the acceptance of the idea that we might be able after all to live together in peace and friendship on the same planet must be accompanied by a greater willingness to learn from each other and to exchange experience. Not everything is bad in one country, one system, one continent, one race or one culture and perfect in another. There is good and bad everywhere. We must strive together to foster what is good and to eradicate what is bad. It was not so difficult to lay down in the Charter our common objectives of peace, security, non-recourse to violence, economic progress, social justice, racial equality and the protection of the individual's human rights. We must work more intensely and more speedily towards them, leaving aside claims of superiority of any sort, be they ideological, national or material.

We must be more impatient and less complacent on the political side. Vast new problems are in the making or are already amidst us, from which no nation will be immune or able to escape, whatever its wealth, power or size may be. The names of these new problems are: the population explosion, the endangered environment, the consumption and urban explosions. It is not significant that the first agreement signed in Moscow between the two heads of state should deal with the environment? But, here again, the problem is world-wide. Our attention is beginning to be diverted from purely national concerns to preoccupations relating to the planet as a whole. There are immense tasks awaiting humanity. They must be tackled in our common interest. They will provide the employment needed as a result of diminished armaments and the eradication of built-in obsolescence and wasteful consumption.

You will ask me: "How adequate for these tasks do you find the instrument of which you are now the Chief executive officer?"

I would not hesitate to answer this: It is an excellent instrument. It is now almost universal. It provides, together with its specialized agencies, international co-operation on

practically every subject on earth, from the atom to outer space, from population to the environment, from hunger and health and development to drugs and crime. It constitutes the most potent world observatory and warning system of global events and changes on this planet. Its knowledge and thinking reach well in the future. Some of the finest men and women from all countries, all beliefs, all races, all cultures and all systems work for it. It is a unique meeting ground for statesmen of practically all countries on earth during the General Assembly. It has prevented untold conflicts and has paid a thousand times its cost which is less than that of the Fire Department of New York City or the budget of many companies.

Of course, like any human institution and perhaps more than any other institution, the United Nations is in need of constant change, correction, improvement, self-criticism, modernization and streamlining. I will apply myself to these tasks with all my strength.

There are however three major defects with which I have become concerned since my appointment: the reluctance or hesitation of governments to use fully the organization they have created; the ignorance and lack of understanding of the public and of the mass media regarding its achievements and its built-in limitations; and the financial obstacles constantly placed in its way and which begin to be frankly intolerable. An organization and its Chief Executive Officer, which are expected to deal with peace, security and practically every ill and global problem on earth, should be given the peace of solvency and a minimum of financial elbow-room. We are wasting too much time in trying to meet each month's payroll. This situation, furthermore, does not help the morale of the people who have assembled from so many countries, including so many from the United States, to work together in the United Nations. To have good workers for peace, development, the environment and so on, nothing is more important than a good moral.

May I therefore appeal to you to help me correct these short-comings? There is need for more honest down-to-earth learning about it, and there is need for putting an end to its financial impediments.

I have been greatly encouraged in all my talks with heads of government in recent months. All of them place renewed confidence in the United Nations and have promised me their full support. Every where there is hope, great hope and a large part of it is placed in the United Nations.

Ladies and gentlemen, may I repeat what I said recently in the General Assembly and assure you that I will fight for peace to the utmost of my strength. But I need your help. We, if we all work together, if we all help each other, then we shall achieve what we all want to achieve, peace—peace for us, peace for our children, peace for our generation and peace for generations to come.

OSHA AND SMALL BUSINESS— OVERWHELMING REDTAPE

Mr. McINTYRE. Mr. President, the flood of Government paperwork forms imposed on the American businessman today is credited by some as their single biggest problem in their constant competitive effort to stay in business. As chairman of the Subcommittee on Regulation of the Small Business Committee, I have undertaken an in-depth examination into this area which I choose to call "Federal form pollution"—a burden that costs the Nation's businessmen \$18 billion every year.

I invite the attention of Senators to a thought-provoking column written by

James J. Kilpatrick and published in the Washington Sunday Star of May 11, 1972, citing how small employers are protesting bitterly against another example of federally imposed recordkeeping; namely, that required by the Department of Labor under its interpretations of the Occupational Safety and Health Act. As Mr. Kilpatrick so aptly puts it, and as our subcommittee is finding more and more of a truism as we delve into the businessman's paperwork burden, "statistics to the bureaucrat are like cud to the cow."

Certainly, the intent and purpose of the Occupational Safety and Health Act to protect the American working man and woman is most commendable, but why good laws passed by Congress must become enmeshed by the Federal bureaucracy in hard and irrelevant rules and regulations for the businessman, I just cannot understand.

Mr. President, I ask unanimous consent that Mr. Kilpatrick's column be printed in the RECORD.

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

INDUSTRIAL SAFETY ACT OVERBURDENS EMPLOYERS

(By James J. Kilpatrick)

Industrial safety is one of those things, politically speaking, that no prudent politician can oppose and every prudent politician must support. It stands in a class with clean air, clean water, pure food, and non-flammable nighties for little girls.

Thus, it was, 17 months ago, that the Senate voted 83-3 and the House 309-60 for the Occupational Safety and Health Act of 1970. The act went into effect April 28, 1971. American employers and employees now have been struggling with its provisions for a little more than a year. It will be another year before even tentative conclusions can be drawn on the law's effectiveness.

Meanwhile, the verdict seems to be mixed. There is some reason to believe that the law's impact is like the little boy's book report on a 600-page volume dealing with penguins: "This book told me more about penguins than I really wanted to know." With its sweeping and detailed regulations, the act of 1970 may have imposed upon industry more safety than really is required.

One hesitates to venture such a judgment. The figures (excluding mining casualties, which are compiled separately and are covered by another law) offer a sobering picture of conditions in need of correction: In 1970, some 14,500 persons died and 2.2 million suffered disabling injuries in industrial accidents. An estimated 250 million man-days of work were lost. Beyond dispute, many employers have been negligent, and many workers have been careless.

Granted all that, an impression is growing that the 1970 act is developing, just as its critics have protested all along, into a lawyer's dream and an engineer's nightmare. In their eager-beaver zeal to make an impressive splash, safety inspectors from the Department of Labor have made more than 22,000 inspections in their first nine months of enforcement. They have recommended penalties in a startling 40 percent of their investigations—penalties adding up to nearly \$1.5 million in fines.

If the penalties were imposed only for serious infractions of safety rules, employer protests would have a hollow ring. But in thousands of instances, it appears, elaborate citations are drawn up for the most trivial offenses: An electric extension cord is not precisely secure, a hardhat is not precisely

the approved weight, a toilet seat is not exactly so many inches off the floor, an appropriate receptacle has not been provided for used paper cups at the water container.

Employers complain that the system leaves them virtually at the mercy of two groups—their own workers, and the Labor Department inspectors. Under the law, the burden of maintaining safe conditions falls entirely upon management; if an inspector finds a laborer bare-headed, when he should be wearing a hardhat, the employer is penalized—even though he may have pleaded repeatedly with his workers to observe the rule.

Small employers are protesting bitterly, with apparent justice, at the heavy burden of record-keeping demanded by the act. Statistics to the bureaucrat are like cud to the cow. It is understandable that the Department of Labor wants to feed its computers all kinds of lovely figures. But the forms are demanding; the records are tedious; and compliance takes endless time.

Admittedly, accidents cost money; but so does safety. Last week the U.S. Chamber of Commerce heard from a manufacturer of earth-moving machines. Between 1969 and 1975, some 350,000 such machines will have been built. Under the law, each must carry \$2,000 in new roll-over protection. That represents an added cost of \$700 million which must be recaptured somehow.

Employers undeniably have an obligation to provide safe and sanitary conditions for their workers. Who could quarrel with that? But some noise, and some dust, and some hazards are inescapably part of the world of manufacturing and building. If the administrators of the act get excessively finicky, they will succeed only in driving costs up, and cooperation down.

CONCERN IN ACTION

Mr. PACKWOOD. Mr. President, in this day of worldwide environmental concern, I think most of us realize that it will take a concentrated dedication on all our parts if we are to achieve our goal of preserving and protecting our environmental quality. But the true test of our concern lies in the decisive question "What am I willing to do?"

Oregonians, I believe, are leaders in this field for they are doers, not just talkers. In a recent environmental contest conducted by KXL-AM radio in Portland, responses to the question "What am I doing to improve the environment?" exemplify the concern and individual work Oregonians exert in their day-to-day lives. Some of the entries were in the form of letters, others were poems and essays, and all were constructive.

The credit for this timely and meaningful contest goes to the staff on KXL radio. The staff thought up the idea of devoting an entire month of public affairs programming in March, and in April put their ideas to work.

KXL broadcast 10, 60-second contest promotion announcements per day beginning April 3 and continuing through April 29, for a total of 270 announcements. The announcements ranged from noise pollution to solid waste disposal and covered all phases of pollution problems.

Mr. President, because of the importance of this subject to each of us, I ask unanimous consent that four of the top entries submitted to KXL radio in the

environmental contest be printed in the RECORD.

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

ENVIRONMENTAL AWARDS CONTEST, KXL RADIO, PORTLAND, OREG.

(By Mrs. Dorothy M. Carl)

Heredity determines the color of our eyes but environment lights them up and, in the area of environmental improvement, we can no longer go on just being a good egg—we must hatch or go rotten.

This game of Ecology starts at home plate and we are all players—no spectators. Litter is our grossest national product—let's start a clean-up epidemic. If we improve one other person's habits by being a good example, we have improved 2 people!

Don't spell it "freeDUMB"—polluting habits shackle even the free. In a land where we can say anything we think (and if we can't think, we can say it anyway), fight noise pollution—if the mind goes blank, turn off the sound.

Buy only returnable or recyclable containers—and return or recycle them. Share magazines and papers. Bury or compost all clippings, grass, twigs and "soft" garbage. Instead of burning leaves, write poetry about the glories of autumn—and then bury them both!

Learn to gamble with a spade and some seeds, enlisting the aid of friendly insects and birds instead of sprays—and planting no more than your wife can weed.

Dig the dandelions—before they blow their tops.

Ride a bus—or walk—wherever possible.

Quit smoking—and refrain from telling others how you did it.

Stamp out those tiring smile buttons—substitute the real thing.

Help an unwed mother—take one of her kittens—and have it neutered.

Register and always vote, carefully studying candidates and their attitudes—aware that friends of environment are people whose feelings run ahead of their thinking.

Make friends of our mighty rivers, stapled with bridges and dammed for power—you will not despoil a friend.

Enjoy our glorious forests, deserts and open spaces, always leaving them as untouched as the first day of creation so that they will be there to return—and return—to.

Anything we can conceive, we can achieve—the most undeveloped territory in the world is under our scalps, and, I would that we have calluses on our minds but no bunions on our countryside!

ENTRY IN ENVIRONMENTAL AWARDS CONTEST

(By Marcia Lieurance)

A number of years ago I stood on the edge of a cliff on a high mountain top in eastern Oregon listening to the quiet and observing the beauty unfolding in the panorama below.

As I contemplated this peaceful time and scene—wondering how it had looked in years past—and wondering how it would look in the future—I asked myself "What can we do as individuals to reverse some of the trends that threaten our environment today?" Trends that could destroy such places and scenic wonders that were giving me this pleasurable moment in time.

The answer was "Individual and voluntary assessment work" similar to the assessment work of gold and silver and other miners proving up on their mining claims.

Since that day on the mountain top our large family and our many outdoor loving friends do our "assessment work" each time we are on an outing whether it be at the ocean, parks, lakes or streams or at a remote and isolated picnic spot on the desert or mountains.

We religiously do "our assessment work"

by not only cleaning up our own areas but by cleaning up everything within our capabilities that are left behind by careless people. Sometimes we also repair things damaged by vandals, remove rocks from the road, or just about anything that needs immediate, individual attention.

The small youngsters in our group of outdoor enthusiasts are as eager to help with the pre-cleanup that is prerequisite to our good times as are the teenagers, mom and dad.

"Voluntary assessment work" has become the small price we pay for the continuing pleasure we receive in our great outdoors.

"SWAP A DIRTY WORLD FOR A CLEAN ONE"

(By Milo Moys, president)

DEAR SIR: I am president of an 11 month old club called S.W.A.P. which stand for "Stop Water and Air Pollution." We are very well organized and have done a lot in the Portland area. We began our club at our school with three members of the 7th grade and now have 18 members and operate without parental supervision except for advice here and there. We have cleaned up roadsides, distributed Solv material, collected material from all over the world to compile into our own material to pass out to the public. We have taken surveys, and are now building a recycling center in the Hillsboro area for glass and cans. In the next 2 months we hope to begin water test on the Willamette and Tualitan Rivers. We are all 13 years of age and work hard.

"TO THE WORLD"

(By Betty J. Newell)

In the beginning
A planet was born.
"Earth" became her name.
Time passed.

And Earth grew vibrant,
Strong and beautiful.
When she was ready,
Earth blossomed
By giving birth to us,
The "Earthlings."
Earthlings flourished
And were nourished
By Earth.

To each of us,
Earth gave
Food, water and fresh, clean air,
Mountains, deserts and starry nights,
Wildlife and forests—
Waterfalls and rivers,
Blue skies,
Fluffy, white clouds,
Rainbows,
Sunrises,
Sunsets,
And bright tomorrows.

Earthlings took Earth for granted.
Wantonly, recklessly, we
Sprayed chemicals over her food,
Poured fumes and gases into her "lungs,"
Dumped garbage on her face—
And jabbed junk into her sides,
Pumped refuse into river "arteries,"
And broke her heart
With desecrated forests
And slaughtered wildlife.
The eye-sores festered,
The poisons contaminated,
The beauty faded.

Today,
Earth cries murky tears
Through carbon-clouded skies.
Her vision is blurred.
Her pulse has slowed
Earth is sick.
She is seriously ill,
She may die—
And Earthlings don't care.
Do we?
If so, why don't we do something?

When a loved one becomes ill,
The Earthling consults a doctor.

Earth has a "team of specialists"—
Historians, scientists and analysts.

Their professional medical advice:

"Stop ravaging Earth.
Stop poisoning Earth.
Scrub her clean.
Then, recycle with large doses
Of tender, loving care,
Planning and Foresight."

Each Earthling has the ability and responsibility

To have that prescription filled.

With letters,
Order it from government representatives.
Request it of auto and industry leaders.
Urge it with rapid transit monorails between cities.

Purchase it with organically grown foods and non-polluting detergents.

Talk it to your neighbors.

And in the meantime,

Do it, personally, by example.

Do as much as you can

To ease the stress and strain—

To make Earth quiet,

Clean and comfortable.

Rediscover the great

Measure of pleasure

Derived from walking

And bicycling.

If you think the world of Earth,

Then join in wishing her

A Speedy Recovery

By taking action, today.

Be aware—

Show that you care!

THE INCIDENT AT LOD

Mr. TUNNEY, Mr. President, throughout the course of history, mankind has been confronted by many dangers and threats to its existence; capricious weather that destroys crops, floods that erase villages, fires that rage through forest and farm, disease and pestilence that sweep before them the weak and the strong alike. But of the enemies of mankind, none seem so wanton as the enemy among us, the terrorists and murderers who stalk the innocent and prey upon unwitting bystanders. The most recent example of insane terrorism at Lod Airport in Israel on May 30, 1972, convincingly demonstrated the depths of depravity to which these heinous members of the human family have reached. In one furious instance of savagery, three terrorists created an eternity of havoc and destruction, an eternity of injury and pain, an eternity of maimed and crippled bodies and minds, an eternity of death for 24 pilgrims and travelers who through chance were poised before the weapons of madness.

The incident at Lod assumed what today's commentators describe as "international repercussions." Air France flight 132 originated in Paris, stopped in Rome, and flew on to Israel with its passengers from Europe, Israel, Puerto Rico, and Japan. One of the terrorist organizations headquartered in Beirut took pleasure in announcing its sponsorship and support for the attack. Radio broadcasts originating in Cairo, Damascus, and Bagdad, representing the Palestine guerrilla groups but with the apparent support of the Arab governments, applauded the actions of the three gunmen with words such as "daring," "heroic," and "thrilling."

What can be "thrilling" about a surprise attack on innocent people in a crowded airport? What is "daring" about using machine guns and hand grenades against unprotected and unsuspecting religious pilgrims on a spiritual journey of faith? Did these "heroes" expect immediate transportation to some diabolical Valhalla for murders in the name of a dubious political cause? Can these means, the callous murder of innocents, in any way be justified by the ends they are intended to serve? I would suggest, and I am positive that every sane man, woman, and child will agree with me, that the terrorists cannot be justified, regardless of the injustices real and imagined of the past, regardless of the seemingly unreachable solutions to the wide-ranging problems which separate the Arabs and the Israelis, regardless of the causes, phrased in lofty and illogical rhetoric, to which these terrorists pledge their lives.

Our world has in recent time been subjected to a new reign of terror. We have seen leaders of nations shot down by unbalanced assassins, and watched neighbors settle their differences with the torch instead of debate. We read of the new horrors of massacres in Africa and the mounting statistics of death in Asia. Police and soldiers patrol the streets in Ireland and Cyprus, and armed terrorists kidnap diplomats in Turkey and Latin America. A feeble-minded few threaten hundreds with bombs and guns on planes and ships for a reward of ransom money. But whether their reasons be political or monetary, the terrorists of the world threaten all.

Terror in the Middle East is not a modern innovation. In the long-standing controversy over Palestine, terror tactics have been used by the malcontents and lunatic fringe as their response to a failure to realize political gains—the murderous tantrums of the unstable. A legacy of 25 years of war, hate, and frustration is the foundation for the kidnappings, murders, bombings, hijackings, and arsons of recent days. There seems to be no end to the chain of terrorist acts, to the explosions at Hebrew University, the Tel Aviv bus station, the Western Wall, or the apartment building in Haifa. There seems to be no limits to how far afield the terrorists will carry their bombs and guns to threaten and involve a growing circle of peoples and nations—to the Athens office of El Al, the airport in Algiers, Dawson Field in Jordan, and now to Lod Airport in Israel by way of Paris, Rome, Tokyo, and San Juan.

For the responsible governments involved in the Arab-Israel dispute, the prospect of hijackers and kidnapers presents a serious and perplexing problem. The State of Israel instituted rigid and effective controls over its planes and airports, but Israel's efforts are negated by the laxity and apathy of other nations and airlines. The Government of Jordan has condemned terror tactics but was unable to act against the terrorists in September 1970 when hundreds of passengers and crewmembers were held at gunpoint at Dawson Field. The Lebanese Government has tried to control the movements of the terrorists

along the Isreal border, but while there has been some success, the area remains a staging ground for attacks against Israel. After the massacre of May 30, leaders of Lebanon and Jordan again issued statements condemning terrorism and denouncing the actions of the three murderers at Lod Airport. But are the statements enough? Does the condemnation by a Government leader constitute an effective brake on the actions of the terrorist organizations which are permitted to operate within the territories of Jordan and Lebanon? It seems to me that public statements are not enough, even though well intended and inspired by deep conviction. More must be done to stop the kidnapers, hijackers, and killers.

There are several alternatives open to the United States. We could sever diplomatic relations with those nations which encourage or harbor terrorists and forbid our citizens to travel to those countries or to use their airlines. We could ask for voluntary boycotts against states where the hijackers operate freely. We could seek stronger international controls over preventive surveillance of passengers and luggage. The course of action I propose combines features of each of these approaches and has the added advantage of providing an incentive for all the governments involved to insure that corrective measures are taken against international criminals. Nations which harbor terrorists, or which do not comply with acceptable standards of preventive surveillance, or which contribute to the terrorists' cause by allowing propaganda dissemination, recruiting, training, or headquartering within their boundaries, or which encourage other acts of violence by either applauding terrorist exploits or by not condemning them, should be denied the right of access to the world's international air facilities and should be denied service by the world's international airlines.

An international boycott of airlines and airports, maintained through existing international organizations, such as the International Federation of Airline Pilots' Associations, would deny to nations friendly to the terrorists the revenue from tourism and international air commerce. This action would produce an international expression of condemnation of the permissive governments, would encourage other governments and airlines to tighten their own security measures in order to avoid the boycott, and would inconvenience the nationals of boycotted nations to the extent that the people would demand more stringent controls over terrorists in order to relieve the boycott.

Some strong action of this nature is imperative. The lives of innocent people are more than ever at stake.

PROBLEMS OF WOMEN OBTAINING CREDIT

Mr. PERCY. Mr. President, the National Commission on Consumer Finance has recently been holding hearings on the problems women have in obtaining or maintaining credit ratings when their marital status changes.

One of the more interesting testimonies

presented was that of Jorie Lueloff Friedman, of Chicago, on the credit problems she had when she got married to Richard Friedman, regional director of HEW in Chicago.

I think her testimony does point out biases in credit systems against women. I ask unanimous consent that her testimony before the National Commission on Consumer Finance be printed in the RECORD.

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

TESTIMONY OF JORIE LUELOFF FRIEDMAN

My name is Jorie Lueloff Friedman, and I'm here to speak as an individual and not as a representative of any group or organization.

I would like to draw your attention to a situation you may be unaware of, just as I was until I had to contend with it personally.

The problem is this: Many stores require women with established credit to reapply for credit in their husband's name when they get married. This seems to be done as a matter of course even when there is no change in the women's financial status. The implication is that a woman has suddenly become a second class citizen or an irresponsible child who can't be trusted to pay her own bills—just because she got married.

This is what happened to me.

I've supported myself for the past nine years—first as a writer for the Associated Press and, currently, as a newscaster for NBC News in Chicago. I've had charge accounts at most major Chicago stores for more than six years. I've always paid my bills on time and I never had a credit problem—until I got married.

Shortly after my marriage I wrote all the stores where I had charge accounts and requested new credit cards with my new name and address. That's all that had changed—my name and address. Otherwise, I maintained the same status—the same job, the same salary, and, presumably the same credit rating. The response of stores was swift. One store closed my account immediately. All of them sent me application forms to open a new account—forms that asked for my husband's name, my husband's bank, my husband's employer. There was no longer any interest in me, my job, my bank, or my ability to pay my own bills.

I called some of the stores and asked why I had to open a new account. Without exception, they informed me that under Illinois law, my husband—not I—was now responsible for my bills. According to the Consumer Fraud Division of the Illinois Attorney General's Office, this simply isn't true. Furthermore, they report that under Illinois law the wife alone is responsible for her debts, and husband and wife are equally responsible for family expenses.

Nevertheless, in the interest of expediency, I dutifully filled out the credit application forms, listing my husband's employer and bank. The net result of all this activity is that my husband, who will probably never set foot inside a women's clothing store, now has charge accounts at most of the major women's stores in Chicago.

The problems with the stores were only a shadow of the trials that lay ahead with one of the major credit card organizations. I've held one of their credit cards for four years without any problems. When we married, I recommended that my husband get one of their cards. He applied for his own account—and eventually we each had our own credit card. But guess who got my bills! Not me—but my husband! For four months he paid his part of the bill, and with his check each month, he enclosed a note explaining that I—his wife—had paid fifteen dollars for the

privilege of my own account and preferred to pay my own bills. We received no reply from the company, and they persisted in charging my husband for my bills. The whole thing came to a head one night two months ago when my husband was here in Washington on business. He returned to his hotel to find he'd been locked out of his room. The reason? Well, the hotel had called the credit organization and been informed that he had not paid his current bill and, therefore, was a bad credit risk. Being somewhat irritated by the incident, my husband got in touch with the company's credit manager in New York who investigated, apologized profusely and admitted the whole mess was their fault. So finally, after dozens of calls and letters I was permitted to pay my own bills. Now my account is finally in workable condition. But to this day the company persists in sending my husband notices that his account is "dangerously overdue" because he hasn't paid them the money I already paid them.

We've been married and consequently plagued by credit problems for a year. Out of that whole year one relatively small incident perhaps illustrates the problem best. When we got married, my husband had just lost the 1971 Chicago mayoral election and, consequently, was between jobs. At that time we applied for a charge account at one of the world's largest department stores. On the form it asked for the husband's employer. I told the credit clerk that my husband didn't have an employer at the moment, and I offered to supply the name of my company and my bank. "No," she said. "We don't care about the women—just the men." She certainly summed it up. In the eyes of a credit department, it seems, women cease to exist—and become non-persons—when they get married.

And so, a woman who has proved herself responsible by paying her own bills for years is suddenly treated like a child who can't be trusted any longer. It's not only unfair and demeaning, but ridiculous and unreasonable that a woman should have to forfeit her economic identity—simply because she changes her name. I would hope that you who can do something about it, would recommend that Congress develop and pass legal protections to guard against this discriminatory practice—legislation that would prohibit credit card issuers from requiring women to reapply for credit upon marriage, unless there is some reason to believe that their financial status has deteriorated.

UNAUTHORIZED RAIDS ON NORTH VIETNAM ORDERED BY GENERAL LAVELLE

Mr. FULBRIGHT. Mr. President, the juxtaposition of events and news stories in the press of last night and this morning suggests a problem which deserves attention of the Senate and of the people of the country.

A four-star Air Force general, Gen. John D. Lavelle, has acknowledged ordering U.S. Air Force units in Southeast Asia to make unauthorized raids against targets in North Vietnam and then reporting those raids as "protective-reaction" missions.

At the time this information comes to light, we have reports from Peking that U.S. air attacks in North Vietnam, but near the Chinese border, are viewed by the Chinese as threats to the security of China.

The last time units of the Armed Forces threatened to move near the border of mainland China, we ended up with a confrontation in Korea with the armed forces of China.

I am pleased that the administration has moved so quickly to remove General Lavelle from his post. That action suggests to me that high officials realize the danger implicit in the exercise of military power by overzealous or irresponsible officers. At the same time, it is unfortunate that derelictions of duty of this kind must be called to public attention by a letter from a noncommissioned officer. One is reminded that it was a similar communication which brought to public attention the massacre at My Lai.

These events suggest to me that one of the problems that needs immediate attention is that of command and control in the Armed Forces—ranging from the Commander in Chief down to the ranks of enlisted men. Indeed, command and control should extend in an unbroken chain from Congress, to the President, to the Joint Chiefs of Staff, to the commanders in the field. Congress should provide policy guidance, the President should operate within the framework of that policy, and the commanders of the Armed Forces must operate under the guidance of the President.

When any part of that link is broken, representative government is threatened.

I ask unanimous consent that two articles from the New York Times be printed in the RECORD.

In addition, I ask unanimous consent that an article by Mr. Anthony Lewis about the destruction of the town of Phuoc by our air raids be printed in the RECORD.

It may be possible that the denial of these raids on civilian targets by our Air Force results from unauthorized air strikes and falsified reporting by those in command.

The indiscriminate slaughter of defenseless civilians in Vietnam—both North and South Vietnam—is a dreadful indictment of our country. This purposeless conflict should be ended.

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

GENERAL TESTIFIES HE MADE 20 RAIDS WITHOUT ORDERS

(By Seymour M. Hersh)

WASHINGTON, June 12.—Gen. John D. Lavelle acknowledged today that he was dismissed in March as commander of Air Force units in Southeast Asia after ordering his planes to make "in the neighborhood" of 20 unauthorized raids on military targets in North Vietnam and reporting them as "protective-reaction" missions.

"In certain instances," the general said at a House of Representatives committee hearing, "I made interpretations that were probably beyond the literal intention of the rules."

But General Lavelle, the only four-star general in modern United States military history to be demoted upon retirement, also insisted that his superior officers in the chain of command had been kept fully informed of his activities.

FOUR HOURS OF TESTIMONY

The reason for General Lavelle's dismissal was disclosed in The New York Times yesterday.

General Lavelle and the officer who dismissed him—Gen. John D. Ryan, the Air Force Chief of Staff—testified for two hours this morning before a House Armed Services investigating subcommittee headed by Rep-

resentative F. Edward Hébert, Democrat of Louisiana.

The two generals returned in the afternoon for two more hours of testimony but this time behind closed doors. A subcommittee member said later that part of the secret session was devoted to tracing the extent of knowledge about the unauthorized raids at the highest American headquarters in Saigon, the Military Assistance Command, Vietnam, headed by Gen. Creighton W. Abrams.

REPORTS WERE ACCURATE

Asked about this during the morning's open session, General Lavelle said: "I had a lot of superiors, and I'm not saying that they all knew—by any stretch of the imagination." He added, however, that he had reported the raids to the Saigon headquarters and that "the reports were accurate."

"I think General Abrams knew what I was doing," General Lavelle said in response to questions. "But I'm positive that General Abrams had no idea what the reporting requirements were. He never worried about or sat down and debated our rules of engagement before we did it."

General Lavelle testified that he ordered the raids, aimed at targets in the southernmost areas of North Vietnam, between Nov. 8, 1971, and March 8 of this year. He took over as commander of the Seventh Air Force in July, 1971.

The targets, he said, included "airfields, radar sites, missile sites, missiles on transporters, equipment with the missiles and heavy guns." The strikes were "very successful," he added.

CITES ENEMY BUILD-UP

The general said that he had authorized the attacks after failing to get authority to begin attacking what he said was a substantial build-up of North Vietnamese equipment such as tanks, aircraft and oil depots in an area 11 to 15 miles north of the demilitarized zone, which straddles the border between South Vietnam and North Vietnam.

The North Vietnamese offensive began late in March with an all-out assault across the eastern half of the DMZ at that point. In April President Nixon authorized the current bombing in North Vietnam.

General Ryan, in his testimony, said that he had removed General Lavelle from his command after an investigation—prompted by a letter from an Air Force sergeant—showed that "some missions had not been flown in accordance with the rules of engagement and there were irregularities in the operational reports."

THREE FALSIFIED REPORTS

General Ryan said the official Air Force investigation had concluded that there were 23 violations of the rules of engagement involving unauthorized strikes by 147 aircraft. In Air Force parlance, a mission can involve one or many individual attacks by aircraft.

The Air Force Chief of Staff also reported, under questioning, that three falsified after-action reports had been uncovered by the investigating team. The inquiry was completed on March 23, General Ryan testified, and General Lavelle was quickly ordered back to Washington. After being offered a chance to stay in the Air Force as a two-star general, General Lavelle retired.

"It was determined by my inspector general's team," General Ryan said, "that the impetus behind filing false statements came from General Lavelle."

QUESTIONED BY PIKE

General Lavelle was questioned closely by Representative Otis G. Pike, Democrat of Long Island, whose protests of what he termed a "cover-up" of the incident led to today's open hearings. Regarding the false statements, the general acknowledged that "I told my staff that we could not report 'no enemy reaction' in the official statements filed by the pilots after the unauthorized missions."

In other words, the reports had to indicate that the assaults were made in response to enemy activities. Under the rules at the time, United States warplanes could respond to enemy artillery or missile fire and could even attack a missile site after the enemy's radar "locked on" a plane, indicating that a rocket would be fired.

General Ryan told the Congressmen that no disciplinary action had been taken against either the pilots or their immediate superiors for the falsification of records, most of which are classified.

General Lavelle said that he had taken full responsibility for the false reports. "I'm the Commander and the buck stops here," he said. He added that "in my opinion, these were low-level wonderful people" who were filing "what they thought we wanted."

The general insisted, however, that he had not known of the falsification until he was informed of them by representatives of the Air Force investigating team. As soon as the falsified documents were shown to him, General Lavelle testified, "I stopped all of those strikes."

"I WOULD DO IT AGAIN"

It was not made clear during the public testimony how General Lavelle could have ordered his subordinates to depict all strikes as "protective reaction" and yet still be unaware of the resulting falsified documents. At one point, the officer, now officially retired as a three-star general pending Senate confirmation, said: "If I had to do it over again, I would do it again, but look into the reporting system first."

He added that he didn't "think it was very smart" for his subordinates to fake combat reports, "but that's how it happened." "I believe somebody, someplace got overeager," he said.

After the official Air Force investigation and the resulting order to stop all unauthorized attacks, General Lavelle testified, "I assigned three men to find out how we could continue doing what we were doing but report it accurately." The general said he concluded after the study that we were "unable to do so."

CHINA CALLS RAIDS THREAT TO BORDER

PEKING, June 12.—China condemned American bombing of North Vietnam today and for the first time since the intensification of the attacks described them as a threat to her security.

A statement issued by the Foreign Ministry expressed support for Hanoi and said the raids were acts of aggression against the Vietnamese people and "grave provocations against the Chinese people."

The statement was the strongest against United States actions in Vietnam since President Nixon's visit to Peking in February.

[In Washington, Administration officials said there were precise limits on United States air operations over North Vietnam in the vicinity of the Chinese border. They looked upon the Chinese statement principally as politically motivated support for North Vietnam and said they continued to believe that Peking accepted United States assurances of last month that the air strikes were not meant as a threat to Chinese security.]

American strikes have included attacks against two rail lines running from the Chinese border to Hanoi that have taken United States planes close to the border.

The statement was noticeably more terse than one issued on May 11, three days after President Nixon ordered the mining of North Vietnamese ports and air strikes on North Vietnamese supply and communications lines.

It said that the United States had "steadily expanded the sphere of bombing up to areas close to the Sino-Vietnamese borders, threatening the security of China."

"These frenzied acts of aggression on the

part of U.S. imperialism," it said, "are new war crimes committed against the Vietnamese people, and at the same time grave provocations against the Chinese people."

The mention of America's actions in Vietnam as a threat to China has been absent from Peking statements since the invitation to President Nixon to visit Peking was announced last July.

The statement was similar in tone to denunciations of the United States in the early stages of the Vietnam war. It carried a clear warning to the United States that China was firmly behind North Vietnam, whatever tactics were employed, "until complete victory is won."

The statement concluded: "U.S. imperialism should know that the heroic peoples of Vietnam and the other Indochinese countries are by no means alone in their struggle."

THE COST OF PHUOC LOC

(By Anthony Lewis)

LONDON, June 11.—Several weeks ago in this space there was a report from the North Vietnamese village of Phuoc Loc. It described the damage done when, as the villagers and North Vietnamese officials said, American planes bombed Phuoc Loc at 2:20 on the morning of April 16. They said that of the population of 611, 63 were killed and 61 injured.

The Defense Department in Washington was asked to comment, to say how such a nonmilitary place could have been bombed. Phuoc Loc is a village of mud huts, a small island in a sea of rice fields, about five miles south of Haiphong.

The Pentagon reply, received in due course, was a flat denial that American bombers had attacked Phuoc Loc. A B-52 raid on Haiphong on April 16 had been announced shortly after it took place, an official said. But it was against Pentagon policy to bomb populated areas, he said, and there had been no raid on Phuoc Loc.

There is an almost Alice-in-Wonderland logic to that Pentagon comment: We do not bomb civilian targets, so we could not have bombed Phuoc Loc. In its blandness it really suggests that there was no bombing, that the whole affair was made up or a mirage.

The difficulty is that anyone who actually saw Phuoc Loc after April 16 will believe otherwise. It would be extremely difficult to fake the bomb craters that I saw there with my own eyes. It would be a remarkable piece of theater to stage the screaming women in the rubble, and the people who spoke of their families being killed. And others have seen Phuoc Loc.

It would be one thing for a Pentagon official to say that no such civilian village is an American bombing target but that a mistake could not be altogether excluded that close to Haiphong. It is another to imply that there was no bombing of Phuoc Loc at all—especially when United States intelligence photographs could well have shown the damage.

The Pentagon comment thus unintentionally illuminates one grave cost of this war to Americans: the damage to our candor and humanity.

It is not only Phuoc Loc, of course. A number of Western correspondents over many years have reported on bomb damage to civilian facilities in North Vietnam, to schools and houses and hospitals. But American official policy is evidently to ignore all such reports, to brush them aside, to deny that mistakes can have occurred.

The official announcements continue to speak of B-52's raiding gasoline dumps and bridges and electrical plants, and of ships offshore shelling "Communist military targets." It is as if there were no human beings involved at all. But common sense, like the eyewitness accounts, tells us that any large-scale bombing or shelling hits some innocent civilians. Why, then, does the United States Government ignore or deny it?

Some of those involved in the policy of heavy bombing and shelling must, unconsciously or otherwise, regard the Vietnamese as *untermenschen*, as creatures somehow not so human as us. Others, actually facing the truth about the human damage that American bombs and shells and chemicals have done, still think our political objectives are more important.

But many Americans, probably most, have simply tuned out. The continuing death and destruction in Vietnam are no longer in their consciousness.

That is why public opinion can be so inert when Seymour Hersh of The New York Times discloses secret findings that another massacre occurred on the same morning as My Lai in 1968. The official report speaks of "murder," and of "pretense" and "misrepresentation" in covering it up, but hardly anyone in Washington—in the military, in Congress or in the press—really seems to care deeply.

In a way, concealing the truth or not caring is worse than killing women and children at My Lai or bombing them by mistake at Phuoc Loc. Nor does it help to say that the Communists have killed countless innocent people in Vietnam. Americans have to worry about their own souls.

RECENT ACTIONS OF PRESIDENT NIXON TO IMPROVE THE CONDITIONS OF ELDERLY AMERICANS

Mr. BENNETT. Mr. President, most of the attention in the past few months has been focused on the President's foreign policy program, and justifiably so, for President Nixon has brought America's role in the world to a level of unquestioned leadership in the movement to find a lasting peace. Nevertheless, our attention should not be wholly absorbed by events abroad for the President also made great strides here at home.

One of President Nixon's major concerns has been the welfare of 21 million Americans over age 65.

The President pledged at the White House Conference on Aging that 1972 will be a year of action on behalf of the aged. This action was begun in his message to Congress in March.

President Nixon's program for the aged is comprehensive—it contains five major points. First of all, the President has increased the income of elderly Americans: He recognized that a major problem of the aged is their low level of income—three out of every 10 persons 65 or older were living below the poverty level in 1966. However, under the Nixon administration, there has been a 26-percent increase in social security benefits since 1969.

Second, President Nixon has recognized that the quality of many nursing homes is substandard, and has endeavored to upgrade the quality of these nursing homes by announcing an eight-point plan in August 1971. Significant progress has been made since then in carrying out that plan: More State nursing home inspectors are being trained, Federal enforcement has been strengthened, and a coordinated set of guidelines for fire safety and safety standards is being put into effect.

The President's third course of action has been to increase the budget of the Administration on Aging to \$200 million for 1973, thereby providing homemaker, transportation, nutrition, and community services.

President Nixon's fourth step is that of significantly expanding opportunities for older Americans to make meaningful contributions to all facets of society. The President has doubled funding for the foster grandparents program, and has tripled it for the retired senior volunteer program. The President will also propose legislation to broaden the coverage of the Age Discrimination in Employment Act to include State and local government. This way, as President Nixon has explained—

The country retains the benefit of their skills and wisdom; they in turn have the feeling of usefulness and participation which employment can provide.

Finally, Mr. Nixon has organized the executive branch to meet the needs of older Americans. He has formed the Domestic Council Cabinet-level Committee, and has appointed a Special Assistant on Aging as well as a Special Consultant on Aging.

By instituting these various aids for the aged, President Nixon has clearly shown that he is making good on his campaign promise to generate "thoughtful, workable, and effective solutions" to the problems of the elderly. The President has followed the advice submitted in the report of the Presidential Task Force on the Aging, that we "share the fruits of a future they helped create with citizens who have worked hard to insure for themselves an old age of dignity, security, and independence."

FOREIGN TRADE AND INVESTMENT ACT

Mr. HARTKE. Mr. President, although we have staggered from one trade deficit to another, the current administration would have us believe that the dollar devaluation is a panacea for all our trade ills. In fact, this is another Nixonomic nostrum designed with an eye to quieting the electorate without impinging on the interests of the multinational firms.

Not only does this policy leave the underlying problems unresolved, but it ignores the realities of present-day trade practices. An April 19, 1972, article in the Wall Street Journal points out that exporters to the United States are not raising their prices and American exporters are not lowering theirs—preferring instead to increase profit.

Equally disturbing is a Journal of Commerce article detailing the necessity for the Japanese Ministry of International Trade and Industry to intervene directly to encourage a number of export firms to raise their prices. Although it remains to be seen if this move is anything more than trade propaganda, the fact that it had to be made at all belies the Nixon position that devaluation has set our foreign trade and investment house in order.

Mr. President, because of their important implications for our trading future, I ask unanimous consent that these two articles be printed in the RECORD.

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

TO AVOID TRADE FRICTION: JAPAN MOVES TO CURB EXPORTS TO UNITED STATES, EUROPE

(By A. E. Cullison)

TOKYO, April 18.—Japan's Minister of International Trade and Industry (MITI) today in a major move announced plans to begin enforcing regulations probably this month or early in May which would require Japanese manufacturers of tape recorders, electronic desktop computers and both black and white and color television sets to raise prices on exports to American and West European markets or to slash the volume of such exports.

Meanwhile members of the Japan Automobile Manufacturers Association Export Committee announced their decision in Tokyo today that the committee is working out means for controlling exports in a preventive move to avoid trade friction in American and West European markets.

NO COMPLAINTS YET

Committee members said so far they had not received any complaints but intended to anticipate such problems and thereby eliminate the likelihood that MITI might enforce regulations requiring even more stringent voluntary restrictions on the part of the auto industry.

Japan's car makers are particularly worried about British market disruption, for example.

Kakuei Tanaka, minister of international trade and industry, promised his ministry would enforce Japan's export-import transactions law to prevent recurring dumping charges against Japanese products in the United States, Britain and European Economic Community nations.

Although he limited initial price increases and volume curtailments to mainly electronic goods there were indications in MITI that the ministry also was considering similar measures of a restrictive nature for Japan's automobiles, chemicals, synthetic fibers and industrial ball bearings plus any other products which are threatening to upset orderly marketing abroad.

MARKET DISRUPTION

MITI Minister Tanaka admitted Japan cannot afford to face worldwide antidumping charges or to be accused of market disruption. Wherever MITI finds Japanese exports increasing too rapidly prices will be increased or export volumes slashed, he said, on a "voluntary" basis by Japan's manufacturers and trading houses.

Japan's orderly marketing effort will be on a goods and region basis and not across the board, however.

Officials of MITI and various industries and major corporations involved are now holding negotiations and already have reached basic agreement on limiting the number of desk top calculator exports and raising the price of color television sets destined for the U.S. market by 16.88 per cent which was the amount the yen was revalued upward last December.

Mr. Tanaka said MITI and industry leaders also have agreed upon increasing prices of tape recorders bound for British and Western European countries. MITI authorities have been seriously disturbed in recent months by overseas claims that Japanese products were being dumped at profitless prices merely because Japan's domestic economy is in a 21-month-long recession and export was the only way to relieve pressure on inventories.

MITI authorities admitted privately today that their latest unexpected move was given a final push by reports reaching Tokyo that Britain and the Benelux countries are seeking some sort of parity with Japanese industries with a view to preventing an increased inflow of Japanese products.

There were hints this afternoon that the Finance Minister was testing MITI opinion

on imposition of a special export tax or export surcharge, but MITI authorities reportedly oppose such moves in favor of new program which would promote imports instead as a way of balancing trade with the U.S. which expected to be \$3 billion in Japan's favor this year.

[From the Wall Street Journal, Apr. 19, 1972]

AFTER THE FALL: DESPITE DEVALUED DOLLAR, MANY FIRMS DO NOT GAIN ANY TRADE ADVANTAGES

Competitive pressures are undermining some of the price advantage that U.S. companies should be winning in international trade as a result of the devaluation of the dollar.

Importers of a variety of goods, ranging from TV sets to soft goods, have been slow to increase their American selling prices to reflect the new currency alignment agreed to in Washington last December.

And sellers of some American products overseas have been fudging on the price cuts that should be resulting from the dollar's cheaper worth.

That isn't what the world's monetary planners had in mind when they agreed to refigure the world's currencies at a meeting at the Smithsonian Institution last Dec. 18. Their theory was clear enough: A cheaper dollar was supposed to make American goods cheaper abroad and increase the price of imports in this country. All other things being equal, a Japanese radio that sold for \$100 in the U.S. last summer should cost \$116.88 now because the yen's worth was raised 16.88% against the dollar. An American-made medical instrument that cost \$100 previously should sell in Japan for the yen equivalent of \$85.56.

U.S. trade specialists reasoned that, within a year or two, such price changes, coupled with other trade agreements, would begin to alter buying patterns in international trade. The higher price tags would discourage imports into America while cheaper quotes would spur sales of American goods in foreign lands. The U.S., it was hoped, would then start seeing some improvement in its trade account with the rest of the world. That account sank into the red last year, for the first time since 1888; the deficit was \$2.05 billion.

SOME REACT PREDICTABLY

Some manufacturers have reacted the way they were supposed to. Prices for imported cars have climbed almost dollar for dollar apace with the new currency rates. A four-door Toyota Corona was boosted 16.8% in price, almost precisely matching the yen's increased value, to \$2,512. Then the repeal of the 7% excise tax on all new cars, both domestic and foreign, dropped the quote back to \$2,385. And prices of foreign wines have also risen in line with parity changes, as have quotes for such widely divergent products as leather goods and sheet glass.

But for some importers battling to maintain market positions in the face of intense competition, price increases are luxuries that have had to be deferred, in part or in whole.

For instance, Fuji Photo Film Co., which must sell against the entrenched Eastman Kodak Co., has held prices for film unchanged. Rather than give Kodak the slightest price edge, Fuji has elected to bear the full brunt of the yen's increased valuation itself.

Honda Motor Co. officials say they have increased Japanese export prices on motorcycles to reflect the yen's increased valuation. But they lament they haven't been able to raise retail selling prices in the U.S. to the same degree. The result, says a company spokesman, has been shrinking profit margins at the company's U.S. sales subsidiary and at its American distributors.

TV SETS AND BICYCLES

Toshiba International, a unit of Toyko Shibaura Electric Co., says its wholesale prices were boosted the full 16.88%. But retail prices for its television sets, radios, tape recorders and some other consumer products have gone up only 6% to 7%. A spokesman at Noritake Co., the Japanese chinaware company, concedes it, too, hasn't been passing along the full revaluation. "We tried to absorb part of the increase by increasing sales somewhat and decreasing expenses," he explains.

A man at a Japanese bicycle producer says "so far" it has raised prices only 7% to 9% (though another Japanese competitor has lifted quotes "at least 20%").

Some American textile executives selling against foreign competitors say they haven't witnessed any price changes since revaluation. Meno Schoenback, president of the Fulton Cotton Mills unit of Allied Products Corp., says textiles from Asia aren't carrying higher price tags "and I'm not sure if they will."

In some industries, American retailers are being billed the full cost of revaluation, but they are picking up at least part of the increased tab. One shoe-company official, for instance, says the wholesale cost of imported footwear has risen 13% to 18%. But, for the most part, he says, "retailers are absorbing these increases and aren't passing them on to their customers."

Some retailers with clout have been able to soften the impact of revaluation on them. "It's a matter of give and take," says William Fine, president of Bonwit Teller Co., a subsidiary of Genesco Inc. Gardiner Dutton, executive vice president of Kenton Corp., estimates that 25% of the goods imported by the company's Mark Cross subsidiary "are selling for less than the revaluation because of our negotiations with the suppliers to get a lower price."

TOURS AND STEEL

In most instances, American concerns are reluctant to disclose publicly how the dollar's cheaper valuation is affecting their selling prices. But American Express took full-page newspaper ads recently to proclaim: "As the world's largest travel company, American Express has been able to freeze our tour prices." The company conceded that "as a result of devaluation, some costs inevitably will rise." But the company pledged that "American Express will not pass on these increases to the people who buy our tours."

On industrial products, price comparisons are muddled by long-term contracts, extended lead times between orders and deliveries and other factors. But here, too, some prices of foreign goods haven't increased as much as the revaluation.

In the steel industry, for instance, the foreign price advantage on such high-volume items as sheet products has been cut in half by the dollar's devaluation, to about 10% from 20%. But some analysts contend the price edge for foreign steel might be even slimmer if the impact of revaluation were passed on in full.

Chemical pricing varies widely. For some chemicals, "costs have risen in line with the realignment," an industry source relates. Du Pont Co., though, notes that quotes for organic chemicals, mostly dyestuffs, have been largely unaffected by the currency changes. "Perhaps 10% have changed, but the changes haven't been large in magnitude," says a spokesman in Wilmington. From Du Pont's view, "it appears that exporters from whom we buy (chemicals)—or their countries—are absorbing the devaluation impact: we expect future contracts to be affected, though not to a staggering degree."

WARNING FROM THE TREASURY

The Du Pont spokesman didn't elaborate on how foreign countries might be absorb-

ing the devaluation impact. Last month, however, Magnavox Co. filed a complaint with the Treasury Department charging that the Japanese government was granting "substantial export subsidies" to Japanese makers of TV sets shipped to this country. Among other points, Magnavox said that the Japanese government was helping its exporters by undervaluing the yen and intervening on currency markets. Japanese producers denied the charges.

The Treasury has yet to act on the Magnavox allegation. But this month it issued a warning to foreign companies that they may be violating U.S. rules unless they adjust their prices to reflect the currency revaluations.

Yesterday Japan's Minister of International Trade and Industry, Kakuei Tanaka, said the Japanese government has obtained "broad agreement" from Japanese electronic manufacturers to voluntarily restrict exports. He said the companies will either reduce export volume or increase export prices. No date was given to indicate when the voluntary export curbs will be imposed.

Assistant Treasury Secretary Eugene T. Rossides said that last December's "appreciation of foreign currencies in relation to the dollar has effectively increased the adjusted home market" prices of foreign merchandise as expressed in dollars. "This raises the possibility that some of these home market prices may now exceed" the prices at which the goods are sold in the U.S., he said.

Unless the companies either reduce their home market prices or lift their export prices to reflect the realignment, the official stated, they may violate U.S. laws that prohibit the sale of foreign merchandise in the U.S. at lower prices than they sell for in home markets.

But it's a two-way ocean, and sellers of some U.S. goods are also ignoring the effects of revaluation in other countries, where a cheaper dollar should mean cheaper prices for American-made goods.

PPG Industries Inc. says it hasn't altered its export prices for glass. It evidently hopes that a higher dollar price for its products overseas will offset any reduction in export volume.

Berkey Photo Inc., which exports the Omega photographic enlarger, says it is hoping to ultimately pass on the dollar's cheaper value in its overseas sales. "But first," a spokesman says, "we have to put pressure on our foreign agents and importers to make sure they don't pocket the difference."

SECRETARY PETERSON ON HARTKE-BURKE

Mr. PERCY. Mr. President, the Washington Evening Star of Sunday, May 21, contains an extensive excerpt of a speech that Secretary of Commerce Peter Peterson gave on "The Foreign Trade and Investment Act of 1972"—the so-called Hartke-Burke bill.

Secretary Peterson makes cogent arguments why this bill would be harmful to the American economy. It would, according to Secretary Peterson, raise prices, eliminate some vital imports needed by American industry, erode competition, lead to retaliation by other countries, and cost this country jobs.

Secretary Peterson does point out the need for changes in the international economy and in our international economic policy—such as more effective adjustment assistance—but he definitely opposes this piece of legislation. As Secretary Peterson says, this bill would "restrict our freedom of economic expansion still further," and "would freeze us into

a pattern of protection and economic reaction." I agree.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

A BILL THAT WOULD SOAK THE CONSUMER
(By Peter G. Peterson)

It has often been said that this is the age of "consumerism," and that in the United States this trend has gone further than in other countries. And it is certainly true that Americans can choose freely, widely, handsomely and—I think—joyfully among an impressive array of consumer goods in virtually all product areas.

But an anomalous development is now taking place—an organized effort to raise our cost of living, to divert our human and industrial resources from the things we do well and efficiently to the things we do less well and at higher cost, which would raise unemployment and wreak havoc on overall U.S. foreign policy at the same time.

I am referring to the "Foreign Trade and Investment Act of 1972"—otherwise known as the Hartke-Burke bill.

What is behind this curious bill that would purport to make us richer by increasing inflation? That would increase unemployment in our most efficient industries? That would set us on a course of economic isolationism yet anticipate no countermeasures from our customers abroad? That would trigger bitter political conflict with our major allies around the world?

The Hartke-Burke bill represents a protest vote against imports—what is behind it?

The contemporary debate over imports and investments is amply endowed with catch phrases, the most familiar to us being the so-called "export of jobs" by U.S. investors—particularly the larger multinational firms. The U.S. is also said to be receiving a "flood" of imports, implying that imports are something bad and the country is in danger of drowning.

What does the bill do? The Hartke-Burke bill proposes that most items imported by the U.S. from foreign countries, be rolled back to the 1965-69 level. They could then increase only in proportion with rising U.S. production. This would mean a cutback of about \$10.4 billion from our present level of imports, and more from future levels.

Now, many retailers have adopted the slogan, "Keep the Lid On" in cooperating with the President's wage-price program. The Hartke-Burke bill would "slap a lid" on imports at levels reflecting 1960's consumer demand and preferences but "take the lid off" a major restraint on inflation.

It is difficult to quantify precisely the overall price effects of these cutbacks. The Department of Commerce trade staff is trying to do that. We do know, however, that they would be very large.

Under the Hartke-Burke proposal, imports of capital goods needed by American manufacturers to stay abreast of foreign competition would be rolled back by 31 percent from 1971 levels.

Consumer goods would decline 34 percent, food 15 percent, and automotive vehicles a whopping 56 percent. Of course, certain imported items would be particularly hard hit. Imports of color television sets, for example, would be cut back by 64 percent (\$131 million). Imports of new passenger cars would drop by 54 percent (\$2.3 billion), and imports of 35 mm still cameras by 30 percent (\$10 million). Some experts tell me it is probably safe to assume that the bill would raise the U.S. price level by at least \$10-\$15 billion, and probably much more.

Such a development would be tragic, both for our domestic economy and for our international competitive position. You are all

well aware of the major effort launched by President Nixon last August to bring U.S. inflation under control. Phase II has as an interim goal reducing the rate of inflation by 1.5-2 percent, down to 2-3 percent by the end of the year. It is thus highly relevant to note that the Hartke-Burke quotas could raise prices by at least 1.5-2 percent—as much as Phase II will reduce them! In short, such legislation would seriously undermine the anti-inflationary effects of the President's wage-price program.

CAR IMPORTS WOULD FALL SHORT OF DEMAND

For example, more than 600,000 Americans are currently demonstrating a desire to buy an imported subcompact would be prevented from doing so.

Would importers be content to simply sell half as many cars at the same price as before? They would have to lay off workers and cut expenses where they could, but their unit costs would also inevitably rise. Furthermore, they would find an oversupply of customers clamoring for each car allowed in. So they (and of course the manufacturer) could easily raise prices to minimize the reduction in their profits.

Finally, U.S. import quotas of this severity would go far toward permitting U.S. manufacturers to simply charge much higher prices than their own costs or the marketplace would dictate. Think with me of the effect of quotas which virtually guarantee the domestic producers a fixed share of the market.

How many of your suppliers have lowered prices as an offensive marketing weapon to hold on to their market share against foreign competition? I would guess a great many. What do you think would happen if that fear, or stimulus, were removed? They would have far less incentive to hold prices down.

In addition to lowering the level of imports, the quotas applied according to the bill's formula would freeze the product and country mix at the average ratios existing from 1965-1969. Think with me how often in your lifetimes demands or tastes have changed, and in turn the quality of foreign sources has changed.

For example, consumers have recently shown increasing preference for Japanese cars in relation to German cars. In 1971, four out of every 10 purchasers of foreign cars bought a Toyota or Datsun. Under the proposed quotas, only about half as many new foreign cars would be allowed into the country and only one in seven of those could be a Japanese car.

Those domestic price rises I talked about would also substantially erode the internal competitiveness of the U.S. economy. We know that the inflation of the mid and late 1960s had just such an effect. It made our dollar increasingly over-valued in the exchange markets, retarded our exports and stimulated imports. It required us to devalue the dollar late last year.

The devaluation should improve our trade balance by about \$6 to \$8 billion over the next few years, according to our own estimates, those of the international economic organizations, and those of leading academic economists. It will thus restore much of our earlier trade surplus. In the process, it should create at least half a million additional jobs for U.S. workers—precisely the number, incidentally, which the AFL-CIO claims were lost due to the changes in our trade balance in the late 1960s.

The recent devaluation, however, has only provided us with an opportunity. We could fritter it away if we fail to maintain the competitive improvement which it provides. I have already outlined how the Hartke-Burke bill would raise our prices, and thus reduce our competitiveness directly.

In addition, Hartke-Burke's sweeping import quotas would deny U.S. producers some of the vital imports they need to remain

competitive, or at least raise substantially the costs of those imports. Our textile industry, for example, buys substantial amounts of European machinery in its drive to improve productivity.

Most importantly, however, a rigid regime of import quotas would affect the American competitive spirit. I don't even recall as a former businessman ever going to work thinking how glad I was to have competitors. I suspect none of us really enjoys our competition. And it is certainly easy to dislike foreign competition even more.

And yet, we all know that competition from abroad has increasingly provided the U.S. with a strong incentive to innovate, introduce new technology and to maximize quality and productivity.

There are a number of good illustrations of this traditional resilience of our system—when it is challenged. One is shown by the recent experience of U.S. electronic calculator manufacturers. Increased foreign competition and an eroding market share gave domestic producers a timely indication in the late 1960s that their technology was becoming outmoded.

On the basis of this import-precipitated "early warning," American manufacturers initiated an intensive R&D effort which is now paying sizeable dividends in terms of increased sales of U.S. calculators both at home and abroad. And one U.S. manufacturer is close to producing a mini-calculator for under \$100—far under the price of similar Japanese versions.

What about the effect of Hartke-Burke on other countries? Can we expect others to acquiesce to quotas? Our major trading partners would stand to lose an average of nearly 30 percent of their exports to the U.S.

Imports from the European Economic Community would be cut back nearly 25 percent, or \$1.8 billion.

Canada would be hit with a 30 percent loss in its exports or \$3.6 billion—which would cut its entire Gross National Product by 4 percent!

The less developed countries, which literally depend on exports for their survival, would be dealt a further severe blow to their aspirations. And, tragically, those that are the newest of the developing countries (and these are usually those with even greater poverty), would be hit the hardest since their 1965-1969 imports to the United States would be at lower levels.

Suppose the European Community retaliated against the U.S. aircraft industry. Sales of most current model U.S. aircraft to European airlines could virtually cease, with an annual loss of export sales of about \$400 million. Europe could not only supply most of its near-term needs for aircraft from its current or planned production, but its response to U.S. quotas would also threaten future generations of U.S. aircraft. New projects either would be precluded, as the EEC produced competitive aircraft, or would have to be priced to yield a break-even point at a much lower level of sales.

Economies of scale could not be realized as they have in the past. In turn, increased costs of future aircraft to U.S. airlines would be passed on to the consumer in higher air fares. Everyone would lose. The manufacturers would sell fewer airplanes. The airlines would pay higher prices for them. The consumer would get higher air fares. And many highly skilled, high paying jobs would be lost in the already troubled aerospace industry.

Despite the certainty of retaliation against our exports under the Hartke-Burke quotas, there are some who say "what of it?" They suggest that reducing both sides of our trade account by the same amount would provide a net increase in the number of jobs here at home. They assume that the job content of the domestic production which would replace

imports is greater than the job content of our exported goods. This assumption is false.

Indeed, the reverse is true. When both direct and indirect labor requirements are considered—that is, the labor directly occupied in export and import-competing industries, and also the labor required to produce intermediate goods which support these industries—it turns out that our exported goods are actually more labor-intensive than our domestically produced goods which compete with imports.

But foreign trade, like all economic change, does cause real problems for certain individuals. Recognition that open and balanced trade helps the nation as a whole is no solace to the worker who does his job, or the firm which goes bankrupt, as a result of imports. We must have a clear and effective policy approach to deal with such problems.

Our economy must grow rapidly, to achieve full employment and induce rapid rises in productivity. We must effectively check inflation, to stay competitive both at home and abroad.

We must receive fair treatment in international trade from other countries. We must negotiate better rules and procedure to govern the international monetary and trading systems.

NEED FOR AID TO THE VICTIMS

In addition, however, we must have an effective program which will provide assistance to those industries, firms and especially workers, injured by imports. Such an "adjustment assistance" program was adopted by the Congress in principle in 1962. But it has been ineffective in practice due to a combination of excessively tight legislative requirements, excessively tight legal interpretations of those requirements—indeed, a failure on all our parts to attract sufficient priority to this very economic but also very human problem.

An interagency group is hard at work devising a better adjustment assistance program. Access to adjustment help must be greatly eased. Assistance must become available much more quickly to those who need it; "early warning" must apply in this context as well. It must receive the highest priority from both the administration and the Congress.

In a sense, Americans need the stimulus of trade and international competition even more than most people. For us, expansion, innovation and competition have always been a way of life and we have benefited greatly from our willingness to compete on equal terms with all comers, anywhere in the world. Frederick Jackson Turner, the historian, wrote that Americans need an outlet for their energies. He saw the closing of the frontier as a crucial turning point for this society which had until the early part of this century given itself wholly to the great task of settling a continent.

In many ways we see evidence today of the wisdom of Turner's assessment. Increasingly, the dynamism of our society is giving way to lassitude and a certain purposeless time-serving which not only harms us economically, but does great social harm as well. Given this situation, can we sanction a bill which would restrict our freedom of economic expansion still further, that would freeze us into a pattern of protection and economic reaction?

This is an excerpt from a speech given recently by Secretary Peterson before the convention of the American Retail Federation here.

CUTBACKS BY NIXON ADMINISTRATION IN HIGHWAY FUNDS APPROPRIATED FOR NEVADA

Mr. CANNON. Mr. President, a startling bit of news concerning Nevada's

highway construction program has prompted me to again point out how unauthorized budget cutters in the Office of Management and Budget are drastically altering the intent of Congress.

The Governor of Nevada has informed me the State will receive only about 75 percent of the \$31.6 million in highway funds authorized for fiscal 1973. This means that although Congress, acting under its constitutional powers, saw fit to provide Nevada with \$31.6 million for road construction, the Nixon administration, acting under nothing more than gall, decided that \$23.4 million was enough.

Not only has the OMB drastically cut available funds; it has also dictated methods of allocating them that will mean millions more cannot be used. Under a new quarterly control system, the State would have to carry over funds from quarter to quarter to use them all. Unfortunately, this is tantamount to kissing the money goodbye, because, as the Governor says, OMB is in the habit of confiscating unobligated monthly balances.

Although this particular problem affects only Nevada, its implications reach every one of us here and in the House. If the dictates of Congress can be blithely ignored by the self-appointed money managers of this administration, what are we doing here? With the President launching invasions in Cambodia, signing arms agreements in Russia, and altering legislation here at home—all without consulting Congress—I fear we might soon become obsolete.

I repeat my call made a few weeks ago for all Senators to support the Senator from West Virginia (Mr. RANDOLPH) and the members of his Public Works Committee in their efforts to make the pending Federal-Aid Highway Act inviolate against administration raids. I also ask unanimous consent that the letter from the Governor of Nevada be printed in the RECORD.

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

THE STATE OF NEVADA,
Carson City, Nev., May 18, 1972.

Hon. HOWARD W. CANNON,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SENATOR CANNON: The financing of our highway program is now reaching a state of chaos.

The Nevada State Highway Department recently received an Instructional Memorandum (copy attached) from the Federal Highway Administration which indicates that Nevada will receive only \$23.4 million of the \$31.6 million appropriation made by Congress for fiscal year 1973. With Nevada's present economy, we simply cannot absorb a blow of this magnitude.

This is a continuation of the diversion tactics we have experienced over the past several years. I will not justify this tactic by calling it an "impoundment" for the funds have not been impounded, but have actually been diverted for other uses which were not the intent of Congress.

The reduction in funds is bad enough. To make matters worse, the IM indicates that a quarterly control will be continued and an additional control by road system will apparently be initiated. Considering the size and magnitude of current projects, The Depart-

ment cannot function under these restrictions. Under a quarterly control by system, the State would only be able to obligate the following amounts:

\$1.05 million per quarter for the Primary System

\$0.8 million per quarter for the Secondary System

\$3.45 million per quarter for the Interstate System.

This would force the Department to carry funds over from quarter to quarter. Judging by what has happened in the past, when OMB has confiscated unobligated quarterly balances, I am, frankly, very dubious of attempting to develop any quarterly carry-over.

There are two other points of interest I wish to bring to your attention:

1. At the rate now proposed for the Interstate program, we could anticipate completion of the system in about July, 1985 or 13 years from now. This indicates that, time-wise, we are now just slightly over half finished with the Interstate System.

2. In 1956 we received approximately \$7 million annually for the ABC system. For these same systems we are now receiving \$8.5 million annually. Due to inflation, improved design and safety requirements, relocation assistance, etc. our purchasing power has been reduced to about 50 percent of its 1956 value. This isn't including the added costs involved in the administration of extra hearings, equal employment opportunity programs, on-the-job safety requirements, increased planning involvement and so forth.

It is my feeling that the time has arrived for Congress to challenge the authority of the Office of Management and Budget to manipulate the Highway Trust Fund to meet their own goals. This agency has apparently assumed the authority to develop their own program within the limits established by Congress. It is this premise that should be challenged, and if necessary, clarified by legislation.

I feel that we have now reached a point where we should seriously consider asking Congress to discontinue the collection of Federal revenue taxes that accrue to the Highway Trust Fund. It would seem appropriate that we only collect those revenues necessary to complete the Interstate System. This would allow the States to increase their State tax revenue equal to the Federal reduction. This revenue could then be applied to their own particular problems. Upon completion of the Interstate System, these revenues would also become available for collection and distribution within each individual State. I do not feel that this would be the best course of action, for I do agree that the national highway system requires national coordination and involvement.

However, with the current control and cutback of funds, there seems to be no other recourse available to get the program flexibility so desperately needed to keep pace with our State's transportation needs.

I earnestly request your vigorous support in assuring that the intentions of Congress for the Trust Fund are strictly complied with and to suppress the effective legislative control the OMB has been allowed to exercise in the past several years.

In closing, I am sure that you are aware of our feelings regarding the President's proposal for reorganization. Our understanding at the present time is that H.R. 6962 has been reported out to the House. I cannot express too strongly our opposition to this bill and its intended purpose.

I also request your active opposition to the entire reorganization proposal.

Warmest personal regards.

Sincerely,

MIKE O'CALLAGHAN,
Governor of Nevada.

SENATOR SCOTT SUPPORTS EDUCATION

Mr. SCHWEIKER. Mr. President, the future welfare of the Nation depends to a large extent on the education its young people are receiving today. The senior Senator from Pennsylvania (Mr. SCOTT) has been a strong and consistent supporter of the Federal commitment to education. He has shown a particular concern for students attending nonpublic schools, in light of Supreme Court decisions overturning certain Pennsylvania laws, and has called for the adoption of limited tax credits to allow the continued existence of private education. The Senator has also urged a continued high level of Federal funding for elementary, secondary, and higher education programs.

I ask unanimous consent to place in the RECORD a statement of Senator SCOTT's efforts to aid education.

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

92D CONGRESS—LEGISLATION

S. 434—To establish a National Institute of Education.

S. 1062—To establish a National Foundation for Higher Education.

S. 1290—To provide for continuation of programs authorized under the Economic Opportunity Act.

S. 1669—To strengthen education by providing a share of the revenues of the United States to the States and to local educational agencies for the purpose of assisting them in carrying out education programs reflecting areas of national concern.

S. 2153—To establish a National Historical Museum Park, to designate the study center authorized under section 2(a) of the act of August 30, 1961, as the Dwight D. Eisenhower Institute for Historical Research.

S. 2860—To amend the Internal Revenue Code of 1954 to allow a deferment of income taxes to individuals for certain higher education expenses.

S.J. Res. 34—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.

S.J. Res. 199—To recognize Thomas Jefferson University, Philadelphia, Pennsylvania, as the first university in the U.S. to bear the full name of the third President of the U.S. Amdt. 55 to S. 1557 Financial Assistance to Local Educational Agencies. To provide financial assistance to local educational agencies in order to establish equal educational opportunities for all children.

VOTES

Voted for financial assistance to better provide local educational opportunities for all children.

Voted for the Emergency School Aid and Quality Integrated Education Act of 1971.

Voted for increased education appropriations for fiscal year 1972.

Voted for the Education Amendments of 1971.

Recorded in favor of the Indian Education Act of 1971.

91ST CONGRESS: LEGISLATION

S. 1788—To assist in removing financial barriers to the acquisition of a post-secondary education by all those capable of benefiting.

S. 2422—That the Secretary of HEW shall prescribe maximum rate of interest allowed for student loans.

S. 2579—To authorize Commissioner of

Education to make Vocational Education Opportunity Grants.

S. 3418—To amend the Public Health Services Act to provide for the making of grants to medical schools and hospitals to assist them in establishing special departments and programs in the field of family practice.

S. 3531—To establish a National Institute of Education.

S. 3850—To provide for emergency assistance to the Nation's medical and dental schools.

S. 4104—School Breakfast Act of 1970—To amend the Child Nutrition Act of 1966 to strengthen and improve the school breakfast program for children carried out under such act.

S.J. Res. 192—Proposing a Constitutional amendment to permit voluntary prayer in public buildings and public schools.

VOTES

Voted for the Insured Student Loan Emergency Amendments of 1969.

Voted to increase school aid for federally impacted areas by \$60 million.

Voted to increase funds for Teacher Corps to \$40,800,000.

Voted to increase by \$47.9 million funds for student loan programs and \$28,050,000 in construction funds for institutions of higher education other than public community colleges and technical institutions.

Voted to provide \$53,680,000 in impacted aid for children living in low-rent public housing projects.

Voted for Drug Abuse Education Act of 1970.

Voted to make public schoolchildren from households of four persons, the annual income of which is \$4,000 or less, eligible for free lunches.

Voted for school lunch and nutrition amendments.

Voted for amendment to increase from \$50 to \$100 million funds for Neighborhood Youth Corps summer programs to be available until September 30, 1970.

Voted to add \$59 million for Project Headstart bringing the appropriation to the authorized level.

89TH CONGRESS: LEGISLATION

S. 2871—To broaden and expand food service programs for children under the National School Lunch Act.

S. 1033—To provide assistance to States for development and construction of comprehensive community colleges.

VOTES

Voted to extend for 2 years: (1) the school disaster program, (2) authorization for school construction in federally impacted areas, and (3) the coverage of the Elementary and Secondary Education Act of 1965 for children attending Department of Defense schools and Indian children.

Voted to increase by \$14.9 million funds for the Teacher Corps.

Voted for the Higher Education amendments of 1968.

Voted to authorize \$50 million for Fiscal Year 1969 and 1970 for school lunch programs.

Voted for the Vocational Educational Amendments of 1968.

Voted to increase by \$10 million funds for the school dropout prevention program under the Elementary and Secondary Education Act.

89TH CONGRESS: LEGISLATION

S. 2067—To increase educational assistance allowances to war orphans.

S. 2778—To provide financial assistance for the education of orphans and other children lacking parental support.

S. 2921—To provide a special school milk program for children.

S. 3405—To provide for sharing of Federal tax receipts with States for purposes of education.

VOTES

Voted to liberalize the formula providing financial assistance to local school agencies for children of low-income families.

Voted for the Elementary and Secondary Education Act of 1965.

Voted for the Higher Education Act of 1965.

Voted to improve \$5.2 million for matching grants to the States for community development training programs.

Voted to propose a Constitutional amendment to allow voluntary prayer in public schools.

Voted for the Elementary and Secondary Education Amendments of 1966.

88TH CONGRESS: LEGISLATION

S. 259—To allow income tax deduction for certain amounts spent in providing a higher education for self, wife, dependents.

S. 1316—To establish a National Council on the Arts and a National Arts Foundation.

VOTES

Voted *not* to reduce vocational education authorizations and *not* to eliminate programs for residential vocational schools and work-study grants.

Voted for the National Defense Education Act.

Voted to allow church-owned, operated or controlled colleges and universities to be eligible for Federal loans and grants.

Voted for the Higher Education Facilities Act of 1963.

87TH CONGRESS: LEGISLATION

S. 3477—To provide program to assist States in general university extension education.

S.J. Res. 205—To propose amendment to U.S. Constitution permitting offering of prayer in public schools.

VOTES

Voted to expand the utilization of television transmission facilities in our public schools and colleges, and in adult training programs.

Voted to withhold authorized funds from any State or school because of segregation.

Voted for the Mutual Education and Cultural Exchange Act of 1961.

86TH CONGRESS: LEGISLATION

S. 924—To establish for educational purposes, priority in award of television channels.

S. 1016—To provide for a 5-year program of assistance to school districts in meeting debt service on loans for construction of urgently needed elementary or secondary public school facilities.

VOTES

Voted to authorize funds to pay principal and interest annually coming due on school construction obligations in the aggregate principal of \$4 billion and allocating for each of the next 4 years \$1 billion for school purposes.

Voted to increase authorized appropriations to \$15 per school-age child.

Voted to authorize allocation of up to \$600 million for school construction in each of the next 5 fiscal years.

ADDRESS BY SENATOR KENNEDY BEFORE KENTUCKY BAR ASSOCIATION

Mr. COOPER. Mr. President, on May 24, the distinguished Senator from Massachusetts (Mr. KENNEDY) delivered an address to the annual convention of the Kentucky Bar Association. I ask unanimous consent that his speech, which addresses the problem of bringing the North and South together on national issues, be printed in the RECORD at the conclusion of my remarks.

His theme, an appeal to unity in our country, is treated with reason and compassion. His speech ends with a note of optimism, asserting that we can build the kind of society which we all want. His closing words, I believe, deserve consideration:

America was built, Kentucky was built, by people who were poor in everything but hope and human spirit, by people who had a deep and lasting dedication to working for what they knew was right. That's the way it was before, and that's the way it can be again. North and South can move ahead together, if only we have the wisdom and inspiration to carry out the goals and dreams we share with all the people.

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

ADDRESS OF SENATOR EDWARD M. KENNEDY TO THE ANNUAL CONVENTION OF THE KENTUCKY BAR ASSOCIATION

I am pleased and honored to be here with you this evening and to have the opportunity to address this annual convention of the Kentucky Bar Association.

Flying into Louisville this afternoon, seeing again the beautiful mountains and the magnificent rolling hills of Kentucky, it is easy to recall the famous lines of the Kentucky Irish poet James Mulligan, as he wrote many decades ago:

"The moonlight falls the softest, In Kentucky

The summer days come ofttest, In Kentucky . . .

The bluegrass waves the bluest . . .

The songbirds are the sweetest . . .

The thoroughbreds are fleetest . . .

The landscape is the grandest,

And the politics the damndest, In Kentucky."

Coming here tonight, it is also easy to recall the dramatic role that the people of Kentucky and their great leaders have played in the history of our nation.

Over the years, men of Kentucky and men of Massachusetts have often worked together. Indeed, one of the greatest moments in American history came more than a century and a quarter ago, when Henry Clay of Kentucky and Daniel Webster of Massachusetts stood together on the Senate floor in Washington, in a noble effort to preserve the Union.

Together, they forged the famous Compromise of 1850. Together, they stemmed the threatening tide of Civil War for a decade, longer than almost anyone, North or South, had thought humanly possible in that desperate period of darkening national crisis in 1850.

A century later, when President Kennedy was a member of the Senate, he served on a committee charged with the responsibility of selecting the five outstanding Senators in the history of the country. Their first and unanimous choice was Henry Clay of Kentucky, for the vision he had held of a strong and national Union, and for the power and wisdom he had used so well in helping to preserve it.

In recent years, the story has been the same. The people of Kentucky have always had distinguished leaders to carry on the proud tradition of your past.

You gave the nation one of our outstanding Vice Presidents in Alben Barkley, and one of its outstanding Chief Justices in Fred M. Vinson.

In my own years in Congress, there is no Senator for whom I have had higher affection or respect than John Sherman Cooper. For twenty years, he has served the nation and the people of Kentucky well, and his retirement this year means a heavy loss for all of us in Washington, whatever our state or political affiliation.

In addition, I am proud to serve in Congress with so many other fine Kentucky leaders. Marlow Cook and I have worked together on the Judiciary Committee in the Senate, and we have many common interests in areas of direct concern to the Kentucky Bar Association and other Bar Associations throughout the country.

The other Senate Committee on which I serve is the Labor Committee. There, I come in frequent contact with Carl Perkins who is one of the most able and effective committee chairmen in the House, a man responsible for the continuing flow of some of the most vital and effective social legislation Congress has ever passed.

I also have great respect for the work of your fine young Congressman from Louisville, Ron Mazzoli, who has compiled a distinguished record as one of the most effective freshman members of the House. I'm especially honored to have the opportunity to visit Louisville again myself, and to join you at this centennial convention of the Kentucky Bar Association.

Under the able leadership of President O'Hara and men like Mike Mills, the past year has been one of important progress and accomplishments on many local fronts. The new client's indemnity fund, and the development of the first prepaid legal insurance program, are but some of the important signs of success and growth you have achieved. I know that President-elect Rumsfeld will build on this fine record, and keep the Association at the forefront of the movement for change and progress and a decent life for all the people of the Commonwealth.

As lawyers, we share many common bonds. We have a long and fine tradition of service at every level of government—national, state, and local. One of the most distinguished members of your Association, Jim Wine, was picked by President Kennedy to serve as one of his most effective Ambassadors.

As lawyers, more than any other group in our society, we have it within our power to create the change we know must come. I come to Louisville tonight, believing deeply that what happens in the cities and communities of Kentucky is of enduring importance to our nation.

The state that gave Abraham Lincoln to the Union is also a state that proudly shares in many of the most enduring customs and enlightened traditions of the South.

And so today, as perhaps never before in your history, there are opportunities for innovation and leadership here. Kentucky can be a bridge between North and South, a model for progress in every corner of the nation. Perhaps no other state in America today has the heritage and capacity to build a bridge like that to our common future.

Coming to Kentucky this evening, I do not pretend to any special knowledge of this region, and I do not come as an expert on developments in the modern South that are now so widely discussed across the nation. But I have had the chance to work in Washington with many distinguished leaders from Kentucky and from the Southern States, and I have learned that there are many things the South can teach the North, if only we will listen.

It is not an easy thing to say, coming as I do from a Northern State that has always had great pride in its leadership on race and many other areas. But I believe that if we are honest with ourselves in the America of 1972, we must be filled with pessimism over some of the directions the North may take, and we must look South to see the really hopeful steps.

In many parts of the Border Region and the Southern States, you have actually reached a point where you are moving past the North on the passionate issue of race. It is as though, by some new and cruel arithmetic, prejudice is declining in the

South while resentment rises in the North.

The real tragedy for the nation in the Seventies would be for the North to repeat the racial agony of the South in the Fifties and Sixties. And it would be a double tragedy, because it would all be so unnecessary.

If Yankee ingenuity means anything, it means the ability to learn from history, from experience of others with problems like our own. And so it would take a peculiar blindness for us in the North to stumble into the sort of obsession with race that the South seems now to be leaving behind, thanks to the vision of your wisest leaders.

And race is not the only issue on which the South has something to offer. It doesn't take much travel around America, listening to the people, to realize that basic things are wrong with the nation in areas like inflation and unemployment, health and education, crime and poverty, transportation and pollution. These are issues that cut across all social and geographic lines. They affect North and South alike.

That is why President Kennedy liked to come to Kentucky. He liked to walk among the people, to visit them in their homes and farms, to hear about their problems, to learn about their dreams and aspirations. As today, he found that people everywhere are restless for change, and they are willing, as never before, to take leadership where they find it.

A few days ago, in thinking about these questions and about what I would say here in Louisville tonight, I took the opportunity to look through the Inaugural Addresses and other speeches of the new Governors of the Southern and Border States. And I find that who they are and what they are saying and doing offer some of the clearest and most hopeful signs anywhere in the nation that we can really solve the common problems we face.

Here in Kentucky, the election campaign by Wendell Ford last year was an inspiration to the nation. At the State Capitol on Inauguration Day last December, he spoke of his compassion and concern for all the people of Kentucky, old and young, black and white, rich and poor.

"The test of a man in public life," he said, in words that I would make my own, "is not how well he campaigns. Rather, it is how effectively he meets the challenges and responsibilities of office."

"Man has gone from ox-carts to moon-buggies because of his determination."

"The gauging of government is not how popular it is with the powerful and the privileged few, but how honestly and fairly it deals with the many who depend upon it, whose lives are controlled by it."

"The only reason for the existence of government at any level," he said, "is to serve the people."

That's the sort of Administration we ought to have in Washington and every other state. Thanks to the effective leadership of men like Governor Ford, Kentucky is making progress today on a variety of important State and local issues. The General Assembly has already redeemed the Governor's pledge to bring a greater measure of tax justice to the people. Already, you have begun the task of government reorganization, in order to bring government closer to the people.

It is not my purpose in coming here tonight to debate such issues. But I do admire the spirit of a State with vigorous leadership, as it boldly tests itself on so many major areas of importance to the people.

And it's not just Kentucky where events like this are happening. At many other State Inaugurations in the past two years, Governors like Holton of Virginia and Askew of Florida, Bumpers of Arkansas and West of South Carolina, have sounded the call for a progressive attitude on race, and have gone

on to other urgent and pressing problems like those you face in Kentucky.

It isn't any accident that State Houses in this region are filling up with new and moderate young leaders. From Frankfort to Tallahassee, from Richmond to Jackson, from Columbia to Atlanta, the South is helping to lead the attack on our most important social problems.

And it isn't only the new Governors. Courageous urban mayors, men who have made their peace with race, are also marching to the drums of change out of the simple necessity of getting on with their city's sprawling problems. Indeed, this region is moving forward more rapidly today than at any time within my memory. It is far less reticent and insecure, and far more open to the possibilities of growth and new development than almost any other section of the country.

As you should, you bring a healthy skepticism to Northern models of development. That attitude does not mean the South is being defensive or parochial. It only means that you are more observant, that you are no longer swallowing the patent Yankee medicines, that you really hope to avoid the classic Northern errors of industrial blight and urban decay, the promiscuous proliferation of our motels and neon lights, and even our errors on human rights.

Perhaps, as the cynics say, the South today is no more "new" than any of the other New Souths that have been proclaimed so often since the Civil War. You know from past experience that dreams of peace and reconciliation are easily shattered when passions are aroused. You know from present experience that it is not easy to point with pride, when the Southern and Border States trail the nation in areas like infant mortality and health care, illiteracy and rural poverty, and regressive taxes on sales and property.

But you also know the feeling of satisfaction that progress always brings. You know the feeling of confidence and maturity that leadership bestows.

Today, you have men in public life who represent all the people, not just the special interests. You know the sort of opposition you have to overcome. You know that for their own narrow political or financial advantage, there are men in high places in Washington today who would like to see the South preoccupied with race, to the point where you are unable and unwilling to claim your rights in all the areas that really matter deeply, beginning with things like homes and health and schools and jobs.

But those who seek to inflame the passions of the people fail to understand the quiet forward revolution that is taking place in the South today. Time and again in recent years, events have shown that the people are ready to move ahead. All they ask is a man whose vision is clear enough to see the way, and who cares enough to try to lead them forward.

For the first time since Franklin Roosevelt, men and women are emerging in public life who understand the people's needs. The decent and ordinary people of America didn't make the world they live in, but they have the chance to change it. And they know that the only way for change to come is for them to get involved by electing leaders who truly represent their interests.

If in this new era we stand against the people, if we give them war instead of peace, if we stand with the oil industry against tax reform, with the insurance industry against health reform, with the auto industry against safe cars, with the highway lobby against urban transit, then we do not understand the direction of our country. We deny our heritage and our history.

To me, one of the most important areas in which North and South can work together is in the area of health reform. That is an area in which as lawyers and men and women in

private life, we share a common interest. It is an area which holds enormous promise for the American people, and I am pleased to know that one of the major sessions of this centennial convention was devoted to an important issue in health reform—the problem of medical malpractice, an area where there is a compelling need for doctors and lawyers to work much more closely together.

As a member of both the Judiciary Committee and the Health Committee in the Senate, I share your view of the need for action on this growing problem. Indeed, one of my major goals in the present Congress is to end the friction that has developed between medicine and law, and to restore cooperation between these two disciplines whose efforts are so important for the future well-being of our nation.

As you know, America is engaged today in a growing national debate on health reform. Together in the Senate, John Sherman Cooper and I support a comprehensive proposal for national health insurance. In Kentucky, we have the strong support of Stanley Chauvin, the President of the Louisville Bar Association, and Dr. Harvey Sloan, of the Kentucky Public Health Association.

Our proposal is called the Health Security Act, and I believe that it contains the best answers that have been developed so far to end the health care crisis.

The Health Security Program I favor is grounded in a handful of vital principles that, I hope, will form the foundation of any legislation Congress passes. Those principles are simply stated, and I would like to share them here with you.

I want a health care system that is not just an expensive privilege for the few. We lead world in Nobel Prizes for medicine and research, but we are winning no Nobel Prizes for our ability to translate the promise of the laboratory into the reality of decent health care for all the people.

I want a health care system where you can call a doctor and not get just an answering service. When they rush you to the hospital in an emergency, I want them to meet you at the door and ask how sick you are, not just how much health insurance you have.

I want every man, woman and child in America to be covered at any time and for any illness by health insurance, available at a price he can afford to pay. No American should lose his health insurance because he lost his job. No American should be hounded by bill collectors to pay the cost of sickness. No American should have the tragedy of serious illness compounded by the tragedy of bankruptcy or serious financial burden.

I want every American to receive the same high quality of health care that anyone else receives. I want to provide decent care in the South End and West End of Louisville as they have today in the East End of the city. No American should be given second class health care because he is old or poor or black.

I want a system that pays doctors and hospitals to keep the people healthy, instead of a system whose profits depend on illness.

I want a health care system that has enough doctors and facilities to meet the need. I want a system that encourages doctors to practice their profession in every community in America, not just in the high rise office buildings on Park Avenue or in Beverly Hills.

Those are the principles of the Health Security Act.

Not everyone agrees with them today. The A.M.A. does not agree. The Jefferson County Medical Society does not yet agree. The health insurance industry does not agree.

But I think that you and I and millions of ordinary men and women across the nation do agree. The opposing forces arrayed

against us are powerful and organized, but I do not believe they have the strength to resist the overwhelming tide of the people's need for change. Perhaps we will not win the reform we want this year, but in the end the people will not be denied. Together, I am confident that we shall prevail, and succeed in bringing decent health care to all our citizens.

As a member of both the Judiciary Committee the same strong need for change and innovation exists in the area of medical malpractice—an area that you have analyzed so effectively in your seminar yesterday and in the other proceedings of this convention.

The time has come when we can no longer afford to ignore the soaring burden that the problem of malpractice now imposes on doctors and hospitals throughout the nation.

When every new young graduate of every medical school calls his lawyer and insurance agent before he frames his medical diploma, you know something's wrong.

When doctors pay more each year for malpractice insurance than they pay for secretaries and office space, you know that something's wrong.

When every doctor begins to see his next appointment as a lawsuit and not a patient, you know that something's wrong.

When every doctor and hospital imposes painful and unnecessary treatments on their patients, or perhaps worse, refuses to give tests or procedures that might be of substantial benefit, simply because such actions will stand up better against a million dollar suit in court, you know that something's wrong.

We know the problem has been compounded by the enormous advances in medicine in recent years. But as lawyers, we also have to share the blame. The soaring costs of litigation and attorney fees have made the problem worse.

We have to find a better way to protect the patients when things go wrong in modern medicine. We have to find a better way to guarantee the quality of care. We have to find a better way to eliminate the incompetence of the very few, without distorting the professional standards of the entire profession of medicine, and without penalizing the hundreds of thousands of dedicated American physicians who are capable of providing the finest care available anywhere in the world, if only we will give them the opportunity.

We know the doctors do not benefit from the present system of litigation. We know the angry passions that have been aroused. We know the patients do not really benefit, when only ten or twenty cents out of every dollar in malpractice awards is all that ever filters down to even the most successful claimants.

Indeed, it is fair to say, the only ones who really stand to benefit from the present system are we, the lawyers. And we as lawyers have no right to enjoy such spoils, when our efforts are contributing so much to the gross distortion of the livelihood and practice of our professional colleagues in the field of medicine.

That is why I am pleased to learn of the progress you have made in dealing with this problem in Kentucky, and the effective way in which you have aired the question at this convention.

One of the most important aspects of the health legislation I have sponsored in the Senate would provide for arbitration of medical malpractice claims, and would establish a National Commission for Quality Health Care.

The arbitration procedure I envisage would be similar in many respects to the Screening Committee for Medical Malpractice discussed in your symposium. The Commission I have proposed would be an independent government agency, created especially to monitor health care systems and to develop new ap-

proaches to determining the quality of care. Under the system I favor, the parties would be free to choose the sort of procedures involving experts as well as laymen, in the manner they deem most suitable for deciding particular medical and legal issues in their community.

For too long, for want of imagination and a little professional cooperation, we have allowed a situation to develop that has helped to worsen the nation's health care crisis. Now, thanks to the leadership of organizations like your own, we are beginning to awaken to the magnitude of the problem, and I am confident that the States and Congress will respond. Together, we can cross the threshold into a new age of health care for North and South alike.

In many respects, that's why it is on all the other great challenges we face. We can build the kind of society we want, the kind President Kennedy worked for, the kind Robert Kennedy dreamed of when he asked us to seek a newer world.

We can end the war and bring our economy back to health. We can rebuild our cities and educate our children. We can preserve our environment and end the blight of crime. We can do all the other things we have to do to safeguard the future of our nation.

America was built, Kentucky was built, by people who were poor in everything but hope and human spirit, by people who had a deep and lasting dedication to working for what they knew was right. That's the way it was before, and that's the way it can be again. North and South can move ahead together, if only we have the wisdom and inspiration to carry out the goals and dreams we share with all the people.

WHY A CONSUMER PROTECTION AGENCY IS NEEDED

Mr. PERCY. Mr. President, recent experiences confirm that the regulatory agencies we have set up to protect the consumer—particularly in the most important area of health and safety—require a shot in the arm.

For example, I was disturbed to learn last December of a secret agreement in August 1971, between Food and Drug Administration officials and particular suppliers of leaded Christmas tree tinsel. FDA seems to have dealt away its obligation to inform the public of the hazard in return for the manufacturer's promise to discontinue manufacturing the leaded tinsel after Christmas 1971, and discontinue sales of the tinsel after Christmas 1972—that is, next December. One would have thought that the tragic deaths of so many infants in this country from eating paint containing lead would have been sufficient basis for the FDA to put a halt on the sale of leaded tinsel. But in the absence of full consideration of the consumer interest, FDA officials apparently saw it otherwise. Fortunately, however, the indiscretion was brought to the attention of the public through the outcries of Congressman JOHN MOSS, my own colleague, Senator JOSEPH MONTROYA, and a concerned news media. Now, as a result of my raising the issue again, directly with FDA Commissioner Charles Edwards upon his appearance before the Subcommittee on Executive Reorganization in connection with legislation to create a new safety agency, he has assured me by letter dated May 30, 1972, that appropriate measures are being taken to keep leaded Christmas tree tin-

sel from being sold in this country in the future. Commissioner Edwards says:

We have checked all known lead tinsel manufacturers and have been advised that there are no stocks available for retail distribution in this country. We have also contacted the firm that supplies uncut lead tinsel sheets and have been informed that no sales were made this year to domestic firms, and only about 20,000 pounds to Canada and Mexico. We will monitor the distribution channels to insure that no lead tinsel finds its way into the retail pipelines between now and Christmas 1973.

I was disturbed to read 3 months back that almost 1,250,000 chickens tainted with PCB—polychlorinated biphenyls—a DDT-like industrial chemical linked with skin irritation in humans—had been destroyed in Maine after discovery was made by Agriculture Department officials. Who, among the responsible Federal inspection officials, was sleeping on the job to have permitted so many chickens to have become contaminated without earlier discovery? This disclosure followed on the heels of a General Accounting Office report to Congress sharply criticizing the Department's inspection of poultry plants and citing such unsanitary conditions as:

Filthy and debris-strewn floors;

Greasy conveyor motors and rollers congested with fecal material, feathers, and dirt;

Dusty, cobwebbed ceilings and green algae on the walls of coolers; and

Rusty, dirty equipment, with heavy blood accumulations from previous slaughter.

I was shocked to learn that the chairman of the board of one of the largest crib firms in the country—upon being informed that the space between the bars of a wooden cradle he manufactured exceeded safety limits concurred in by experts, including the National Commission on Product Safety—cavalierly responded, "So what?," adding that he did not "have to justify anything." That brand of crib, and others exhibiting the same hazard, is still on the market while the Food and Drug Administration, which has jurisdiction, stands idly by.

I am appalled that, although Congress amended the Flammable Fabrics Act in 1967 to provide for more stringent standards for wearing apparel, standards for flame-retardant infant sleepwear were not announced by the Commerce Department until last year—4 years after enactment of the law—and these are not scheduled to take effect until mid-1973. Meanwhile, we are faced with an estimated annual toll of 175,000 clothing burn injuries and 4,000 deaths.

It was further distressing to learn recently of wholesale fraud and corruption in the operation of mortgage insurance housing programs in cities across the country occurring literally under the noses of Federal Housing Administration officials. Particularly in the area of section 235 home ownership programs and section 236 rental and cooperative housing programs, agency officials ignored unscrupulous operators and fast-buck artists who were bilking low-income families and defrauding the public treasury.

And, finally, I was astonished to receive from the Government Accounting Office 2 months ago a report which documented that the Division of Biologics Standards—DBS—in the National Institutes of Health was guilty of a callous disregard for public health and safety in permitting the sale of ineffective and potentially hazardous flu vaccines to the public. From 1966 through 1968, DBS indiscriminately approved subpotent dosages of influenza vaccine and thereby subjected Americans to more than 60 million doses of what may have been worthless prevention, or worse. The agency failed to turn down a single lot of flu vaccine, even though some contained as little as 1 percent of the required strength. Of 221 lots released during the period, 130 did not meet standards established by the agency itself. Inasmuch as the side effects of these inoculations—including extreme fever, rash, incapacitating diarrhea, and cramps—can be severe, I suspect that for thousands, if not millions, of Americans, their attempts to protect themselves from illness were actually much more harmful than no protection at all. The DBS blunder illustrates that the American public has been deceived into believing that, because an agency of the Federal Government has been set up to afford protection, the public is indeed being protected. But the tragic truth is: that just is not so.

We cannot be satisfied with predicting more of the same, and then retiring to the sidelines to bemoan its occurrence nor take satisfaction in the accuracy of our predictions.

Simply plying more money into existing agencies, or providing more staff, has proven over and over again to be an unsatisfactory and unproductive effort.

On reading daily accounts such as these, and based on the overwhelming evidence compiled in 3 years of hearings before the Subcommittee on Executive Reorganization documenting bureaucratic lassitude, unconcern, and neglect so far as consumer interests are concerned, I can only conclude that an independent watchdog agency is necessary to change things around.

The Subcommittee on Executive Reorganization today, after extensive discussion, approved by bipartisan 7 to 0 vote and reported to the full Government Operations Committee on which I am the ranking minority member, a revised version of S. 1177. The new measure reflects literally months of intensive effort by Senators RUBINOFF, JAVITS, and myself, and the staff of the Executive Reorganization Subcommittee, to improve the original version, to clarify it, and to make sure that there would be no undue interference with legitimate business interests nor the orderly processes of Government. This draft refines and perfects the bill that passed the Senate in December 1970, by a margin of 74 to 4. At that time companion legislation was reported out of the House Government Operations Committee but was stalled in the last-minute legislative rush in the House Rules Committee.

The draft borrows from some of the best aspects of H.R. 10835, which was

approved by the House in this session of Congress in October 1971, by a vote of 344 to 44, but it also benefits from the rather heated, and frequently confused, debate on the House floor over just what the measure was intended to cover.

The Nixon administration supports, and just yesterday reiterated to me its support of the concept of an independent agency to represent the interests of consumers in proceedings before Federal agencies and courts.

I look forward to prompt action by the full Government Operations Committee, notwithstanding an intensive lobbying campaign by some to stall, cripple, or kill the measure in this Congress.

Mr. President, I ask unanimous consent to insert in the RECORD at this point the full text of the helpful letter from Commissioner Edwards to me relating to leaded tinsel, together with a perceptive front-page article written by Robert Hey entitled "Consumers to Get a Watchdog?" appearing in the Christian Science Monitor of May 27, 1972. Inasmuch as the article was written prior to the circulation of the subcommittee print of S. 1177, it contains some inferences which are not reflected in the actual language of the bill. I also request that an excellent piece appearing in yesterday's Washington Post by Morton Mintz—assisted by John Thorner—and entitled "Hill Panel to Act on Independent Consumer Body" also be reprinted.

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

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Rockville, Md., May 30, 1972.

HON. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PERCY: During the course of the recent hearing of the Subcommittee on Executive Reorganization, on the subject of consumer safety legislation, you inquired about the activities of the Food and Drug Administration relating to lead icicles sold for Christmas decoration. I noted that, although we did not have medical or other technical data upon which to base a banning order, we had taken certain actions to promote the voluntary removal of this product from the marketplace.

In order that you may be fully informed, I am providing additional information on this subject.

As of Christmas 1971, all domestic lead tinsel manufacturers stopped production of lead tinsel. At the close of each Christmas season, supplies in retail channels are closed out of inventories at a reduced price as is the usual custom. Lead tinsel's bulky packaging and low cost make it uneconomical to hold quantities in retail inventory from one year to the next. Therefore, our concern is with the inventories that might be available in the various manufacturers' warehouses.

We have checked all known lead tinsel manufacturers and have been advised that there are no stocks available for retail distribution in this country. We have also contacted the firm that supplies uncut lead tinsel sheets and have been informed that no sales were made this year to domestic firms, and only about 20,000 pounds to Canada and Mexico. We will monitor the distribution channels to insure that no lead tinsel finds its way into the retail pipelines between now and Christmas 1973.

If we can be of further assistance, please let us know.

Sincerely yours,

CHARLES C. EDWARDS, M.D.,
Commissioner of Food and Drugs.

CONSUMERS TO GET WATCHDOG?

(By Robert P. Hey)

WASHINGTON.—Would you like to have a powerful consumer advocate in the middle of the discussion the next time Interstate Commerce Commission officials sit down with big moving companies to discuss the way they move people like you?

Or the next time the Federal Trade Commission discuss what to do about deceptive advertising with the advertiser?

Or when the Department of Transportation and automakers argue over auto safety standards the department must set?

Loads of consumers would—and this year it appears that they might.

Consumer groups have fought to get, in effect, such a consumer ombudsman for consumers in high circles of government—and to admit him to negotiations while decisions are being made.

Now Congress appears willing to establish a broad consumer agency, able to be the consumer's ombudsman in the formal and informal dealings of government agencies that concern consumers.

After much tricky negotiation behind the scenes—not quite completed—the way seems prepared for congressional passage this year of an intensely important consumer bill. It would establish an independent consumer agency in the federal government.

It has been learned that in approximately two weeks the Senate government reorganization subcommittee is to approve a consumer agency bill, which would strengthen in important ways one approved last year by the House. Consumer groups had sought this strengthening; some industry groups had opposed it.

CONSULTATIONS HELD

Further, several sources in and out of Congress confirm that there have been numerous consultations among various faction members of Congress who hold varying points of view on the agency and with representatives of the White House.

The aim of the secret consultations, now in their final stages, is to ensure that the bill approved by the subcommittee will be palatable for all concerned—the White House, the House of Representatives, the subcommittee's parent Government Operations Committee.

Those involved in the consultations are trying valiantly to prevent discussions from becoming personal—clashes of personality—the flaw substantially responsible for congressional defeat of a similar measure in 1970. So far they have succeeded.

While a last-minute snag could always develop, it now appears that agreement from all concerned is about reached.

PROVISIONS SKETCHED

The agency that the bill proposes would:

Be empowered to represent consumers' interests during the formal and many informal little meetings of government officials, sometimes with industry representatives, which affect consumers. These take place almost constantly.

The new agency thus would be able to represent the interests of American consumers in court proceedings before courts and federal regulatory agencies.

Keep a public record of consumer complaints.

Initiate programs to inform consumers, test products, and investigate consumer complaints.

Highly important to consumer groups—the new agency would be wholly independent of the White House, and would be established by federal law. The present top consumer

representative in government is Mrs. Virginia H. Knauer, who as special assistant to the President is in a position established by the President, not by law.

Consumer groups have been critical of Mrs. Knauer on many issues. But more important, they say, is the concept that a government agency charged with representing consumers must be independent of all other government arms—including the White House—if it is to retain consumer confidence; and, some would add, if it is to be able to act independent of political pressure.

NIXON BACKS HOUSE MEASURE

President Nixon supported the measure passed by the House. Like the one expected to be approved by the Senate subcommittee, it established the Consumer Protection Agency, independent of the White House and of all other branches of the federal government.

But there were two important differences between the two bills.

The House bill says that the consumer agency would be empowered to participate in formal cases before government agencies in which consumer issues were at stake. The measure in the Senate subcommittee reads that the agency can participate also in informal meetings, such as those held so often between government agencies and industries or specific companies—meetings that frequently result in consent decisions or other government action.

Second, the House-approved version said that the proposed agency could intercede in procedures covered by the Administrative Procedure Act, i.e., rulemaking and formal kinds of government activities weren't mentioned.

OMISSIONS OR HAZINESS?

There was considerable question here whether these omissions in the House bill were intended specifically to exclude the consumer agency or whether the bill was not written clearly.

In any case, consumer groups wanted the bill clarified—and wanted to make certain that the agency could intervene broadly in any formal or informal government action involving consumers. Apparently they will be getting their way.

Yet even if the bill is passed by Congress this year and signed into law by the President, the effectiveness of the agency is not automatically assured.

Next year Congress would have to appropriate the money to run the agency. That's sometimes where the crunch comes in: Congress sets up a program or establishes an agency, then doesn't give it enough money to do its job.

Thus, consumer groups here remain wary. It will be important, they say, to be vigilant next year—to make certain that enough money is appropriated to give the prospective consumer agency a large enough staff to represent consumer interests effectively.

[From the Washington Post, June 12, 1972]

HILL PANEL TO ACT ON INDEPENDENT CONSUMER BODY

(By Morton Mintz)

A bill to establish an independent consumer protection agency, to advocate consumer interests before other federal agencies and the courts, comes before a Senate government operations subcommittee for action Tuesday after a widespread lobbying campaign to weaken or kill it.

Capitol Hill aides said that Washington representatives of about 150 major companies and trade associations set up a task force to draft weakening amendments but that other major companies—including General Motors, General Electric, Montgomery Ward and Sears, Roebuck—declined to join.

A subcommittee source named George W. Koch, president of the Grocery Manufactur-

ers of America, Inc., as one of the leaders of the task force.

An aide to a Republican senator said that one major effort of lobbyists opposing the bill is to try to have it referred to the Judiciary Committee, a majority of which tends to oppose consumer legislation.

Another tactic being urged on senators is an amendment to create not a consumer advocate who could intervene with federal administrative agencies and courts, but one with an amicus, or friend-of-the-court status—and then only in formal procedures.

The Nixon administration despite reported divisions among its advisers has backed a less stringent version of the legislation enacted last October by the House, 344 to 44.

As of yesterday, the Senate bill was expected by subcommittee sources to be reported with only minor changes, in good part because of strong support from the two senior Republicans, Sens. Jacob K. Javits of New York and Charles H. Percy of Illinois. The chief sponsor is subcommittee chairman Abraham A. Ribicoff (D-Conn.).

The bill would give the consumer protection unit no regulatory mission. Instead, the administrator would be empowered to intervene as a party to an agency proceeding if he decided that action was necessary in order to represent consumers adequately. He could also petition an agency to initiate a proceeding in behalf of consumers.

He could not intervene in state and local proceedings unless invited.

Two key provisions in the Senate bill—not included in the House bill, whose chief sponsor was Rep. Chet Holifield (D-Calif.)—have been special targets of lobbying efforts.

One gives the administrator the right to intervene in any proceeding involving a possible fine, penalty or forfeiture. He could participate, for example, in a proceeding of the National Highway Traffic Safety Administration intended to determine whether an auto manufacturer had complied with a safety standard.

The other provision empowers the administrator to participate—again as a right—in informal proceedings. At the safety administration, for example, he could participate in the current investigation of the road-handling characteristics of the 1960 through 1963 Chevrolet Corvairs.

The absence of these provisions in the Holifield bill led its original sponsor, Rep. Benjamin S. Rosenthal (D-N.Y.), to end up opposing it in its final form. Ralph Nader, also embittered, charged the House bill had been gutted.

The Grocery Manufacturers' Koch, in a statement to The Washington Post, said his group favors a consumer protection unit "created to assist, not attack, other federal agencies that are directly responsible for the protection of consumers. . . . We would favor the . . . initial role being something similar to that of an amicus curiae in court, without procedural power that could disrupt decision-making."

Both the Holifield and Ribicoff bills, Koch protested, would allow the unit "to intrude disruptively in the proceedings of federal agencies."

The lobbying campaign—much of it directed against the Holifield as well as the Ribicoff bill—has been not only extensive, but, in some ways unusual.

Last February, for example, the Consumer Federation of America, which represents almost 200 consumer groups at the state, regional and national levels, got hold of a 32-page "Business Responsiveness Kit" of undisclosed authorship. The kit calls the bill, "The most serious threat to free enterprise and orderly government ever to be proposed in government."

The kit suggests formation of a multi-business "central protest group" for each state, with emphasis on "being able to communicate on a personal basis with their U.S.

Senators," and lays out specific additional techniques of opposition.

"There is nothing in this action program that should cause embarrassment," the kit says. But because the program can be "most effective if it is based upon strengthening relationships between state and local businessmen and those government officials in Washington who represent them," the kit cautions, "it is urged that you guard against publicity of your actions that might go beyond those who share your concerns."

In March, in a Senate speech, Percy, a former member of the Illinois Chamber of Commerce, accused that organization having done a "disservice" by misrepresenting the Senate and House bills with "a blunderbuss blast" that stimulated some 2,000 letters of complaint to him alone. The chamber had attacked the legislation in a letter to 9,000 Illinois businessmen.

In April, a subcommittee Democrat, Sen. Lee Metcalf of Montana said in a speech in Helena that "a lot of companies" opposed to the Ribicoff bill had launched "a massive . . . pervasive and misleading campaign against it."

In a reference to a former Capitol Hill lobbyist for the Kennedy White House, Mike Manatos, and J. Edward Day, who was Mr. Kennedy's Postmaster General, Metcalf said, "I get visits from the old New Frontiersmen who have been hired to help kill the bill or render it useless."

Metcalf also said that A. Miles Hughey, a Washington public relations man, had distributed material in Montana warning livestock raisers that one result of passage of the Ribicoff bill would be "eliminating drugs from animal feeds," and another would be, "meat and poultry plant inspection procedures will be investigated."

Hughey told a reporter that he always accompanied his materials with copies of the bill, but refused to identify his client. Asked if he would name other clients, he said, "I don't have any at this moment."

The director of government relations for General Mills, Graham T. T. Molitor, sent Ribicoff and Percy a copy of a letter to Catherine Bedell, chairman of the Tariff Commission, in which he sharply attacked the bill and said, "I would greatly appreciate comments from your legal counsel as to what Tariff Commission proceedings would be affected and how this proposal would affect future business relationships with the commission."

Mrs. Bedell told Washington Post researcher John Thorner that she has not replied to the letter, which was dated March 24. "We don't comment on policy impact or political impact," she added. She also said that Molitor "has a right" to send such a letter.

ADDRESS BY SENATOR SAXBE BEFORE ANNUAL CONVENTION OF OHIO AFL-CIO

Mr. KENNEDY. Mr. President, I invite attention to a speech given recently by the distinguished Senator from Ohio (Mr. SAXBE) at the annual convention of the Ohio AFL-CIO.

In his speech, Mr. SAXBE describes the state of health care in the Nation. He also comments on two major legislative proposals, the National Health Security Act and the Health Maintenance Resources Development Act. I commend the speech to the Senate as a valuable analysis of the American health care system and ask unanimous consent that it be printed in the RECORD.

Senator SAXBE has been a leading advocate of the Health Security Act. His

long-established concern, as well as his broad understanding of the intricate issues raised by the health care crisis, made his observations particularly relevant and significant.

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

AMERICAN HEALTH CARE SYSTEM

(Remarks of Senator WILLIAM B. SAXBE)

It is a pleasure to be here today and speak at the annual convention of the Ohio AFL-CIO. I am especially happy to have this opportunity to talk with you on a subject of real concern to me—the problems in our health care delivery system.

How can the wealthiest nation on earth permit a sizable segment of its society to go without any health care at all? Why is it that we can spend seventy or eighty billion dollars in one year alone on health costs and still have literally millions of people who can't find, or can't afford, basic medical care?

Why? Because of the delivery system through which Americans receive their health care. The system itself is inadequate, not the components. Most attacks on our system of medical care have not been on the quality of individual care, but on the collective performance of the entire health care system.

Take the availability of care—the fact that certain people in certain places simply cannot find a doctor. Whether this is due to poor geographic distribution of medical personnel or the over-specialization of physicians, is not the issue. The point is clear—some people in this country go without medical care—and that is intolerable.

Medical care is a basic right of the people—their right to life. It is wrong when a man's ability to obtain that medical care depends on his color or his ability to pay or where he lives or who he knows.

This problem of access is compounded by another—the escalating cost of health care. These costs have risen to such an extent that medical care has become a luxury, rather than a necessity. Some people, even with insurance, can't afford to pay the exorbitant medical bills of today—and thus, can't afford the care they rightfully deserve as citizens of this wealthy nation.

And then, we see the inefficiency and waste in our system. Highly trained physicians perform tasks that could be handled by physician assistants. Patients occupy expensive hospital beds for testing that could be done on an outpatient basis. Many hospitals have duplication of expensive equipment, and others have costly equipment which is rarely used. It is, therefore, not the quality of individual medical care, but the inefficient functioning of a total system that has brought on a crisis in health care.

This crisis must be met, and changes must be made. The public is unhappy with the status quo, and they are demanding that the inefficiencies and inequities be dealt with. I think the public is entitled to these changes—it is their right. After all, this nation is currently spending seventy-five billion dollars on health costs alone, and more than one-third of that expenditure is public money—Federal, State, and local tax dollars. The public has a right to demand that their taxes be spent in the most efficient and effective way.

But it is also important for the people to know that these changes must be made gradually, with caution, and constant evaluation. Otherwise, we might launch broad new programs that would compound the problems rather than correct them. We can't expect to change overnight what has taken centuries to develop.

How do we change our health care system? Where do we begin? I think a good beginning would be to rechannel and redirect our current expenditures—that seventy-five billion

dollars—into new systems with a better net result. We should take Medicare, Medicaid, all insurance expenditures, and private costs, and redirect these vast sums to new comprehensive systems, so that people will have a better chance of getting their money's worth.

For the past three years, I have cosponsored S. 3, the Health Security Act. I sponsored this bill because it provides comprehensive quality health care to all Americans. It would provide full coverage of all health benefits—routine physical examinations, visits to doctors' offices, outpatient care of all kinds, and even dental care. The program would be financed in a most judicious manner, with half of the funds coming from Federal revenue and the other half through payroll taxes. In addition, this health security program contains cost and quality controls, as well as funds earmarked to improve the system. It is the most comprehensive bill, but also the most expensive.

Congress has not acted on this bill. It still remains in the House Ways and Means Committee and the Senate Finance Committee, and Chairman Mills has already announced that his committee will not report any health legislation this year. The bill has been met with much opposition, and it has been severely attacked on its high cost. Generally, Congress is reluctant to enact such an expensive program. However, in my opinion, the cost argument is a fallacious one. It simply doesn't hold water. According to recent HEW statistics, the Health Security Program, as outlined in S. 3, would not cost much more than the total health care expenditure which we now have without any program at all.

In Fiscal Year 1970, sixty-seven billion dollars was spent on health care, and HEW estimated that the Health Security Program would have cost seventy-three billion dollars in that same year. In light of the fact that we are currently spending seventy-five billion, I think a comprehensive national program providing full health care benefits would have been worth the extra six billion that it would have cost. Hopefully, the next Congress will take this into consideration and will take some action on this important measure.

In the meantime, the Senate is presently taking action on a most important health bill—the Health Maintenance Organization and Resources Development Act. The Health Subcommittee is going to report a bill which is expected to pass the Senate some time this year. It is important that this bill pass the Senate, even if it does not become law. This bill is the beginning of the first real major legislation reform in the health field. To get a major program past half the Congress sets a precedent for future action. This bill is like a miniature Health Security Act—it is a forerunner to the larger bill. It has the same goal of comprehensive and quality health care for all, and emphasizes system reform.

What is an HMO? How will this new bill work? A Health Maintenance Organization is a prepaid group practice which renders full coverage of all health benefits for a fixed fee. An HMO has a team of physicians and other medical personnel to cover all services—everything from an eye examination to complicated surgery, and hospital care would be provided as well.

An HMO functions on the principles of economy and efficiency characteristic of a prepaid system. There is a financial incentive for emphasizing preventive care—for keeping people healthy. This would switch the emphasis which is presently on acute hospital care, to a less expensive preventive care, and thereby reduce the total health care expenditure in this country.

An HMO also gives more for the money. The comprehensive range of benefits—any health service—can be obtained through a prepaid group practice for the same or less money than people presently spend for only partial coverage. Therefore, it gives greater

benefits at lower costs. For example, in Ohio under the best Federal employee Blue Cross-Blue Shield plan, the cost per month for a family is \$58.46. In contrast, a family can enroll in the prepaid Kaiser Community Health Foundation in Cleveland for \$50.94 a month. The Blues' plan would cover all hospital and some acute care physician costs, but the Kaiser plan would provide everything.

You might ask, "If HMO's have a financial incentive to reduce costly services, what is to insure that necessary services would not be withheld or that all services would be of high quality?" The new Senate bill deals directly with this problem by establishing a Commission on Quality Health Care to protect the consumer and to monitor and regulate quality control mechanisms within the HMO. In addition, the bill sets up a trust fund to help finance portions of premiums that low-income workers couldn't afford, thereby insuring that they could enroll in the plan.

In conclusion, I would like to reiterate the need to change, and re-emphasize the fact that these changes are going to come about slowly. I firmly believe that the ultimate solution to this health care problem lies in a true cooperative effort between the public and the private sector. People should exercise patience. Government can and must make an accommodation with the medical profession in order to make health care legislation work. And equally so, the profession must recognize that there are problems and must not resent or resist the efforts of government. All participants must realize that change is inevitable and should look to the good of the total system, not to the protection of private interests. Only in this way will we have a workable system, uniquely American, where quality health care can be made available to all.

VETERANS OF FOREIGN WARS SUPPORT S. 2987 FOR MEMORIAL TO THE LATE PRESIDENT DWIGHT D. EISENHOWER

Mr. JAVITS. Mr. President, the Veterans of Foreign Wars of the United States, with the approval of their commander in chief, Joseph L. Vicites, representing more than 1,700,000 members has gone on record fully endorsing and strongly supporting S. 2987, introduced by me and cosponsored by my distinguished colleagues, Senator BARRY GOLDWATER and Senator PAUL J. FANNIN, of Arizona, and Senator JOHN O. PASTORE, of Rhode Island, which passed the Senate unanimously on June 8 last. This legislation would authorize a maximum of an anticipated \$20 million for Eisenhower College, of Seneca Falls, N.Y., through the use of up to one-tenth of the moneys from the sale of "proof" Eisenhower silver dollars to perpetuate this living memorial.

In his statement to the Committee on Banking Housing and Urban Affairs, Francis W. Stover, legislative director of the VFW, stated that Dwight David Eisenhower symbolized the strength, integrity, character, and the nobility of this great Nation and that this unique method of funding will make possible a broad, grassroots participation by all Americans.

I ask unanimous consent that the statement be printed in the RECORD.

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

STATEMENT OF FRANCIS W. STOVER

Mr. Chairman and members of the committee: Thank you for the privilege of presenting the position of the Veterans of Foreign Wars of the United States to this distinguished Committee with respect to S. 2987. This statement has the approval of our Commander-in-Chief, Joseph L. Vicites, and represents the intense interest of the more than 1,700,000 members of the Veterans of Foreign Wars of the United States in this most meritorious legislation.

No American is more closely identified with the membership of the Veterans of Foreign Wars than Dwight David Eisenhower. Many of our members served with General Eisenhower in his capacity of Supreme Allied Commander in Europe during World War II and organizer of the North Atlantic Treaty Organization Forces. He was one of us.

As the 34th President of the United States, he demonstrated that he was indeed a leader without peer in both war and peace. He fits every description and definition of a truly great American. Regardless of how we may honor him, President Eisenhower has earned his rightful place in history. His integrity, his compassion, his empathy for all Americans is legend. Probably more than any other American of his time, Dwight David Eisenhower symbolized the strength, integrity, character, and the nobility of this great nation.

To perpetuate the memory of this great man, there was established in September, 1965 Eisenhower College. As a former President of a leading American University—Columbia—this was most fitting and proper. Eisenhower expressed his wholehearted approval of this monument to him when at the ground-breaking ceremony, he stated: "This is an honor that will be prized by me every day of my life, for I can think of no greater monument to any man that a college bearing his name; an institution which will be a vital, vigorous champion of freedom through proper education."

The obligation is now upon us to assure that this living monument in honor of Dwight David Eisenhower will continue, prosper, and be the lasting memorial and monument we intended. Before you is a bill which will provide a giant step in this direction. The Veterans of Foreign Wars extends its highest commendation to Senator Jacob Javits of New York and his distinguished colleagues, Senator Barry Goldwater and Senator Paul J. Fannin of Arizona, and Senator John Pastore of Rhode Island for introducing S. 2987, which will authorize and anticipate \$20 million to assist Eisenhower College. This income will be realized in the form of one dollar from the proceeds received from the sale of each "proof" Eisenhower silver dollar, which will be sold for \$10.00 to coin collectors. Further, this legislation will supplement Public Law 90-563, as approved in 1968, which provided \$5 million for Eisenhower College on a matching basis.

This unique method of funding will make possible a broad, grass roots participation by all Americans, such as coin collectors and collectors of Eisenhower memorabilia. At the same time it will insure that this movement to this great American will endure.

One last comment, Mr. Chairman. The money contemplated in this bill for this monument to Dwight David Eisenhower will be far, far less than Federal funds which have been expended for monuments to other Presidents.

In summary, Mr. Chairman, the Veterans of Foreign Wars from our Commander-in-Chief Joseph L. Vicites on down fully endorses and strongly supports S. 2987. We urge the Committee's favorable consideration and advancement of this legislation, and the Veterans of Foreign Wars will be working closely with your Senate colleagues to obtain full Senate approval of this legislation and its enactment into law.

BILL BROWNRIGG

Mr. FONG. Mr. President, I join Senators on this side of the aisle in expressing my deep appreciation of, and my high regard for, Bill Brownrigg, who retired recently as assistant secretary to the Senate minority.

Bill was here to aid me when I first arrived in the U.S. Senate nearly 13 years ago to represent the new State of Hawaii. His aid was invaluable to me then and continued to be so since.

I will always treasure my association and friendship with him.

Though I feel a loss with his absence, I join his many friends in wishing him well.

To Bill I say in the language of our native Hawaiians: Mahalo and Aloha.

"FIDDLER ON THE ROOF"

Mr. JAVITS. Mr. President, "Fiddler on the Roof" became Broadway's longest running production ever on the evening of June 17, 1972, with its 3,225th performance, beating "Life With Father," which played 3,224 performances, from November 8, 1939, through July 12, 1947.

Stars who have played Tevye in "Fiddler on the Roof" since it opened in New York at the Imperial Theater September 22, 1964, in chronological order: Zero Mostel, Luther Adler, Herschel Bernardi, Harry Goz, Jerry Jarrett, Paul Lipson, and Jan Peerce. The play is a triumph also for its director, composer, lyricist, choreographer, costumer, and author, and for its producer, Harold Prince, of New York.

Paul Lipson, who returned to his starring role May 2, 1972, has played more performances than any other actor, 1,806 as Tevye in New York and on tour with the National Co. His total performance in "Fiddler" as Tevye, Avram, the Bookseller—which he created—and Lazar Wolf, is 3,225 performances. It is the exact total of the New York run. But during the 6 months the National Co. appeared at Caesar's Palace in Las Vegas, Lipson totaled 14 performances per week as against the New York company's 8.

Overseas productions include: Finland, 15 separate productions more than any other country in Europe, and the first to present it in Europe Municipal Playhouse, Helsinki; Great Britain, London and British touring productions ran concurrently; Israel, Holland, Denmark, Sweden, Norway, Iceland, West Germany, East Germany, Japan, Spain, Czechoslovakia, Yugoslavia, Austria, France, Mexico, Turkey, Argentina, South Africa, Rhodesia, Switzerland, Brazil, Australia, and New Zealand. Upcoming will be productions next season in Hungary and Greece. In London, "Fiddler" ran for 5 years at Her Majesty's, where another Harold Prince production, "Company," is a big hit.

Music Theater International estimates that the subsidiary leasing in the United States and Canada will produce 1,015 separate productions in the first 16 months of release through June 1972.

A total of more than 2,500 performances were given by professional, community, and academic producers; and

more parochial schools played "Fiddler" than other schools.

Total gross in the United States on Prince productions of "Fiddler" New York and national companies—\$51,430,000, plus \$12,935,000 for stock and other productions in the United States. Capitalized at \$375,000, the musical had returned 98 percent profit to its investors and a matching sum to its producer. Total profits, which are divided between the producer and 147 investors is \$7,402,500, so investment in theater sometimes pays off handsomely.

There have been 43 complete score record albums, plus 18 original cast albums in English, Dutch, German, Spanish, Hebrew, Yiddish, Norwegian, Swedish, French, Japanese, and others.

Estimate of theatergoers who have seen "Fiddler" in live productions around the world: 37,500,000.

Awards to "Fiddler on the Roof":

- New York Drama Critics' Circle—Best Musical.
- American Theatre Wing Tony Awards: Best Musical.
- Best Director—Jerome Robbins.
- Best Choreographer—Jerome Robbins.
- Best Score—Jerry Bock.
- Best Lyrics—Shelton Harnick.
- Best Actor—Zero Mostel.
- Best Costumes—Patrician Zipprodt.
- Best Featured Actress—Maria Karnilova.
- Best Author—Musical—Joseph Stein.
- Best Producer—Musical—Harold Prince.
- National Catholic Theatre Conference—Best Musical.
- New York Newspaper Guild—Page One Award.

THE SALT AGREEMENT

Mr. FANNIN. Mr. President, President Nixon in his quest for world peace has reached some historic agreements with the leaders in Moscow. It now is up to Congress to study carefully both the specifics and the implications of these agreements before voting to confirm them.

In considering the SALT agreement, I believe that we must understand the realities today both in our Nation and in the Soviet Union.

Ralph de Toledano in his syndicated column last Friday made some very interesting and meaningful points concerning the SALT agreement.

Mr. President, I ask unanimous consent that a portion of the column be printed in the RECORD at this point.

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

EXCERPT

What President Nixon and General Secretary Brezhnev negotiated and signed was the product of long and serious discussion between America's most knowledgeable experts and their Soviet counterparts. There were complex problems to solve, so complex that many thought a meeting of minds was impossible. To imply, therefore, that Mr. Nixon was grandstanding in Moscow is both unfair and uninformed.

In viewing the SALT agreement, what is important to consider boils down to the question: Where would the United States have stood without it? That question was patiently answered by Henry Kissinger to the White House press corps in Moscow—and by the President in his meetings with the House and Senate leadership. But facts often get lost in rhetoric. A look at the arithmetic shows that the United States held its own.

If the Kremlin had continued its vast construction program, as it obviously fully intended to do, it would have had by mid-1977 when the SALT agreement expires a nuclear megatonnage of 5,500, compared to a U.S. megatonnage of 4,550. But under SALT, the USSR will have a megatonnage of 4,000 in 1977, to America's 4,450.

In deployed strategic warheads, which is what really counts, the USSR would have had 3,400 without the SALT agreement, to a U.S. total of 11,000. Under the agreement, the USSR will have 2,600 and the U.S. 11,000. In heavy bombers, there will be no changes—USSR 140, the U.S. 500. The Soviets have more land-based missiles today, but they lack MIRV—our multiple reentry missiles—which is what gives us the great preponderance of deployed warheads. Without SALT, they would have had 1,900 in 1977, but now they will be restricted to 1,330. The U.S. would have had 1,054, but now it will have 1,000. Without SALT, the Soviets would have had 1,200 sea-based missiles in 1977 to our 656. Under SALT, they will reduce that number to 950, but we will increase ours to 710.

But the true significance of SALT is not found in those figures. It lies in the mutual decision to halt an arms race which offered neither side any real security and was draining both the Soviet and the American economies. As I write from Moscow, there is enough overkill in those figures and that nuclear weight for mutual obliteration. What worries some critics is that the Soviets may disregard the agreement and continue to build up their nuclear forces, particularly nuclear-armed submarines.

But the United States has adequate means of detection. After all the Soviets cannot build a submarine in a salt mine—no pun intended—or dig an ICBM silo in secret. We will know about it and can abrogate the agreement. The Kremlin knows this and, in fact, it was fully discussed at the SALT talks. But beyond this, it should be noted, there would be no practical reason for Soviet violations—and the men of the Kremlin are eminently practical. They would have much to lose and very little to gain.

The Kremlin made it very clear that its main objective is an increase in trade with the United States. The Soviet Union also wants technological assistance. And it will get them when such matters as Lend-Lease and interest on credits are worked out. Had there been more time, they would have been settled in Moscow. That the Kremlin should even have discussed payment of its Lend-Lease debts is an index of its strong desire to come to terms with the United States.

It is no longer a question of "softness" on the part of the United States but one of logic. For even if, in a year or so, the Kremlin goes back on its word, nothing will be lost. And the breakthrough in communication with the Soviet leadership made by Mr. Nixon during his careful preparation for the summit and at the meetings in the Kremlin will always remain as a positive achievement.

CONFERRAL OF HONORARY DOCTOR OF LAWS DEGREE UPON GERARD C. SMITH

Mr. COOPER. Mr. President, on June 4, Georgetown University conferred upon Gerard C. Smith an honorary doctor of laws degree. The honorary degree was presented in recognition of Ambassador Smith's "great contribution to peace" as Chairman of the U.S. delegation to the strategic arms limitation talks.

I cannot improve upon the citation and I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks. I shall read the last two paragraphs of the citation:

But perhaps his greatest contribution to peace has been realized in his role as Chairman of the United States Delegation to the Strategic Arms Limitation Talks. His patience and skill at the negotiating table have brought us at last within reach of a long-sought goal—a world free from the danger and burden of armaments. The agreements reached in Moscow in themselves can reverse the mad momentum of the arms race, and also can present the United States and the Soviet Union with a significant opportunity for the eventual reduction of the vast nuclear arsenals of our two nations.

For these outstanding contributions towards the universal goals of peace and sanity, the President and Directors of Georgetown University, by virtue of their charter from the Congress of the United States, proudly and respectfully proclaim the Honorable Gerard C. Smith Doctor of Laws, honoris causa.

Ambassador Gerard Smith has demonstrated the highest measure of diplomatic skill and deserves our respect and gratitude for his devoted service to the United States and the future of mankind.

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

GERARD C. SMITH, B.A., LL.B.

(Director, U.S. Arms Control and Disarmament Agency; representative, U.S. Delegation, Strategic Arms Limitation Talks)

The President and Directors of Georgetown College, to all who shall view these presents: Greetings and peace in the Lord:

Tenacity of purpose, imagination in conception, and skill in execution characterize the man we honor today for his role in the pursuit of peace. He has faced the most important challenge of our times, and has been a consistent force behind this nation's efforts to promote world security through the control and reduction of armaments.

Lawyer, publisher, naval officer, diplomat, he has contributed his talents to his Government under the Administrations of five Presidents. He served as a Chief Adviser to the Eisenhower Administration for the Atoms for Peace Conference, and in 1958 played a major role in the shaping of U.S. proposals for a permanent United Nations Peace Force and regional arms control. In 1963, President Kennedy gave him credit for proposing the Washington-Moscow "Hot-Line"—an idea he first advanced as Assistant Secretary of State for Policy Planning in the late fifties.

In 1969, he became Director of the United States Arms Control and Disarmament Agency. Under his capable leadership, the United States has continued to add to the series of agreements with the Soviet Union to design to reduce the risks of nuclear war. He has also presided over two important multilateral arms control agreements: a treaty prohibiting the employment of nuclear weapons on the seabeds, and a convention prohibiting the development, production and stockpiling of biological weapons, thus effecting, for the first time in history, a ban over an entire class of deadly weapons.

But perhaps his greatest contribution to peace has been realized in his role as Chairman of the United States Delegation to the Strategic Arms Limitation Talks. His patience and skill at the negotiating table have brought us at last within reach of a long-sought goal—a world free from the danger and burden of armaments. The agreements reached in Moscow in themselves can reverse the mad momentum of the arms race, and also can present the United States and the Soviet Union with a significant opportunity for the eventual reduction of the vast nuclear arsenals of our two nations.

For these outstanding contributions towards the universal goals of peace and sanity, the President and Directors of Georgetown

University, by virtue of their charter from the Congress of the United States, proudly and respectfully proclaim The Honorable Gerard C. Smith, *Doctor of Laws, honoris causa*.

In testimony whereof they have issued these formal letters patent, under their hand and the Great Seal of the University, at Georgetown in the District of Columbia, this fourth day of June, nineteen hundred and seventy-two.

ROBERT J. HENLE, S.J.,
President.

EDWIN A. QUAIN, S.J.,
Chairman, Board of Directors.

DANIEL J. ALTABELLO,
Secretary.

THE PEOPLE OF POLAND AND THEIR COMMUNIST RULERS

Mr. FANNIN. Mr. President, Ralph de Toledano also wrote an excellent column last Wednesday regarding the people of Poland and their refusal to bow to their Communist rulers. I ask unanimous consent that this column, which contains a very worthwhile message for all of us, be printed in the RECORD.

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

POLAND—TROUBLE SPOT IN COMMUNISTLAND?
(By Ralph de Toledano)

It is Corpus Christi, Poland's great Catholic holiday. Every shop in Warsaw is shut down, and no government business is transacted. At 8 a.m. altars are being set up on the city's main street. At the great cathedral in Old Town, destroyed by the Nazis and rebuilt by the Polish government with loving care, Mass is being said. People of all ages all seem to be moving towards the cathedral. Priests and nuns are everywhere to be seen. In the cathedral, late teenagers and young adults make up a substantial part of the worshippers. Many of them are on their knees for as much as fifteen minutes at a time.

Ten o'clock mass. The cathedral is packed to overflowing. Down the street are two huge open air masses. There are processions everywhere, one of them six blocks long. The streets are jammed. You see the little girls in white dresses, little boys in blue. Church song fills the air.

This is Warsaw, the capital of a Communist country. But at heart it is unshakably Catholic, unshakably tied to its old traditions. Even those whose faith has been eroded participate, as a political act. The Communist leaders do not like it, but they accept it. To do otherwise would be to court riot and revolution. Where religion is concerned, the state is powerless.

But this carries over to other aspects of life. The Polish people are open and friendly to visitors, particularly to Americans. They go out of their way to be friendly. If they speak English or French—or even German—they will stop you on the street, if only to say a few words of welcome. They find it reassuring that an American President is visiting their country, an indication that they have not been forgotten in a time of summitry and great power accommodation.

They still make their jokes about the gingerbread Palace of Culture which Stalin put up for them. They are not paralyzed by the voice of the Communist bureaucracy. They have been ruled by the Kremlin's satraps for 25 years, but they still feel that this condition is not permanent.

Is this a time bomb planted within the Communist empire? Warsaw exploded once, in the Fifties—and the Kremlin knows that Poland must be handled with care. The regime speaks correctly in terms approved by Moscow. But it, too, realizes the limita-

tions of its power. The Polish people have never accepted communism, and they can be pushed just so far.

There is another factor involved in Soviet-Polish relations—a factor of considerable importance to the world as well. World War II is still very much a reality to the peoples of both countries. Warsaw, which was still a scene of devastation when Richard Nixon visited it in 1959, is being rapidly rebuilt. But the Poles have not forgotten the death and destruction. And neither have the Russians.

If the two peoples have one thing in common, it is the seemingly eradicable recollection of the horrors of war. In Moscow, you are constantly reminded by Intourist personnel, by multi-lingual newspapermen, almost by everyone you speak to, of what war did to their city, to their country. The signs are everywhere visible—and in Leningrad, the pattern of machine-gun fire is still visible on churches and public buildings. The statistics of blood spilled and property laid waste come quickly to the tongue of the people.

If the Communist leadership in the Kremlin still wants the fruits of imperial expansion, they want it without the costs of Armageddon. The Communists in Warsaw still want the fruits of power, but not at the cost of inviting revolution. The Polish people want independence, but they are not ready to invite a holocaust.

This, perhaps, is the message of the summit meeting. For what the President has demonstrated is that firmness and fortitude can prevail. There will be much debate over the question now being asked: Did Mr. Nixon give away more than he got in his meetings with the Soviet leaders? The answer to that is a complex one. But it is already clear that if American policy continues to be pragmatic and based on knowledge rather than pious wishes, the road begun in Moscow can have a far-reaching continuation and a return of rationality in world affairs.

The President is aware of this, as he told the Joint Session of Congress. Now it is up to the Congress to stand behind him.

FOREIGN ASSISTANCE ACT OF 1972

The ACTING PRESIDENT pro tempore (Mr. McGEE). Under the previous order, the Chair lays before the Senate the unfinished business, S. 3390, which the clerk will state.

The legislative clerk read as follows:

S. 3390, to amend the Foreign Assistance Act of 1961, and for other purposes.

The Senate resumed the consideration of the bill.

The ACTING PRESIDENT pro tempore. The pending question is on agreeing to the amendment by the Senator from Mississippi (Mr. STENNIS), No. 1221, with the time for debate between 11 a.m. and 12:30 p.m. and 2 p.m. and 2:45 p.m. to be equally divided and controlled by the Senator from Mississippi (Mr. STENNIS) and the Senator from Arkansas (Mr. FULBRIGHT).

Who yields time?

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally against both sides on the amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President,

I ask unanimous consent that the order for the quorum call be rescinded.

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

TIME LIMITATION ON CONSIDERATION OF SPARKMAN AMENDMENT ON MONDAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Monday next at the hour of 11 a.m. the Senate proceed to the consideration of an amendment to be proposed by the distinguished Senator from Alabama (Mr. SPARKMAN); that time on that amendment be limited to 2 hours, the time to be equally divided between the distinguished mover of the amendment, the Senator from Alabama (Mr. SPARKMAN), and the distinguished Senator from New Jersey (Mr. CASE); that time on any perfecting amendment in the first degree to the language proposed to be stricken by the Sparkman amendment be limited to 30 minutes, to be equally divided between the mover of such and the distinguished manager of the bill, the Senator from Alabama (Mr. SPARKMAN); that time on any perfecting amendment in the second degree, debatable motion, or appeal be limited to 20 minutes, to be equally divided between the mover of such and the distinguished manager of the bill, the Senator from Alabama (Mr. SPARKMAN), unless the Senator from Alabama supports such perfecting amendment in the second degree, in which case the time in opposition thereto be under the control of the distinguished Republican leader or his designee.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

TIME LIMITATION ON SCOTT AMENDMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that upon the disposition of the amendment to be proposed by Mr. SPARKMAN on Monday, the Senate proceed to the consideration of an amendment to be proposed by the distinguished Republican leader (Mr. SCOTT); that time on that amendment, time on perfecting amendments in the first degree, time on perfecting amendments in the second degree to the language proposed to be stricken, debatable motions and appeals be limited similarly to the respective times that have been agreed to in relation to the amendment to be offered by Mr. SPARKMAN on Monday; that Senators in control of such times will be the Senator from Pennsylvania (Mr. SCOTT), the mover of the amendment to strike, and the manager of the bill, the distinguished Senator from Alabama (Mr. SPARKMAN); that with respect to perfecting amendments in the first degree the time be under control of the mover of such and the distinguished Republican leader (Mr. SCOTT), and with respect to perfecting amendments in the second degree, debatable motions, or appeals, the time be under the control of the mover of such

and the distinguished manager of the bill (Mr. SPARKMAN) or someone to be designated by Mr. SPARKMAN.

Mr. President, I offer a correction. I believe that the time in opposition to the amendment by Mr. SCOTT should be under the control of the Senator from New Jersey, Mr. CASE.

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

NOTICE ON YEA-AND-NAY VOTES TODAY

Mr. ROBERT C. BYRD. Mr. President, the respective cloak rooms should inform Senators on both sides of the aisle that there will be at least five or six rollcall votes today; that following the rollcall votes on the three treaties which will occur at 3 p.m., 3:10 p.m., and 3:20 p.m., today, there will be a rollcall vote on the amendment to be proposed by the Senator from Massachusetts (Mr. KENNEDY), and, very likely, on the amendment to be proposed by the Senator from Ohio (Mr. SAXBE).

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

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

ORDER FOR SENATE TO CONVENE AT 10:30 A.M. ON MONDAY, JUNE 19, 1972

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate meets on Monday next, it convene at the hour of 10:30 a.m.

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

ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY, JUNE 19, 1972, AND FOR UNFINISHED BUSINESS TO BE LAID BEFORE THE SENATE

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that after the two leaders have been recognized on Monday next under the standing order, there be a period for the transaction of routine morning business for not to extend beyond 11 a.m., with statements limited therein to 3 minutes, and that at the hour of 11 a.m., the Chair lay before the Senate the unfinished business.

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

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I thank the Presiding Officer, and I thank the Senator from Mississippi for yielding.

Mr. STENNIS. I thank the Senator from West Virginia for his usual fine courtesies, for his real help in these ac-

tivities, and for his very fine manner of transacting business.

Mr. ROBERT C. BYRD. I thank the able Senator.

FOREIGN ASSISTANCE ACT OF 1972

The Senate continued with the consideration of the bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes.

Mr. STENNIS. Mr. President, my position is very simple and short on an amendment that is also simple and short.

This is not a contest or a disagreement, or anything of that kind, between two committees of the Senate. My attitude is just to try to keep the lines straight and keep the record straight with respect to the actual military operation, the fighting in Indochina.

The matter we have before us now, S. 3390, is the Foreign Assistance Act of 1961 and its continuation. This is an annual measure, and it includes our worldwide military assistance program, wherever it applies.

However, after we really got into the war in Vietnam on an appreciable scale and were paying the cost of the equipment, the weapons, and really the operation of the army of South Vietnam, plus the Koreans, who are also there, and also some other allies in a much smaller way, and after we were carrying that load, running into the millions of dollars for years, the machinery, the book-keeping, the accounting of our military assistance program—ordinarily called MAP—proved inadequate and inefficient when it came to the handling of the vast sums.

MAP is a peace program. It is military aid for peace, and goes to a great many countries. It is administered by the State Department under a regular, prescribed system and distribution. Military aid to South Vietnam during the fighting of this war is really, as I have said, a war measure. It is war money and it involves taking care of a fighting army under battle conditions. So we just have to have a different system altogether.

Mr. McNamara, then Secretary of Defense, appeared before our committee and testified to the inadequacy of the ordinary MAP system in meeting this problem. He asked that the matter be transferred over to the Armed Services Committee—it was not a choice between committees—to let that committee authorize what they saw fit in the way of money for our own forces in that area, for U.S. forces. All that money for supplies and everything else was commingled, anyway, for our troops and their troops. That money would be kept track of and Congress would have control over it, but it would come from a different source. It would come from the Department of Defense. That was Mr. McNamara's recommendation, and the Foreign Relations Committee informally agreed to that. It has worked since 1966, and we have gotten along all right.

This had been gone into before. Since I have become chairman I have known about it, and our committee has gone into it very carefully. Our staff has worked on it. We have called on them for a com-

plete accounting of that money and have called on them for an accounting of the amount of money the Department of Defense has spent in different countries. They have supplied the information. We put it out on the table when the bills were being marked up last year and the year before. We had plenty of discussion about it. The Senator from Missouri was very much interested in it and was very helpful in it. He and I had some difference of opinion about it, but one thing we did—we worked out an amendment that we finally agreed on. Anyway, the two of us did.

This year we have worked on it again. We did not quite reach an agreement. We did not quite get to that point. The pending bill provides that, after fiscal 1973, all this would go back to the Foreign Relations Committee. I am not suggesting the Foreign Relations Committee would not do a good job on it. I just say that if we put it back into MAP, we are going to have an inadequate system. We are going to have a source of money in the State Department to pay for the fighting that is being carried on by the military, and we will run into the same snags and the same unbearable burdens that existed previously.

My amendment is to strike that amendment in the bill and await events, and just as soon as the hostilities stop over there, or even as soon as we have a cease-fire agreement carried out with evidence of permanence, I would be willing to let the matter go back to the Foreign Relations Committee, or let the Senate do that.

As evidence of my willingness, we agreed last year that jurisdiction over funds for Thailand would be sent to the Foreign Relations Committee, because the fighting was not going on there. At least, the prospect was that there would not be any fighting there, and I agreed to let this jurisdiction go back to the Foreign Relations Committee.

I have the same attitude now toward South Vietnam, Laos, and the other countries, as I had last year toward Thailand. We were hoping last year the war would be over by now, but it is not, so we have to look realities in the face.

I urge the Senate, for the reasons I have assigned, to strike this part of the proposed bill, to await events. The matter can be considered at any time next year.

The Senator from Alabama (Mr. SPARKMAN) is familiar with this matter. I see him on his feet. I am glad to yield to the Senator.

Mr. SPARKMAN. Mr. President, I thank the Senator. Of course, I agree with what the Senator has said about what we might call more or less an understanding that we had. Last year, for example, the Foreign Relations Committee had this same provision in the bill, and here on the floor of the Senate, as the Senator has pointed out, all of that part relating to countries other than Thailand was stricken from the bill. Thailand was transferred to the MAP program. The Senator at that time made a statement somewhat along the lines of his remarks this morning. I will quote what he said last year on this issue. He said:

I am willing that in the future jurisdiction with respect to Southeast Asia be returned to the Committee on Foreign Relations. I think that while we are there and our men are there and the activities are going on, we ought to keep it where it is because they have to be considered together.

As I understand, that is the same argument the Senator presents at this time.

Mr. STENNIS. Yes.

Mr. SPARKMAN. Before we get to the fiscal year beginning July 1, 1973, undoubtedly we will be out of that war. In fact, the Mansfield amendment which is in this bill requires that—

Mr. SYMINGTON. Did the Senator say fiscal 1973?

Mr. SPARKMAN. No, I said the fiscal year beginning July 1, 1973. The Mansfield amendment which is in this bill requires that all forces be removed from South Vietnam by August 31 of this year. In other words, I think all of us will agree that it is a matter of a relatively short time until we are going to be out of that war.

Let me say something else. In past years, when we have had the military program and the economic program—we used to have them in two parts—I felt very strongly that we ought not to be called upon to handle the military program, but it was decided otherwise, and I think the decision was made both by the committee and by the Senate. So I do not find too much difficulty in going along with the Senator on this proposal, because it is just a matter of time; certainly, as the Senator says, next year it would be understood that it would revert back to the Committee on Foreign Relations under the regular MAP program; and if the Senator is willing, I would be willing to accept the amendment.

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

Mr. STENNIS. Yes; I thank the Senator from Alabama for his very timely remarks, and I am glad to yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I am impressed with the argument made by the distinguished chairman of the Armed Services Committee. I would ask, is Thailand currently under the Foreign Relations Committee?

Mr. STENNIS. I believe it is for 1973.

Mr. SPARKMAN. Yes.

Mr. STENNIS. Yes, it is, that is correct, for 1973 it is under the Foreign Relations Committee.

Mr. SYMINGTON. And the Senator's amendment does not change Thailand; it just changes Vietnam and Laos?

Mr. STENNIS. That is correct. My amendment just strikes out the provisions of the bill that are relevant.

Mr. SYMINGTON. Mr. President, as a member of both these committees, based on the war that is going on, I would agree with the chairman, and am glad the distinguished Senator from Alabama (Mr. SPARKMAN) says he would accept this amendment. I would also support it.

Mr. STENNIS. I thank the Senator from Missouri very much. Again I emphasize that he has worked on this problem and is very familiar with it, having worked on it from year to year, and has really made a contribution.

Mr. President, I think we ought to be very clear that we all want this war to be over, and are hoping that it will be, as we were a year ago that it would be over by now. Certainly we hope that before this matter arises again it will be over. But I want to make it clear that until it is, as long as we have this situation of having to apply these sums of money, I think the jurisdiction of the Armed Services Committee ought to continue as it is under the present law.

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

Mr. STENNIS. I yield.

Mr. SPARKMAN. I am glad the Senator makes that clear.

Mr. STENNIS. Yes.

Mr. SPARKMAN. I said that on the ground that we were all confident that we will be out before that time.

Mr. STENNIS. Yes. That is all right. I thank the Senator.

Just a word here: I have been thinking a great deal. I have made very few prophecies about the extent of this war, and I do not make any prophecies now, but I am encouraged to say just a few words about the present situation as compared to what it was 60 days ago, or soon after the offensive started.

I feel encouraged by the developments of the last few weeks. Maybe I am on the gloomy side a little, or express myself when I am gloomy more than when feeling a little better. At any rate I have decided I would say just a few words today, in no way intended to give a rosy report—I have heard too many rosy reports on this matter for the last many years—but I think, Mr. President, that it is fair and accurate to say that in several important respects, things are looking somewhat better in this war, certainly better than they were soon after this recent offensive started.

First, the mining of the North Vietnam harbors and the renewed bombing of communications and other targets is apparently slowing down the delivery of the vital fuel, ammunition, and other supplies to the south.

Second, the bombing is, by all accounts, more accurate and effective than before. That impresses me. It seems to me—and I have not had the weekly special briefing on this; I missed the one today—but news accounts and what I pick up here and there impress me that this bombing is more accurate and effective, and it includes more vital targets, and that is encouraging to me.

Finally and most importantly, the North Vietnamese offensive, which was so devastating in its early phases, appears to have been greatly slowed, if not stalled, by the stiffening South Vietnamese, who have been greatly helped by our air support, of course.

I have sometimes discounted the ability of the South Vietnamese to hold under the vigorous determination of these seasoned soldiers from the north, but I have been very much pleased with the way the South Vietnamese have stiffened and have responded. I know they are greatly helped by our advisers, and I give the greatest credit to those advisers. I think this, even though not enough has happened yet to bring about any final decision.

Of course, the North Vietnamese always have the option of retreat, of going back into the bushes, going back to guerrilla warfare, and recouping, revitalizing, resupplying, and coming back to fight another day.

I really think that this evidence that we find now is encouraging. Just as an example, I mention the Kontum area, how it has held out successfully, and An Loc. I am advised that some 35 disabled tanks of the North Vietnamese that had been knocked out of operation have been discovered recently in a very small area.

So I have that word of encouragement, and I just decided last night that I would say these words today in this debate, for whatever they might be worth generally.

I want to make clear, now, that I am not predicting any great, overwhelming victory, but I do think conditions are about as I have outlined.

I yield to the Senator from Missouri.

Mr. SYMINGTON. I thank the able Senator, and came over to support the Senator on his amendment. On the conduct of the war, I would ask the able chairman, inasmuch as the United States has a gross national product of well over a trillion dollars, and the estimated gross national product of North Vietnam is \$3 billion, less than one-third of 1 percent of the gross national product of the United States, does the Senator not believe that if we really do our best to destroy the forces attacking South Vietnam, in the long run we might well be successful?

Mr. STENNIS. Oh, I think so, if we really put forth the effort, and apparently we have given our military the green sign to go on this further than we have before.

Mr. SYMINGTON. Mr. President, I am not one who believes that the North Vietnamese will abandon their effort. We can give the South Vietnamese tanks, planes, and guns, but we cannot give them heart; and it becomes increasingly clear that only the use of massive U.S. airpower saved the Saigon Government.

What worries me is the consistent support of this Thieu Government by this administration; I, for one, do not believe that this war, which is costing us billions of dollars and, what is more important, thousands of American lives as well as the lives of hundreds of thousands of civilians over there—including women and children in South Vietnam as well as North Vietnam—is important to the security of the United States.

I know the able chairman said, in the beginning, that he did not want to get into this war and I would hope he would agree with me—especially as the terrible pictures of civilian casualties continue to come out as a matter of public record that the sooner we can get out of there, the better for all concerned.

Mr. STENNIS. I appreciate the Senator's remarks very much. He is very well versed in this subject. As he has said, he knows that my attitude is—that we are already in, and we have to do the best we can. I do not want us to have to tuck tail and be forced out. We would have to live with that for a century.

Mr. President, I have sent to the desk an amendment which would delete that

provision in the foreign assistance bill which would transfer the authority for funding military aid for South Vietnam and Laos into the regular military aid program under the jurisdiction of the Foreign Relations Committee. I invite the attention of the Senate to the letter which is on each Senator's desk, since this spells out the reasons why such a shift is entirely inappropriate at this time.

The main reason why such funding must remain for the time being within the wartime funding pattern of the current methods is as follows:

Since a war is in progress in South Vietnam and Laos, it is simply impractical for funding to be handled under the normal peacetime provisions of the military assistance program. The military assistance program, properly under the jurisdiction of the Foreign Relations Committee, is designed for peacetime military aid. In peacetime we can make precise estimates of equipment needs. In peacetime we can order a specific number of rounds of ammunition and with precise levels of military grants or sales provide the stockpiles and modern weapons that our allies need.

But wartime is entirely different. During the Korean war a funding system was established which was very similar to that which we now use for South Vietnam and Laos. It essentially authorizes that funds appropriated for Department of Defense military functions may be used by other free world forces. That means that in the emergency conditions of a war, particularly when U.S. forces are involved, we can make expenditures for wartime needs for both U.S. and allied forces in a quick and flexible fashion. Often the logistic systems of the American and allied forces are integrated with one another.

It is simply impractical in the heat of battle to operate an accounting system which keeps track of whether a specific round of ammunition is going to be used by American or South Vietnamese forces. Not only the South Vietnamese Army, but also the South Vietnamese Navy and Air Force are supplied with American equipment. In peacetime, when U.S. forces are no longer fighting in that part of the world, it will be clear that replacements of equipment and ammunition needed by the South Vietnamese and Laotian Armies will be entirely separate from expenditures for U.S. forces. Thus I hope, and intend, that in the future the responsibility for military aid to these two nations can be returned to a normal peacetime basis and the jurisdiction for that aid can be returned to the Foreign Relations Committee. But it would be putting the cart before the horse to seek to return the funding for this aid to a peacetime basis before the conditions which would permit such a return actually exist.

I should point out that there is nothing new or different about this method of funding. As I have mentioned above, it was used during the Korean war for funding of American and Allied forces in that conflict. In 1966 and 1967 this method of funding—called military assistance service funded—was begun for South Vietnam and Laos because of the

hostilities in these countries. Last year the Foreign Relations Committee included in the bill as reported a provision which would have returned responsibility for funding for South Vietnam, Laos, and Thailand to the normal peacetime military assistance program.

It was agreed at that time that the military assistance program for Thailand would be returned to the military assistance program under the jurisdiction of the Foreign Relations Committee but that the time was not yet appropriate for the change in the funding authority for South Vietnam and Laos. I believe that, and I still believe, that when the conditions permitting a normal and peacetime military assistance program—such as that which we now have for Korea—exist in South Vietnam, it will be appropriate for us to return to the normal peacetime system of handling the military assistance program. But these conditions do not yet exist and we do not yet know when they will come about.

We all hope it will be soon. But none of us can be sure. The request for military assistance for the free world forces in Southeast Asia will have to be increased for the current fiscal year from \$2.5 to \$2.7 billion we have been told by the Department of Defense. This is a result of the North Vietnamese offensive which has required the expenditure of large amounts of ammunition by the South Vietnamese, the replacement of equipment destroyed during the fighting, and so forth.

We all hope that these expenditures will be predictable and that there will be no unpleasant surprises during the months ahead. But we cannot be absolutely certain, and we should not write it into hard law that in exactly 12 months and 17 days from this moment the war and the need for wartime funding methods will be over. We must see what comes and we must match the funding methods to the needs of Southeast Asia, not the other way around.

I urge Senators to vote to adopt the amendment.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of the letter I have sent to each Senator.

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

U.S. SENATE,

Washington, D.C., June 13, 1972.

DEAR COLLEAGUE: The amendment which I have proposed to the Foreign Assistance Act for FY 1973, on which we will vote today, deletes a provision in the bill which would transfer all funding for military assistance in South Vietnam and Laos into the annual military assistance program, under the jurisdiction of the Foreign Relations Committee.

As you are no doubt aware, military assistance for these two countries is now handled differently—it is authorized in the annual Department of Defense Procurement Authorization Bill, which comes under the jurisdiction of the Armed Services Committee. There is a good reason for this. Since there are hostilities currently in South Vietnam and Laos, it is simply impractical for military assistance to be funded under the normal peacetime procedures of the military assistance program. This was recognized back in 1966 when the authorization aid to these two countries was transferred to the military

authorization bill, at the request of the Department of Defense. This is the only way it is practical to fund military assistance for countries which are involved in continuing hostilities which directly or indirectly involve American forces. The funding for our allies was handled this way during the Korean War.

I do not, by any means, believe that the funding authorization for military aid to South Vietnam and Laos should be perpetually kept in this status any more than aid to Korea was kept there. I am willing that, in the future, jurisdiction over the military aid to these two countries should be returned to the Committee on Foreign Relations. I made this point last year at the time we agreed to return jurisdiction over military assistance to Thailand to the Foreign Relations Committee.

The Committee on Armed Services thus does not seek or intend for the current funding procedures to become a permanent fixture. But as long as the war is being fought in South Vietnam and Laos, the funding requirements for this type of assistance are so different from the requirements or ordinary peacetime military assistance that the aid to these two countries must be in a different category.

The report accompanying the Foreign Assistance Act contends that returning this funding to the regular military aid program will "symbolize" the return of the responsibility for the war in Vietnam to the Vietnamese. I am afraid that it would do something far more damaging than that. By unnecessarily complicating the funding of our assistance to South Vietnam and Laos, such a shift in funding could seriously endanger the effectiveness of that return of responsibility to the Vietnamese.

I urge you to vote in favor of the amendment.

Sincerely,

JOHN C. STENNIS.

Mr. STENNIS. Mr. President, I am willing to have a voice vote on the amendment.

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

Mr. STENNIS. I yield back the remainder of my time.

The PRESIDING OFFICER. There is a unanimous consent agreement to vote on the amendment at 2:45 p.m.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order be vacated.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SPARKMAN. And that we proceed to vote at this time.

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

The question is on agreeing to the amendment of the Senator from Mississippi.

The amendment was agreed to.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SPARKMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 1220

Mr. SAXBE. Mr. President, I ask unanimous consent that the previous order to call up my amendment to S. 3390 at a later time this afternoon be vacated.

The PRESIDING OFFICER. Is there

objection? The Chair hears none, and it is so ordered.

Mr. SAXBE, Mr. President, I ask unanimous consent that such amendment be called up at this time.

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

Is the amendment at the desk?

Mr. SAXBE. The amendment is at the desk.

The PRESIDING OFFICER. The amendment of the Senator from Ohio will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 10, line 16, strike out "\$150,000,000" and insert in lieu thereof "\$150,000,000 exclusive of excess defense articles ordered for grant to the Republic of Vietnam".

Mr. SAXBE, Mr. President, I send to the desk a modification of the amendment.

The PRESIDING OFFICER. The modification will be stated.

The assistant legislative clerk read the modification, as follows:

On page 10, line 12, immediately after "Sec. 11." insert "(a)"; in line 17, before the title "HOSTILITIES IN INDOCHINA", insert the following:

(b) section 8(e) of said act is amended by striking out the words "prior to July 1, 1972."

The PRESIDING OFFICER. The Chair inquires of the Senator from Ohio whether it is his intent to vacate the part of the agreement that related to a limitation on time as well as bringing up the amendment at another time.

Mr. SAXBE, Mr. President, I believe that we can dispose of this amendment in a very short time, and I therefore ask unanimous consent that the order for the time reservation also be vacated.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SAXBE, Mr. President, this is a very short amendment and has to do with limitations on the excess military equipment. The amount is reduced from \$185 million to \$150 million. This is agreeable, although it is a 13-percent cutback. However, the modification that it would apply to all the countries, including South Vietnam, would deprive the other countries of the material that the President thinks is necessary for them to maintain their individual defense in the troubled world today. Therefore, I submit that this very short amendment, which would knock out the date prior to July 1, 1972, would accomplish what I believe is the intention of the Senate.

My amendment to the Foreign Assistance Act would eliminate the provision of excess defense articles to Vietnam from the \$150 million ceiling on the provision of "no cost" excess defense articles to allied and friendly governments. Last year the \$185 million ceiling for the provision of these "no cost" excess defense articles excluded the provision of these articles to South Vietnam. As presently drafted, section 11 of the Foreign Assistance Act includes Vietnam and reduces the ceiling to \$150 million—\$35 million below last year's figure.

Mr. President, the provision of excess defense articles to South Vietnam is a

key element in our Vietnamization program. With this equipment the Vietnamese will be able to continue to make progress in beating back the North Vietnamese invasion and assuming more and more of the responsibility for their own defense.

The administration asked for a \$245 million ceiling on "no charge" excess defense articles and within this ceiling had tentatively allocated \$32.2 million for Vietnam. If the ceiling proposed by the Foreign Relations Committee is amended to exclude South Vietnam, the total amount available for other nations under this program will have been reduced by \$62.8 million or over 13 percent when compared to the amount authorized in fiscal year 1972. This alone is a severe cut but one which the administration is prepared to live with if South Vietnam is excluded from this ceiling.

We must understand that the equipment is actually excess to the needs of our own Armed Forces. I have heard it said that the Department of Defense simply declares excess any equipment it wishes to give away to foreign countries. This is not true. Equipment is determined to be excess after careful calculations show that it no longer is needed for our own mobilization requirements and retention in stock would be uneconomical.

We should realize that this excess equipment was bought and paid for—usually many years ago—through the Defense budget. It has served the purpose for which purchased. For the most part, it is obsolescent or uneconomically repairable by U.S. standards. But to foreign countries that do not need the most sophisticated and latest models, and where materials are relatively scarce but labor is relatively plentiful and inexpensive, these are very useful items. If not used to meet bona fide military assistance requirements, it generally must be disposed of as scrap and valuable defense assets are wasted.

I am not prepared to say that, if we waste this equipment, the United States will have to purchase it at some later time for our foreign friends. But I do say that someone will have to buy it, and I suspect that the United States in one way or another will wind up footing a considerable part of that bill.

I also have heard it said that excess equipment is given to foreign countries simply because it is available—that there is no real requirement for it. This too is not true. It is given away only when available items match a preestablished requirement that has been validated by U.S. officials under a very rigid set of criteria. I think it significant to add here that only about 5 percent of the available excess is used for military assistance. The rest does not match a validated requirement or else is material that is not supplied under the program.

The purpose of my amendment is to give the Department of Defense reasonable leeway to make good use of excess equipment but, at the same time, prevent an unconstrained issue of this material to foreign countries. The Foreign Relations Committee insists upon exercising constraint and control in authorizing

continuance of this program; I consider this to be entirely proper. But I am convinced that, at the figure proposed in the committee recommendation, it is overly constrained to a point that would be unnecessarily damaging to our own interests as well as those of our foreign friends.

If limited to \$150 million, including equipment that might be needed by South Vietnam, a little more than \$100 million will be available for other countries. I firmly believe that this is not enough and therefore am proposing that excess material given to South Vietnam not be counted under the authorization. This would eliminate any constraint on provision of excess material in support of the Vietnamization process and provide enough to meet the most pressing needs of other countries.

In concluding these remarks, I would like to underscore one final point. What I am proposing will cost the U.S. taxpayer nothing. To the contrary, it will inevitably save him money now or at some time in the future.

I support this amendment to eliminate South Vietnam from section 11 of the Foreign Assistance Act. Vietnam was not included under the ceiling on "no charge" excess defense articles last year because it was believed that Vietnam could not be looked upon as just another military aid recipient. Normal considerations simply do not apply in a shooting war.

This is as true this year as it was last year. The timely provision of excess defense articles to South Vietnam helps accelerate the pace of Vietnamization and the speed with which we can withdraw our troops there. So, while I can understand the desire of the Foreign Relations Committee to reduce the outward flow of arms to nations which are not involved in hostilities, I do not believe the same considerations apply in Vietnam. We should give the administration the legislative support which it needs to complete the Vietnamization program.

I hope very much that the distinguished manager of the bill will accept this amendment without forcing a vote on it.

Mr. SPARKMAN, Mr. President, I have discussed this matter with the Senator from Ohio. I think his amendment is entirely reasonable. Therefore, for myself, I am willing to accept the amendment.

Mr. SAXBE, I thank the Senator from Alabama.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Ohio.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

QUORUM CALL

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

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

MESSAGE FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. EAGLETON) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

FOREIGN ASSISTANCE ACT OF 1972

The Senate continued with the consideration of the bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. SPARKMAN. Mr. President, I ask for a vote on the tax be amended at this time.

The PRESIDING OFFICER. The amendment of the Senator from Ohio, as modified, has been agreed to.

Mr. SPARKMAN. Has it been agreed to on the RECORD?

The PRESIDING OFFICER. Yes.

Mr. SPARKMAN. Oh—well, I was not aware of that.

I move to reconsider the vote by which the amendment, as modified, was agreed to.

Mr. SAXBE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

QUORUM CALL

Mr. SPARKMAN. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 3166) to amend the Small Business Act, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 12846) to amend title 10, United States Code, to

authorize a treatment and rehabilitation program for drug dependent members of the Armed Forces, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 12846) to amend title 10, United States Code, to authorize a treatment and rehabilitation program for drug dependent members of the Armed Forces, and for other purposes, was read twice by its title and referred to the Committee on Armed Forces.

QUORUM CALL

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

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

REMOVAL OF INJUNCTION OF SECRECY, EXECUTIVE L, 92D CONGRESS, SECOND SESSION

Mr. ROBERT C. BYRD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Treaty on the Limitation of Antiballistic Missile Systems and the interim agreement on certain measures with respect to the limitation of offensive strategic arms signed in Moscow May 26, 1972—Executive L, 92d Congress, second session—transmitted to the Senate today by the President of the United States, and that the treaty and interim agreement and associated protocol, with accompanying papers, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hearing none, it is so ordered.

The President's message is as follows:

To the Senate of the United States:

I transmit herewith the Treaty on the Limitation of Anti-Ballistic Missile Systems and the Interim Agreement on Certain Measures with respect to the Limitation of Strategic Offensive Arms signed in Moscow on May 26, 1972. Copies of these agreements are also being forwarded to the Speaker of the House of Representatives. I ask the Senate's advice and consent to ratification of the Treaty, and an expression of support from both Houses of the Congress for the Interim Agreement on Strategic Offensive Arms.

These agreements, the product of a major effort of this administration, are a significant step into a new era of mutually agreed restraint and arms limitation between the two principal nuclear powers.

The provisions of the agreements are explained in detail in the Report of the Secretary of State, which I attach. Their

main effect is this: The ABM Treaty limits the deployment of anti-ballistic missile systems to two designated areas, and at a low level. The Interim Agreement limits the overall level of strategic offensive missile forces. Together the two agreements provide for a more stable strategic balance in the next several years than would be possible if strategic arms competition continued unchecked. This benefits not only the United States and the Soviet Union, but all the nations of the world.

The agreements are an important first step in checking the arms race, but only a first step; they do not close off all avenues of strategic competition. Just as the maintenance of a strong strategic posture was an essential element in the success of these negotiations, it is now equally essential that we carry forward a sound strategic modernization program to maintain our security and to ensure that more permanent and comprehensive arms limitation agreements can be reached.

The defense capabilities of the United States are second to none in the world today. I am determined that they shall remain so. The terms of the ABM Treaty and Interim Agreement will permit the United States to take the steps we deem necessary to maintain a strategic posture which protects our vital interests and guarantees our continued security.

Besides enhancing our national security, these agreements open the opportunity for a new and more constructive U.S.-Soviet relationship, characterized by negotiated settlement of differences, rather than by the hostility and confrontation of decades past.

These accords offer tangible evidence that mankind need not live forever in the dark shadow of nuclear war. They provide renewed hope that men and nations working together can succeed in building a lasting peace.

Because these agreements effectively serve one of this Nation's most cherished purposes—a more secure and peaceful world in which America's security is fully protected—I strongly recommend that the Senate support them, and that its deliberations be conducted without delay.

RICHARD NIXON.

THE WHITE HOUSE, June 13, 1972.

FOREIGN ASSISTANCE ACT OF 1972

The Senate continued with the consideration of the bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes.

TIME LIMITATION ON ALLEN AMENDMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at 2 p.m., today, the distinguished Senator from Alabama (Mr. ALLEN) be recognized for the purpose of calling up an amendment to the unfinished business (S. 3390); that time on that amendment be limited to 45 minutes, to be divided as follows: 30 minutes to be under the control of the distinguished Senator from Alabama (Mr. ALLEN) and 15 minutes to be under the control of the distinguished Senator from Idaho (Mr. CHURCH); and that a

vote on the amendment occur at the hour of 2:45 p.m. today.

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

Mr. ROBERT C. BYRD. Mr. President, unless some Senator seeks recognition, I am about to move that the Senate stand in recess.

RECESS

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate stand in recess until the hour of 1:45 p.m. today.

The motion was agreed to; and at 12:42 p.m. the Senate took recess until 1:45 p.m.; whereupon the Senate reassembled, when called to order by the Presiding Officer (Mr. ALLEN).

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALLEN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(The remarks that Mr. FULBRIGHT made at this point on the introduction of Senate Joint Resolution 241, dealing with limitation on strategic offensive arms, are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

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

The PRESIDING OFFICER (Mr. ROTH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FOREIGN ASSISTANCE ACT OF 1972

The Senate continued with the consideration of the bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the distinguished Senator from Alabama is now recognized.

Mr. ROBERT C. BYRD. Mr. President, will the Senator from Alabama yield for a question?

Mr. ALLEN. I yield.

Mr. ROBERT C. BYRD. The vote on the amendment which the distinguished Senator from Alabama will call up will occur today at 2:45 p.m. Is it the distinguished Senator's intention to ask for the yeas and nays on that amendment?

Mr. ALLEN. Yes, it is my intention.

Mr. ROBERT C. BYRD. I thank the Senator. Then I would hope that the respective cloakrooms will send out messages to Senators on both sides of the aisle stating that there will be a roll-call vote at 2:45 p.m. today, and I express the further hope that sufficient Sena-

tors will be on hand prior thereto, in order to give the Senator from Alabama a sufficient second to his request for the yeas and nays.

Mr. ALLEN. I thank the distinguished Senator for his cooperation.

AMENDMENT NO. 1219

Mr. ALLEN. Mr. President, I call up my amendment now at the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 9, strike out line 3 and all that follows through and including line 14 to-wit:

PROHIBITION AGAINST FURNISHING ASSISTANCE

SEC. 7. Section 620 of the Foreign Assistance Act of 1961, relating to prohibitions against furnishing assistance, is amended by adding at the end thereof the following new subsection:

"(x) No assistance may be furnished under part II of this Act (including chapter 4 of such part), and no sale, credit sale, or guaranty with respect to defense articles or defense services may be made under the Foreign Military Sales Act, to, for, on behalf of the Governments of Pakistan, India (including Sikkim), Bangladesh, Nepal, Ceylon, the Maldives Islands, or Bhutan."

The PRESIDING OFFICER. Under the previous unanimous-consent agreement, the Senator from Alabama has 30 minutes and the Senator from Idaho has 15 minutes.

Who yields time?

Mr. ALLEN. Mr. President, I yield myself 12 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 12 minutes.

Mr. ALLEN. Mr. President, the parliamentary situation is that there is pending before the Senate a committee amendment by the Committee on Foreign Relations in the nature of a substitute to the bill as introduced. That committee amendment in the nature of a substitute incorporated within its provisions certain amendments which were offered in the committee and which, from time to time, have been offered here on the floor.

One of those amendments was the amendment by the distinguished Senator from Idaho (Mr. CHURCH) which would have reinstated a ban against foreign military sales to or on behalf of the Governments of Pakistan, India, Bangladesh, Nepal, Ceylon, the Maldives Islands, or Bhutan. So that, in order to strike at the Church amendment, it is necessary to put in an amendment to the committee substitute inasmuch as the Church amendment has now become a part of the committee substitute.

So, this amendment which I have called up would, in effect, table or strike out the Church amendment calling for a ban on military assistance in South Asia, to the countries I have enumerated and which are set out in the language of the substitute.

Mr. President, according to the committee report, the following is a list of the military aid programs planned for countries in South Asia—this is South Asia and not Southeast Asia—for fiscal year 1973:

First. Ceylon—\$15,000 in grant aid for training.

Second. India—\$2 million in cash FMS sales and \$234,000 in grant aid for training.

Third. Nepal—\$1 million—the report says \$1 million, and I will touch on that in a moment—in cash FMS sales and \$29,000 in grant aid for training.

Fourth. Pakistan—\$3,600,000 in cash FMS sales and \$243,000 in grant aid for training.

Mr. President, there are several points to bear in mind in connection with the figures cited by the committee. The \$2 million cash foreign military sales going to India is meaningless and the \$3,600,000 cash foreign military sales is equally meaningless for Pakistan, for the simple reason that both India and Pakistan are under an embargo which prohibits military sales to these nations. I have been assured that there are no present plans to lift the embargo.

That would really make that a moot question—the \$3,600,000 that Pakistan can buy in this country for cash and the \$2 million that India could buy in this country for cash. I am going to point out in a moment that foreign military sales are not always machine guns, tanks, or planes, but they can be civilian equipment. They can be bulldozers. They can be electronic equipment and many other things besides rifles, guns, and tanks.

I have also been advised that the \$1 million figure in cash military sales to Nepal is actually an error fed into a computer and that an errata sheet will be shortly issued by the Department of Defense to show that the figure of \$10,000 was intended and not \$1 million.

Consequently, what the committee is undertaking to do is to prevent grant aid for training military personnel for Ceylon in the amount of \$15,000—for Nepal, \$29,000—for India, \$234,000—for Pakistan, \$243,000. In addition, the committee by its recognition that the prohibitions do not prohibit commercial sales of either weapons, supplies, or trade by private industry would permit Nepal to purchase in cash \$10,000 from commercial sources, even if the Church amendment is not knocked out in the substitute.

So, we are talking about a total sum of \$521,000 grant aid for training—and later on I will comment on the training a little bit more—and \$10,000 in cash sales.

That is all the amendment is really to accomplish, inasmuch as we already have an embargo on shipments from this country of military supplies from any source—the Department of Defense, or commercial—going to India and Pakistan.

Mr. President, the above is the total sum which may be spent for purchase of weapons, supplies and equipment from commercial sources or trading by private industry nations of south Asia.

According to the committee report, the committee approved these restrictions and I quote from the report:

In order to insure that the U.S. Government does not become any more deeply involved in the military affairs of the nations of south Asia.

It is worth bearing in mind that the

total estimate of cash sales under the Foreign Military Sales Act amounts to only \$5,610,000.

Mr. President, I point out that these are sales for cash that the Church amendment, the committee amendment, is seeking to ban—not credit sales, not grants-in-aid—but sales for cash and some half a million dollars for training in this country of civilian and military personnel from the countries mentioned. We are talking about cash sales and not credit sales. And we are talking about cash sales of only \$10,000 when we exclude sales of equipment and supplies under the existing embargo. The result is that the committee has simply said that the United States shall not provide grants for military training of military personnel from any of the nations in south Asia.

So, in the main what the Church amendment, the committee amendment, would also seek to do would be to bar the expenditure of a half a million dollars, \$521,000 to be exact, for training in this country of military personnel and some civilian personnel on electronic equipment and things of that sort. It would deprive us from the great benefits for this country of having these people from the countries of Southeast Asia in this country where they could obtain training from our military officers. And they have a very definite esprit de corps between them and our own military instructors and personnel.

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

Mr. ALLEN. Mr. President, I yield myself an additional 2 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for an additional 2 minutes.

Mr. ALLEN. Mr. President, that in the main, in view of the embargo imposed on shipments to these countries from any source, military or commercial, would be barred. To me, it simply says that the United States shall not provide grants for military training of military personnel for any of the nations in South Asia. And that in the judgment of the junior Senator from Alabama would be a very shortsighted policy indeed.

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

Mr. ALLEN. I yield 2 minutes to the distinguished Senator from Kentucky in order that he might propound an inquiry.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 2 minutes.

Mr. COOPER. Mr. President, I appreciate very much the Senator's explanation of his opposition to this section. I must confess that I was not in the committee at the time this amendment was adopted. I see the Senator from Idaho on the floor and as the author of the amendment, I know that he will explain it. However, as I recall the discussion prior to the adoption of the amendment, it was designed to cut off the possibility of a resumption of the supply of military equipment that had been furnished over the years and particularly to Pakistan. If the request has not been made, I ask consent that the Senator from Ohio Senator SAXBE and the Senator from South Carolina, Senator HOLLINGS, be made co-

sponsors of the amendment. Senator SAXBE has visited the area, and he and Senator HOLLINGS introduced the resolution expressing the sense of the Senate for reorganization of Bangladesh.

The Senator from Alabama (Mr. ALLEN) has pointed out—and, I think, very correctly because I am looking at tabulation No. 4 in the report—that the amounts represented here are approximately \$500,000.

Mr. ALLEN. \$521,000; the Senator is correct.

Mr. COOPER. The Senator has stated that these amounts to the various countries would be used only for military training.

Mr. ALLEN. As to the items for training. However, it does have the items of \$2 million to India, and \$3,600,000 to Pakistan, and \$15,000, I believe, to Nepal. That is a projection by the committee based on information furnished by the Defense Department. However, the point the junior Senator from Alabama is making is that despite those figures, there is an embargo in force—and there has been for some time—preventing shipments of any sort, from military sources or from civilian sources, of military supplies to these countries.

Mr. COOPER. Mr. President, the Senator is correct but the purpose of the amendment is to prevent the resumption of military aid such as has occurred in the past.

If the Senator's amendment were to be adopted, it would not prevent the sale or grant of military equipment to these countries, provided the embargo is lifted. Is that a correct statement?

Mr. ALLEN. The Senator is correct. That is the sales for cash in the amounts stated in the report. I did point out that there was a computer error in the million dollar figure listed for Nepal. That figure is only \$10,000. And I am so advised by the Department of Defense.

Mr. COOPER. Mr. President, I will take only a few minutes. I want to say that, from my experience in the area, I believe one of the causes of war and the troubles in the area can be attributed in some degree to our military aid.

These countries receive large supplies of military aid from other countries. India is almost entirely supplied today by the Soviet Union, and Pakistan receives military aid from the Peoples' Republic of China and from the Soviet Union. We should stay out of the competition. Mr. President, I will ask for time later.

Mr. ALLEN. Mr. President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CHURCH. Mr. President, I yield myself such time as I might require within the limit.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CHURCH. Mr. President, the amendment offered by the distinguished Senator from Alabama would strike section 7 from the committee bill. If this were to pass, we would end up without any congressional policy regarding the furnishing of arms to the countries of the Indian Subcontinent. The executive

would then be free to proceed at its pleasure. It could lift the current embargo and reinstate the arms supply program for Pakistan or for India as well as transfer those materials programmed for Ceylon or Bangladesh unchecked by any legislative guidelines.

The Congress, having not spoken in this or in any other bill, would leave the executive free to proceed with it. That is the only way one could construe the amendment offered by the distinguished Senator from Alabama.

Mr. President, the Committee on Foreign Relations, in section 7 of the Foreign Assistance Act of 1972, has reported a provision prohibiting any further participation by the U.S. Government in supplying weaponry to the nations of South Asia.

The purpose of the provision, as already noted by the distinguished senior Senator from Kentucky, based upon long and bitter experience, is to insure that the United States not blunder again, severely diserving our national interest, as we did in the 1965 war between India and Pakistan and in the Pakistan-Bangladesh and Pakistan-Bangladesh-India wars in 1971.

If this provision were enacted into law, all federally financed armaments would be banned. Commercial sales, on the other hand, would become a direct matter between the South Asian governments and the private companies concerned.

Tensions that led to tragic and traumatic conflicts in South Asia continue to linger. For the United States to rearm Pakistan, or to arm Bangladesh, the newest nation, to counterbalance India, now the dominant power in the area, would only heat up the fires that still flicker on the subcontinent. For the United States to provide India with more military might would only make the adjacent nations more mistrustful of their colossal neighbor. As long as the U.S. Government offers arms and ammunition to any of these countries, as long as the Pentagon acts as the agreeable agent in procuring and purchasing military materiel, as long as our Government provides free military training to the competing officer corps, and as long as we intervene in the delicate military affairs of Bangladesh, Bhutan, Ceylon—now Sri Lanka—India—and Sikkim—Nepal, and Pakistan, we are only repeating our mistakes of the past.

In recent times, tangible progress has been made by the superpowers toward limiting the testing, deployment and transfer of nuclear weapons. I submit, it is also imperative to seek ways for reducing the massive international traffic in conventional arms. This amendment, then, serves as a first step toward controlling the flow of these arms into the most volatile region of the Asian continent. In turn, our noninterference would encourage South Asian governments to seek among themselves solutions of a more conciliatory nature. Hopefully, this process could begin with the Delhi summit at the end of this month.

Five advanced powers—the United States, the U.S.S.R., France, the United Kingdom, and China—have supplied

nearly all the weaponry for the wars in South Asia since 1947.

Ironically enough, the opposing armies in these wars possessed pretty much the same weapons provided by the five aforementioned nations. This was the case in last year's cruel conflict between India, Bangladesh, and Pakistan. The Sherman tanks used by the Indian Army and the M-47 and M-48 tanks used by the Pakistan forces were all manufactured in the United States. The Soviet T-54 and T-55 tanks used by all combatants were manufactured in the Soviet Union. The Indian Air Force flew Soviet Mig-21 jets while Pakistan flew Soviet Mig-19s. And now Ceylon has joined the club of combatants, receiving arms aid from the major suppliers to control the numerous unemployed and unsatisfied youth in that country; the militant rebels have received their tools of violence indirectly from the same sources. Such completing-the-circle circumstances reach beyond the limits of evil into the realm of the ludicrous, as was recently pointed out in a French magazine. "Frenchmen can take comfort in the fact," the periodical noted—

That, along with providing Mirage jet fighters to Pakistan, France is also exporting anti-aircraft missiles to India to shoot down the jets. This is somehow maintaining the balance.

Since the end of last year's war, however, the balance lies solely in the lap of just one nation, India. Any efforts to arm its neighbors as some kind of "even-handed" approach to the area would be both provocative and counterproductive, if not an act of the absurd. The fact is that India has emerged the dominant power in the Indian Ocean region. Only India can work out with its neighbors the course of peace and friendship in that area of the world. Certainly the United States cannot provide equilibrium on the Subcontinent. But the United States and the U.S.S.R. could stimulate further disruptions by supplying arms.

What the Committee on Foreign Relations is proposing here is not part of any retreat to Fortress America, but a policy that would allow the U.S. Government to behave in a realistic, restrained, and moral manner. For the first time in 25 years, federally financed arms would be totally banned from South Asia. For the first time in a generation, American-furnished arms would not be stimulating a regional arms race, or contributing to the outbreak or intensification of hostilities, or constituting an unnecessary diversion on the part of recipient countries of resources needed for vital internal growth. For the first time since 1954, when the United States began to arm Pakistan lavishly, we could conduct our relations in a neutral, friendly manner toward all the nations of the Subcontinent. Our national conscience would be free of the onus that our arms were a major factor in keeping India and Pakistan on the edge of war.

If the United States really has compassion for the peoples of South Asia, which I believe to be the case, then Congress will take our Government out of the arms aid-and-sales business insofar as these countries are concerned. Hope-

fully, other powers would follow our example, but only time would tell. The way to begin is for the United States to establish a clear and unambiguous policy, as the Senate Foreign Relations Committee has recommended, a policy of banning further U.S. military grants and sales to the nations of South Asia.

Mr. President, I do hope that the Senate will see fit to retain the Church amendment in the bill by rejecting the motion to strike of the Senator from Alabama.

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

Mr. CHURCH. I am happy to yield to the distinguished senior Senator from Kentucky.

Mr. COOPER. I spoke briefly on this matter a few moments ago. I appreciate the correct statement by the Senator from Alabama. He is always precise in his facts. But I believe to strike out the language adopted in committee would have the effect of placing our country in a situation that when the embargo is lifted—and the embargo could be lifted at any time—furnishing arms to these nations or those who wanted arms could be resumed.

I have followed this problem for a long time. I believe our activities in furnishing arms to Pakistan has been one of the causes of the great trouble we have had.

As I have said, India is being supplied almost wholly by the Soviet Union. China is providing some arms to Pakistan as is the Soviet Union. Perhaps the Soviet Union and China will provide arms to other countries of the area. I have never felt it helped the recipients or the United States. And in time the countries of the India subcontinent may dislike their reliance on their present suppliers of arms.

The Senator from Alabama pointed out very correctly that the money in this bill, with the exception of the \$10,000, is for military training. Looking at pages 6 and 7 of the report, the footnote on page 6 and 7 shows these cases the aid is for "United States and overseas training only." With regard to India and Pakistan it is for U.S. training only. I think that is proper to keep such an association with those countries. It is not a matter of furnishing hardware for them; it is a matter for training.

I hope the Senator will amend the committee amendment in the bill, proposed to be stricken by the Allen amendment, by adding on page 9, line 11, in the bill after "defense services" the words "other than military training" or similar words he would prefer.

When I was last in India, there was some expression that this would be a proper link and aid between our country and their country. I do not say that my information came from the highest levels, but I think it is correct that it would be a proper link.

Mr. CHURCH. Mr. President, I have no objection to the alteration in the provision that the Senator recommends. I suggest to him, however, that it might be better if it came on line 9 of page 9.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CHURCH. Mr. President, I ask unanimous consent that I may have 1 minute to complete this colloquy.

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

Mr. CHURCH. I would propose that we insert the words "other than training" following the parentheses. That is the proper place for it to come, and it would have the same effect. I would be amenable to amending the provision in that respect.

Mr. COOPER. Will the Senator move to amend the committee amendment?

Mr. CHURCH. Yes.

Mr. President, I move that on line 9, page 9, the words "other than training" appear following the parentheses and comma. I move the adoption of that perfecting amendment.

The PRESIDING OFFICER. It would take unanimous consent for the Senator's proposal to be adopted at this time.

Mr. CHURCH. Mr. President, I ask unanimous consent.

The PRESIDING OFFICER. Would the Senator please send the language to the desk?

The clerk will state the amendment.

The assistant legislative clerk read the amendment, as follows:

On page 9, line 9, after the word "part" and the closing parenthesis, insert the words "other than training".

The PRESIDING OFFICER. Is there objection to the amendment? Without objection, the committee language is so amended.

Mr. CHURCH. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama has 13 minutes remaining.

Mr. ALLEN. Mr. President, the Senator from New Jersey (Mr. CASE), who does not feel as I do about the amendment, asked for 3 minutes' time. Is he here? I am prepared to yield to him.

In view of his absence, and since time is running, Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. ALLEN. Mr. President, the committee substitute singles out one section of the world for special treatment, ignoring many of the important and beneficial effects which our military assistance relationships have had in the past with the countries of the area. This indiscriminate prohibition on all forms of military assistance is its greatest weakness.

Over the years in all the countries of the region we have maintained modest but important military training programs, which vary in size from one of approximately \$250,000 in India and Pakistan to one of less than \$50,000 in the case of Nepal, and under the perfecting amendment that was agreed to, the training programs could still be carried on.

These programs have provided opportunities for personnel from all military services to come to this country and to learn something of American military technology and tactics and to understand more about the American way of life. These links with the military leadership in the countries of South Asia have pro-

vided useful points of access and a basis of understanding and friendship which has been and could continue to be an important positive political factor for us. It is important that the United States be able to provide military training to a select number of military personnel when and as we determine it to be in our interest to do so.

I continue to speak about the training program because, if the Foreign Relations Committee saw fit to knock out the training program, and the proponents of the Church amendment now admit that it was in error in doing so, might they not be wrong also in preventing or banning military sales to those countries?

Mr. President, will the Chair stop me when I have 3 minutes remaining, so that I may yield that time to the Senator from New Jersey?

Additional examples of the loss of flexibility which the amendment would impose on the conduct of our foreign relations can be seen in the examples of Nepal and Ceylon. Almost a decade ago when Nepal was faced with the need to equip its very small armed forces at a time of particular concern about the Chinese threat, we were able to institute a small assistance program under which we provided medical, communications, and transport equipment to the Nepalese army. We are continuing to sell very small quantities of spare parts to support this equipment even today, but the Church amendment embodied in the committee substitute would eliminate that type of sale.

Similarly, we agreed in 1964 to join with the Government of India in building the East-West Highway across the southern plains of Nepal. Roadbuilding equipment for this highway was provided under our military assistance program.

As I stated in my earlier remarks, all military assistance does not consist of a rifle, or a tank, or a weapon. Civilian equipment and material can also be provided.

The highway has been a major cooperative program in Nepal with important positive impact on the economic development and national integration of Nepal. We would be unable to continue to support our contribution to this project if the pending amendment is not adopted.

Finally, in Ceylon, where in 1971 a Maoist insurgency broke out, we were able to move swiftly to meet requests for assistance from the Government of Ceylon. We provided helicopters and other equipment needed for the internal security of this friendly island in the Indian Ocean. Our support was an important contribution to the political stability and independence of Ceylon. Spare parts support will be required in the future if our interest in the independence of Ceylon is to have any visible credibility. If the amendment I have offered is not agreed to, we will not be able to provide such support.

Thus the committee substitute would do a serious disservice to the national interests of the United States. It would deny us needed flexibility in meeting emergent situations in the future; it would make it more difficult for the

United States to build cooperative relationships with the countries of South Asia and to help them in the tasks of their own self-defense which is the fundamental assumption of the Nixon doctrine.

The next question that comes to mind is, Where will these nations turn for their future military requirements?

And the Senate should ponder that question well.

The equipment previously furnished by us will rapidly become useless without spare parts. If the nations involved intend to provide training for their military personnel in technical and specialized fields, where will they turn for such training?

Under the perfecting amendment, that is a moot question.

The answer is obvious. Communist Russia and Communist China are anxiously awaiting the opportunity to exclude all U.S. influence in South Asia. It is my sincere conviction that if the Senate does not vote to strike this section, we will have significantly contributed to the achievement of Communist goals in South Asia.

In conclusion, it is my contention that the minimal grants for training does not represent a deep involvement in military affairs of the nations of South Asia. I further contend that to deny these nations the right to purchase for cash necessary spare parts and equipment previously furnished by the United States is a futile gesture, costly in good will, and can only provoke the nations involved into choosing alternative sources of assistance. The committee's purpose may be well intentioned, but, in my judgment, it is unwise, and I hope that the Senate will vote for the pending amendment striking out the language of the Church amendment embraced in the committee amendment.

I yield to the distinguished Senator from New Jersey, the remainder of my time.

PERSONAL STATEMENT

Mr. CASE. Mr. President, I thank the Senator from Alabama. I asked the junior Senator from Alabama if he would let me have the floor because at this time I do want to raise a question, while the senior Senator from Alabama (Mr. SPARKMAN) is present, as to a procedure followed this morning in which the senior Senator from Alabama was involved.

The Stennis amendment to strike subsection 3 of section 4 of the bill was to be voted on, according to the unanimous-consent agreement, at a quarter to 3 today. At about 10 minutes to 12, without a quorum call and without notification to me, though the Senator from Alabama knew that I had been the author of the language which would have been stricken by Senator STENNIS' amendment, he vacated the unanimous-consent agreement and accepted the Stennis amendment, and it was adopted by a voice vote.

I say this because I think it was most unfortunate, and that this kind of thing is contrary to the spirit in which the Senate operates and has to operate if we are to accomplish our business.

I would be glad if the Senator from Alabama would respond.

Mr. SPARKMAN. Mr. President, I will say to the Senator from New Jersey that I can see why he would feel this way. I do not blame him one bit. As a matter of fact, I did know that the Senator offered this language in the committee. I knew, and was reminded by all the references to the Case amendment, that he was greatly interested in an amendment that I had introduced yesterday afternoon and had printed, which was on the table today. I had been told that he would not be ready to consider that until Monday of next week, and I agreed to that.

I must say that I just was not thinking about this being something which he should be notified about. I fully agree with him that he should have been notified, and there should have been a quorum call in order that not only he, but all Senators, would know that this changed situation was about to take place.

I do not know anything further that I can say. I am sorry that it developed that way, but that is the way it was.

Mr. CASE. I appreciate the statement the Senator has made. I accept it, of course. I would only say that I think that all of us, when we are in a position of controlling any part of the action of the Senate, have got to be extremely sensitive—and this should go for our staffs as well—to the needs of people whenever we operate, as we almost always do, under unanimous consent. These practices, once established, tend to acquire a rather sacred quality, and unless notification of an agreed scheduled change is given to the specific individuals involved, we are going to have chaos here, and it will be difficult to operate.

I certainly understand that the Senator from Alabama would not have done this except by inadvertence, and I accept the apology.

Mr. ALLEN. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. ALLEN. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. ROTH). All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Alabama (Mr. ALLEN). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Arkansas (Mr. McCLELLAN), the Senator from South Dakota (Mr. McGOVERN), the Senator from Utah (Mr. MOSS), the Senator from Maine (Mr. MUSKIE), and the Senator from Michigan (Mr. HART), are necessarily absent.

I further announce that the Senator from Rhode Island (Mr. PELL), and the Senator from New Jersey (Mr. WILLIAMS), are absent on official business.

On this vote, the Senator from Georgia (Mr. GAMBRELL) is paired with the Senator from South Dakota (Mr. McGOVERN). If present and voting, the Sen-

ator from Georgia would vote "yea" and the Senator from South Dakota would vote "nay."

I further announce that, if present and voting, the Senator from Alaska (Mr. GRAVEL), would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from New York (Mr. BUCKLEY) and the Senator from Idaho (Mr. JORDAN) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Texas (Mr. TOWER) is necessarily absent.

If present and voting, the Senator from Texas (Mr. TOWER) would vote "yea."

The result was announced—yeas 41, nays 43, as follows:

[No. 204 Leg.]

YEAS—41

Aiken	Dole	McGee
Allen	Dominick	Miller
Allott	Eastland	Packwood
Anderson	Ervin	Saxbe
Beall	Fannin	Scott
Bellmon	Fong	Smith
Bennett	Griffin	Sparkman
Boggs	Gurney	Stafford
Brock	Hansen	Stennis
Cannon	Hollings	Talmadge
Chiles	Hruska	Thurmond
Cook	Jackson	Welcker
Cotton	Jordan, N.C.	Young
Curtis	Long	

NAYS—43

Bayh	Harris	Pastore
Bentsen	Hartke	Pearson
Bible	Hatfield	Percy
Brooke	Hughes	Proxmire
Burdick	Inouye	Randolph
Byrd	Javits	Ribicoff
Harry F., Jr.	Kennedy	Roth
Byrd, Robert C.	Magnuson	Schweiker
Case	Mansfield	Spong
Church	Mathias	Stevens
Cooper	McIntyre	Stevenson
Cranston	Metcalf	Symington
Eagleton	Mondale	Taft
Ellender	Montoya	Tunney
Fulbright	Nelson	

NOT VOTING—16

Baker	Humphrey	Muskie
Buckley	Jordan, Idaho	Pell
Gambrell	McClellan	Tower
Goldwater	McGovern	Williams
Gravel	Moss	
Hart	Mundt	

So Mr. ALLEN's amendment was rejected.

Mr. CHURCH. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. FULBRIGHT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION—CONVENTION ON THE TAKING OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS

The PRESIDING OFFICER (Mr. ROTH). Under the unanimous consent agreement of Wednesday, June 7, 1972, the hour of 3 p.m. having arrived, the Senate will now go into executive session and will proceed to vote Executive Calendar Nos. 23, 24, and 25.

The resolution of ratification on all three treaties having been read, the Senate will now proceed to vote first on Calendar No. 23, Executive A (92d Cong., second sess.), the convention on the taking

of evidence abroad in civil or commercial matters.

The yeas and nays have been ordered.

The question is, Will the Senate advise and consent to the resolution of ratification on Executive A (92d Cong., second sess.)?

The time for each rollcall vote will be 10 minutes instead of the regular 15 minutes.

The clerk will call the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Michigan (Mr. HART), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Arkansas (Mr. McCLELLAN), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Utah (Mr. MOSS), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

I further announce that the Senator from Rhode Island (Mr. PELL) and the Senator from New Jersey (Mr. WILLIAMS) are absent on official business.

I further announce that, if present and voting, the Senator from Minnesota (Mr. HUMPHREY), the Senator from Georgia (Mr. GAMBRELL) and the Senator from Rhode Island (Mr. PELL) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from New York (Mr. BUCKLEY) and the Senator from Idaho (Mr. JORDAN) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Texas (Mr. TOWER) is necessarily absent.

If present and voting, the Senator from Texas (Mr. TOWER) would vote "yea."

The yeas and nays resulted, yeas 84, nays 0, as follows:

[No. 205 Ex.]

YEAS—84

Aiken	Eastland	Montoya
Allen	Ellender	Nelson
Allott	Ervin	Packwood
Anderson	Fannin	Pastore
Bayh	Fong	Pearson
Beall	Fulbright	Percy
Bellmon	Griffin	Proxmire
Bennett	Gurney	Randolph
Bentsen	Hansen	Ribicoff
Bible	Harris	Roth
Boggs	Hartke	Saxbe
Brock	Hatfield	Schweiker
Brooke	Hollings	Scott
Burdick	Hruska	Smith
Byrd	Hughes	Sparkman
Harry F., Jr.	Inouye	Spong
Byrd, Robert C.	Jackson	Stafford
Cannon	Javits	Stennis
Case	Jordan, N.C.	Stevens
Chiles	Kennedy	Stevenson
Church	Long	Symington
Cook	Magnuson	Taft
Cooper	Mansfield	Talmadge
Cotton	Mathias	Thurmond
Cranston	McGee	Tunney
Curtis	McIntyre	Welcker
Dole	Metcalf	Young
Dominick	Miller	
Eagleton	Mondale	

NAYS—0

NOT VOTING—16

Baker	Humphrey	Muskie
Buckley	Jordan, Idaho	Pell
Gambrell	McClellan	Tower
Goldwater	McGovern	Williams
Gravel	Moss	
Hart	Mundt	

The PRESIDING OFFICER. Two-thirds of the Senators present and voting

having voted in the affirmative, the resolution of ratification is agreed to.

TREATY OF EXTRADITION WITH ARGENTINA

The PRESIDING OFFICER. The Senate will now proceed to vote on Executive Calendar No. 24, Executive F (92d Cong., second sess.), a treaty of extradition with Argentina. The resolution of ratification having already been reported, the question is, will the Senate advise and consent to the resolution of ratification?

The yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Michigan (Mr. HART), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Arkansas (Mr. McCLELLAN), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Utah (Mr. MOSS), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

I further announce that the Senator from Rhode Island (Mr. PELL), and the Senator from New Jersey (Mr. WILLIAMS) are absent on official business.

I further announce that, if present and voting, the Senator from Rhode Island (Mr. PELL), the Senator from Minnesota (Mr. HUMPHREY), and the Senator from Georgia (Mr. GAMBRELL), would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from New York (Mr. BUCKLEY), and the Senator from Idaho (Mr. JORDAN) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Texas (Mr. TOWER) is necessarily absent.

If present and voting, the Senator from Texas (Mr. TOWER) would vote "yea."

The yeas and nays resulted—yeas 84, nays 0, as follows:

[No. 206 Ex.]

YEAS—84

Aiken	Eastland	Montoya
Allen	Ellender	Nelson
Allott	Ervin	Packwood
Anderson	Fannin	Pastore
Bayh	Fong	Pearson
Beall	Fulbright	Percy
Bellmon	Griffin	Proxmire
Bennett	Gurney	Randolph
Bentsen	Hansen	Ribicoff
Bible	Harris	Roth
Boggs	Hartke	Saxbe
Brock	Hatfield	Schweiker
Brooke	Hollings	Scott
Burdick	Hruska	Smith
Byrd	Hughes	Sparkman
Harry F., Jr.	Inouye	Spong
Byrd, Robert C.	Jackson	Stafford
Cannon	Javits	Stennis
Case	Jordan, N.C.	Stevens
Chiles	Kennedy	Stevenson
Church	Long	Symington
Cook	Magnuson	Taft
Cooper	Mansfield	Talmadge
Cotton	Mathias	Thurmond
Cranston	McGee	Tunney
Curtis	McIntyre	Welcker
Dole	Metcalf	Young
Dominick	Miller	
Eagleton	Mondale	

NAYS—0

NOT VOTING—16

Baker	Humphrey	Muskie
Buckley	Jordan, Idaho	Pell
Gambrell	McClellan	Tower
Goldwater	McGovern	Williams
Gravel	Moss	
Hart	Mundt	

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

A PARTIAL REVISION OF THE RADIO REGULATIONS (1959) RELATING TO SPACE TELECOMMUNICATIONS

The PRESIDING OFFICER. The Senate will now proceed to vote on Executive E, Executive Calendar No. 25, A Partial Revision of the Radio Regulations Relating to Space Telecommunications.

The question is, Will the Senate advise and consent to the resolution of ratification? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Michigan (Mr. HART), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Arkansas (Mr. McCLELLAN), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Utah (Mr. MOSS), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

I further announce that the Senator from Rhode Island (Mr. PELL), and the Senator from New Jersey (Mr. WILLIAMS) are absent on official business.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL), the Senator from Minnesota (Mr. HUMPHREY), and the Senator from Rhode Island (Mr. PELL) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from New York (Mr. BUCKLEY), and the Senator from Idaho (Mr. JORDAN) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Texas (Mr. TOWER) is necessarily absent.

If present and voting, the Senator from Texas (Mr. TOWER) would vote "yea."

The yeas and nays resulted—yeas 84, nays 0, as follows:

[No. 207 Ex.]

YEAS—84

Aiken	Cook	Hruska
Allen	Cooper	Hughes
Allott	Cotton	Inouye
Anderson	Cranston	Jackson
Bayh	Curtis	Javits
Beall	Dole	Jordan, N.C.
Bellmon	Dominick	Kennedy
Bennett	Eagleton	Long
Bentsen	Eastland	Magnuson
Bible	Ellender	Mansfield
Boggs	Ervin	Mathias
Brock	Fannin	McGee
Brooke	Fong	McIntyre
Burdick	Fulbright	Metcalf
Byrd,	Griffin	Miller
Harry F., Jr.	Gurney	Montoya
Byrd, Robert C.	Hansen	Mondale
Cannon	Harris	Nelson
Case	Hartke	Packwood
Chiles	Hatfield	Pastore
Church	Hollings	Pearson

Percy	Smith	Taft
Proxmire	Sparkman	Talmadge
Spong	Spong	Thurmond
Ribicoff	Stafford	Tunney
Roth	Stennis	Weicker
Saxbe	Stevens	Young
Schweiker	Stevenson	
Scott	Symington	

NAYS—0

NOT VOTING—16

Baker	Humphrey	Muskie
Buckley	Jordan, Idaho	Pell
Gambrell	McClellan	Tower
Goldwater	McGovern	Williams
Gravel	Moss	
Hart	Mundt	

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

LEGISLATIVE SESSION

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

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

The Senate resumed the consideration of legislative business.

AMENDMENT OF SMALL BUSINESS ACT

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3166.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3166) to amend the Small Business Act, which was to strike out all after the enacting clause, and insert:

That paragraph (4) of section 4(c) of the Small Business Act is amended—

(1) by striking out "\$3,100,000,000" and inserting in lieu thereof "\$4,300,000,000";

(2) by striking out "\$450,000,000" and inserting in lieu thereof "\$500,000,000"; and

(3) by striking out "\$300,000,000" and inserting in lieu thereof "\$350,000,000".

Sec. 2. Section 402(a) of the Economic Opportunity Act of 1964 (42 U.S.C. 2902 (a)) is amended by striking out "\$25,000" and inserting in lieu thereof "\$50,000".

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11417) to amend the Rail Passenger Service Act of 1970 to provide financial assistance to the National Railroad Passenger Corporation for the purpose of purchasing railroad equipment, and for other purposes.

The message also announced that the House insisted upon its amendments to the bill (S. 979) to extend the act of September 30, 1965, as amended by the acts of July 24, 1968, and October 13, 1970, relating to high-speed ground transportation, by removing the termination date thereof, and for other pur-

poses; disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. JARMAN, Mr. MURPHY of New York, Mr. DEVINE, and Mr. HARVEY were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 5065) to amend the Natural Gas Pipeline Safety Act of 1968; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. MACDONALD of Massachusetts, Mr. VAN DEERLIN, Mr. SPRINGER, and Mr. KEITH were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 13188) to authorize appropriations for the procurement of vessels and aircraft and construction of shore and offshore establishments, and to authorize the average annual active duty personnel strength for the Coast Guard; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GARMATZ, Mr. CLARK, Mr. LENNON, Mr. PELLY, and Mr. KEITH were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 11417) to amend the Rail Passenger Service Act of 1970 in order to provide financial assistance to the National Railroad Passenger Corporation, and for other purposes.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. MCGEE).

FOREIGN ASSISTANCE ACT OF 1972

The Senate resumed the consideration of the bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes.

AMENDMENT NO. 1222

Mr. KENNEDY. Mr. President, I understand there is a full hour on the amendment I am about to offer, the time to be divided evenly. Is that correct?

The PRESIDING OFFICER. That is correct?

Mr. KENNEDY. For the benefit of Senators, I will say I do not think we will need nearly all of that time. I am hopeful we can get to a vote within half an hour.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, I call up my amendment, No. 1222, to the Foreign Assistance Act of 1961, as amended, submitted by myself and the distinguished Senator from Kentucky (Mr. COOPER), and Senators HUMPHREY, BAKER, MONDALE, CHURCH, SAXBE, STEVENSON, HOLLINGS, and CRANSTON.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment (No. 1222) as follows:

On page 6, line 13, strike "\$50,000,000" and substitute in lieu thereof "\$100,000,000".

Mr. KENNEDY. Mr. President, I yield myself 5 minutes.

The purpose of this amendment is to restore the amount of aid and assistance to be made available to Bangladesh from some \$50 to \$100 million, which was initially requested by this administration.

If this amendment is successful, the funds would be used for the items which were included in the RECORD yesterday. They are basically humanitarian programs to try to help restore the lives, the well-being, and the homes of hundreds of thousands of citizens of Bangladesh who have suffered so grievously over the period of the last year.

May we have order, Mr. President?

The PRESIDING OFFICER. The Senator from Massachusetts is making an important statement, and he has requested that the Senate be in order.

Mr. KENNEDY. Mr. President, probably no people in recent times have suffered more grievously than have the people of Bangladesh over the last 2 years. During the period of the last 2 years more than 1 million of them lost their lives in the cyclone that struck their southern coast, and then, shortly after that, they experienced some of the most dreadful violence that any have been subjected to in modern history—a violence that caused some 10 million of their own to flee from Bangladesh into India.

I had an opportunity to visit many of the refugee camps surrounding the borders of Bangladesh just about a year ago, and it was not extraordinary, during that time, to see hundreds of thousands of children less than 7 years of age dying from mass starvation. As a matter of fact, the best estimate was that there were some 10,000 or 12,000 children who died every day of malnutrition. That was about half the total number of such deaths during that period of time.

So the people of Bangladesh have suffered grievously from violence and terrorism in their struggle for freedom, in their desire to effectuate the independence which they had secured at the ballot box. Now that peace has come to Bangladesh, the 10 million refugees have returned from India to Bangladesh, with some help and assistance from India—for rather than being a people who were willing to languish in refugee camps, where they could be assured of some food and shelter, they returned to their homes in a strikingly short period of time, to rebuild their lives and their homes and to seek a new life in the country which they loved.

This effort by the United States of providing some \$100 million, which would be the amount authorized if this amendment were successful, represents the U.S. share of participation in the humanitarian undertaking to permit those people to restore their lives and well-being. I think, quite frankly, it is a minimum figure. It represents a little less than a quarter of the total amount which has been estimated as necessary to restore Bangladesh to its 1970 economy. It would, I believe, provide the kind of restoration and rehabilitation in the most important

and crucial areas of housing, and would provide some transportation, but most directly in efforts that would have the greatest impact on people's lives, health, and housing and their basic needs.

The resources which will be made available under this amendment will, to a large degree, be expended—

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. KENNEDY. I yield myself 3 more minutes—are partially being expended through the voluntary church agencies. The voluntary agencies, which represent all the great faiths and international service organizations, are perhaps some of the great unsung heroes in the field of humanitarian concern and relief. This aid program will work through the voluntary church agencies, composed of men and women who are selfless in their desire to help their fellow human beings. They are remarkably efficient in assuring that any tax dollar devoted to humanitarian relief actually gets into the field and the area of greatest need. So I believe, Mr. President, that this amendment for the restoration of \$50 million, even recognizing some of the extraordinary needs we have here in this country, is completely in the tradition of U.S. humanitarian concern for the hundreds, thousands, and millions of homeless refugees, who have suffered so much and who are now attempting to restore their lives and well-being, and represents a strong arm of friendship to those people, to help them to help themselves.

Finally, Mr. President, I understand that there was some reluctance by the Committee on Foreign Relations to recommend the full amount requested by the administration, because some of the previously authorized funds had not been expended. I understand and appreciate that. But that was largely due, Mr. President, because we as a country had withheld our diplomatic recognition of Bangladesh until fairly recently, so it has only been recently that we have been able to involve ourselves in negotiations for the restoration of AID. In the past few weeks, the AID program has been announced, and I think it represents a very imaginative and well thought out program. There is considerable need for this kind of help and assistance, which we can provide with this amendment if it is agreed to, and I hope that it will be.

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

There being no objection, the text was ordered printed in the RECORD, as follows:

As I stated in introducing this amendment yesterday, the unprecedented tragedy that swept the land and people of Bangladesh last year has rightly brought an unprecedented humanitarian response from the American people and Congress. Despite the slowness of our Government to react, the American people and the Congress have seen the birth of Bangladesh as a saga of human courage and tragedy rarely witnessed in modern times—a saga deserving of our concern and our help.

After traveling to Bangladesh last February as chairman of the Judiciary Subcommittee on Refugees, I noted in my formal report to the Senate on April 5th, that "Tragedy and triumph were everywhere present." But,

as I concluded then, "As evident as were the tragedies and challenges facing the people of Bangladesh, so, too, was the resilience and courage and determination of the Bengali people. They are far from the 'international basket case' some would have us believe."

Clearly, Bangladesh faces immense problems, and there can be little doubt that it is, and will likely be, a very poor nation for some years to come. But their resilience and courage which I observed is already at work in rebuilding their country and their lives. What the people of Bangladesh need today and over the next few months is the wherewithal to rehabilitate their nation. What they ask of us and the international community is to help provide the material resources to help them help themselves.

It is still premature to attempt to estimate the total costs of relief, rehabilitation, and reconstruction in Bangladesh, but there is little doubt that the need is great. In its initial assessment of the situation in Bangladesh, the United Nations outlined priority relief needs with a major emphasis on food and imported goods to get industry going again. But a follow-up survey released in April, a combined United Nations and world bank team identified the total cost of non-food rehabilitation needs as ranging near \$650 million through June 1973. The response to appeals for international assistance have been considerable, but the need remains great. These needs are discussed in some detail in a memorandum prepared for the subcommittee on refugees by the agency for international development, which I ask unanimous consent be printed at the conclusion of my remarks.

Last year the Congress voted \$200 million to help return and rehabilitate the refugees who fled famine and war into India and those countless millions who remained in Bengal without food or shelter. This year, we must continue the relief work we have helped to begin.

Mr. President, I fully appreciate the rationale behind the Foreign Relations Committee's report on why it did not recommend the full \$100 million authorization requested for Bangladesh by the administration. At the time of the committee's report there was no public announcement as to how the administration planned to use the funds. And as one who has been severely critical of the lethargy and inadequacy of the administration's response to the humanitarian needs of Bangladesh, I shared the committee's skepticism. The long, and totally inexcusable, delay of our government's diplomatic recognition of Bangladesh, severely limited A.I.D.'s ability to proceed with the full range of American assistance programs. Without recognition we could not proceed with regular bilateral programs which, in the past, have been so very successful in Bengal. Without recognition, all American aid had to be channeled through the United Nations relief organization in Dacca, which served to push the percentage of the American contribution to the international effort far beyond that which either United Nations or U.S. officials desire.

But now, at last our Government has negotiated a bilateral agreement with the Government of Bangladesh. Despite the many difficulties we might have expected to face—after the famous "tilt"—in restoring American relations with Bangladesh, the government of Sheikh Mujibur Rahman has welcomed the return of American assistance and the presence of American voluntary agencies.

Important among these voluntary agency programs are the special efforts of Catholic relief services and church world service, the housing programs of CARE, the special training programs being undertaken by the international rescue committee, and many other American and international organizations. These programs deserve our support because they are effective, and because the

people and Government of Bangladesh have seen that the voluntary agencies have had a long history of useful work, and that they have responded so generously on their own to the humanitarian needs of the Bengali people.

So this recent bilateral agreement with Bangladesh represents an important achievement for which I commend A.I.D. The refugee subcommittee has studied A.I.D.'s plans and we can report that this bilateral agreement reflects carefully thought out projects, mutually agreed upon by both governments. Moreover, as I introduced yesterday in the record, the list of projects that American funds will support are the kinds of assistance Bangladesh requires at this time.

Finally, Mr. President, let me say again that in an authorization bill otherwise devoted almost exclusively to security assistance, I urge the Senate not to cut corners on our humanitarian responsibility—to support this amendment to authorize the full \$100 million request for relief and rehabilitation assistance for Bangladesh.

Mr. President, I ask also unanimous consent to have printed in the RECORD a memorandum prepared by AID to justify the amount requested, and a table entitled "Commitments to Bangladesh, January to December 1972."

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

MEMORANDUM PREPARED BY AID FOR THE SUBCOMMITTEE ON REFUGEES
FISCAL YEAR 1973 \$100 MILLION REQUEST FOR SOUTH ASIA RELIEF

Magnitude of current needs

In its initial assessment of the postwar situation in Bangladesh on February 9, 1972, the United Nations outlined priority relief needs with major emphasis on food. In a follow-up survey of Bangladesh released in April, a UN/World Bank team identified rehabilitation and reconstruction needs judged as a minimum necessary to restore the shattered economy to the pre-war standard attained in 1970. That team estimated a total need for approximately \$650 million of non-food assistance through June 1973. Their cost estimate included agriculture and rural reconstruction, power and industry, transportation and health. UN assessments estimated food import needs through to the next major harvest in December 1972 to be about 2,300,000 tons. Some 1,300,000 tons of this amount has been pledged and is being delivered.

It is still premature to attempt to estimate the total costs of relief, rehabilitation, and reconstruction in Bangladesh. There is, however, little doubt that the overall magnitude of need is great and that Bangladesh must continue to receive substantial outside assistance if its people are to recover from

the recent tragedy and restore their shattered economy.

Response to the international community

In response to appeals for assistance issued by the UN Secretary General and Government of Bangladesh, the world community has thus far donated or pledged approximately \$678 million in aid of all types for Bangladesh as follows:

ESTIMATED TOTAL POSTWAR AIR PLEDGES AND/OR DELIVERIES TO JUNE 1, 1972

[In millions of dollars]

	United States	Other	Total
Bilateral	90	340	430
Contributions in support of UN	118	51	169
Voluntary agencies	9	70	79
Other		18	18
Total	217	479	696

* A recent \$18 million commitment by the United Kingdom was not allocated between bilateral and multilateral activities.

International contributions to date have been substantial. Yet, unmet requirements are such that further assistance will be needed if the new nation of Bangladesh is to recover. The greatest hurdles lie ahead—not only in terms of monetary considerations—but in terms of the international community's will to finish a task it has only just begun. It should be noted that the UN Secretary General plans to issue a new appeal for funds in August.

Response of the U.S. Government

The United States has indicated its willingness to assume a fair share of the burden and since the end of the Indo-Pakistan war last December has contributed \$140.5 million from the FY 1972 appropriation for relief activities in Bangladesh, including the recently signed \$90 million bilateral grant agreement. Under the terms of that agreement, the United States will provide urgently required commodities such as fertilizer, cotton, and tallow, and will assist in high priority rehabilitation projects, primarily coastal embankments, restoration of power generation and distribution facilities, rebuilding of roads and bridges and repair and rehabilitation of facilities in the education sector.

Current status of the FY 1972 \$200 million appropriation for U.S. assistance is outlined below:

Appropriated for FY 72: \$200 million.

Prewar Obligations—(Prewar relief for Bangalee refugees in India and for relief within East Pakistan): \$27.7 Million.

Postwar Obligations—(\$90 million bilateral grant; \$50.5 million in grants to UN and voluntary agencies: \$140.5 Million.

Planned Obligations During Remainder of FY 72—(Bangladesh has requested additional bilateral aid of \$40 million covering such areas as housing and rehabilitation of med-

ical facilities. Also, voluntary agencies have recently completed assessments indicating a need for approximately \$15 million in added support for their programs in housing, feeding, etc.): \$31.8 Million.

The United States has also agreed to provide from PL 480 sources a total of 550,000 metric tons of food grains and edible oil with a delivered world market value of approximately \$76.5 million. Thus, food aid and dollar relief grants of U.S. postwar assistance to Bangladesh from all sources totals \$217 million. This level of assistance represents approximately one-third of the total aid of all types pledged by other donors and is consistent with Congressional desires that the U.S. share not exceed 40 percent of the total from all other sources if reasonably possible.

FY 1973 Request for \$100 Million Appropriation

As the needs of Bangladesh remain critical for the immediate future, and the world community continues to respond with new humanitarian assistance commitments, the \$100 million request for FY 1973 will permit the United States to continue to participate in the international relief, rehabilitation, and reconstruction effort. The amount requested represents in our best judgment a proportionate share, roughly a third, of the anticipated worldwide contributions for Bangladesh in FY 1973. Any reduction below this amount or break in U.S. assistance would have serious consequences for the people of Bangladesh, who despite their best efforts, cannot yet make their way alone. The authorization and appropriation of \$100 million for assistance to Bangladesh during FY 1973 is, therefore, essential.

In implementing the additional \$100 million in assistance during the coming months, the United States will make its contributions on the basis of a continuing assessment of needs and the contributions of others. As in FY 1972, these funds will be used for substantial bilateral activity as well as continued support of UN and voluntary agency programs. An A.I.D. team has already identified a number of additional rehabilitation needs which the United States could effectively support and which could be prepared for implementation in the next few months. These include: local manufacture of tugs and barges, reconstruction of town water and sewage systems and rehabilitation of related health facilities, dredging of inland waterways, and provision of materials for construction of basic housing. We would also want to be able to support the efforts of U.S. voluntary agencies which have also recently completed new assessments of programs they could effectively handle. We believe the United States should also be able to respond to the UN Secretary General's final appeal for the international relief effort in August as well as support an IBRD initiative in reconstruction.

COMMITMENTS TO BANGLADESH, JANUARY-DECEMBER 1972

[Expressed in million of U.S. dollars]

Country	Voluntary agencies			Multilateral			Total	Country	Voluntary agencies			Multilateral			Total	
	Bilateral	From Government	From private sources	UNROD	UNICEF	UNHCR			Bilateral	From Government	From private sources	UNROD	UNICEF	UNHCR		
Argentina				0.24			0.24	Norway		.60					2.60	
Australia	5.50						5.50	Pakistan							5.90	
Canada	34.40	0.25		1.00	2.00		37.65	Sweden		22.40					27.04	
Denmark	3.50			1.00			4.50	Switzerland		2.00					2.75	
France	.60	.30					.90	United Arab Republic		1.00					1.00	
German (Federal Republic)		2.40					2.40	United Kingdom		12.30	.50				131.00	
India	206.00						206.00	United States		90.00	9.17		117.83		217.00	
Ireland				.09	.09		.18	U.S.S.R.		51.60	.20				51.80	
Italy	.10						.10	Other				65.30	1.50	11.31	6.30	84.41
Japan				9.00			9.00	Total	429.90	13.42	65.30	149.57	13.40	6.30	696.09	
New Zealand	.50			.12			.62									
Netherlands				5.50			5.50									

* Includes \$18,200,000 recently made available but not distributed between bilateral and multilateral activities.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. I yield the Senator from Kansas whatever time he may require.

Mr. DOLE. Mr. President, I support the amendment offered by the distinguished Senator from Massachusetts to restore the additional \$50 million requested by the administration. I ask unanimous consent, if the Senator has no objection, to become a cosponsor of the amendment.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the name of the Senator from Kansas (Mr. DOLE) be added as a cosponsor of my amendment.

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

Mr. COOPER. Mr. President, I am very glad to cosponsor the amendment of the distinguished Senator from Massachusetts (Mr. KENNEDY), which would provide an additional \$50 million for the relief of Bangladesh.

The PRESIDING OFFICER. Who is yielding time to the Senator from Kentucky?

Mr. KENNEDY. I yield the Senator 5 minutes.

Mr. COOPER. This additional \$50 million would authorize a total of \$100 million for the humanitarian relief of Bangladesh.

At the time this subject was considered in the Foreign Relations Committee, we did not have a full breakdown of the requirements for relief for Bangladesh. Such evidence has been provided to the committee and the Members of the Senate since that time.

The administration has indicated its willingness to assume a full share of the burden of relief activities for Bangladesh. The request for \$100 million for the fiscal year 1973 was made by the administration. It would permit the United States to continue to participate in international relief, rehabilitation, and reconstruction efforts. The amount requested, added to other funds which have been made available, would constitute almost one-third of the amount which has been pledged or provided by other countries.

As I recall, there are 26 nations offered aid. India has already provided or will provide \$206 million, in addition to the great burdens which she bore when the hundreds of thousands of Bangladesh people were in India. The United States would provide \$217 million.

Mr. COOPER. Heretofore, our aid since the war has been provided through the United Nations and voluntary agencies, but now that the United States recognizes the Government of Bangladesh, there are no diplomatic obstacles to carrying out a bilateral program as well as assistance through the U.N. and voluntary assistance for the relief of the millions of victims of the natural disaster and the war of last year.

At this point, I would like to say that the Senator from South Carolina (Mr. HOLLINGS) and the Senator from Ohio (Mr. SAXBE), who introduced the resolution in the Senate asking that the United States recognize Bangladesh, have become cosponsors of this amendment.

This amount for humanitarian relief, in my view, represents a necessary contribution to Bangladesh, and it represents also the generous character of the American Government and people. There is a clear need for help, and the United States is fortunate to be able to render critical assistance in a time of great need. I think it is necessary that the United States, as a humanitarian matter and to carry out its long record of assistance to countries throughout the world, make available the full sum of \$100 million. Although it may be too early to make such a prediction, it could be that this assistance will be a factor in leading in time toward restoration of better relations between our country and the countries of the Indian subcontinent.

Again, I commend the Senator from Massachusetts for his initiative. I am glad to join him. I hope very much that the Senate, with its knowledge of this situation, will vote for this amendment and provide for these millions of people some assistance in a very critical time.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. I yield to the Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I commend the senior Senator from Massachusetts (Mr. KENNEDY) and the senior Senator from Kentucky (Mr. COOPER). I know that Senator COOPER always had his heart in the right place in wanting to help this country, but he also had his heart in what he thought were the proper procedures and that we recognize it in an orderly fashion through the administration.

I, on the other hand, thought I would bring it to a head at the time in introducing the resolution, because to me Bangladesh represented what had eluded us for many years in Vietnam; namely, the right of self-determination, of free government operating upon its own. That is the way I have always seen East Pakistan—now Bangladesh—as a nation. Having had that free election, I thought we should come to their side.

Be that as it may, the Senator from Massachusetts (Mr. KENNEDY) has gone to that country; and when we could not join officially, he gave that country hope. Now he follows through, together with Senator COOPER, in providing the material means to help them rebuild. I would hope that we would join in, to recoup the loss of face by the United States in Southeast Asia because of our lethargy and tardiness and failure at the appropriate time to recognize Bangladesh as the true expression of self-determination.

The other day, the administration asked for \$5 billion additional. This is just 1 percent of the \$5 billion requested for the military effort being made in Vietnam. We are asking here only 1 percent of that, or \$50 million additional, to rebuild a far more populous nation and in that sense a far more influential nation in Southeast Asia. It is just 1 day's cost of the regular war over there—\$50 million. I think we can do far more for the interests of the United States and for the interests of free people everywhere to go along with this increase.

Mr. President, for over a year and a

half now, the administration has been dragging its feet on the problems of Bangladesh. During those bloody months while the brave people of East Pakistan struggled to win their independence, the Nixon administration callously ignored them, and instead gave aid and comfort and arms to the forces of tyranny and oppression. The fact that the East Pakistanis were seeking the same self-determination for which we were fighting in Vietnam made no impression on the policymakers of the executive branch. Our acquiescence in this policy of terror continued to the end, and in the end the people of Bangladesh won through to victory. The United States reaped the scorn of freedom-loving peoples everywhere for this policy. Our relationship with India, especially, was brutally damaged by this policy.

Since joining the ranks of nationhood, the people of Bangladesh have been struggling with the awesome tasks of reconstruction. Even today, their future is by no means assured. The road ahead will be long and hard.

It should be the policy of the United States to lend a helping hand—to assist in the reconstruction and further development of Bangladesh. Our approach should be to take initiatives, and to apply a little of that famed American ingenuity to the gigantic problems that new nation faces. Instead, we had to be pulled kicking and screaming into recognizing the new nation.

Now, once again, we have the opportunity to act. Given our record of the past 2 years, this is an unearned luxury—but act we can and act we must.

The Committee on Foreign Relations has recommended cutting the request for aid to Bangladesh for fiscal year 1973. We now know that there is every justification to go ahead with the full amount. The amendment by my two distinguished colleagues, the Senator from Kentucky (Mr. COOPER) and the Senator from Massachusetts (Mr. KENNEDY), would restore our aid to the full amount. It would help shore up the economy of Bangladesh, insuring that that country would become no nation's pawn—be it Russia's or India's or anyone else's.

This action is the right action to take from every standpoint. It will be of invaluable help to the economy of Bangladesh. It will be to the diplomatic interest of the United States and to the stability of all of South Asia, and it will represent America's recognition of the errors of the past. It is time that 2 years of folly be replaced by a moment of wisdom. In that vein, Mr. President, I am happy to be a cosponsor of the Cooper-Kennedy amendment.

Mr. KENNEDY. Mr. President, I am prepared to yield back the remainder of the time.

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

Mr. KENNEDY. I yield.

Mr. COOPER. I understand that the Senator from Ohio (Mr. SAXBE) may be on his way to the Chamber. Could we have a quorum call for a few minutes?

Mr. KENNEDY. Yes; before suggesting the absence of a quorum, I should like again to commend the Senator from Kentucky (Mr. COOPER). He has served

as Ambassador of this Nation to India, and, therefore, he has a particularly good understanding of the subcontinent. His views about American interests in that part of the world should weigh heavily on all of us.

I also commend the Senator from South Carolina and the Senator from Ohio, who, more than anyone else in the Senate, together stimulated the interest of the Members of the Senate in the whole process of recognition of Bangladesh. It is through the process of recognition that this bilateral avenue has been opened up for the United States to help in these humanitarian undertakings. I want to commend them for that at this time.

Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Who yields time?

Mr. COOPER. I yield 3 minutes to the Senator from Maryland.

Mr. MATHIAS. Mr. President, I am very happy to support the efforts of the distinguished Senator from Kentucky and the distinguished Senator from Massachusetts in bringing this amendment to the floor, and I intend to vote for it. I think it is an important expression of the intentions of the American people, in the position of great power and great wealth and great influence in the world which the United States has attained.

I do not think we ought to forget some of the important chapters in our own history. In the formative years of this Republic, when we were a revolutionary Nation, we were a young and struggling Nation and were very much dependent upon infusions of help of various kinds from other, better established, and then wealthier nations. This is a cycle through which nations go. It is an obligation of sorts upon civilization that, as new units are formed, those which have already attained success will help others to reach out for success. It is an important step in human development.

I think that the Senator from Kentucky and the Senator from Massachusetts have recognized this in this important amendment. It is a humanitarian amendment. It is one which I think expresses the basic goodwill and the basic good intention of the American people. But, more than that, I think it has an historic place in the history of Bangladesh and in the history of the United States. It recognizes that history, and I think that the Senate should support the amendment overwhelmingly.

The PRESIDING OFFICER. Who yields time?

Mr. COOPER. Mr. President, I yield 3 minutes to the Senator from Ohio (Mr. SAXBE).

Mr. SAXBE. Mr. President, I support

this amendment. I have been very much interested in the survival of Bangladesh. The sheer magnitude of the problem is almost more than one can comprehend. The number of people, the shortage of resources and other difficulties that face them, the very nature of their country, certainly qualifies them for humanitarian aid. That is what this amendment would help with. I cannot help feeling that only in this way can Bangladesh survive as a viable country.

Even though we have discovered in the past that humanitarian aid does not bind the recipients to us, nevertheless, I feel that this is a worthwhile and humanitarian effort that we should join in on both sides of the aisle to push through.

Mr. SPARKMAN. Mr. President, I yield myself such time as I may require.

I want to say this at the beginning, that I think I have just as much feeling and sympathy towards the situation that prevails in Bangladesh as anyone. I think that we should help. I think—in fact, I know—that we have helped, but I hope that the Senate will not agree to this amendment that is offered by the able Senator from Massachusetts.

The committee believes the United States should do its fair share for Bangladesh, but no more. Congress appropriated \$200 million for Bangladesh refugee relief for the 1972 fiscal year. To date \$168.2 million of that has been committed—\$90 million of it only a few days ago. There is \$31.8 million left which has not been committed in any way and this money is available indefinitely. In addition, the United States has given \$76.5 million in food aid under Public Law 480. Thus the total aid to Bangladesh relief work, so far, is \$244.7 million.

It should be recognized that we are no longer dealing with a refugee relief problem—a disaster situation—as we were when Congress considered this last year. We are talking about development assistance primarily—how and how much are we going to provide to help make Bangladesh a viable country. Of the \$90 million in aid the United States just pledged most will go for import of fertilizer, raw cotton, flood control, road and power projects—categories for which the regular development loan funds are normally used. The committee has recommended \$50 million more in special grant relief funds. This, together with the carryover funds, makes available \$81.8 million in dollar grant aid for the coming fiscal year. In addition, there is no limit on the food aid that can be provided under Public Law 480. And, if a case can be made for more, it can be provided through the regular development loan program or as grants through the technical assistance program. The effect of the Senator's amendment would be to free \$50 million of regular aid funds to loan or give to countries other than Bangladesh. With the state of our Government's fiscal situation, I cannot support a \$50 million increase in economic aid, particularly at this time.

I urge that the Senate reject the amendment.

Mr. COOPER. Mr. President, the Senator from Massachusetts (Mr. KENNEDY) is the chief sponsor of the amendment.

He spent days in India and Bangladesh and saw conditions there.

I have always found the Senator from Alabama (Mr. SPARKMAN) to be a humane man, but he has the responsibility, as manager, of supporting the committee bill. I have read the report of AID and the need that exists in Bangladesh. It provided a description of the disposition of the \$200 million authorized for fiscal year 1972. It is correct that \$31.8 million of that remains to be obligated. But AID reported that this money is needed to cover such areas as housing, rehabilitation, and medical facilities. AID also makes the statement that money is needed and additional sums are needed for such purposes as fertilizer, cotton, and tallow and to assist in high priority rehabilitation projects. Such as restoration of river embankment—for prevention of floods—the restoration of power generators and distribution facilities, rebuilding roads and bridges, rehabilitation facilities, and in the field of education. These are all prime needs of Bangladesh for reconstruction and restoration.

In addition, as the Senator from Massachusetts said there, I am certain that grievous personal needs exist among the people of Bangladesh. The \$50 million we ask, as the Senator from South Carolina has said, is such a small amount comparable to the money we make available for arms. Surely, at this point, we can provide an additional \$50 million for a people who have been in turmoil and travail for a year or more.

By the adoption of the amendment, the Senate, the Congress, and the American people, can show their best side to the world.

I hope that the Senator from Massachusetts will make a final statement and then we can come to a vote.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, I understand that 2 minutes are left and I yield myself 2 minutes and then am prepared to yield back my time.

Mr. President, we as a country are prepared to make extraordinary expenditures when it comes to the question of escalation of our military involvement in Southeast Asia. We do not hesitate to provide a greater percentage of our money for military aid to different countries throughout the world. When we think it is in our interest, we are prepared to make grants or loans in an amount of approximately \$5 billion each year for military equipment. So, if we think that it is in our interest, then I believe, when we are expending so much in many areas of the world on military hardware, that we should also indicate what I believe is the most important sense of the American spirit, that is, to extend the hand of friendship and humanitarian concern, which is ingrained in our American character. It is appropriate that we do that, and that we express it, as the distinguished Senator from Maryland and the distinguished Senator from Kentucky have already pointed out so clearly today.

I would like to see the United States the No. 1 country in terms of hu-

manitarian aid and assistance, because there are four or five different nations in the world already giving more per capita aid than the United States for humanitarian concerns in Bangladesh. I would like to see the United States No. 1 in that area, and perhaps fourth or fifth in military aid throughout the world.

So I hope that this amendment will be accepted. I think that it will indicate our concern for the people of Bangladesh, who have been struggling so hard for their lives and their existence over a period of the past year or so, and who have really achieved their independence through democratic means. As the Senator from South Carolina and the Senator from Ohio have pointed out, when they went to the polls to elect 167 out of 169 members to the General Assembly, and had free elections, in spite of that self-determination, those elections were repressed. Yet, they persevered and achieved their independence. They are now the eighth largest country in the world in terms of population. They want to spend only a pittance for military affairs. They want to devote all their resources for the benefit of their people. Accordingly, Mr. President, it seems to me that the United States should respond in a meaningful way, as I believe this amendment does, to the humanitarian needs of the people of Bangladesh.

Mr. President, I yield back the remainder of my time.

Mr. SPARKMAN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Massachusetts. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Michigan (Mr. HART), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Arkansas (Mr. McCLELLAN), the Senator from South Dakota (Mr. McGOVERN), the Senator from Utah (Mr. MOSS), the Senator from Maine (Mr. MUSKIE), the Senator from Indiana (Mr. HARTKE), and the Senator from Idaho (Mr. CHURCH) are necessarily absent.

I further announce that the Senator from Rhode Island (Mr. PELL) and the Senator from New Jersey (Mr. WILLIAMS) are absent on official business.

I further announce that, if present and voting, the Senator from Minnesota (Mr. HUMPHREY) and the Senator from New Jersey (Mr. WILLIAMS) would each vote "yea."

On this vote, the Senator from South Dakota (Mr. McGOVERN) is paired with the Senator from Georgia (Mr. GAMBRELL).

If present and voting, the Senator from South Dakota would vote "yea" and the Senator from Georgia would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from New York (Mr. BUCKLEY), and the Senator from Idaho (Mr. JORDAN) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Texas (Mr. TOWER) is necessarily absent.

The Senator from Colorado (Mr. DOMINICK) and the Senator from Oregon (Mr. PACKWOOD) are detained on official business.

The result was announced—yeas 50, nays 30, as follows:

[No. 208 Leg.]
YEAS—50

Aiken	Fong	Nelson
Bayh	Griffin	Pastore
Beall	Harris	Pearson
Bellmon	Hatfield	Percy
Bennett	Hollings	Proxmire
Boggs	Hughes	Ribicoff
Brooke	Inouye	Saxbe
Burdick	Jackson	Schweiker
Cannon	Javits	Scott
Case	Kennedy	Stafford
Chiles	Magnuson	Stevens
Cook	Mansfield	Stevenson
Cooper	Mathias	Symington
Cotton	McGee	Taft
Cranston	McIntyre	Tunney
Dole	Metcalf	Weicker
Eagleton	Mondale	

NAYS—30

Allen	Ellender	Randolph
Allott	Ervin	Roth
Anderson	Fannin	Smith
Bentsen	Fulbright	Sparkman
Bible	Gurney	Spong
Brock	Hansen	Stennis
Byrd,	Hruska	Talmadge
Harry F., Jr.	Jordan, N.C.	Thurmond
Byrd, Robert C.	Long	Young
Curtis	Miller	
Eastland	Montoya	

NOT VOTING—20

Baker	Hart	Mundt
Buckley	Hartke	Muskie
Church	Humphrey	Packwood
Dominick	Jordan, Idaho	Pell
Gambrell	McClellan	Tower
Goldwater	McGovern	Williams
Gravel	Moss	

So Mr. KENNEDY's amendment (No. 1222) was agreed to.

OIL IMPORT CARGO PREFERENCE AMENDMENT

Mr. COTTON. Mr. President, presently pending on the Senate Calendar of Business as order No. 804 is the bill, H.R. 13324. It carries the rather innocuous title in the Calendar of "An act to authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce."

Mr. President, owing to amendments, and one in particular, made by the Committee on Commerce to H.R. 13324, it is no longer a harmless bill capable of producing no ill effects. The particular committee amendment to which I refer is to be found in section 3 of H.R. 13324. It would have the effect of requiring that at least 50 percent of "crude and unfinished oils and finished products, not including residual fuel oil to be used as fuel and No. 2 fuel oil," imported into the United States on "a quota basis, allocations of licenses" be carried on higher-costing tanker vessels of the United States. As pointed out by my distinguished colleague from Michigan (Mr. GRIFFIN) and myself in separate views in the committee report (No. 841), accompanying H.R. 13324, this amendment is "a blow against the consumers," since

it is bound to have an adverse cost impact upon the oil and petro-chemical industries of our country resulting in increased consumer prices for such products throughout the entire Nation.

My colleague (Mr. GRIFFIN) and myself in our separate views therefore concluded in the following manner:

We also should be mindful of the repeated warnings that any added delay in the construction and operation of bulk power plants—be it for environmental reasons or otherwise—can only give rise to increasing the grave danger of future "black-outs" or "brown-outs". Certainly, anything that might tend to slow up or restrict a needed fuel oil supply for such plants, like this oil cargo preference amendment to H.R. 13324, might very well contribute to worsen our ever-present power crisis.

That such an amendment could emanate from the Committee on Commerce, which long has championed the interest of the average consumer of our nation, is shocking and beyond belief. Certainly, the armor of this "golden knight" of consumer interest will be severely tarnished if this amendment on the importation of oil is allowed to remain in the bill, H.R. 13324.

Now, Mr. President, the committee report on H.R. 13324 goes to considerable length trying to explain and to justify this amendment concerning U.S.-flag carriage of certain oil imports under quota. As a matter of fact, only slightly more than nine pages of the report are devoted to explaining appropriation authorization for maritime programs of almost \$556 million. Yet, slightly more than 22 pages of the committee report are devoted to justifying this onerous oil import cargo preference amendment. To quote from the bard of Avon, "The lady doth protest too much, me-thinks."

Mr. President, this oil import cargo preference amendment certainly is a controversial provision. I am aware, for example, that this amendment has generated a considerable number of letters and telegrams to my colleagues in the Senate. And, most conspicuous in my opinion, has been the lack of a clear-cut position on the part of the Department of Commerce in which the Maritime Administration functions and which would be required to administer this oil import cargo preference amendment. As a matter of fact, the lengthy portion of the Commerce Committee report seeking to justify this amendment places, I understand, considerable reliance upon answers of the Maritime Administration when responding to written questions submitted to it by the House Committee on Merchant Marine and Fisheries concerning a similar legislative proposal, H.R. 12324. Accordingly, on June 7, I wrote to the Secretary of Commerce, the Honorable Peter G. Peterson, asking "whether the position of the Department of Commerce is, in fact, in support of this oil import cargo preference amendment." Yesterday, June 12, I received a reply to my inquiry from Secretary of Commerce Peterson, and I shall ask unanimous consent for the full text of my letter to the Secretary and his reply to me to appear at the conclusion of my remarks. Secretary Peterson's letter should help my colleagues in the Senate in evaluating this controversial amendment to H.R. 13324 and in responding to

the many communications which they have received concerning it.

Mr. President, the thrust of Secretary of Commerce Peterson's letter is to indicate that the administration is evaluating various initiatives to bring into being and to sustain an appropriate tanker fleet level. The letter also expresses the belief that the 1970 amendments to the Merchant Marine Act provide the basic tools to create a healthy and competitive fleet. The Secretary of Commerce then goes on to conclude in the following manner:

The Department and the Administration believe it inappropriate to adopt oil import cargo preference at this time, and therefore would hope that congressional action on the authorization for Maritime appropriations could be pursued independently. (Emphasis supplied.)

Mr. President, the Secretary of Commerce's characterization of adoption of the oil import cargo preference amendment as being "inappropriate" at this time is very accurate. One unfortunate aspect that attaches to this authorization bill is the fact that at a time when the Congress is pressing to conclude necessary business in order to recess for the upcoming Democratic convention, it is most inappropriate to attach such a far-reaching substantive amendment to an authorization bill which is needed if the appropriation process is to move forward in a timely fashion. Throughout this session of the 91st Congress, the distinguished Chairman of the Senate Appropriations Committee, Mr. ELLENDER, has constantly reminded Members of this body of the necessity for early enactment of needed appropriation authorization measures. As recently as last Wednesday, June 7, the distinguished Senator from Louisiana (Mr. ELLENDER) reported on the status of appropriation bills, noting that the Appropriations Committee has reported the bill making appropriations for such departments as that of Commerce. And that committee shortly will be reporting the bill for the Department of Transportation, each of which will be held on the Calendar and each of which will contain a general provision stipulating that the funds shall be available only upon enactment of authorizing legislation.

Mr. President, H.R. 13324 does provide for needed appropriation authorizations. It would authorize funds to be appropriated for construction-differential subsidy for needed construction and reconstruction of merchant vessels; the payment of obligations incurred for ship operation subsidies; maritime research and development activities; expenses of our national defense reserve fleet; and maritime training at the Merchant Marine Academy at Kings Point and the several State marine schools. I know of no one, Mr. President, who is opposed to such vital appropriation authorizations. Yet, Mr. President, owing to this most inappropiate committee amendment made to this authorization measure, H.R. 13324, which now needs only final action by the Senate, the appropriations necessary for us to move forward with our national maritime program are being placed in jeopardy.

Mr. President, I understand perfectly that there is a very natural and laudable pressure being exerted by many to get more and more of our commodities shipped in American-flag ships. We have all been in sympathy with that. But it is not so vital in this instance to provide that 50 percent of oil imported shall be in American bottoms, because in the letter I am about to insert in the RECORD the Department of Commerce indicates the recommendations and the specific legislation it intends to bring up to the Congress, and bring up not later than the coming September 15.

This, I hope, will receive the attention of Senators who will perhaps be impressed by maritime people, maritime workers, and union organizations, who want them to adopt the amendment at this time. Among the measures in the legislation that will be sent up by the Commerce Department will be one that includes a federally funded ship construction program permitting Government leasing of ships to private operators. I am talking about oil tanker ships.

Further construction incentives, such as loan guarantee and interest subsidies.

Retroactive construction subsidies.
Rate subsidies.
Provisions to offset, in whole or in part, tax disadvantages on U.S.-flag operations as compared to foreign operations.

All of this is in the works, to get American-flag oil tankers operating. But instead of waiting for that—and the wait would be very brief—we have this highly controversial amendment attached to an authorization bill. This astounds me. One thing the Committee on Commerce has been identified with for not only this session and not only this Congress, but the last two Congresses, has been the protection of the consumer. If this amendment is adopted, in the haste that we must of necessity follow to get this authorization bill through for maritime appropriations, despite the exceptions involved, it will mean a higher cost for oil throughout this whole country, and particularly in the Northern States, where we have hard winters.

It will mean, for example, another threat and another handicap to our production of power, which may well hasten blackouts or brownouts. From an ecological viewpoint, in my State, for instance, at least one new powerplant is being constructed that will use crude oil for the production of the power, and it will cause the use of No. 2 oil in industrial plants, schools, large apartment houses, and elsewhere. It will mean greater scarcity of oil, and it will mean a higher price to the consumer, which is something that strikes very hard against our people, particularly in my section of New England, but to a certain extent throughout the country and to a very distinct extent in the Northern States, in cold climates.

Therefore, in conclusion, Mr. President, let me say that I strongly supported the Merchant Marine Act of 1970 enacted during the last Congress. I support the appropriation authorizations to move forward with the maritime program set forth in that act. But I cannot in all good conscience to my constituents and to the consumers of this country, support H.R. 13324 so long as section 3, providing as it

does for an oil import cargo preference for U.S.-flag vessels, remains in this bill.

Mr. President, I ask unanimous consent to have printed in the RECORD my letter to Secretary of Commerce Peterson dated June 7, and the reply from the Secretary of Commerce to me dated June 12.

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

JUNE 7, 1972.

HON. PETER G. PETERSON,
Secretary, Department of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: As you no doubt are aware, the Senate Committee on Commerce has ordered reported the bill, H.R. 13324, which would authorize appropriations for the fiscal year 1973 for certain maritime programs of your Department. However, in reporting this legislative measure the Committee also made some substantive amendments to the Merchant Marine Act of 1936, as amended. One of those substantive amendments to the 1936 Act would require that at least 50% of all oil imported into the United States on "a quota basis, allocations or licenses", excluding residual fuel oil to be used as fuel and No. 2 fuel oil, be carried on board vessels of the United States. I opposed this oil import cargo preference amendment when it was considered in Executive Session of the Committee, and it is my intention to oppose it vigorously at such time as the bill, H.R. 13324, is considered by the Senate.

In this connection, although the Committee Report accompanying H.R. 13324 has not been filed as of this date, it will be shortly. And, it is my understanding that in justification of this oil import cargo preference amendment considerable reliance will be placed in that report upon the answers of the Maritime Administration when responding to written questions submitted to it by the House Committee on Merchant Marine and Fisheries concerning the bill, H.R. 13324. These responses were submitted to the House Committee over the signature of Mr. Robert J. Blackwell, Acting Assistant Secretary for Maritime Affairs, and serve to raise a very strong inference that your Department supports such an oil import cargo preference amendment to the Merchant Marine Act of 1936, as amended.

In order that the record may be clear on this point, Mr. Secretary, I wish to know whether the position of the Department of Commerce is, in fact, in support of this oil import cargo preference amendment.

Your early reply to this request, and such additional comments as you may wish to make on this subject, will be appreciated.

With best wishes,
Sincerely,

NORRIS COTTON,
U.S. Senator.

JUNE 12, 1972.

HON. NORRIS COTTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COTTON: This is in response to your letter of June 7, 1972, requesting the position of the Department of Commerce with respect to the oil import cargo preference amendment associated with the bill H.R. 13324.

The Departmental position remains as stated in our letter to Chairman Garmatz of the House Committee on Merchant Marine and Fisheries, dated April 28, 1972, and our letter to Chairman Magnuson of the Senate Commerce Committee, dated May 2, 1972. In those letters, this Department reaffirms its support of the goal of developing and maintaining a strong and vigorous U.S. tanker fleet but also states its view that the President's Maritime Program is the more appropriate vehicle for achieving this goal. We

believe further information, set forth below, on the steps being taken by the Administration toward such a U.S. tanker fleet goal would be appropriate.

First of all, the Department, in cooperation with the Office of Emergency Preparedness and the Navy Department, is updating the analysis of the nature and size of the U.S. flag tanker fleet necessary to respond to our Nation's requirements. This study includes determination of the fleet necessary to respond to changes which may arise in national security requirements from increases in oil imports as a percentage of the national energy supply, and from any decline in the number of naval auxiliary tankers in operation.

Further, the Administration is evaluating various initiatives to bring into being and sustain an appropriate fleet level. As indicated in our aforementioned letters to the Chairmen, we believe the 1970 amendments to the Merchant Marine Act provide the basic tools to create a healthy and competitive fleet. However, our current analysis includes identification and evaluation of further legislative changes to that Act. We have already concluded that the restrictions on the ownership of foreign assets and on trading flexibility should be removed from the Merchant Marine Act. Moreover, we are also evaluating other initiatives including:

Federally-funded ship construction programs permitting government leasing of ships to private operators.

Further construction incentives such as loan guarantees and interest subsidies.

Retroactive construction subsidies.

Rate subsidies.

Provisions to offset in whole or in part tax disadvantages of U.S. flag operation as compared to foreign operation.

We expect to make our findings and recommendations on these and other possible initiatives available to the interested Committees of both Houses not later than September 15, 1972. This report would also include a comparison of such initiatives with the proposal that commercial oil imports be reserved by law to U.S. flag tankers.

Accordingly, the Department and the Administration believe it inappropriate to adopt oil import cargo preference at this time, and therefore would hope that congressional action on the authorization for Maritime appropriations could be pursued independently.

Sincerely,

PETER G. PETERSON.

FOREIGN ASSISTANCE ACT OF 1972

The Senate continued with the consideration of the bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes.

AMENDMENT NO. 1230

Mr. BENNETT. Mr. President, I send to the desk an amendment, and ask that it be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 10, lines 5 and 6, insert the following:

(1) In section 23 of chapter 2, relating to credit sales, strike out "ten" and insert in lieu thereof "twenty".

On page 10, line 6, strike out "(1)" and insert in lieu thereof "(2)".

On page 10, line 8, strike out "(2)" and insert in lieu thereof "(3)".

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah? The Chair hears none, and it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. BENNETT. I am happy to yield to the Senator from West Virginia.

ORDERS FOR CONSIDERATION OF THE UNFINISHED BUSINESS TOMORROW

Mr. ROBERT C. BYRD. I ask unanimous consent that at 11 a.m. tomorrow the Chair lay before the Senate the unfinished business. The pending question at that time will be on agreeing to the amendment of the distinguished Senator from Utah (Mr. BENNETT).

I ask unanimous consent that time on that amendment be limited to 30 minutes, to be equally divided between and controlled by the distinguished Senator from Utah (Mr. BENNETT) and the distinguished Senator from Alabama (Mr. SPARKMAN).

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, what about amendments to the amendment?

Mr. ROBERT C. BYRD. And that the time on any amendment to the amendment, debatable motion, or appeal be limited to 10 minutes, to be equally divided between the mover of such and the manager of the bill.

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

QUORUM CALL

The PRESIDING OFFICER. What is the pleasure of the Senate?

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

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

UNANIMOUS-CONSENT AGREEMENT ON BILL TO AMEND THE LEAD-BASED PAINT POISONING PREVENTION ACT, S. 3080

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at such time as S. 3080, a bill to amend the Lead-Based Paint Poisoning Prevention Act, is called up and made the pending business, there be a time limitation thereon of 30 minutes to be equally divided between the Senator from Massachusetts (Mr. KENNEDY) and the distinguished Senator from Pennsylvania (Mr. SCHWEIKER); that time on any amendment, debatable motion, or appeal in relation thereto be limited to 30 minutes, to be equally divided between the mover of such and the manager of the bill (Mr. KENNEDY).

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

TIME LIMITATION ON ALLOTT AMENDMENT TO S. 3390

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that time on

an amendment to be proposed by Mr. ALLOTT to the unfinished business, S. 3390, be limited to 1 hour, the time to be equally divided between the distinguished Senator from Colorado (Mr. ALLOTT) and the distinguished manager of the bill (Mr. SPARKMAN), with time on any amendment to the amendment, debatable motion or appeal limited to 20 minutes, to be equally divided between the mover of such and the distinguished Senator from Colorado (Mr. ALLOTT).

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

ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, following the remarks of the distinguished Senator from Iowa (Mr. HUGHES) tomorrow, there be a period for the transaction of routine morning business, not to extend beyond 11 a.m., with statements limited therein to 3 minutes.

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

ORDER FOR ADJOURNMENT TO 10:30 A.M.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 10:30 a.m., tomorrow.

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

ORDER FOR UNFINISHED BUSINESS TO BE LAID BEFORE THE SENATE TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the conclusion of morning business tomorrow the Chair lay before the Senate the unfinished business.

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

ORDER FOR CONSIDERATION OF APPROPRIATION BILLS AND S. 3080 TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that upon the disposition of the amendment by the Senator from Utah (Mr. BENNETT) to S. 3390, the unfinished business tomorrow, the unfinished business then be laid aside temporarily and the Senate proceed to the consideration of H.R. 15093, the bill making appropriations for the Department of Housing and Urban Development; that upon the disposition of H.R. 15093, the Senate proceed to the consideration of H.R. 15259, a bill making appropriations for the District of Columbia; that upon the disposition of H.R. 15259, the Senate proceed to the consideration of S. 3080; and that the unfinished business remain in a temporarily laid-aside status until the disposition of those three bills or the close of business tomorrow, whichever is the earliest.

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

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum. I assume this will be the final quorum call of the day.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 10:30 a.m. After the two leaders have been recognized under the standing order, the distinguished junior Senator from Iowa (Mr. HUGHES) will be recognized for not to exceed 15 minutes, after which there will be a period for the transaction of routine morning business, not to extend beyond 11 a.m., with statements limited therein to 3 minutes.

At the hour of 11 a.m., morning business will be closed and the Chair will lay before the Senate the unfinished business, S. 3390. At that time the question will be on agreeing to the amendment by the Senator from Utah (Mr. BENNETT), amendment No. 1230, on which there is a 30-minute limitation.

Upon disposition of the amendment No. 1230 by Mr. BENNETT the Senate will proceed to lay aside temporarily the unfinished business and take up H.R. 15093, the bill making appropriations for the Department of Housing and Urban Development, on which there is a time limitation. Upon the disposition of H.R. 15093, the Senate will proceed to consider H.R. 15259, the bill making appropriations for the District of Columbia. Upon disposition of the District of Columbia appropriations bill the Senate will proceed to consider S. 3080, the Lead-Based Paint Poisoning Prevention Act. Upon disposition of S. 3080, the Senate will return to the consideration of the unfinished business, S. 3390.

There will be rollcall votes tomorrow in connection with the bills making appropriations for HUD and the District of Columbia. There may or may not be a rollcall vote in connection with the Lead-Based Paint Poisoning Prevention Act. Whether or not there is a rollcall vote on the Bennett amendment remains to be seen.

After the Senate returns to the consideration of the unfinished business on tomorrow, if the hour is not too late, it is hoped that Senators who have amendments will be prepared to call them up and that the Senate may continue to make progress on the unfinished business, S. 3390, until the close of business tomorrow.

ADJOURNMENT TO 10:30 A.M.

Mr. ROBERT C. BYRD. 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 10:30 a.m. tomorrow.

The motion was agreed to; and at 5:31 p.m. the Senate adjourned until tomorrow, Wednesday, June 14, 1972, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 13, 1972:

U.S. DISTRICT COURTS

William B. Enright, of California, to be a U.S. district judge for the Southern District of California, vice J. Clifford Wallace.

IN THE ARMY

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

- Alexander, Joe A.,
Amick, Ralph O., III,
Anderson, Roger B.,
Applewhite, Michael P.,
Ashe, Michael H.,
Askins, David K.,
Barlow, Michael J.,
Bartley, James B.,
Batchelor, Ronald E.,
Beachy, Wilbert H., III,
Beattie, Homer J., Jr.,
Beckett, Jack D., Jr.,
Berry, Robert T.,
Bierman, Gary R.,
Bizon, Joseph K.,
Bond, David L.,
Booth, John P.,
Botello, Benjamin,
Bowles, Larry A.,
Bradford, Robert A.,
Bragg, William G.,
Branndt, Duane E.,
Brannen, Mark A.,
Braun, Mark E.,
Breneman, Steven H.,
Brieden, John A., III,
Brieske, Carl W.,
Broadhurst, Walker C.,
Brooks, Dale L.,
Brown, Jerry R.,
Brueland, Ray G.,
Caldero, David E.,
Campbell, Jonathan W.,
Canavera, Clifford G.,
Carey, William C.,
Carlucci, Robert J.,
Carmona, Waldemar E.,
Carroll, James W.,
Cartner, Kent A.,
Chandler, James H.,
Channing, Roger J.,
Chewar, Mike J.,
Cochran, Anthony L.,
Coffaro, Jackie I.,
Collins, Thomas P.,
Conderman, Paul J.,
Cooper, Joe K.,
Coward, Eric P.,
Creel, Robert H.,
Dahl, James L.,
Danner, Stephen A.,
Demberger, Richard S.,
Doan, Micael G.,
Domas, Ralph E.,
Duffy, Glenn D.,
Dungey, Clifford L.,
Eads, George W.,
Edmonds, Larry M.,
Egnew, Thomas R.,
Eiserman, Frederick A.,
Esterbrook, Ronald L.,
Evans, Gene A.,
Fay, Cornelius R., III,
Fedenia, James N.,
Fidler, Thomas K.,
Fletcher, John R.,
Fortunato, Anthony S.,

- Foulks, Charles J.,
Foust, Daniel G.,
French, James M.,
Gafford, Ronald J.,
Gallion, Charles L., Jr.,
Gaspard, Camile P.,
Genanious, Michael G.,
George, Larry,
Gibson, James G.,
Gordy, Larry D.,
Goulding, Peter R.,
Grabicki, Anthony E.,
Gray, James S.,
Greiling, George T.,
Haas, Herbert N.,
Hailey, Hal P.,
Hammack, Michael L.,
Hanke, Brett L.,
Harmon, Michael C.,
Harper, Lawrence O.,
Harvey, Hugh W.,
Hawkins, Steven R.,
Helsey, John K.,
Hendrix, Kenny W.,
Hertzog, Frank A.,
Hill, John R.,
Holem, Bruce E.,
Hooley, Michael L.,
Hotchko, George J., Jr.,
Huddleston, Louis D.,
Huggins, Vernon M.,
Hunter, Clarence T.,
Jackson, Vashon C.,
James, Arthur R.,
Janak, Larry F.,
Johnson, David R.,
Johnson, Earl D.,
Johnson, Vernon C.,
Jones, Wesley L.,
Judkins, Joe R.,
Juncer, David J.,
Kenney, Robert F., Jr.,
Kidd, Wayland G.,
Kiehl, Wayne P.,
Kilpatrick, Gary L.,
Kimball, Alan M.,
La Fave, Daniel R.,
Lee, Daniel R.,
Linebarger, William G.,
Liska, Michael A.,
Lopez, Antonio,
Lord, Paul A. U.,
Loveless, William E.,
Lugo, Jose R.,
Lydman, Alvin M.,
Lynch, James K.,
Magoon, Howard J., Jr.,
Maldonado, Martin F.,
Marchiony, Peter A.,
Martin, Edward T.,
Martin, John H.,
Marx, Christopher G.,
Matos, Eric E.,
McCarty, Joseph P.,
McCauley, Ronald J.,
McCulloch, Herbert L.,
McDavid, Gary M.,
McGuire, Charles L. W.,
McSweeney, Stephen C.,
McWhorter, James B., Jr.,
Michelson, Thomas C.,
Miller, Daniel E.,
Miller, Raymond C., Jr.,
Moore, John T.,
Morley, George P.,
Moser, Gary L.,
Musson, John R.,
Myers, Charles L., Jr.,
Neely, Harold M., Jr.,
Obeirne, Richard C.,
Paramore, Jerry S.,
Parsons, James L.,
Pence, Robert F., Sr.,
Perrin, Dillard D., Jr.,
Philipp, Eugene P., Jr.,
Pico, Jose R.,
Pinto, Ronald M.,
Pool, Winston L.,
Pope, Olie L., Jr.,
Pratt, James R.,
Pritchett, Barry M.,
Raiford, Robert C.,

Rauer, Michael A., xxx-xx-xxxx
 Raymond, John W., Jr., xxx-xx-xxxx
 Reeve, Stewart A., xxx-xx-xxxx
 Reynolds, Derek J., xxx-xx-xxxx
 Ricci, Joseph A., xxx-xx-xxxx
 Rickard, Larry P., xxx-xx-xxxx
 Rios, Antonio M., III, xxx-xx-xxxx
 Ritchie, William D., xxx-xx-xxxx
 Rodriguez, Pablo, xxx-xx-xxxx
 Rose, Alfred F., xxx-xx-xxxx
 Rossi, Robert D., xxx-xx-xxxx
 Roush, David L., xxx-xx-xxxx
 Sabo, Wayne J., xxx-xx-xxxx
 Santiago, Pablo E., xxx-xx-xxxx
 Santisi, John S., xxx-xx-xxxx
 Savoie, Thomas A., xxx-xx-xxxx
 Schaeffer, James L., xxx-xx-xxxx
 Schellman, Robert H., Jr., xxx-xx-xxxx
 Schlaak, Brian W., xxx-xx-xxxx
 Schwerin, Steven L., xxx-xx-xxxx
 Schworm, Randal A., xxx-xx-xxxx
 Scott, Glen L., xxx-xx-xxxx
 Scott, Rodger L., xxx-xx-xxxx
 Seibert, Lee M., xxx-xx-xxxx
 Sharkey, Paul D., xxx-xx-xxxx
 Shaw, Stephan B., xxx-xx-xxxx
 Shire, Bruce E., xxx-xx-xxxx
 Siems, Terry L., xxx-xx-xxxx
 Slack, Ronald E., xxx-xx-xxxx
 Smith, Peter T., xxx-xx-xxxx
 Smith, Richard A., xxx-xx-xxxx
 Smith, William V., xxx-xx-xxxx
 Snyder, Robert J., xxx-xx-xxxx
 Snyder, Ronald R., Sr., xxx-xx-xxxx
 Speer, Charles W., xxx-xx-xxxx
 Speer, William H., xxx-xx-xxxx
 Spencer, Sterling R., xxx-xx-xxxx
 Springer, Carl D., xxx-xx-xxxx
 Stein, Alan L., xxx-xx-xxxx
 Stewart, Gayle W., xxx-xx-xxxx
 Stewart, William T., xxx-xx-xxxx
 Strauss, John C., xxx-xx-xxxx
 Stroud, Gary B., xxx-xx-xxxx
 Struve, Donald W., xxx-xx-xxxx
 Sullivan, Steven T., xxx-xx-xxxx
 Switzer, Donald H., xxx-xx-xxxx
 Thompson, Michael A., xxx-xx-xxxx
 Thrasher, Alan W., xxx-xx-xxxx
 Thurman, Marty, xxx-xx-xxxx
 Timmons, Mitchell J., xxx-xx-xxxx
 Townsend, Larry W. A., xxx-xx-xxxx
 Triplett, Charles L., Jr., xxx-xx-xxxx
 Tritt, David W., xxx-xx-xxxx
 Troutman, Steve A., xxx-xx-xxxx
 Tyler, Marion J., xxx-xx-xxxx
 Veile, Jon H., xxx-xx-xxxx
 Venci, Robert W., xxx-xx-xxxx
 Verhaeghe, Gary A., xxx-xx-xxxx
 Vesely, Clarence D., xxx-xx-xxxx
 Vona, Lonnie D., xxx-xx-xxxx
 Von Kamecke, Thomas H., xxx-xx-xxxx
 Walker, James L., xxx-xx-xxxx
 Waller, Thomas M., xxx-xx-xxxx
 Waxmonsky, Gary R., xxx-xx-xxxx
 Weaver, Lonnie J., xxx-xx-xxxx
 Weber, James W., xxx-xx-xxxx
 Weimer, Curt F., xxx-xx-xxxx
 Wells, David M., xxx-xx-xxxx
 Wheeler, Courtney B., xxx-xx-xxxx
 Whitaker, Lowell D., xxx-xx-xxxx
 White, David W., xxx-xx-xxxx
 White, Paul E., xxx-xx-xxxx
 Wierzbicki, Boguslaw J., xxx-xx-xxxx
 Wilkerson, Philip P., xxx-xx-xxxx
 Williams, Andrew M., xxx-xx-xxxx
 Williams, Richard J., xxx-xx-xxxx
 Williams, Robert W., Jr., xxx-xx-xxxx
 Wiltse, Christopher A., xxx-xx-xxxx
 Wing, Timothy R., xxx-xx-xxxx
 Wisch, Alec J., xxx-xx-xxxx
 Young, Julius M., xxx-xx-xxxx
 Zagorski, Donald R., xxx-xx-xxxx
 Zedonek, Phillip L., xxx-xx-xxxx
 Zielinski, James D., xxx-xx-xxxx

Alverson, Larry L., xxx-xx-xxxx
 Barker, William T., xxx-xx-xxxx
 Barnhill, Danny R., xxx-xx-xxxx
 Bartley, Bruce Q., xxx-xx-xxxx
 Blackburn, Thomas, xxx-xx-xxxx
 Blackburn, Wilson, xxx-xx-xxxx
 Boden, John E., xxx-xx-xxxx
 Bowman, Richard M., Jr., xxx-xx-xxxx
 Brant, Bruce A., xxx-xx-xxxx
 Brauer, Albert G., II, xxx-xx-xxxx
 Buchmeier, Robert F., xxx-xx-xxxx
 Butler, Stephen E., xxx-xx-xxxx
 Caldwell, Samuel E., xxx-xx-xxxx
 Carlson, John D., xxx-xx-xxxx
 Carmony, Tod J., xxx-xx-xxxx
 Carroll, Raoul L., xxx-xx-xxxx
 Cary, Miles C., xxx-xx-xxxx
 Casey, Patrick W., xxx-xx-xxxx
 Clouse, Jeffery W., xxx-xx-xxxx
 Cockerill, Charles P., xxx-xx-xxxx
 Colon, Rolan, xxx-xx-xxxx
 Connell, Richard E., xxx-xx-xxxx
 Conrad, Robert W., xxx-xx-xxxx
 Courtney, William R., xxx-xx-xxxx
 Cox, Jesse W., Jr., xxx-xx-xxxx
 Cummings, Edward R., xxx-xx-xxxx
 Dipprey, Larry W., xxx-xx-xxxx
 Evans, Paul, xxx-xx-xxxx
 Finley, Robert L., xxx-xx-xxxx
 Fluke, Bryan C., xxx-xx-xxxx
 Galloway, Dwight, xxx-xx-xxxx
 Gatrell, Cloyd B., xxx-xx-xxxx
 Goux, Frederick W., xxx-xx-xxxx
 Graham, James W., Jr., xxx-xx-xxxx
 Hanson, Mark J., xxx-xx-xxxx
 Hardy, Dennis E., xxx-xx-xxxx
 Hollis, Harris W., Jr., xxx-xx-xxxx
 Howard, Phillip A., xxx-xx-xxxx
 Jimenez, Mario, xxx-xx-xxxx
 Hoyt, Richard A., xxx-xx-xxxx
 Jimenez, Rey E., xxx-xx-xxxx
 Jones, Robert E., xxx-xx-xxxx
 Kerivan, Richard P., xxx-xx-xxxx
 Kuchembrod, William G., Jr., xxx-xx-xxxx
 Luxmore, Leslie L., xxx-xx-xxxx
 Martinez, Eduardo, xxx-xx-xxxx
 McFarland, Lester E., Jr., xxx-xx-xxxx
 McKiernan, David D., xxx-xx-xxxx
 Might, Thomas O., xxx-xx-xxxx
 Moore, Jack, Jr., xxx-xx-xxxx
 Morgan, Franklyn G., xxx-xx-xxxx
 Morgan, Philip S., Jr., xxx-xx-xxxx
 Medler, Robert W., xxx-xx-xxxx
 Newbanks, Lloyd L., xxx-xx-xxxx
 Norberg, Joseph M., xxx-xx-xxxx
 Peltier, Pierre D., Jr., xxx-xx-xxxx
 Phillips, Gary S., xxx-xx-xxxx
 Pierce, William L., Jr., xxx-xx-xxxx
 Ramirez, Hector, Jr., xxx-xx-xxxx
 Ramirez, Manuel F., xxx-xx-xxxx
 Ridenour, Robert V., Jr., xxx-xx-xxxx
 Roel, Eddie, M., Jr., xxx-xx-xxxx
 Schieke, Norman P., xxx-xx-xxxx
 Shreiner, Craig G., xxx-xx-xxxx
 Simons, Kenneth A., xxx-xx-xxxx
 Sparena, James E., xxx-xx-xxxx
 Swanner, Stephen O., xxx-xx-xxxx
 Tatman, David A., xxx-xx-xxxx
 Tillman, Richard E., xxx-xx-xxxx
 Transom, George E., III, xxx-xx-xxxx
 Villarreal, Jesse, xxx-xx-xxxx
 Wanat, Frank B., xxx-xx-xxxx
 Wayt, Timothy P., xxx-xx-xxxx
 Wells, James R., xxx-xx-xxxx
 Whitehead, Myron E., xxx-xx-xxxx

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:

- John H. Blake, Jr. Lewis G. Frasch.
- Stanley W. Mathis (Navy enlisted scientific education program candidate) to be a permanent ensign in the Line or Staff Corps of the Navy, subject to the qualification therefor as provided by law.
- Lowell F. Swartz (Navy enlisted scientific education program candidate) to be a per-

manent lieutenant (junior grade) in the Line or Staff Corps of the Navy, in lieu of ensign as previously nominated and confirmed to correct grade.

The following-named (civilian college graduates) 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:

- John R. Haserick Henry L. Vruwink
- Theodore Starkey Mark A. Weiskopf

Roy F. Carlson (civilian college graduate) to be 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 as provided by law:

- John C. Clark Harold L. Jones
- Leroy D. Coleman David M. Malin
- Dean L. Cook Edmund E. Mullins
- Leo V. Crowley, Jr. Stephen S. Perry
- Leonard G. Cuscianna Neal A. Schai
- William J. Hayhurst Tom H. Shelly
- William G. William G.
- Henderickson

George M. Jervey (Naval officer) to be a permanent lieutenant commander in the Medical Corps of the Navy, subject to the qualification therefor as provided by law:

The following-named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to the qualification therefor as provided by law:

- William E. Clayton, Jr. John W. Poundstone.

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:

- Alan R. Alexander Steven E. Liston
- John G. Aronson Donald F. Lynch, Jr.
- Gary R. Gibbons Cecily D. G. Ross
- Jon J. Hanlon John R. Stolanoff
- Loren G. Larsen

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:

- Edward C. Clark
- Lorenzo T. McCarthy
- Marshall K. Steele III

Frederick A. Cravens (civilian college graduate) to be a permanent lieutenant and a temporary lieutenant commander in the Medical Corps of the Navy, subject to the qualification therefor as provided by law:

Walter D. Craver (civilian college graduate) to be a permanent captain in the Medical Corps in the Reserve of the U.S. Navy, subject to the qualification therefor as provided by law.

The following-named (civilian college graduates) to be permanent commanders in the Medical Corps in the Reserve of the U.S. Navy, subject to the qualification therefor as provided by law:

- Frederick L. Benoit
- Reinhardt Bodenbender

Gino A. Curreri (civilian college graduate) to be a permanent commander and a temporary captain in the Medical Corps in the Reserve of the U.S. Navy, subject to the qualification therefor as provided by law.

The following-named (U.S. Navy officers) to be temporary commanders in the Medical Corps in the Reserve of the U.S. Navy, subject to the qualifications therefor as provided by law:

- Romaine L. Bendixen Albert C. Price
- George E. Griffin III Sam J. W. Romeo
- David N. Holt

The following-named scholarship students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

Thomas B. Leberz, U.S. Navy (retired) to be reappointed from the temporary disability retired list as a permanent captain in the Medical Corps of the Navy, subject to the qualification therefor as provided by law.

HMI Judith A. Benny, USN to be a permanent ensign in the Medical Service Corps (Health Care Administration) of the Navy, subject to the qualification therefor as provided by law:

The following-named enlisted candidates to be ensigns in the Medical Service Corps (Health Care Administration) for temporary service, subject to the qualification therefor as provided by law:

Gibson, George	Day, Charles S.
Jones, Robert G.	Lockhart, Ralph A.
Ward, Ernest D.	Caton, Gene A.
Cunningham, David W.	Kunerth, Marshall G.
Harmon, Layton O.	Brickeen, Jerry W.
Jones, Rudolph	Murphree, Garry W.
Pate, George	Brent, William H.
Hargett, David A.	Briere, Gerald P.
Dillard, James B., Jr.	Gervais, David R.
Morris, Donald L.	Smedley, Fulton J.
Radmore, Kenneth J., Jr.	Tyson, Gary D.
Peterson, John C.	Heltsley, John R.
Crank, Harold L.	Brown, Harold T., Jr.
Peters, Vernon M.	Wheeler, David L.
Farnham, Willard H.	Finn, Robert F.
	Olson, Peter K.
	Simas, Amance R.

Langston, Carl C.	Vaughn, Charles D.
Hazzard, Charles A.	Diamond, David
Webb, John R., Jr.	Parrish, Gerald E.
Mohler, Dennis L.	Fox, Francis R.
Olson, Steven D.	Littlejohn, Harold
Pierce, Charles R.	Brodsky, Stephen M.
Eichelberg, Wallace R.	Moran, William J.
Cox, Tommy W.	Brunelle, David M.
Nunn, Thomas D., Jr.	Glowacki, David A.
Norris, Henry H., Jr.	Bennett, Alan H.
Ghent, Ernest R.	Caldwell, Craig R.
Berube, Richard P.	Todd, Hamilton S., Jr.
Meskill, Gerard V.	Epps, Kenneth L.
Ruby, Perry M., Jr.	Goodloe, Murriel E.
Ansley, Bobby G.	Rosciam, Charles J.
Willems, John P.	Randle, Kenneth R.
McGann, Dennis M.	Miller, Stanley C.
Wright, Laban J.	Garrett, James M.
Gians, Dale C., Jr.	Newton, Gary
Eyre, Jay M.	Hall, James R.
Kulcsar, Theron A.	Edgmon, Bobby R.
Duncan, Carl F.	Elmers, Orin K.
Ejling, Stephen R.	Anderson, Jerry T.
Brooks, David D.	McGinn, Charles F.
Brockner, Fred L.	Mitts, Estill D., Jr.
Haslam, Garth S.	McCoy, Wendell T.
Wildner, Thomas W.	Davis, Joe E.
Spencer, Charles A.	Brown, William G.
Soliday, James E.	Rose, Donald C.
McClerklin, Aaron	Perry, John M.
Jose, Lynn T.	Johnson, Ronald A.
Wolfe, Theodore E., III	Fudge, Gerald D.

Thomas J. Harries (Naval enlisted scientific educational program candidate), to be a permanent ensign in the Line or Staff Corps of the Navy, subject to the qualification therefor as provided by law.

Jeffrey B. Hagen (Naval Reserve officer), to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Medical Corps of the Navy, subject to the qualification therefor as provided by law.

Harvey L. P. Resnick (civilian college graduate) to be a permanent commander and a temporary captain in the Medical Corps in the reserve of the U.S. Navy, subject to the qualification therefor as provided by law.

CWO Robert J. Schoonover, USN, to be a lieutenant (junior grade) in the Navy with limited duty, for temporary service in the classification (photography) and as a permanent warrant officer and/or permanent and temporary warrant officer, subject to the qualification therefor as provided by law.

DIPLOMATIC AND FOREIGN SERVICE

Miss Jean M. Wilkowski, of Florida, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Zambia.

U.S. DISTRICT COURTS

Marshall A. Neill, of Washington, to be a U.S. district judge for the eastern district of Washington, vice Charles L. Powell, retired.

HOUSE OF REPRESENTATIVES—Tuesday, June 13, 1972

The House met at 12 o'clock noon.
Rev. John Brennan O.S.F.S., Father Judge High School, Philadelphia, Pa., offered the following prayer:

Therefore I tell you, whatever you ask in prayer, believe that you receive it, and you will.—Mark 11:24.

God our Father, grant us a sense of Your presence as we stand before You in this moment of morning prayer.

Bless, we pray, our President and governmental leaders all over this land. Bless these men and women of the House of Representatives who bear the honor and responsibility of public trust.

Inspire them to create Your kingdom of justice on this earth, in which each man renders justice to his fellow man, each citizen to his government, and government to each citizen. Grant them the practical wisdom to resolve the difficult issues related to the education of all Your children.

Through their efforts, may this great Republic become evermore truly one nation, under You, our God, with liberty and justice for all. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced

that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9580) entitled "An act to authorize the Commissioner of the District of Columbia to enter into agreements with the Commonwealth of Virginia and the State of Maryland concerning the fees for the operation of certain motor vehicles.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 82. Concurrent resolution to express the sense of the Congress that the U.S. Government urge the establishment of a United Nations Voluntary Fund for the Environment to which the United States would contribute its fair share.

TRIBUTE TO REVEREND JOHN BRENNAN, O.S.F.S.

Mr. EILBERG. Mr. Speaker, I would like to thank Father Brennan for his most inspirational prayer. At the same time I want to point out that I invited Father Brennan to deliver the invocation today, because he is a most articulate spokesman for the movement to get Government aid for the private school systems of this country, particularly those in the great cities.

These schools provide an education for thousands of children who would otherwise place an additional burden on public school systems which are already failing.

Father Brennan is a teacher at Father Judge High School, which is a Roman

Catholic high school in my district, which takes in all of northeast Philadelphia. He is also president of the Council of Religious Teachers which represents many of the nuns, priests, and brothers who teach in the Philadelphia archdiocesan school system.

Because of his experience as a teacher and the time he has spent studying the system during his term as president of the council, Father Brennan knows the problems and the needs of the big city private school system.

He knows that they must have massive Federal aid if they are to survive and if they are going to continue providing children with an excellent education.

SUPPORT FOR THE PRESIDENT

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCHANAN. Mr. Speaker, I am happy to call to the attention of the House the action of the House Foreign Affairs Committee this morning in reporting out a resolution which it was my privilege to offer in committee in support of the President's position in Indochina.

I should particularly like to express my appreciation for the statesmanship displayed by Members on the other side, who stood on this critical issue in support of our President. This was in keeping with our committee's historic record of bipartisanship in matters of high national priority. I believe it was a blow for peace in Indochina and a blow for peace in our time.