grasp of modern problems and all have post-graduate degrees.

There is President Seretse Khama of Botswana, who studied at Fort Hare and Witwatersrand Universities before going on to read law at Oxford and the Middle Temple, London. President Leopold Senghor of Senegal is a member of the Agreges de Grammaire, the highest French academic society. As a poet he was in 1962 a strong contender for the Nobel Prize for Literature. He has twice represented France at UNESCO. In 1969 and 1960 he was the minister-counsellor for Cultural Affairs, Education and Justice in the French Government.

President Dauda Jawara of Gambia is a veterinary surgeon with six years of study behind him at Edinburgh. Dr. Kofi Busia of Ghana has a Ph. D. is history and sociology and was a lecturer for six years at St. Anthony's College, Oxford.

In Kenya, Vice President D. T. Arap Moi was formerly a teacher, while our host, Mr. Charles Njonjo, the Attorney General, received a BA degree from Fort Hare University before going on to the London School of Economics and to a practice at Grey's Inn in London. President Julius Nyerere of Tanzania has an MA degree from Edinburgh University and Dr. Kamuzu Banda of Malawi has a Ph. D. degree from Chicago University and an M.D. degree from Nashville, Tennessee, in the United States.

But it was not only the heads of government who impressed us in this way. It was the breadth of knowledge of the assistants as well.

The young man in the president's office, the secretary in the department of foreign affairs, the newspaper editors, the broadcasters, the academicians.

Time and time again one found that these people had obtained degrees at Makerere University in Uganda or Legon University in Accra or at the University of Dakar and had then gone on to do post-graduate study at the Sorbonne, Columbia, Chicago, Edinburgh, London or Leningrad Universities.

These younger men, who will be the leaders of tomorrow, are modern men with a grasp of the politics of the 20th century.

MESSAGE FOR SOUTH AFRICA

We asked the leaders we met: "What message can we take back to the people in South Africa"?

Different leaders put it in different ways, but the message was basically the same.

"We are not anti-South African per se. We are not opposed to South Africa because of its four million Whites, not even because it has a White Government. We are not opposed to your people but we are unalterably opposed to your policy of race discrimination."

The leaders with whom Mrs. Suzman and I spoke understand the complexities of the South African situation. They appreciate the fears of the minority groups in Southern Africa. They realise, too, that change could best come from within South Africa.

They recognise the permanence of the White man in South Africa. They acknowledge the case for the protection of minorities. They recognise, too, that the time table for the implementation of a new policy cannot be forced from outside.

They made no attempt to prescribe a detailed policy to South Africa, but they made it clear that as long as South Africa had a policy of race discrimination entrenched in its law, as long as men were denied dignity and opportunity because of their colour, the country could not be accepted into the African community.

I believe that all the leaders we met want to see a resolution of the situation in Southern Africa, that they are all looking for signs of a change, that they would all prefer peace to violence.

In the words of the Lusaka Manifesto to which they subscribed: "We would prefer to negotiate rather than destroy, to talk rather than to kill."

But their attitude to dialogue with South Africa differed widely. President Julius Nyerere of Tanzania would have nothing to do with dialogue with the South African Government until it changed its policy of race discrimination.

President Kamuzu Banda of Malawi said that he was prepared to engage in dialogue in the hope that this would bring about a change. President Seretse Khama said that for dialogue to be meaningful it should start in South Africa among South Africans.

The Kenyans, perhaps because a number of them were educated at South African universities, adopted a somewhat cynical view towards dialogue and asked: "Do you really think that talking will cause Mr. Vorster to change?"

WILLINGNESS TO TALK

President Senghor and President Jawara showed no special interest in talking to the apartheid government, but did indicate a willingness to talk to people who wanted change in South Africa.

Prime Minister Dr. Busia of Ghana has already declared himself in favour of contact as a means of bringing about change.

He was, however, prepared to consider dialogue as "another weapon in the armoury of the strategy for the elimination of apartheid." Because of his attitude he was strongly criticised by the Opposition in his country.

I return to South Africa more than ever convinced that it is possible for us to resolve the problems of our multi-racial country; that Black, White and Brown can cooperate within South Africa. I believe that there can be a reconciliation between South Africa and the states to the north.

But there can be neither co-operation within South Africa nor reconciliation with the rest of Africa as long as we treat men of colour as lesser beings. When there is a meaningful change in the direction of human dignity and equal opportunity for all South Africans not only will the doors of dialogue be thrown wide open but we will be able to play our full part as the leading independent state on the African continent.

The ball is in our court.

SENATE—*Monday, June 19, 1972*

The Senate met at 10 a.m. and was called to order by Hon. JENNINGS RANDOLPH, a Senator from the State of West Virginia.

PRAYER

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

O God, infinite, eternal, and unchangeable in Thy holiness, justice, goodness, and truth, we acknowledge our dependence upon Thee for life and liberty and national well-being. Preserve this Nation under Thy sovereignty that it may increasingly serve Thy purposes for all mankind. Keep the President and all our leaders under Thy grace and guide them by Thy wisdom through the perilous times in which we live. Direct us in our labors in this Chamber that what we think and say and do may enhance the Nation's welfare and promote Thy kingdom among men and nations.

And to Thee we ascribe all glory and praise. 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 19, 1972.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JENNINGS RANDOLPH, a Senator from the State of West Virginia, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

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

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on June 16, 1972, the President had approved and signed the bill (S. 1736) to amend the Public Buildings Act of 1959, as amended, to provide for financing the acquisition, construction, alteration, maintenance, operation, and protection of public buildings, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore (Mr. RANDOLPH) 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.)

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, June 16, 1972, be dispensed with.

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

WAIVER OF THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the Legislative Calendar, under rule VIII, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

THE JUVENILE DELINQUENCY PREVENTION AND CONTROL ACT AMENDMENTS OF 1972

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 828, S. 3443.

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

The assistant legislative clerk read as follows:

S. 3443, to amend and extend the provisions of the Juvenile Delinquency Prevention and Control Act of 1968.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Juvenile Delinquency Prevention and Control Act Amendments of 1972".

SEC. 2. Section 2 of the Juvenile Delinquency Prevention and Control Act of 1968 is amended to read as follows:

"FINDINGS AND PURPOSE

"SEC. 2. The Congress finds that delinquency among youths has reached a crisis situation which can be met by assisting and coordinating the efforts of public and private agencies engaged in combating the problem, and by increasing the number and improving the quality of the services available for preventing and combating juvenile delinquency. It is, therefore, the purpose of this Act to assist States and local communities in providing diagnosis, treatment, rehabilitative, and preventive services to youths who are delinquent or in danger of becoming delinquent, to provide assistance in the training of personnel employed or preparing for employment in occupations involving the provisions of such services, to provide support for development of improved techniques and information services in the field of juvenile delinquency, and to provide technical assistance in such field.".

SEC. 3. (a) The heading of title I of the Juvenile Delinquency Prevention and Control Act of 1968 is amended to read as follows:

"TITLE I—PLANNING AND DEVELOPING COORDINATED PREVENTIVE AND REHABILITATIVE SERVICES".

(b) The headings for parts A, B, C, and D of such title are deleted.

(c) Section 101 of such title is amended to read as follows:

"GRANTS TO DEVELOP AND OPERATE PREVENTIVE AND REHABILITATIVE COORDINATED SERVICES

SEC. 101. The Secretary may make grants to, or contracts with, any State, county, municipal, or other public or nonprofit private agency or organization, for establishing or operating programs for the prevention and treatment of juvenile delinquency, which insure coordinated services. Such grants or contracts may be provided for paying all or part of the cost of establishing or operating coordinated youth services, including the cost of planning such programs, of providing youth services either by contract or through other arrangements, or directly, only for those services which are not being provided in the community and for which payment is not available from other sources.".

(d) Sections 102, 111, 112, 121, 122, 123, 131, 132, 133, and 134 of title I of such Act are hereby repealed.

(e) Section 13 of title I shall be redesignated as section 102 of such title and is amended to read as follows:

"APPLICATIONS

"SEC. 102. (a) Grants under this part may be made only upon application to the Secretary which contains or is accompanied by satisfactory assurances that—

"(1) the applicant will provide to the extent feasible for coordinating, on a continuing basis, its operations with the operations of public agencies and private nonprofit organizations, furnishing welfare, education, health, mental health, recreation, job training, job placement, correction, and other basic services in the community for youths;

"(2) the applicant will make reasonable efforts to secure or provide any of such services which are necessary for diagnosing, treating, and rehabilitating youths or youth in danger of becoming delinquent and which are not otherwise being provided in the community, or if being provided are not adequate to meet its needs;

"(3) maximum use will be made under the program or project of other Federal, State, or local resources available for provision of such services;

"(4) public and private agencies and organizations providing the services referred to in paragraph (1) will be consulted in the formulation by the applicant of the project or program, taking into account the services and expertise of such agencies and organizations, and with a view to adapting such services to the better fulfillment of the purposes of this part;

"(5) in developing coordinated youth services, youth and public or private agencies, and organizations providing youth services within the geographic area to be served by the applicant will be given the opportunity to present their views to the applicant with respect to such development; and

"(6) the applicant or lead agency or organization is responsible for both accountability for and continuity of services for youth.

"(b) Such application shall contain such information as may be necessary to carry out the purposes of this Act, including—

"(1) a description of the services for delinquent youths or youths in danger of becoming delinquent;

"(2) a statement of the method or methods of linking the agencies and organizations, public and private, providing these and other services;

"(3) the functions and services included;

"(4) the procedures which will be established for protecting the rights, under Federal, State, and local law, of the recipients of youth services, and for insuring appropriate privacy with respect to records relating to such services, provided to any individual under coordinated youth services developed by the applicant;

"(5) the procedures which will be established for evaluation; and

"(6) the strategy for phasing out support under this Act and the continuance of a proven program through other means.

"(c) No grant or contract may be made under this title unless the application therefor has first been submitted to the chief executive officer of the State in which the coordinated youth services are to be established in order to provide him with an opportunity (in accordance with regulations of the Secretary) to review and comment upon such application.".

SEC. 4. Section 133 of title I shall be redesignated as section 103 of such title and amended to read as follows:

"Labor Standards."

"It shall be a condition of any grant under this Act which is wholly or partially for construction that all laborers and mechanics employed by contractors or subcontractors on such construction shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended, the Secretary of Labor shall have with respect to these labor standards the authority and functions set forth in Reorganization Plan Numbered 14 of 1950, and section 276c of title 40."

SEC. 5. (a) Section 135 of title I of such Act shall be redesignated as section 104 and the first sentence of such section is amended by deleting "part B or C of" and "the State agency or, in the case of grants under section 132,".

(b) SEC. 302 of title III of such Act is amended by adding at the end the following sentence: "Particular emphasis should be placed on providing technical assistance in the development of juvenile delinquency components or plans."

(c) Section 402 of title IV of such Act is amended to read as follows:

"SEC. 402. There are authorized to be appropriated for grants and contracts under this Act, to the Department of Health, Education, and Welfare, $75,000,000 for the fiscal year ending June 30, 1973, and $75,000,000 for the fiscal year ending June 30, 1974."

(d) The first sentence of section 408 of title IV of such Act is amended by deleting "the Secretary" and inserting in lieu thereof "the Interdepartmental Council".

(e) Section 410 of title IV of such Act is amended (1) by deleting paragraph (2) thereof; (2) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively; and (3) by adding at the end thereof the following new paragraphs:

"(5) 'Delinquent youth' refers to any youth who has been found by a court to be delinquent, or to be in need of care of supervision.

"(6) 'Youth in danger of becoming delinquent' refers to any youth whose conduct is such as to bring him within the jurisdiction of the juvenile court.

"(7) The term 'youth services' means services which assist in the prevention of juvenile delinquency or in the rehabilitation of youths who are delinquent, including, but not limited to: individual and group counseling, family counseling, diagnostic services, remedial education, tutoring, alternate schools (institutions which provide education to youths outside the regular or traditional school system), vocational testing and training, job development and placement, emergency shelters, halfway houses, extended probationary and parole services, aftercare services, health services, drug abuse programs, social, cultural, and recreational activities, the development of paraprofessional or volunteer programs, community awareness programs, runaway homes, foster care and shelter care homes, group homes and any other community-based treatment or rehabilitative facilities or services, and legal services.

"(8) The term 'coordinated youth services' means a comprehensive service delivery system, separate from the system of juvenile justice (which encompasses agencies such as those currently provided in the geographic area covered by such juvenile courts, law enforcement agencies, and detention facilities) for providing youth services to an individual who is delinquent or in danger of becoming delinquent and to his family in a manner designed to—

"(a) facilitate accessibility to and utilization of all appropriate youth services provided within the geographic area served by

such system by any public or private agency or organization, which desires to provide such services through such system;

"(b) identify the need for youth services not currently provided in the geographic area covered by such system, and, where appropriate, provide such services through such system;

"(c) make the most effective use of youth services in meeting the needs of young people who are delinquent or in danger of becoming delinquent, and their families;

"(d) use available resouces efficiently and with a minimum of duplication in order to achieve the purposes of this Act; and

"(e) identify the types and profiles of individual youths who are to be served by such a comprehensive system."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–867), explaining the purposes of the measure.

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

PURPOSE

The committee bill is designed to extend the Juvenile Delinquency Prevention and Control Act of 1968, which expires on June 30, 1972, and to strengthen its operation by clearly delineating the scope of activities to be undertaken by the Department of Health, Education, and Welfare in the juvenile delinquency field. The 1972 amendments provide for grants to State, county, municipal or other public or nonprofit private agencies to plan, develop, and operate coordinated youth services systems. These systems are defined as comprehensive delivery systems, separate from the system of juvenile justice, for providing youth services to an individual who is delinquent or is in danger of becoming delinquent and to his family. Thus, the primary focus of activity under the Juvenile Delinquency Prevention and Control Act as amended will be the development and operation of these coordinated youth services systems in various parts of the country.

A majority of the committee intends that this extension be viewed as a means of encouraging the Department of Health, Education, and Welfare to improve its efforts to prevent juvenile delinquency by more precisely defining the scope of its activities. However, a majority of the committee agrees that a much more comprehensive approach to the problems of juvenile delinquency at the Federal level should be considered. The extension will permit the committee to develop a full hearing record on the type of restructuring that may be needed before recommending new, comprehensive legislation. At the same time, the extension will allow the Department of Health, Education, and Welfare to continue its important contribution to the Federal effort to combat delinquency, while increasing its effectiveness by more clearly defining its scope.

The other amendments are designed to repeal sections of the Juvenile Delinquency Prevention and Control Act which are rendered superfluous or redundant by the major changes in title I. Specifically, the sections regarding grants for rehabilitative and preventive services and for state plans are repealed, since these services are an integral part of the proposed coordinated youth services systems. The 1972 amendments provide authority for grants to accomplish essentially similar purposes as those set forth in the original act, with the differences that services must be provided as part of a coordinated system designed to maximize the impact of available Federal, State, and local resources. In addition, amendments designed to sharpen the focus of the technical assistance effort authorized under title III are made, so that special emphasis will be placed on providing technical assistance in the development of juvenile delinquency prevention and control plans. Further, the requirement of making an annual report is shifted to the Interdepartmental Council, established by the 1971 amendments, as a means of increasing coordination among Federal agencies responsible for juvenile delinquency prevention and control. The amendments also provide adequate fiscal authorization for the operation of the act.

BACKGROUND

The Juvenile Delinquency Prevention and Control Act was enacted by Congress in 1968 to help States and local communities strengthen their juvenile justice programs. This assistance was to be broad in scope including courts, correctional systems, police agencies, law enforcement, and other agencies which deal with juveniles, and was to encompass a wide range of preventive and rehabilitative services to delinquent and predelinquent youth. The act also provided for the training of personnel employed or about to be employed in the area of juvenile delinquency prevention and control, and for comprehensive planning, development of improved techniques and information services in the field of juvenile delinquency. The Department of Health, Education, and Welfare was charged with administering the act, because that Department was believed to have particular expertise in dealing with the preventive and rehabilitative aspects of delinquency.

The report accompanying the act clearly sets forth the congressional intent that the act be administered as part of an integrated network of antipoverty, antislum, and youth programs. The report states that the legislation should not be just another categorical program administered in relative isolation from much larger efforts such as the community action program, model cities, and the Manpower Development and Training Act. Thus, Congress clearly intended that the programs administered under the act serve to coordinate all Government efforts in the area of juvenile delinquency and to provide national leadership in developing new approaches to the problems of juvenile crime.

As the committee noted in the report accompanying the 1971 amendments, the original promise of the Juvenile Delinquency Prevention and Control Act has not been fulfilled. The first 3 years of the administration of the Juvenile Delinquency Prevention and Control Act of 1968 were marked by delay and inefficiency in implementing the broad legislative mandate. More than a year and a half elapsed before a Director was appointed for the Youth Development and Delinquency Prevention Administration, the agency within HEW charged with administering the act. To date, only one annual report has been published, despite a legislative requirement that such reports be made each fiscal year. In this March 1971 report, YDDPA conceded its own failure to implement the goals of the 1968 Act. With the exception of the portion of the YDDPA budget spent on State comprehensive juvenile delinquency planning, funds were spread throughout the country in a series of underfunded, scattered, unrelated projects. The subcommittee found that juvenile delinquency programs have not been a major priority of the Department of Health, Education, and Welfare even though it has had responsibility for administering the Juvenile Delinquency Prevention and Control Act.

This lack of priority by HEW has been compounded by the consistent failure of the Department to request more than a small proportion of the amount authorized by Congress for each fiscal year, resulting in pitifully small appropriations for YDDPA. In fiscal 1970, example, $50 million was authorized under the Juvenile Delinquency Prevention and Control Act. However, only $15 million was requested and only $10 million appropriated. In fiscal 1971, $75 million was authorized, $15 million requested, and $15 million appropriated. From 1968 to 1971, HEW requested only $49.2 million for operation of the act out of a total authorized amount of $150 million. The serious deficiencies in HEW's administration of the Juvenile Delinquency Prevention and Control Act are further demonstrated by the failure of YDDPA to expend the limited resources appropriated. From 1968 to 1971, out of the small sum of $30 million appropriated, only half, or $15 million, was actually expended.

The fiscal record of the administration of the 1968 Act reflects HEW's limited view of the Department's role in developing a program commensurate with the delinquency problem. Thus, the fulfillment of the original purposes of the act has been rendered virtually impossible because of inadequacies both in appropriations and in administration.

One of the major problems in the administration of the 1968 act has been the confusion of roles in the juvenile delinquency field between HEW and the Law Enforcement Assistance Administration of the Department of Justice set up under the Omnibus Crime Control and Safe Streets Act of 1968. Under the Juvenile Delinquency Prevention and Control Act of 1968, HEW was intended to provide assistance to States in preparing and implementing comprehensive State juvenile delinquency plans. But LEAA, with vastly larger resources than YDDPA, soon became dominant in the criminal justice planning field.

In an exchange of letters on May 25, 1971, the Secretary of HEW and the Attorney General acknowledged the existing inadequacy in coordinating the juvenile delinquency activities of their respective agencies. The May 25 letters specified that each State should develop a single comprehensive criminal justice plan which would comply with the statutory requirements of both the Omnibus Crime Control and Safe Streets Act and the Juvenile Delinquency Prevention and Control Act. The Secretary and the Attorney General agreed that HEW was to concentrate its efforts on prevention and rehabilitation programs administered outside the traditional juvenile correctional system while LEAA was to focus its efforts on programs within the juvenile correctional system. Despite this allocation of responsibility for delinquency prevention to HEW, the minimal level of funding for the operation of the Juvenile Delinquency Prevention and Control Act raises serious doubts about the possible effectiveness of YDDPA in providing national leadership in the prevention of delinquency.

The problems of the role of HEW under the Juvenile Delinquency Prevention and Control Act should be viewed in the larger context of the lack of primary responsibility in any one Federal agency for all juvenile delinquency programs. Juvenile Delinquency programs are presently spread among more than 40 different agencies. There are no central goals and priorities to guide the planning and development of these diverse and scattered programs. The national direction and coordination of delinquency programs envisioned by the Juvenile Delinquency Prevention and Control Act for HEW has not engaged in that Department.

In a response to the clear need to develop more effective coordination of the Federal juvenile delinquency effort, the committee in the 1971 amendments to the Juvenile Delinquency Prevention and Control Act established an Interdepartmental Council consisting of representatives of the major Federal agencies involved in the area of juvenile delinquency. The Council was to meet on a regular basis to review the efforts of the various agencies in combating juvenile delinquency and make certain that the overall Federal effort was coordinated and efficient. The 1971 amendments also gave YDDPA an additional year to prove its effectiveness in

the fight against juvenile crime and to develop a strategy which would efficiently deploy the limited resources of HEW.

NEED FOR LEGISLATION

Juvenile crime in this country has reached crisis proportions in the past decade. Arrests of juveniles for violent crimes have increased by 167 percent. Arrests of juveniles for property crimes, such as burglary and auto theft, have jumped 89 percent. Almost two-thirds of all arrests for serious crimes are of young people under the age of 21. Our failure as a nation to deal with this crisis is tragically clear. The recidivism rate for institutionalized delinquents is the highest of any age group—between 74 and 85 percent. Many if not most adult criminals have a juvenile record.

Congress responded to the alarming increase in juvenile crime by enacting the Juvenile Delinquency Prevention and Control Act in 1968. The first 3 years of the act's operation were marked by administrative weakness and lack of direction. In extending the act for 1 year, in 1971, Congress clearly indicated its intention to review carefully the administration of the 1968 act.

At committee hearings on April 28, 1972, representatives of the Department of Health, Education, and Welfare testified on the progress that YDDPA has made during the past year in increasing its effectiveness. In defining the Department's role in preventing juvenile delinquency more clearly, YDDPA has specifically concentrated its work on the development of systems which provide coordinated youth services as well as funds for initiation of needed services which are otherwise not available. Twenty-three youth services systems were started in fiscal 1971, and YDDPA estimates that there will be 13 more such systems by the end of fiscal 1972. YDDPA also testified that the present act, with its emphasis on state juvenile delinquency planning perpetuates the confusion about HEW's role in the criminal justice planning process and in providing grants for preventive and rehabilitative services.

It was in light of this testimony that the committee developed the 1972 amendments to the Juvenile Delinquency Prevention and Control Act. These amendments are designed to reflect the focus on youth services systems which HEW itself feels would be the most effective use of its limited resources in the juvenile delinquency area. The principal amendment, the new title I, would encourage the development of coordinated youth services systems separate from the juvenile justice system through grants to public or nonprofit private agencies. YDDPA is to serve as a catalyst to bring together resources from a broad range of public and private health, education, employment, and other agencies which would provide services to delinquents or youth in danger of becoming delinquent and their families. YDDPA's funds will be concentrated on selected youth services systems to maximize fully the impact on this program.

The committee believes that the administration of the Juvenile Delinquency Prevention and Control Act has improved during the past year and can be substantially improved in the future by defining the scope of its activities in accordance with the 1972 amendments. Therefore, the committee recommends repeal of the sections of the 1968 act relating to grant authority for State planning and for preventive and rehabilitative services. Under the 1972 amendments, grants may be made for preventive and rehabilitative services if such services are part of a coordinated youth services system and are not already available in the community.

The committee recognizes the great need for improved training of personnel working with youths who are delinquent or who are in danger of becoming delinquent. Therefore, the training authority established under title II of the Juvenile Delinquency Prevention and Control Act has been retained. The committee also understands that YDDPA's responsibility for providing training will cease when and if H.R. 45 is enacted into law. H.R. 45 would establish an Institute for Continuing Studies of Juvenile Justice, one of the primary purposes of which is to provide training.

The committee also recognizes the importance of the Federal role in providing technical assistance to State, local, and private agencies in the area of delinquency prevention and rehabilitation. The 1972 amendments retain the technical assistance authority contained in title III with the requirements that particular emphasis be placed on technical assistance relating to the development of juvenile delinquency plans. The special expertise developed under the act should be readily available to LEAA and to state planning agencies in the preparation of comprehensive State juvenile delinquency plans.

The committee retains its concern about the administration of the 1968 act, particularly with regard to the level of funding. The 1972 amendments provide for a $75 million authorization. However, the pattern of severely limited budget requests and appropriations appears to be a continuing problem. In fiscal 1972, for example, although $75 million was authorized, only $10 million was requested and $10 million appropriated. In fiscal 1973, although the committee's amendments contain a $75 million authorization, only $10 milion has been requested.

In reporting the 1972 amendments to the Juvenile Delinquency Prevention and Control Act, the committee accepts the YDDPA program in its present form as a possible means for improving the administration of the act, but does not consider this to be a comprehensive response to the delinquency crisis. At the April 28, 1972, hearings, a representative of the National Council on Crime and Delinquency (NCCD) testified that the youth service system is a worthwhile concept but does not present the total answer to the national problem of juvenile delinquency prevention. The NCCD concluded that the low level of funding of YDDPA as well as the emphasis on utilizing existing services assures that juvenile delinquency prevention will be an appurtenance to other program goals.

In moving into programing youth services systems, YDDPA has relinquished responsibility for coordinating the current diverse array of juvenile delinquency programs. The need for such coordination remains. At the April 28 hearings, representatives of the Department of Health, Education, and Welfare and LEAA testified favorably on the progress of the Interdepartmental Council. The Council, under the chairmanship of the Attorney General, has met regularly during the past year to review ways in which the Federal effort might be made more effective. Since the Council appears to be a useful mechanism for providing communication between Federal agencies concerned with juvenile delinquency, the committee recommends the transfer of the annual reporting requirement regarding Federal juvenile delinquency activities from YDDPA to the Interdepartmental Council.

In reaching its decision to recommend a two year extension of the Juvenile Delinquency Prevention and Control Act, the committee had extensive discussion of how long an extension would be appropriate. Some members were concerned that the 1972 amendments might be regarded as a comprehensive answer to the delinquency problem of this Nation. They emphasized the need for continued study of the entire Federal juvenile delinquency effort with a view toward enacting new comprehensive legislation next year. Those committee members who supported a longer extension of the act were concerned about the difficulties of administering the program on a short-term basis. However, a majority of the committee is agreed that the 1972 amendments are no substitute for the vigorous national leadership, coordinating authority, and substantial resources necessary for an effective Federal response to the problems of juvenile delinquency.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FLAMMABLE FABRICS ACT—AUTHORIZATION OF APPROPRIATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote by which H.R. 5066 was passed last Friday, and its third reading, be reconsidered, for the sole purpose of offering a technical amendment which is made necessary by the changes that were made in the bill by the floor amendments adopted by the Senate last Friday.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered, and the bill will be stated by title.

The assistant legislative clerk read as follows:

H.R. 5066, an act to authorize appropriations for fiscal year 1972, to carry out the Flammable Fabrics Act.

The Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 1, after line 7, insert:

"SEC. 2. That the Flammable Fabrics Act be amended by adding a new section at the end thereof, as follows."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Washington (Mr. MAGNUSON) I ask unanimous consent to insert a statement regarding the Flammable Fabrics Act amendments adopted by the Senate on Friday.

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

STATEMENT BY SENATOR MAGNUSON

On Friday the Senate took a major step toward protecting our nations' children from the risks of injury by fire from childrens' sleepwear.

Our amendment to H.R. 5066, adopted as amended by a vote of 65 to 0, directs the Secretary of Commerce to promulgate a flammability standard for children's sleepwear to be effective no later than July 1, 1973.

Under the procedures of the Flammable Fabrics Act routine standards are not effective for one year after the date of their final promulgation. However the Act does contemplate some occasions when more rapid action is necessary. In the case of flammability standards for Children's Sleepwear, sizes 7 to 14, the Secretary is directed to utilize the procedures of the Act in so far as practicable. This means that he will hold hearings and receive public comment on the

standard he promulgates for Children's Sleepwear, but the standard once developed will not wait for the routine twelve months delay for it to take effect. As a result of the action of the Senate, if joined in by the House, the standard for Children's Sleepwear will be effective not later than July 1, 1973.

I commend the able senior Senator from New Hampshire (Mr. COTTON) and the other able members of this body who worked with me to arrive at a solution to the problems confronting our nation's children arising out of the intrinsic flammable character of most fabrics.

I am looking forward to the support of the members of the House and the responsible members of industry. The Secretary of Commerce will need our support as he seeks an appropriate standard. If this effort receives the attention it deserves there should be a major improvement in the availability of flame resistant farbrics for all types of children's garments in the marketplace within the next few years, and at least for children's sleepwear, an absence of any garment which does not meet an adequate test for flame resistance, after July 1, 1973.

Mr. ROBERT C. BYRD subsequently said: Mr. President, I ask unanimous consent that H.R. 5066 be printed as it passed the Senate.

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

THE NIXON-BREZHNEV TREATY

Mr. MANSFIELD. Mr. President, the hearings on the Nixon-Brezhnev treaty start this morning in the Committee on Foreign Relations. They will be most important, I think, to the future of this Nation, to the Soviet Union, and very likely to the rest of the world.

The President has indicated that one of his principal goals is a generation of peace. I want to assure him that that is the goal of the Senate, the Congress, and the American people, as well.

I wish to express the hope that the hearings will be gone into in detail and that then a favorable report from the Committee on Foreign Relations will be issued expeditiously so that the Nixon-Brezhnev treaty can be taken up on the floor of the Senate as soon as possible.

If things work out, I would hope it would be possible to do so before we recess at the end of this month. If not, then certainly when we come back between the two national conventions.

Mr. President, I ask unanimous consent to have printed in the RECORD three editorials which were published in the Great Falls Tribune of Great Falls, Mont., under date of May 25, 1972, entitled "Generation of Peace"; May 28, entitled "The Arms Treaty"; and June 6, entitled "Harnessing the Missiles"; and an article entitled "The Rationale for Defense Spending Grows More and More Irrational," written by D. J. R. Bruckner, and published in the Los Angeles Times of June 19, 1972.

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

GENERATION OF PEACE

A "generation of peace," which President Nixon has declared is one of his principal goals, may be assured if he and Russian Party Chief Leonid I. Brezhnev agree on an arms limitation program.

President Nixon's journey to Moscow already has succeeded in several significant areas. The delegations of the two superpowers have agreed to cooperate in research on environmental problems. They also formalized an earlier agreement for coordinated health research on cancer, heart disease and environmental health.

It's encouraging that President Nixon and Soviet Party Chief Brezhnev are realistic enough to attempt to set limits on the nuclear arms race. Each knows that the chances for peaceful coexistence in a troubled world will be enhanced greatly if the superpowers agree to establish a ceiling on both offensive and defensive nuclear weapons.

President Nixon and Party Chief Brezhnev know that the two nations now have a nuclear capacity to destroy the world, that each power has sufficient intercontinental nuclear missiles to accept a devastating surprise strike and still have enough nuclear might to destroy the attacking nation. They know that the U.S. has an estimated nuclear capacity equivalent to 18 billion tons of TNT and that Russia has an estimated 19-billion-ton arsenal of nuclear weapons. There won't be much left on earth if the weapons in the two arsenals are exploded.

The best wishes of the entire world, concerned about the possibility of a nuclear holocaust if an atomic war breaks out, will rest with President Nixon and Party Chief Brezhnev.

THE ARMS TREATY

The nuclear arms limitation agreement signed in Moscow Friday by President Nixon and Russian Party Chief Leonid I. Brezhnev marks an historic milestone in world history.

The treaty, if ratified by the U.S. Senate, may bring an end to the costly arms race in which both superpowers have been competing for more than two decades. Without such a treaty, the two great nations will continue the shaky state of equilibrium called the "balance of terror," a state in which each nation has more than enough nuclear weapons to demolish the other within a few hours.

Under the arms limitation agreement, each of the superpowers still is left with the ability to accept a surprise strike and be able to retaliate with sufficient power to destroy the attacking nation.

Military experts say the U.S. has nuclear warheads with the power of 18 billion tons of TNT and that Russia has a nuclear arsenal with the power of about 19 billion tons of TNT. The other nuclear nations, Britain, France and China, also have nuclear weapons so the total world nuclear tonnage is equivalent to more than 40 billion tons of TNT.

Only two atomic bombs have been exploded in war. The first killed 78,150 persons in Hiroshima, Japan, Aug. 6, 1945; the second killed 73,394 persons three days later when dropped by a U.S. plane over Nagasaki, Japan. The two bombs, each with an atomic power equivalent to 20,000 tons of TNT, injured about as many persons as they killed and the effects of radioactive damage still linger in the two cities.

The two bombs dropped over Japan are baby ones when compared to the giant nuclear warheads in the intercontinental missiles Russia and the U.S. are able to launch at 15,000-miles-an-hour speeds against targets as far as 10,000 miles away.

President Nixon and the Russain leaders know that if the nuclear weapons are turned lose, no nation will win—that it will be a case of murder-suicide if one nation starts such a nuclear war.

President Nixon and the Russian leaders rate a "thank you" from all nations for agreeing to limit the nuclear race. President Nixon is entitled to great personal credit for his efforts to obtain the agreement, one he has maintained is needed to assure a "generation of peace."

HARNESSING THE MISSILES

The nuclear arms limitation treaty which President Nixon signed in Moscow May 26 has been greeted with a favorable response throughout the nation but also has raised strong opposition in many quarters.

The treaty, which must be ratified by the Senate before it goes into effect, will be debated thoroughly in Congress in coming weeks.

Many who are criticizing the agreement are saying that the pact gives the Russians an edge in the nuclear weapon field. President Nixon answered such fears by saying that the nation will continue to be stronger than any other nation on earth.

Opponents apparently fail to understand that each of the two superpowers has an overkill capacity almost beyond comprehension. Each nation possesses the nuclear capability to accept a surprise attack and still retaliate with sufficient might to destroy the attacking country.

Many fail to appreciate that war has changed so radically in the nuclear age that began at the end of World War II. In that war, the United States exploded a total tonnage of bombs equivalent to 2 million tons of TNT—bombs dropped over a period of four years.

Two of the 200 nuclear-tipped Minuteman missiles now deployed in Montana pack as much explosive fury as all the bombs we dropped over Germany and Japan in World War II. A Minuteman missile can race through space at 15,000 miles per hour and rain nuclear death on an entire city within a half hour from the time the signal is flashed in Washington, D.C.

The Minutemen missiles in Montana have 100 times more explosive power than all the bombs we dropped in World War II. The Montana missiles are only part of the 1,054 intercontinental missiles in the U.S. arsenal—which also include powerful missiles in our submarines—and giant nuclear bombs in our bombers.

Military experts estimate the U.S. has a nuclear arsenal equivalent to 18 billion tons of TNT and that Russia's arsenal may be equivalent to 19 billion tons of TNT.

That's enough nuclear power to devastate the entire earth—a fact opponents of the arms limitation treaty may want to think about as they attempt to defeat the treaty.

THE RATIONALE FOR DEFENSE SPENDING GROWS MORE AND MORE IRRATIONAL

(By D. J. R. Bruckner)

NEW YORK—Early this year the Administration justified its increased military budget requests by arguing that it would need funds for new weapons if the Strategic Arms Limitations Talks failed. Last week it was arguing that it needs more funds for new weapons to give the Russians an incentive to proceed with SALT II and agree to a treaty limiting offensive weapons.

Some congressional critics of the military budget have been trying to find a way to tie the arms agreements to the debate over spending, in an effort to cut funds, but the Administration could have ignored that effort safely. The arms agreements and the budget are two quite distinct matters which could be handled separately. Evidently the President finds some advantage in co-opting the tactic of his critics; it is probably a political advantage in an election year.

The rot set into our thinking about the military when Congress agreed 25 years ago to eliminate the War Department and call the new combined services agency the Defense Department. And last week the President was telling more than 100 members of Congress at the White House that his aim is to insure the "security" of the nation. The Russian leaders were telling their people the same thing in one of those long, allusive, code-worded articles in Pravda defending the summit agreements. Neither leadership

suggested to its constituency that security might be best achieved by disarmament rather than by armament. In fact, the chief U.S. arms negotiator Gerard Smith told the Russians on May 9 that an objective of the Salt II talks on offensive weapons "should be to constrain and reduce on a long-term basis threats to the survivability of our respective strategic retaliatory forces." That means, in translation, that our safety lies in our unrestrained ability to bomb one another to hell.

Mr. Nixon displayed his mastery of this weird language of the politics of war when he told the congressmen that the Russians told him that "they were going forward with defense programs in the offensive area . . ." His conclusion was that "since they will be going ahead with their programs, for the United States not to go forward with its programs would mean that any incentive that the Soviets had to negotiate the follow-on agreement would be removed." Do you understand?

This is all of a piece with the American threat to abrogate an ABM treaty if SALT II does not produce an offensive weapons treaty within five years. Henry Kissinger actually argued in the congressional briefing at the White House that it was our deployment of the Safeguard ABM missile that made the new ABM limitation treaty possible.

We are invited to conclude that, if one step up in the arms race made one treaty possible, another step up will make another treaty possible. The theory that an increase in military spending will encourage Russia to make more arms limitation treaties gains an illusory persuasiveness from the fact that there is an ABM treaty before Congress. But why would not a cutback in military spending encourage the Russians to negotiate just as well? We do not know; we have never tried that method.

The proposed $83.2 billion Defense Department budget includes initial funds for Minuteman II and Poseidon missiles, a new B–1 bomber for the strategic arsenal, a new Trident submarine to cost something more than $1 billion. Wonderful. In 25 years we have spent more than $1,000 billion on our war machine. This commitment, we are supposed to believe, has persuaded the Russians to sign a treaty limiting additions to one part of the machine; spending billions more to improve other parts of the machine will lead to another treaty. And then?

If a new and different reason is needed to justify this increased military budget, you must expect that one will be found, treaty or no treaty. We have seen the unsettling spectacle of Admiral Thomas Moorer, chief of the Joint Chiefs, telling Congress that the military might withhold its approval of the ABM treaty unless the military budget for offensive weapons goes up. Defense Secretary Laird then issued a warning that the Russians are building multiple warhead missiles, although it turns out in fact that there has been no testing of such weapons by Russia and that the situation has remained unchanged all year. Then Laird was up in the Capitol arguing that the arms limitation agreements would be dangerous unless we become better armed.

International affairs might be in fact as totally unreasonable, perhaps lunatic, as these guys want to make us believe. But I suspect there is another angle to this effort, a political angle. A storm will be stirred up in Congress, but Mr. Nixon's treaty and agreement will be approved anyway, and he can go before the voters as a victor in a tough fight with a stubborn Congress. And Sen. Hubert Humphrey, in his California campaign, demonstrated to the White House the effective use of frightening people about any cuts in the military budget, convincing them that restraint is weakness abroad and a source of unemployment at home.

The words are used in different ways now, and the arguments sound different, but in fact, the condition of the war machine will be a chief concern of this campaign as it has been the chief concern of every campaign since 1940.

Mr. SCOTT. Mr. President, I merely want to underscore the statement just made by the distinguished majority leader that the hearings on the Nixon-Brezhnev treaty began at 10 a.m. today. I hope that they can be conducted as expeditiously as is necessary for a full hearing. It would be an excellent thing if we could act on this treaty before we adjourn for the first of the two national conventions. If not, of course, I think we really must be prepared to do it between the conventions. But I hope we can do it, as the distinguished majority leader says, in the near future.

There is, so far as I know, no great, no massive objection to the terms of the treaty in any area of which I am aware. It is another way to bring about a betterment of our chances for peace. It is another step in the search for peace. Meanwhile, other steps are going on with Mr. Podgorny in Hanoi, Mr. Kissinger in the People's Republic of China, and, perhaps, Mr. Le Duc Tho in the People's Republic of China.

The number of nations interested in putting an end to this ulcer which bleeds away the strength of the North Vietnamese, the South Vietnamese, the United States, and its allies is, of course, of the greatest importance to all of us. It is the prayer of all Americans and of people of good will everywhere that we find an end to this utterly miserable condition in which we find ourselves.

We wish success to all who are engaged in this common search for peace.

THE NIXON-BREZHNEV TREATY AND THE INTERIM AGREEMENT

Mr. MANSFIELD. Mr. President, last week the President and Dr. Henry Kissinger met with approximately 130 Members of Congress to discuss and explain the Moscow agreements on the Arms Limitation Treaty and Agreement.

Because these talks encompassed such vital elements on these particular matters, I ask unanimous consent that the President's statement, Dr. Kissinger's statement, and the question-and-answer session—all at the White House—be inserted at this point in the RECORD.

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

THE WHITE HOUSE REMARKS OF THE PRESIDENT—THE STATE DINING ROOM

Ladies and gentlemen, we are beginning a little late because I understand traffic is quite heavy around the White House this morning due to the arrival of the President of Mexico. We must go forward with the schedule, because there is a Joint Session, as you know, today and we do want the members of the committees present here today to be able to attend that session. We will have to adjourn this meeting at approximately 12:00 o'clock, or at best, five minutes after 12:00, to give you plenty of time for questions.

A word about the format of this meeting. I will make a statement, and then I will have to depart in order to prepare for the arrival of the President of Mexico. Dr. Kissinger will then make a statement, and then it will be open to questions to members of the committees who are present here.

In order to facilitate recognition of Members, someone who knows all of the Members who are here, Clark MacGregor, will moderate the question and answer period, but we will try to be just as fair as possible among the members of the committees and between the House and the Senate, and Clark will, of course, be responsible in the event it isn't fair.

In any event, let me come directly now to my own remarks, which will not be too extended, because Dr. Kissinger today will be presenting the Presidential views. He will be telling you what the President's participation has been in these negotiations. The views he will express I have gone over with him in great detail, and I will stand by them.

I noted in the press that it was suggested that I was calling down the members of these committees for the purpose of giving you a pep talk on these two agreements. Let me lay that to rest right at the outset. This is not a pep talk and Dr. Kissinger is not going to make you a pep talk either.

When I came back from the Soviet Union, you will recall in the Joint Session I said that I wanted a very searching inquiry of these agreements. I want to leave no doubt about my own attitude.

I have studied this situation of arms control over the past 3½ years. I am totally convinced that both of these agreements are in the interest of the security of the United States and in the interest of arms control and world peace.

I am convinced of that, based on my study. However, I want the members of the House and the members of the Senate also to be convinced of that. I want the Nation to be convinced of that.

I think that the hearings that you will conduct must be searching because only in that way will you be able to be convincing to yourselves and only in that way will the Nation also be convinced.

In other words, this is not one of those cases where the President of the United States is asking the Congress and the Nation to take on a blind faith a decision that he has made in which he deeply believes.

I believe in the decision, but your questions should be directed to Dr. Kissinger and others in the Administration for the purpose of finding any weaknesses that you think are in the negotiations or in the final agreements that we have made.

As far as the procedures are concerned, as you know, you will be hearing the Secretary of State, the Secretary of Defense, the head of the CIA, and of course, Ambassador Smith, in the sessions of your various committees.

I know that a number have suggested that Dr. Kissinger should appear before the committees as a witness. I have had to decline that particular invitation on his part, due to the fact that Executive privilege had to prevail.

On the other hand, since this is really an unprecedented situation, it seemed to me that it was important that he appear before the members of the committee in this format. This is on the record.

All of you will be given total transcripts of what he says. All of you will have the opportunity to ask these questions and in the event that all of the questions are not asked on this occasion, he, of course, will be available to answer other questions in his office from members of the committee as time goes on, during the course of the hearings.

What we are asking for here, in other words, is cooperation and not just rubber-stamping by the House and the Senate. That is essential because there must be follow-through on this and the members of the House and Senate, it seems to me, must be

convinced that they played a role as they have up to this point, and will continue to play a role in this very, very important field of arms control.

Now, let me go to the agreements, themselves, and express briefly some of my own views that I think are probably quite familiar to you, but which I think need to be underlined.

I have noted a great deal of speculation about who won and who lost in these negotiations. I have said that neither side won and neither side lost. As a matter of fact, if we were to really look at it very, very fairly, both sides won, and the whole world won.

Let me tell you why I think that is important. Where negotiations between great powers are involved, if one side wins, and the other loses clearly, then you have a built-in tendency or incentive for the side that loses to break the agreement and to do everything that it can to regain the advantage.

This is an agreement which was very toughly negotiated on both sides. There are advantages in it for both sides. For that reason, each side has a vested interest, we believe, in keeping the agreement rather than breaking it.

I would like you to examine Dr. Kissinger, and the other witnesses, before the committee on that point. I think you also will be convinced that this was one of those cases where it is to the mutual advantage of each side, each looking to its national security.

Another point that I would like to make is Presidential intervention in this particular matter, Presidential coordination, due to the fact that what we have here is not one of those cases where one department could take a lead role.

This cut across the functions of the Department of State, the Department of Defense, it cut across, also, the AEC, and, of course, the Arms Control Agency.

Under these circumstances, there is only one place where it could be brought together, and that was in the White House, in the National Security Council, in which all of these various groups participated.

There is another reason, which has to do with the system of government in the Soviet Union. We have found that in dealing with the system of govenment in the Soviet Union, that where decisions are made, that affect the vital security and in fact, the very survival of a nation, decisions and discussions in those cases are made only at the highest level. Consequently, it is necessary for us to have discussions and decisions at the highest level if we are going to have the breakthroughs that we have had to make in order to come to this point of a successful negotiation.

The other point that I would make has to do with what follows on. The agreement that we have here, as you know, is in two stages: One, the treaty with regard to ABM defensive weapons; and second, the offensive limitation, the Executive Agreement, which is indicated as being, as you know, not a permanent agreement—it is for five years—and not total. It covers only certain categories of weapons.

Now we are hoping to go forward with the second round of negotiations. That second round will begin, we trust, in October. That means that we can begin in October, provided action is taken on the treaty and on the offensive agreement that we have before you at this time, sometime in the summer months; we would trust before the 1st of September. I don't mean that it should take that long, but I hope you can finish by the 1st of September so we can go forward with the negotiation in October.

The other point that should be made with regard to the follow-on agreements is not related to your approval of these agreements. It is related to the actions of the Congress on defense. I know there is disagreement among various Members of Congress with regard to what our defense levels ought to be. I think, however, I owe it to you and to the Nation to say that Mr. Brezhnev and his colleagues made it absolutely clear that they are going forward with defense programs in the offensive area which are not limited by these agreements.

Under those circumstances, since they will be going forward with their programs, for the United States not to go forward with its programs—and I am not suggesting which ones at this point; you can go into that later—but for the United States not to go forward with its offensive programs, or worse, for the United States unilaterally to reduce its offensive programs would mean that any incentive that the Soviets had to negotiate the follow-on agreement would be removed.

It is for that reason, without getting into the specifics as to what the level of defense spending should be, as to what the offensive programs should be, I am simply saying that if we want the follow-on agreement, we have to take two steps: First to approve these agreements; and second, we need a credible defensive position so that the Soviet Union will have an incentive to negotiate a permanent offensive freeze. That is what we all want.

These are just some random thoughts that I had on this matter. I will simply close by saying that as one stands in this room in this house, one always has a tendency to think of some of the tragedies of history of the past. As many of you know, I have always been, and am, a great admirer of Woodrow Wilson. As all of you know, the great tragedy of his life was that after he came back with the Treaty of Versailles and the League of Nations, due to ineffective consultation, the Senate rejected the treaty and rejected the League.

We, of course, do not want that to happen. We do not think that it will happen. We have appreciated the consultation we have had up to this point, and we are now going forward with this meeting at this time.

I will only say that in looking at what Wilson said during that debate, when he was traveling the country, he made a very, it seemed to me, moving and eloquent statement. He said: "My clients are the children. My clients are the future generation."

This is an election year, and I realize that in an election year it is difficult to move as objectively as we ordinarily would move on any issue, but I would respectfully request the Members of the House and Senate, Republican and Democratic, to approach this in the spirit that Wilson explained in that period when they were debating whether they should go forward with the League of Nations, remembering that our clients are the next generation, that approval of these agreements, the treaty limiting defensive weapons, the agreement limiting offensive weapons in certain categories, and also the continuation of credible defense posture, will mean that we will have done our duty by our clients, which are the next generation.

Thank you.

Congressional Briefing by Dr. Henry A. Kissinger

Dr. Kissinger. Gentlemen, the President has asked me to present to you the White House perspective on these agreements, and the general background, with the technical information and some more of the details to be supplied by the formal witnesses before your various committees.

I will read a statement to you which we will distribute. It is still in the process of being typed.

In considering the two agreements before the Congress, the treaty on the limitation of available missile systems and the interim agreement on the limitation of offensive arms, the overriding questions are these: Do these agreements permit the United States to maintain a defense posture that guarantees our security and protects our vital interests? Second, will they lead to a more enduring structure of peace?

In the course of the formal hearings over the coming days and weeks, the Administration will demonstrate conclusively that they serve both of these goals. I will begin that process this morning by offering some general remarks on the agreement, after which I will be happy to take your questions.

United States-Soviet Relations in the 1970's

The first part of my remarks will deal with U.S.-Soviet relations as they affect these agreements. The agreement which was signed 46 minutes before midnight in Moscow on the evening of May 26th by President Nixon and General Secretary Brezhnev is without precedent in the nuclear age; indeed, in all relevant modern history.

Never before have the world's two most powerful nations, divided by ideology, history and conflicting interests, placed their central armaments under formally agreed limitation and restraint. It is fair to ask: What new conditions now prevail to have made this step commend itself to the calculated self-interests of both of the so-called superpowers, as it so clearly must have done for both willingly to undertake it?

Let me start, therefore, with a sketch of the broad design of what the President has been trying to achieve in this country's relations with the Soviet Union, since at each important turning point in the SALT negotiations we were guided not so much by the tactical solution that seemed most equitable or prudent, important as it was, but by an underlying philosophy and a specific perception of international reality.

The international situation has been undergoing a profound structural change since at least the mid-1960s. The post-World War II pattern of relations among the great powers had been altered to the point that when this Administration took office, a major reassessment was clearly in order.

The nations that had been prostrate in 1945 had regained their economic strength and their political vitality. The Communist bloc was divided into contending factions, and nationalistic forces and social and economic pressures were reasserting themselves within the individual Communist states.

Perhaps most important for the United States, our undisputed strategic predominance was declining just at a time when there was rising domestic resistance to military programs, and impatience for redistribution of resources from national defense to social demands.

Amidst all of this profound change, however, there was one important constant—the continuing dependence of most of the world's hopes for stability and peace upon the ability to reduce the tensions between the United States and the Soviet Union.

The factors which perpetuated that rivalry remain real and deep.

We are ideological adversaries, and we will in all likelihood remain so for the foreseeable future.

We are political and military competitors, and neither can be indifferent to advances by the other in either of these fields.

We each have allies whose association we value and whose interests and activities of each impinge on those of the other at numerous points.

We each possess an awesome nuclear force created and designed to meet the threat implicit in the other's strength and aims.

Each of us has thus come into possession of power singlehandedly capable of exterminating the human race. Paradoxically, this very fact, and the global interests of both sides, create a certain commonality of outlook, a sort of interdependence for survival between the two of us.

Although we compete, the conflict will not

admit of resolution by victory in the classical sense. We are compelled to coexist. We have an inescapable obligation to build jointly a structure for peace. Recognition of this reality is the beginning of wisdom for a sane and effective foreign policy today.

President Nixon has made it the starting point of the United States policy since 1969. This Administration's policy is occasionally characterized as being based on the principles of the classical balance of power. To the extent that that term implies a belief that security requires a measure of equilibrium, it has a certain validity. No national leader has the right to mortgage the survival of his people to the good will of another state. We must seek firmer restraints on the actions of potentially hostile states than a sanguine appeal to their good nature.

But to the extent that balance of power means constant jockeying for marginal advantages over an opponent, it no longer applies. The reason is that the determination of national power has changed fundamentally in the nuclear age. Throughout history, the primary concern of most national leaders has been to accumulate geopolitical and military power. It would have seemed inconceivable even a generation ago that such power once gained could not be translated directly into advantage over one's opponent. But now both we and the Soviet Union have begun to find that each increment of power does not necessarily represent an increment of usable political strength.

With modern weapons, a potentially decisive advantage requires a change of such magnitude that the mere effort to obtain it can produce disaster. The simple tit-for-tat reaction to each other's programs of a decade ago is in danger of being overtaken by a more or less simultaneous and continuous process of technological advance, which opens more and more temptations for seeking decisive advantage.

A premium is put on striking first and on creating a defense to blunt the other side's retaliatory capability. In other words, marginal additions of power cannot be decisive. Potentially decisive additions are extremely dangerous, and the quest for them are destabilizing. The argument that arms races produce war has often been exaggerated. The nuclear age is overshadowed by its peril.

All of this was in the President's mind as he mapped the new directions of American policy at the outset of this Administration. There was reason to believe that the Soviet leadership might also be thinking along similar lines as the repeated failure of their attempts to gain marginal advantage in local crises or in military competition underlined the limitation of old policy approaches.

The President, therefore, decided that the United States should work to create a set of circumstances which would offer the Soviet leaders an opportunity to move away from confrontation through carefully prepared negotiations. From the first, we rejected the notion that what was lacking was a cordial climate for conducting negotiations.

Past experience has amply shown that much heralded changes in atmospherics, but not buttressed by concrete progress, will revert to previous patterns, at the first subsequent clash of interests.

We have, instead, sought to move forward across a broad range of issues so that progress in one area would add momentum to the progress of other areas.

We hoped that the Soviet Union would acquire a stake in a wide spectrum of negotiations and that it would become convinced that its interests would be best served if the entire process unfolded. We have sought, in short, to create a vested interest in mutual restraint.

At the same time, we were acutely conscious of the contradictory tendencies at work in Soviet policy. Some factors—such as the fear of nuclear war; the emerging consumer economy, and the increased pressures of a technological, administrative society—have encouraged the Soviet leaders to seek a more stable relationship with the United States. Other factors—such as ideology, bureaucratic inertia, and the catalytic effect of turmoil in peripheral areas—have prompted pressures for tactical gains.

The President has met each of these manifestations on its own terms, demonstrating receptivity to constructive Soviet initiatives and firmness in the face of provocations or adventurism. He has kept open a private channel through which the two sides could communicate candidly and settle matters rapidly. The President was convinced that agreements dealing with questions of armaments in isolation do not, in fact, produce lasting inhibitions on military competition because they contribute little to the kind of stability that makes crises less likely. In recent months, major progress was achieved in moving toward a broadly-based accommodation of interests wtih the USSR, in which an arms limitation agreement could be a central element.

This approach was called linkage, not by the Administration, and became the object of considerable debate in 1969. Now, three years later, the SALT agreement does not stand alone, isolated and incongruous in the relationship of hostility, vulnerable at any moment to the shock of some sudden crisis. It stands, rather, linked organically, to a chain of agreements and to a broad understanding about international conduct appropriate to the dangers of the nuclear age.

The agreements on the limitation of strategic arms is, thus, not merely a technical accomplishment, although it is that in part, but is must be seen as a political event of some magnitude. This is relevant to the question of whether the agreements will be easily breached or circumvented. Given the past, no one can answer that question with certainty, but it can be said with some assurance that any country which contemplates a rupture of the agreement or a circumvention of its letter and spirit must now face the fact that it will be placing in jeopardy not only a limited arms control agreement, but broad political relationship.

PREPARATIONS FOR THE ARMS TALKS

Let me turn now to the more specific decisions we had to make about what the agreement should do and how it could be achieved.

We knew that any negotiations on arms control, especially ones involving those central weapons systems which guarantee each side's security, were found to be sensitive and complicated, requiring frequent high-level decisions.

The possibility of a deadlock would be ever present, and the repercussions of a deadlock could not help but affect U.S.-Soviet relations across the board. We had to begin, therefore, by assessing what the situation was in terms of armaments in place and under construction; what realistic alternatives we had at the negotiating table; and how a tentative or partial agreement would compare with no agreement at all.

For various reasons during the 1960s, the United States had, as you know, made the strategic decision to terminate its building programs in major offensive systems and to rely instead on qualitative improvements. By 1969, therefore, we had no active or planned programs for deploying additional ICBMs, submarine-launched ballistic missiles or bombers. The Soviet Union, on the other hand, had dynamic and accelerated deployment programs in both land-based and sea-based missiles. You know, too, that the interval between conception and deployment of strategic weapons systems is generally five to ten years.

At the same time, both sides were in the initial stage of strategic defense programs, each approaching the anti-missile problem from a different standpoint. The Soviets wanted to protect their capital. The United States' program concentrated on protecting our retaliatory forces. Both sides also possessed weapons which, although not central to the strategic balance, were nevertheless relevant to it. We have aircraft deployed at forward bases and on carriers. The Soviet Union has a sizable arsenal of intermediate-range missiles able to attack our forward bases and devastate the territory of our allies.

A further complication was that the composition of forces on the two sides was not symmetrical. The Soviet Union had given priority to systems controlled within its own territory while the United States had turned increasingly to sea-based systems.

The result was that they had a panoply of different ICBM's while we essentially had one general class of ICBM's, the Minuteman, together with a more effective and modern submarine force operating from bases overseas and equipped with longer-range missiles.

All of this meant that even arriving at a basic definition of strategic equivalency would be technically demanding and politically intricate.

Looking beyond to the desired limitations, it appeared that neither side was going to make major unilateral concessions. When the national survival is at stake, such a step could not contribute to stability. The final outcome would have to be equitable and to offer a more reliable prospect for maintaining security than could be achieved without the agreements.

With these facts in view, the President, in the spring of 1969, established a group of senior officials responsible for preparing and conducting the SALT negotiations.

I acted as Chairman, and the other members included the Under Secretary of State, the Deputy Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Director of the Central Intelligence Agency, and the Director of the Arms Control and Disarmament Agency.

This group, called the Verification Panel, has the task of analyzing the issues and factors and submitting for the President's decisions those options which commanded support in the various departments and agencies.

The Verification Panel analyzed each of the weapons systems which could conceivably be involved in an agreement. It compared the effect of different limitations on our program and on the Soviet programs, and weighed the resulting balance. It analyzed the possibilities of verification, and the precise risk of evasion, seeking to determine at what point evasion could be detected and what measures would be available for a response. This was done in various combinations so that if one piece of the equation changed, say the ABM level, the Government would be able to determine the effect of that change upon the other components of a particular negotiating package.

Our aim was to be in a position to give the negotiations a momentum. We wanted to be sure that when stalemates developed, the point at issue would not be largely tactical, and that the alternative solutions would be analyzed ahead of time and ready for immediate decision by the President.

SUMMARY OF THE NEGOTIATIONS

In the first round of the talks, which began in November of 1969, the two sides established a work program and reached some tentative understanding of strategic principles.

For example, both sides more or less agreed at the outset that a very heavy ABM system could be a destabilizing factor, but that the precise level of ABM limitations would have to be set according to our success in agreeing on offensive limitations.

In the spring and summer of 1970, each country put forward more concrete proposals, translating some of the agreed principles into negotiating packages. During this period, we, on the American side, had hopes of reaching a comprehensive limitation. However, the initial search for a comprehensive solution gradually broke down over the question of defining the scope of the forces to be included.

The Soviets believed that strategic meant any weapons system capable to reaching the Soviet Union or the United States. This would have included our forward-based aircraft and carrier forces, but excluded Soviet intermediate range rockets aimed at Europe and other areas.

We opposed this approach, since it would have prejudiced our alliance commitments and raised a distinction between our own security and that of our European allies.

We offered a verifiable ban on the deployment and testing of Multiple Independent Reentry Vehicles. The Soviets countered by offering a totally unverifiable production ban, while insisting on the freedom to test, thus placing the control of MIRV's effectively out of reach.

At this juncture, early in 1971, with the stalemate threatening, the President took a major new initiative by opening direct contact with the Soviet leaders to stimulate the SALT discussions and for that matter, the Berlin negotiations, and providing progress could be achieved on these two issues, to explore the feasibility of a summit meeting.

The Soviet leaders' first response was to insist that only the ABM's should be limited, and that offensive systems should be left aside. But as far as we were concerned, the still incipient ABM systems on both sides were far from the most dynamic or dangerous factors in the strategic equation. It was the Soviet offensive programs, moving ahead at the average rate of over 200 land-based and 100 sea-based missiles a year, which we felt constituted the most urgent issue. To limit our option of developing the ABM system without at the same time checking the growth of the Soviet offensive threat was unacceptable.

Exchanges between the President and the Soviet leaders embodying these views produced the understanding of May 20, 1971. As any workable compromise in the field must do, that understanding met each side's essential concerns. Since the offensive systems were complex and since agreement with respect to all of them had proved impossible, it was agreed that the initial offensive settlement would be an interim agreement and not a permanent treaty, and that it would freeze only selected categories at agreed levels.

On the defensive side, the understanding called for negotiations towards a permanent ABM solution with talks on both issues to proceed simultaneously to a common conclusion.

This left two major issues for the negotiators, the precise level of the allowed ABM's, and the scope of the interim agreement, specifically what weapons would be included in the freeze.

Devising an equitable agreement on ABM's proved extremely difficult. The United States had virtually completed its ABM site at Grand Forks, and we were working on the second site at Malmstrom. Hence, we proposed freezing deployments at levels operational or under construction, that is to say, two ICBM sites on our side, and the Moscow defense on the other.

The Soviets objected this would deny them the right to have any protection for their ICBM's, a new formula was then devised allowing each side to choose two sites, one each for national capital and ICBM defense or both for ICBM defense. The resolution of the ABM issue was completed after our Chiefs of Staff, supported by the Secretary of Defense, decided that a site in Washington to defend the National Command Authority was to be preferred over the second ICBM-protective site at Malmstrom. They reasoned that while a limited defense would not assure the ultimate survival of the National Command Authority, it would buy time against a major attack while the radars in both the NCA defense and the defense of ICBM's would provide valuable warning. Moreover, an NCA defense would protect the National Command Authority in the event of a small attack by some third country or even an accidental or unauthorized launch of a weapon toward the United States.

The President accepted their recommendation.

What about the offensive weapons freeze? Early in the discussions about the implementation of this portion of the May 20 understanding between the President and the Soviet leaders, it was decided to exclude from the freeze bombers and so-called forward-based systems. To exclude, that is, the weapons in which this country holds an advantage.

We urged the Congress to keep this fact in mind, when assessing the numerical ratios of weapons which are subject to the offensive freeze.

There was also relatively rapid agreement following the May 20 breakthrough that intercontinental ballistic missiles would be covered. This left the issue of the inclusion of submarines.

With respect to ICBM's in submarines, the situation was as follows: The Soviet Union had been deploying at the average annual rate of 200 intercontinental ballistic missiles and 100 sea-based ballistic missiles a year. The U.S. had completed deployments of Minuteman and the 41 Polaris submarines in 1967. Of course, as you know, we are engaged in increasing the number of warheads on both our ICBM's and submarine-launched missiles. We were, and are, developing a new submarine system, although it cannot be deployed until 1978 or until after the end of the freeze. In other words, as a result of decisions made in the 1960's, and not reversible with the time-frame of the protected agreement, there would be a numerical gap against us in the two categories of land- and sea-based missile systems whether or not there was an agreement. Without an agreement, the gap would steadily widen.

The agreement would not create the gap. It would prevent its enlargement to our disadvantage. In short, a freeze of ICBMs and sea-based systems would be overwhelmingly in the United States' interest.

These basic considerations undoubtedly impelled the recommendation of the Joint Chiefs of Staff that any freeze which was to command their support must include the submarine-based system. The only possible alternative was a crash program for building additional missile-launching submarines. The President explored this idea with the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Chief of Naval Operations. Their firm judgment was that such a program was undesirable. It could not produce results before 1976—that is, toward the very end of a projected freeze—and only by building a type of submarine similar to our current fleet, and without many of the features most needed for the 1980's and beyond.

The President once again used his direct channel to the Soviet leaders, this time to urge the inclusion of missile-launching submarines in the offensive agreement.

After a long period of hesitation, the Soviet leaders agreed in principle at the end of April. Final details were worked out in Moscow between the President and the Soviet leaders.

My purpose in dwelling at such length upon the details of our internal deliberations and negotiations has been to make one crucial point: Neither the freeze of ICBMs nor the freeze of submarine-launched missiles was a Soviet idea, and hence, it is not an American concession. On the contrary, in both cases it was the Soviet Union which reluctantly acceded to American proposals after long and painful deliberation.

PROVISIONS OF THE AGREEMENT

I will not spend this group's time in further review of the frequently arduous negotiations in Vienna, Helsinki, and during the summit in Moscow leading to the final agreement. I do want to pay tribute on behalf of the President to Ambassador Smith and his delegation, whose dedication, negotiating skill and patience contributed decisively to the outcome.

Let me summarize the principal provisions of the documents as signed. The ABM treaty allows each side to have one ABM site for defense of its national command authority and another for the defense of intercontinental ballistic missiles.

The two must be at least 1,300 kilometers, or 800 miles apart in order to prevent the development of a territorial defense. Each ABM site can have 100 ABM interceptors.

The treaty contains additional provisions which effectively prohibit either the establishment of a radar base for the defense of populated areas or the attainment of capabilities to intercept ballistic missiles by conversion of air defense missiles to anti-ballistic missiles.

It provides for withdrawal by either party on six months' notice, if supreme national interests are judged to have been jeopardized by extraordinary events. By setting a limit to ABM defenses the treaty not only eliminates ones area of potentially dangerous defensive competition, but it reduces the incentive for continuing deployment of offensive systems.

As long as it lasts, offensive missile forces have, in effect, a free ride to their targets. Beyond a certain level of sufficiency, differences in numbers are therefore not conclusive.

The interim agreement on offensive arms is to run for five years, unless replaced by a more comprehensive permanent agreement which will be the subject of further negotiations, or unless terminated by notification similar to that for the treaty.

In essence this agreement will freeze the numbers of strategic offensive missiles on both sides at approximately the levels currently operational and under construction. For ICBM's this is 1054 for the United States and 1618 for the Soviet Union. Within this overall limitation, the Soviet Union has accepted a freeze of its heavy ICBM launchers, the weapons most threatening to our strategic forces.

There is also a prohibition on conversion of lights ICBM's into heavy missiles. These provisions are buttressed by verifiable provisions and criteria, specifically the prohibition against any significant enlargement of missile silos.

The submarine limitations are more complicated. In brief, the Soviets are frozen to their claimed current level, operational and under construction, of about 740 missiles, some of them on an older type nuclear submarine. They are permitted to build to a ceiling of 62 boats and 950 missiles, but only if they dismantle older ICBM's or submarine-based missiles to offset the new construction.

This would mean dismantling 210 ICBM's and some 30 missiles on some nine older nuclear submarines. Bombers and other aircraft are not included in this agreement.

In sum, the interim offensive agreement will keep the overall number of strategic ballistic missile launchers both on land and at sea within an agreed ceiling which is essentially the current level, operational or under construction. It will not prohibit the United States from continuing current and planned strategic offensive programs, since neither the multiple-warhead conversion, nor

the B–1 is within the purview of the freeze and since the ULMS submarine system is not, or never was planned for deployment until after 1977. The agreement will stop the Soviet Union from increasing the existing numerical gap in missile launchers.

Finally, there are a number of interpretative statements which were provided to the Congress along with the agreements. These interpretations are in several forms: Agreed statements initialed by the delegations, agreed interpretations or common understandings which were not set down formally and initialed, unilateral interpretations to make our position clear in instances where we could not get total agreement.

In any negotiation of this complexity, there will inevitably be details upon which the parties cannot agree. We made certain unilateral statements in order to insure that our positions on these details was included in the negotiating record and understood by the other side.

The agreed interpretations and common understandings for the most part deal with detailed technical aspects of limitations on ABM systems and offensive weapons. For example, it was agreed that the size of missile silos could not be significantly increased and that "significantly" meant not more than 10 to 15 percent.

In the more important unilateral declarations we made clear to the Soviets that the introduction of land mobile ICBM's would be inconsistent with the agreement. Since the publication of the various unilateral interpretative statements, suggestions have been heard that the language of the treaty and agreement in fact hide deep-seated disagreements. But it must be recognized that in any limited agreements, which are between old time adversaries, there are bound to be certain gaps.

In this case the gaps relate not so much to the terms themselves, but rather to what it was impossible to include. The interpretations do not vitiate these agreements, but they expand and add to the agreements.

WHAT DO THE AGREEMENTS MEAN?

Taking the longer perspective, what can we say has been accomplished?

First, it is clear that the agreement will enhance the security of both sides. No agreement which fails to do so could have been signed in the first place or stood any chance of lasting after it was signed. An attempt to gain a unilateral advantage in the strategic field must be self-defeating.

The President has given the most careful consideration to the final terms. He has asked me to reiterate most emphatically this morning his conviction that the agreements fully protect our national security and our vital interests.

Secondly, the President is determined that our security and vital interests shall remain fully protected. If the Senate consents to ratification of the treaty and if the Congress approves the interim agreement, the Administration will, therefore, pursue two parallel courses.

On the one hand, we shall push the next phase of the Strategic Arms Limitation Talks with the same energy and conviction that have produced these initial agreements.

On the other hand, until further Arms limits are negotiated, we shall push research and development and the production capacity to remain in a fully protected strategic posture should follow-on agreements prove unattainable and so as to avoid giving the other side a temptation to break out of the agreement.

Third, the President believes that these agreements, embedded as they are in the fabric of an emerging new relationship, can hold tremendous political and historical significance in the coming decades. For the first time, two great powers, deeply divided by their divergent values, philosophies, and social systems, have agreed to restrain the very armaments on which their national survival depends. No decision of this magnitude could have been taken unless it had been part of a larger decision to place relations on a new foundation of restraint, cooperation and steadily evolving confidence. A spectrum of agreements on joint efforts with regard to the environment, space, health, and promising negotiations on economic relations provides a prospect for avoiding the failure of the Washington Naval Treaty and the Kellogg-Briand pact outlawing war which collapsed in part for lack of an adequate political foundation.

The final verdict must wait on events, but there is at least reason to hope that these accords represent a major break in the pattern of suspicion, hostility, and confrontation which has dominated U.S.-Soviet relations for a generation. The two great nuclear powers must not let this opportunity slip away by jockeying for marginal advantages.

Inevitably an agreement of such consequence raises serious questions on the part of concerned individuals of quite different persuasions. I cannot do justice to all of them here. Let me deal with some of the most frequently asked since the agreements were signed three weeks ago.

Who won?

The President has already answered this question. He has stressed that it is inappropriate to pose the question in terms of victory or defeat. In an agreement of this kind, either both sides win or both sides lose. This will either be a serious attempt to turn the world away from time-worn practices of jockeying for power, or there will be endless, wasteful and purposeless competition in the acquisition of armaments.

Does the agreement perpetuate a U.S. strategic disadvantage?

We reject the premise of that question on two grounds. First, the present situation is on balance advantageous to the United States. Second, the Interim Agreement perpetuates nothing which did not already exist in fact and which could only have gotten worse without an agreement.

Our present strategic military situation is sound. Much of the criticism has focused on the imbalance in number of missiles between the U.S. and the Soviet Union. But, this only examines one aspect of the problem. To assess the overall balance it is necessary to consider those forces not in the agreement; our bomber force which is substantially larger and more effective than the Soviet bomber force, and our forward base systems.

The quality of the weapons must also be weighed. We are confident we have a major advantage in nuclear weapons technology and in warhead accuracy. Also, with our MIRV's we have a two-to-one lead today in numbers of warheads and this lead will be maintained during the period of the agreement, even if the Soviets develop and deploy MIRV's of their own.

Then there are such factors as deployment characteristics. For example, because of the difference in geography and basing, it has been estimated that the Soviet Union requires three submarines for two of ours to be able to keep an equal number on station.

When the total picture is viewed, our strategic forces are seen to be completely sufficient.

The Soviets have more missile launchers, but when other relevant systems such as bombers are counted there are roughly the same number of launchers on each side. We have a big advantage on warheads. The Soviets have an advantage on megatonnage.

What is disadvantageous to us, though, is the trend of new weapons deployment by the Soviet Union and the projected imbalance five years hence based on that trend. The relevant question to ask, therefore, is what the freeze prevents; where would be be by 1977 without a freeze? Considering the current momentum by the Soviet Union, in both ICBM's and submarine launched ballistic missiles, the ceiling set in the Interim Agreement can only be interpreted as a sound arrangement that makes a major contribution to our national security.

Does the agreement jeopardize our security in the future?

The current arms race compounds numbers by technology. The Soviet Union has proved that it can best compete in sheer numbers. This is the area which is limited by the agreement.

Thus the agreement confines the competition with the Soviets to the area of technology? And, heretofore, we have had a significant advantage.

The follow-on negotiations will attempt to bring the technological race under control. Until these negotiations succeed, we must take care not to anticipate their outcome by unilateral decisions.

Can we trust the Soviets?

The possibility always exists that the Soviets will treat the Moscow agreements as they have sometimes treated earlier ones, as just another tactical opportunity in the protracted conflict. If this happens, the United States will have to respond. This we shall plan to prepare to do psychologically and strategically and provided the Congress accepts the strategic programs on which the acceptance of the agreements was predicated.

I have said enough to indicate we advocate these agreements not on the basis of trust, but on the basis of the enlightened self-interests of both sides. This self-interest is reinforced by the carefully drafted verification provisions in the agreement. Beyond the legal obligations, both sides have a stake in all of the agreements that have been signed, and a large stake in the broad process of improvement in relations that has begun. The Soviet leaders are serious men, and we are confident that they will not lightly abandon the course that has led to the summit meeting and to these initial agreements. For our own part, we will not abandon this course without major provocation, because it is in the interest of this country and in the interest of mankind to pursue it.

PROSPECTS FOR THE FUTURE

At the conclusion of the Moscow summit, the President and General Secretary Brezhnev signed a Declaration of Principles to govern the future relationship between the United States and the Soviet Union. These principles state that there is no alternative to peaceful coexistence in the nuclear age. They commit both sides to avoid direct armed confrontation, to use restraint in local conflicts, to assert no special claims in derogation of the sovereign equality of all nations, to stress cooperation and negotiation at all points of our relationship.

At this point, these principles reflect an aspiration and an attitude. This Administration will spare no effort to translate the aspiration into reality. We shall strive with determination to overcome further the miasma of suspicion and self-confirming preemptive actions which have characterized the Cold War.

Of course the temptation is to continue along well worn paths. The status quo has the advantage of reality, but history is strewn with the wreckage of nations which sought their future in their past. Catastrophe has resulted far less often from conscious decisions than from the fear of breaking loose from established patterns through the inexorable march towards cataclysm because nobody knew what else to do. The paralysis of policy which destroyed Europe in 1914 would surely destroy the world if we let it happen again in the nuclear age.

Thus the deepest question we ask is not whether we can trust the Soviets, but whether we can trust the Soviets, but whether we can trust ourselves. Some have ex-

pressed concern about the agreements not because they object to their terms, but because they are afraid of the euphoria that these agreements might produce.

But surely we cannot be asked to maintain unavoidable tension just to carry out programs which our national survival should dictate in any event. We must not develop a national psychology by which we can act only on the basis of what we are against and not on what we are for.

Our challenges then are: Can we chart a new course with hope but without illusion, with large purposes but without sentimentality? Can we be both generous and strong? It is not often that a country has the opportunity to answer such questions meaningfully. We are now at such a juncture where peace and progress depend on our faith and our fortitude.

It is in this spirit that the President has negotiated the agreements. It is in this spirit that he asks the approval of the treaty and the Interim Agreement and that I now stand ready to answer your questions.

QUESTION AND ANSWER SESSION AFTER A BRIEFING BY DR. HENRY KISSINGER

Mr. MACGREGOR. Gentlemen, as the President indicated in his report to the Joint Session of Congress two week ago tonight, he places the highest importance on executive-legislative partnership in the further carrying forward of the constitutional process with respect to the treaty and the agreement.

This session this morning is designed to further that commitment on the President's part and to give to you and through you the American people, an opportunity for the fullest possible debate and the fullest range of questions.

The President has asked me, and I would like to do so, to recognize the Chairman of the Senate Committee on Foreign Relations, Senator Fulbright.

Senator FULBRIGHT. Thank you, Mr. MacGregor.

Dr. Kissinger, first, may I say I think that was an extraordinarily thorough and enlightening statement. The only regret I have is that he didn't make it public so all the country could have heard it, because I think it is a very great description, I think, of what these agreements mean.

I am thoroughly in accord with the spirit with which you have given them and the way the President has presented this agreement for our country. I have only one serious question about it.

There does appear to me to be an inherent inconsistency in the attitude as expressed by the Secretary of Defense the other day. For background, I will read one sentence. This is a quote from his testimony before the Armed Services Committee: "I could not support the agreements if the Congress fails to act on movement forward of the Trident system, the B–1 bombers or other programs that we have outlined to improve our strategic offensive systems during this five-year period."

Now, the explanation that Mr. Kissinger has made about maintaining our security during the five-year period I accept as a general statement, but in view of the fact that we know the Soviets have no aircraft carriers whatever, they have a very small and not very modern bomber force, they have no forward bases similar to ours, unless you consider Cuba perhaps a forward base.

But so far, we have no evidence that it is being so prepared. They are not planning a Trident system that I know of. Their system of submarines is traditional and similar to the ones they already have.

In view of this, it seems to me to couple the approval of the ABM and the interim agreement with Congressional approval of these vastly expensive programs raises a serious question about our determination to accept this agreement in the spirit in which I think it was negotiated and the spirit which you have stated. That is a gradual relaxation of the tensions, and not to use these agreements as an excuse for a greatly enlarged arms system of our own.

This is the only thing that has bothered me about them. I, of course, am personally extremely pleased with the overall agreements with the sole exception, do we mean it, as I have said, and you yourself so offer, put yourself in the place of the Russians, if we proceed immediately to a very large expansion of our weapons system, would this not leave in the mind of General Grechko and his colleagues a question about our sincerity in really moving toward a reduction in the arms race.

This is the only question I have and it is the one which bothers me and I wish you would enlarge upon the necessity of proceeding at once and tying these agreements with the approval of programs about which there were serious questions even before this agreement was made, there were very serious questions about the A–14 and B–1 before these negotiations were agreed on.

Now, we seem to be put in the position of being pressured into that in order to get an agreement with which I thoroughly in accord.

Dr. KISSINGER. As the President pointed out, and as I also said in my statement, Mr. Chairman, we intend to move on two tracks: One, we hope to start the second round of SALT negotiations as soon as the Senate ratifies the treaty and the Congress approves the interim agreement.

If the schedule that was tentatively suggested to you by the President were met, that is to say, approval by the end of August, we would hope to have the first session of the second round of SALT sometime during October and then to begin the process again. We will pursue those negotiations with the attitude towards bringing about a change in the international climate that I have described.

At the same time, the question arises of what we should do in our national defense posture while we engage in these negotiations. It has been the judgment of this Administration that we must continue these programs which preserve our strategic position. I do not, in this setting, want to go into each individual weapon system because I believe that the appropriate committees will examine the Secretary of Defense and the Chairman of the Joint Chiefs of Staff with respect to them.

Our view, however, is that we must continue those strategic programs which are permitted by the agreement and those research and development efforts in areas that are covered by the agreement in case the follow-on agreement cannot be negotiated.

Our experience has been that an on-going program is no obstacle to an agreement and, on the contrary may accelerate it. That was certainly the case with respect to Safeguard. We are in the position with respect to various categories of weapons that the Soviet Union has an accelerated program, and we have none. Therefore, our position is that we are presenting both of these programs on their merits. We are not making them conditional. We are saying that the treaty is justified on its merits, but we are also saying that the requirements of national security impel us in the direction of the strategic programs, and we hope that the Congress will approve both of these programs as it examines each of them on its merits.

Mr. MACGREGOR. I am sure if the President were here, he would like to have recognized the Chairman of the House Foreign Affairs Committee, Chairman Morgan.

Congressman MORGAN. Thank you, Clark, and I want to thank Dr. Kissinger in inviting us to brief us on it.

When the President appeared here in the short appearance he made before this group, he spelled out the reason why this had to be done in Moscow at such a high level, because it crossed over so many agencies and because of the form of government of the Soviet Union.

He also ended up by saying that you would not be available for testimony on Capitol Hill, in which I agree. But I just wondered, with the five committees who are represented here today, who are going to consider over in the Senate side the Treaty of the ABM's and over on the House side this, the limitation that has been set by you and the President, of September 1, whether you would be available by these committees for consultation as we go along.

Dr. KISSINGER. I would be delighted to meet with members of these committees in groups, on an individual basis, or in the kind of setting that we have worked out before, in which I will meet with the committees at the invitation of the Chairman in some setting that maintains the position of Executive privilege.

But I will be fully available to answer any questions and we are prepared to go as far as is humanly possible with respect to Executive privilege.

Certainly, to make available to the Congress any answers that we can.

Congressman MORGAN. I want to assure you that the Committee on Foreign Affairs will go to work on this as soon as we get back from the Democratic Convention.

Mr. MACGREGOR. I am sure we would like to hear from the Chairman of the Senate Committee on Armed Services, the Honorable John Stennis.

Senator STENNIS. Well, Mr. Chairman, and colleagues of the Congress, I certainly didn't come here to make a statement. I came to listen and to learn. I did respond when I walked in, to a request that I would say just a word.

Gentlemen and ladies here in the Congress, I have been on the Armed Services Committee since before we had ICBM's and I have thought many times the growing realization I had of what these could mean and now what they do mean in our hands and then this same weapon in the hands of our adversaries.

So, I have been driven into a corner of wanting very much to have some kind of an agreement that would be the germ, perhaps, of something that would relieve the tensions and assure our safety.

I do have one major reservation about this situation I am going to mention, but I do believe if we can approve it, it is a start, maybe not much of a start, but it is a start. That is the biggest thing I see about it.

I do have one major reservation about this situation I am going to mention, but I do believe if we can approve it, it is a start, maybe not much of a start, but it is a start. That is the biggest thing I see about it.

May I just respond one moment to the very major point that the Senator from Arkansas made, about if we get these agreements, why go on with the ULM's. I remember so well the ABM debate that we had in the Senate. The most outstanding point in my mind, I was convinced that the great probability was that by putting in the ABM for whatever it was worth, it might increase the chances of getting some kind of a start on agreements.

Not that I have any perception, but as I have understood, from the President at other briefings, they thought that was a major point in getting this.

This same reasoning applies, I think. I am going to support the B–1 and the ULM's and frankly, I am going all of the way on ULM's now, even though I had in mind supporting it only for a limited amount this year, and not on an all-out program.

I have in mind now, the statement you made, Dr. Kissinger, but I am not under its impact exactly, and I have said these things because they were old thoughts. But it is quite helpful.

By the way, is this an open meeting, is the

press here? Anyway, the reservation I have is on this surveillance, our power to detect any cheating. That hadn't been gone into here and it hasn't been gone into in other briefings that I have been to, and I don't insist on any question being answered on it, but I raise that point.

If you want to comment on it, you may. I want to make this observation. I think that we are more than doers out there in the Congress. We are not going to say just Yes or No. We have to actively make up our mind on this, and take a position for future generations.

I believe that will help us approach it. Do you want to comment on that detection and surveillance?

Dr. KISSINGER. Well, I am sure that when Mr. Holms testifies in executive sessions, that he can go into more detail than I can. In fact, all I can do is to make the statement that we are confident that national means of verification are sufficient to monitor the numerical limitations of this agreement.

We studied this problem in great detail before we entered negotiations, and determined for each category of weapon the margin of error that we thought our collection systems had and what we could do to react once we found out that there had been a violation.

In each of these cases, we found that the margin was well within tolerable limits. In this case, however, where we are dealing with numbers, we are confident that the national means of verification are sufficient to give us the highest degree of confidence that this agreement will be lived up to, or that we will know it almost immediately if it is not lived up to.

Mr. MACGREGOR. The President is aware that the members of the Joint Committee on Atomic Energy have developed a tremendous expertise which applies directly to the Strategic Arms Limitation Treaty and to the interim agreement and we are delighted to see the Chairman of the Joint Committee on Atomic Energy, the Honorable John Pastore, from Rhode Island.

Senator Pastore, do you have a question?

Senator PASTORE. Not exactly a question for the moment because I have asked it before and I think it has been answered. I think the one dominant question here is whether or not in these agreements we have reserved to ourselves the military potential that will constitute a deterrent against an attack upon us, and also whether or not in consultation with the Joint Chiefs of Staff they are all unanimous that this is a good agreement.

Dr. KISSINGER. Mr. Chairman, we would not have entered into this agreement if we thought it impaired our capacity for deterrence. As was pointed out in my statement, we believe that it maintains the capacity of deterrence and at the same time, enables the world to start toward turning away from the arms race as well as improving the whole international climate.

Secondly, at every stage of this agreement we consulted in the greatest detail with the Joint Chiefs of Staff. This has been pointed out, both in my statement, but it was done throughout the work of the Verification Panel in which the Chairman of the Joint Chiefs of Staff is represented and at every decision that the President made, the International Security Council

I do not know of any significant decision—I don't know of any decision with respect to this agreement that was made which the Joint Chiefs of Staff have not unanimously supported.

During the final stages of the negotiation in Moscow, we were in direct touch with the Joint Chiefs of Staff as the various proposals unfolded, and, of course, you will be calling Admiral Moorer yourself, but I am certain that he will confirm the unanimous support of the Joint Chiefs of Staff for this agreement.

Mr. MCGREGOR. Yes, Congressman.

Congressman NEDZI. Dr. Kissinger, on March 14, the President gave as a rationale for the broad safeguard system, part of his rationale, was the defense of the American people against the kind of nuclear attack which the People's Republic of China is likely to be able to mount within the decade.

Has anything happened to that threat, and in that connection, are you able to tell us anything about your forthcoming visit to China?

Dr. KISSINGER. Our estimate of the Chinese nuclear capability is still approximately what it was at the time that Safeguard was developed. Our estimate of the likelihood of our being involved in any nuclear conflict with the People's Republic of China is considerably less than it was at the time that the Safeguard program was submitted to the Congress, because of the political developments that have happened since then, specifically the opening toward China.

Therefore, we accept now that in the overall context of the contribution that this agreement could make toward world peace and toward improving general relationships, and in the light, also, of improvement of relations with the People's Republic of China, that we could pay this price of foregoing the additional protection that the President requested in his original statement.

We could do this all the more so because if our estimates turn out to be incorrect, we have such an overwhelming retaliatory capability vis-a-vis any other country other than the Soviet Union, that the idea of a third nuclear country attacking the United States is a rather remote possibility

Congressman NEDZI. Didn't we have it three months ago?

Dr. KISSINGER. I was talking about the justification which the President gave when he started the Safeguard Program. I don't know what March 14th statement you are talking about. It must have been March 14, 1969.

Congressman NEDZI. My apologies.

Dr. KISSINGER. It was not March 14th of this year.

Congressman NEDZI. I stand corrected.

Dr. KISSINGER. That was 1969. Then with respect to my visit to the People's Reublic of China, it was foreseen in the Shanghai Communique. It was tentatively agreed to at the time of the President's visit to Peking that sometime during the course of the summer we would send a senior representative to the People's Republic. We intend to review the whole range of international problems as they affect American-Chinese relationships.

Mr. MACGREGOR. When I recognized Congressman Nedzi, I was looking unsuccessfully for the Chairman of the House Committee on Armed Services, Congressman Hébert of Louisiana. I don't see Eddie, but I do see the ranking majority Member of the Committee, and the Vice Chairman of the Committee on Atomic Energy. I would like to recognize Congressman Mel Price.

Congressman PRICE. Mr. MacGregor, Mr. Hébert has important business in Louisiana today and could not be here. But I would like to advise the group that the committee will mark up the Procurement Bill and all the items in there are going to be approved this afternoon.

Senator BENNETT. My question is partly a request for additional clarification. Do I understand that Mr. Kissinger's statement will be available to us as well as that of the President?

Dr. KISSINGER. That is correct.

Congressman HANSON. Dr. Kissinger, as I understand the ABM Treaty, it anticipates the construction of an ABM site at the capital of each of the two countries, plus one other site.

Dr. KISSINGER. That is correct.

Congressman HANSON. With respect to an ABM system to protect our Nation's Capital, is it the intention of the Administration to push forward for authorization and construction of this system around Washington and how important is it to the credible defense to which reference was made that we do proceed to authorize and construct this protection for the Nation's Capital? Will our position be significantly weakened in terms of future negotiations if we fail to take this step?

Dr. KISSINGER. First of all, we will request this authorization. Secondly, it was the judgment of our senior military leaders that a second site in the Capital area would be more useful than a second site in Malstrom. It would give additional warning time in case of a major attack and it would give protection against an attack by a third country. It is for this reason that we are recommending to the Congress and requesting the Congress to authorize its construction.

Senator JACKSON. Dr. Kissinger, first I want to compliment you on a very fine statement. I think we all want to see an end to the arms race, but I think we all should agree that if you are going to have an agreement it should be one that will stabilize and not destabilize. When you have a number of ambiguities such as we have in the present arrangement, I think it is fraught with some trouble.

For example, I just want to illustrate a couple: There are a lot of them. But we do have, for example, a bilateral understanding on the number of advanced strategic type submarines, the Y Class, Polaris. That is defined specifically. But there is no specific limitation other than our unilateral statement as to the number of land-based missiles, intercontinental, that are permitted.

Would you comment? The same is true of "What is a heavy missile?"

Dr. KISSINGER. With respect to the numbers of missiles actually being deployed, the Soviet Union has been extremely reluctant to specify precise numbers, that is true. We have operated with a number of 1618. There is absolutely no question that if our intelligence should reveal that the Soviet numbers significantly exceed that figure that the whole premise of the agreement will be in question.

Now, what will maintain this agreement is not the fact that we can wave these provisions and take it to court at any particular moment, but what will maintain this agreement is the consequences the other side will face if it turns out that it has turned into a scrap of paper and that it is being circumvented.

If this agreement were being circumvented, obviously we would have to take compensatory steps in the strategic field. But beyond that, as is pointed out in my statement, the two countries have a unique opportunity right now to move into an entirely different relationship of building additional trust.

If it turns out that through legalistic interpretations of provisions of the agreement of through failing to specify numbers about which we have left absolutely no doubt as to our interpretation and where are hereby reaffirmed, if it should turn out that those numbers are being challenged in any significant way at all, then this would cast a doubt. It would not only threaten disagreement, but it would threaten the whole basis of this new relationship which I have described.

We are very confident that our national means of detection give us the highest degree of confidence that these numbers cannot be exceeded without our knowing and that if they are exceeded that the consequences I described will follow.

Now, with respect to the definition of heavy missiles, this was the subject of extensive discussions at Vienna and Helsinki, and finally Moscow. No doubt, one of the reasons for the Soviet reluctance to specify

a precise characteristic is because undoubtedly they are planning to modernize within the existing framework some of the weapons they now possess.

The agreement specifically permits the modernization of weapons. There are, however, a number of safeguards. First there is the safeguard that no missile larger than the heaviest light missile that now exists can be substituted.

Secondly, there is the provision that the silo configuration cannot be changed in a significant way and then the agreed interpretive statement or the interpretive statement which we made, which the other side stated reflected its views also, that this meant that it could not be increased by more than 10 to 15 percent.

We believe that these two statements, taken in conjunction, give us an adequate safeguard against a substantial substitution of heavy missiles for light missiles. So, we think we have adequate safeguards with respect to that issue.

It is, however, true, Senator Jackson, that within these limitations, improvements, qualitative improvements, are possible which will increase the capabilities of each of these missiles and this is one of the reasons why we have advocated qualitative improvements in our strategic forces. But as far as the break between the light and the heavy missiles is concerned, we believe that we have assurances through the two safeguards that I have mentioned to you.

Congressman STRATTON. Dr. Kissinger, I have one question with regard to one of the unilateral statements that was published the other day. Under the agreement, as I understand it, we have 41 Polaris submarines and we could go to 44 if we turned in our Titans. But the Soviets say that they are considering the British and the French Polaris submarines to be part of our force and that if the total goes over 50 they will consider the agreement breached. The British have four. The French have one and three others in construction, which means that if the French ones are completed, then we could only have 42 without putting it over the total of 50.

Could you comment on how we can hold down the British and French as part of this agreement?

Dr. KISSINGER. First of all, the Soviet Union has not said that they would consider the agreement breached. The Soviet Union has said that they would then reserve the right to ask for additional compensation.

Secondly, we have emphatically rejected that interpretative recitation and have written our rejection of that into the record. So, we do not consider that we have agreed to this Soviet interpretation. You have to remember the interpretative statements are in a number of categories. There are those that are agreed and initialed. There are those orally agreed. There are those that are unilateral and not challenged and then there are those that are unilateral and challenged.

I would think that a unilateral statement that was challenged at the time it was made would not be the most determining feature in our own policy with respect to this.

But, finally, the provisions that permit the trading in of one type of missile for another do not have to be implemented. We have the right, but we don't have the obligation, to trade in the Titans for additional submarines and given our construction program at this moment, with no additional submarines of the Polaris type being built, we may well decide not to exercise the option and keep the Titans, in which case your question would be moot.

But in any event, we have not accepted this Soviet interpretation.

Congressman PIKE. Dr. Kissinger, if I understand the philosophy whereby one of these agreements requires a treaty and the other is an executive agreement, it has to do with the fact that the executive agreement is limited to a term of years. As we look ahead to SALT II, I would like to ask this question: For how long a period of years could an executive agreement be made which was not required to be a treaty? Could it be for 25 years, for example?

I would also like to ask a question in this regard: the tentative agreement was fairly well leaked or publicized in some manner before the President went to Moscow. I would simply like to ask whether there were any substantive changes made at Moscow.

Dr. KISSINGER. The first question is an important Constitutional question: At what point does an executive agreement achieve character of such permanence that it should really more properly be in the form of a treaty?

There were two reasons why the executive agreement was put into that form. One was because of its limited duration and secondly because of its limited scope. That is to say, here we had an agreement, the major categories of which were going to be included again in a more comprehensive negotiation leading to a more permanent arrangement.

For example, the disparity which is involved for a limited period of time might not prove acceptable for a more permanent arrangement.

For this reason, that is to say, the limited duration and the limited scope, it was decided that an Executive Agreement which, however, is submitted to the entire Congress, was more appropriate.

If you got to the point where you made a 25-year agreement, I don't want to prejudge that issue, but as a political scientist and not as a presidential assistant, it would look more like a treaty to me. But I don't want to get into that.

Now, with respect to the second question, the general outlines of the agreement were shaped, really, in three ways. One was by negotiations in Helsinki and Vienna, which did most of the detail. But the policy decisions that were brought about through direct contact between the President and the Soviet leaders which led to the May 20, 1971 breakthrough and then, again, to the formula which led to the inclusion of the submarines—which we were in Moscow there were four major issues that had not been resolved in Helsinki, which were known as issues, but the solution of which could not have been leaked because it hadn't been achieved. Those were the subjects that were most intensively discussed between the President and the General Secretary, primarily the issue of how you calculate the submarine limits, and at what point the replacement of submarines has to start, and which submarines had to be counted for replacement purposes, and questions of this type.

There were subsidiary issues having to do with the silos, I mentioned interpretative statements, and matters of this kind, none of which had been settled in Helsinki, and had to be settled in very extensive conversations between the president and the General Secretary and between members of our delegation in Moscow and their Soviet colleagues.

Mr. MCGREGOR. Senator Javits?

Senator JAVITS. I would like to revert to the question asked by Senator Fulbright and Senator Stennis, because they raise some, to my mind, very serious points.

On the assumption that the treaty can be denounced in six months, but the agreement cannot be denounced at all, it is is breached, either party can treat it as an end. What do you advise us to about the September 1 date the President names, if by then we have not determined that we wish to authorize any additional weapons systems in view of the fact that the President has made it clear that he made this agreement on the assumption that we, too, would press forward with our weapons plans as the Russians are?

And the second part of that question is: Is this the total bill or are there more weapons systems to come within the next five years that we are going to have to authorize because we have made this deal?

Dr. KISSINGER. First, I think it is not correct to say that you have been asked to authorize weapons because we have made this deal. All of the weapons that you are being asked to authorize had been requested prior to the deal and were judged to be necessary before the deal. The question is not whether the deal impels them, but whether the deal makes them dispensable.

This is the shape of the debate.

Secondly, I am frankly not sure about the withdrawal provisions of the defensive agreement. I thought it had the same withdrawal provisions.

It is my impression that the offensive agreement has exactly the same withdrawal provisions of the defensive treaty, so that we are protected.

Thirdly, as I have said, we are requesting both of these programs on their own merit, and, therefore, it is up to the Congress to decide how to deal with them.

Senator PERCY. Dr. Kissinger, I would like to first express that in dealing with our two major adversaries, you will always be as skillful and successful as you have in skirting around the Executive privilege question.

I think in the case of the treaty and the agreements, you have been, and the President has been, and Secretary Rogers.

My question pertains to the second allowable site that each party can have. Neither one of us has even begun the preparation of those two sites. Neither one of us have either site in our original defense strategy plan. Is it possible that we could reach an agreement that neither one of us go ahead with those two sites and would we take the initiative in suggesting that might be a possibility?

Dr. KISSINGER. The question of the deferral of the second site had been considered and had been rejected by both sides. The Soviet Union had taken the position that it could not agree to an ABM limitation that did not give it the right as long as we were in a position to defend ICBM's in which they could not also defend some ICBM's of their own.

So, therefore, our failure to go ahead with our second site would, in effect, give them two sites to our one. The only possibility for us would have been to scrap the site we had and build an entirely new one in Washington, and it seemed to us not a good policy to begin a disarmament agreement by which we had to scrap everything that we had done in order to build something entirely different from what we started out to do.

Mr. MACGREGOR. If you have any complaint about this process, I am the one to complain to, but I have not identified to date the following hands, and I would like to recognize you in this order, if I may. Senator Ervin, Congressman Gubser, Congressman Fascell, Congressman Leggett, and Congressman Frelinghuysen, and then we will go on from there.

Senator ERVIN. I would like to ask this question. I think we had the wisest of all Americans in Benjamin Franklin, and he said, "Beware of being lulled into dangerous security." My question is this: Wouldn't a ratification of the treaty and the approval of the Limited Arms Agreement make it all the more imperative for us to go forward with the Trident and with the B–1 bomber, and other programs to keep from being lulled into a dangerous sense of security?

Dr. KISSINGER. That is the position of the Administration.

Congressman GUBSER. I seem to get from your remarks that we do, under the treaty, have the option of going ahead with Malmstrom instead of the protection of the National Capital. Is that correct or was that possible at one time?

Dr. KISSINGER. This was considered at one time, and then when we reached a point

where we were talking about two sites, the Secretary of Defense and the Joint Chiefs of Staff concluded that if there were to be two sites, they would rather have the second site around the National Command Authority than in Malmstrom. Whether we could have obtained Soviet acquiescence in two ICBM sites rather than having the second site in Washington, we cannot judge today, because we accepted the recommendations of our military leaders that if there were to be a second site, that second site should be in Washington.

Congressman FASCELL. Dr. Kissinger, what does the protocol address itself to, and what were the circumstances which brought it about; and, secondly, we know what is excluded from the Interim Agreement and we know what we can proceed with in terms of, qualitative improvements because they won't be deployed until 1975. What is it that the Russians have excluded from the Interim Agreement and what is it that the Russians can proceed with in terms of qualitative improvement that might not be deployed until after 1975?

Dr. KISSINGER. The protocol came about because the submarine question could have been an extraordinarily complicated one, and the complications arose from this fact. We do not have a program for building missile-carrying submarines until 1978 at the earliest. The Soviet Union had been producing over the last last few years at the rate of eight missile-carrying submarines a year. It has built additional facilities which would enable it nearly to double this production rate, although up to now they have used it mostly for the conversion of older submarines into more modern types. But they do have a very substantial production capability.

Therefore, a freeze on submarine construction was bound to stop a very dynamic Soviet program, and it was not affecting any on-going American program. Therefore, a formula had to be found which at one and the same time met our needs for some equivalent, and took account of the reality that the Soviet Union without this agreement could have produced at the rate at least of eight to nine a year, so that over the period of the freeze, the Soviet Union could have built up to eighty to ninety submarines, that is an additional 40 to 45 to something like 43 to 44 they now have under construction.

This was the situation we faced. So we developed a formula which enabled the Soviet Union, if it wished, to go beyond their present level up to 62, which is well short of their capacity, but only at the price of trading in some of the older ICBMs and some of the older missiles on earlier nuclear submarines, so that the Soviet Union has to trade in 240 missiles in order to be able to build up to this agreed level.

So the submarine agreement has the dual advantage of stopping the Soviet program on construction well short of its capacity; and secondly, retiring for the first time by international agreement a substantial number of other missiles that we, in our annual statements, had been carrying as part of the Soviet missile force.

So we needed a protocol to determine those things.

Then there was the second question of at what level does the process of trading-in start? That is to say, at what point do you determine that the Soviet Union must trade in these ICBMs and older submarine missiles for newer ones. The ambiguity here arose from the fact that while our intelligence is adequate to tell us when they are putting submarines at sea, and how many submarines are under construction in the sheds at any given moment, there is some difficulty in defining the term "under construction."

If you start the process of "under construction" when the hull sections are being built, before they are moved into the sheds, you get a different figure than if you get the figure in the sheds. Therefore, this was a subject of some complicated negotiation to determine the level at which the trade-in would start, which is, as expressed in the communique, at the level of 740 ballistic missiles on submarines, which includes 30 older ones, which is to say, therefore, at the level of 704 to 710 of the newer submarines.

This is the explanation for this rather complex calculation of the protocol.

Now as far as the Soviet Union is concerned, their bombers are outside of this system and theoretically they could start building up their bomber force without being limited by this agreement.

Historically, the Soviet Union has not put the emphasis on its bomber force that we have. Its operating procedures and experience is far below the level of our Air Force. We do not consider it probable that they will make a major effort in that field, but this is one field in which they could make progress.

The field in which it is most likely that they will make progress is in the modernization of the missiles that are permitted under the agreement. That is, they will not violate the numbers of the agreement, but they will improve the quality, accuracy, number of warheads and this is what will represent a threat to our strategic forces.

Congressman LEGGETT. Doctor, I want to commend you and the Administration on the negotiation of what I think is an extremely remarkable agreement. I have my reservations that perhaps the Department of Defense is stampeding in the opposite direction, though, of the spirit of the negotiations.

I am concerned that in the bill that we marked up yesterday in the Armed Services Committee we increased the hard site Sprint nuclear program clearly outlawed as far as deployment 100 percent.

We accepted the budget figures which had a 900 percent increase in the ULMS or Trident program. Of course, the answer you originally gave was that we needed this as a bargaining chip perhaps for Phase 2 or 3, however, it seems to me we have successfully negotiated the limitation on the number of land-based missiles without an accelerated program, limited the submarine tubes without an accelerated program.

We perhaps have wasted several million dollars in the ABM program in making that a bargaining chip and aren't we perhaps doing the same thing in developing the big bargaining things which obviously will never be deployed if you are successful in your negotiating program?

Dr. KISSINGER. Let me say two things: One, it is not easy to prove the motivations of the other side in making an agreement. I would think it probable however that we could not have negotiated the limitations on offensive weapons if it had not been linked to the limitations on defensive weapons and to their desire of stopping the deployment of the ABM system.

So, what drove these negotiations for the first year was their desire to limit our ABM deployment. And it was not until we insisted that we could not agree to an ABM treaty without offensive limitations that they reluctantly included the offensive limitations.

Secondly, I think we will deploy, even if we are successful in the negotiations that it is very likely we will deploy ULMS and Trident and then retire a similar number of the older submarines, use them for replacement purposes rather than additions to the current submarine fleet.

So, I cannot fully accept the assumption that they will not be deployed. What would almost certainly happen though if an agreement were successful is a substantial replacement of the older Polaris boats.

Congressman LEGGETT. Of course, those older Polaris are a quarter billion dollars a piece, zero defects and a third of a mile CPI. It is hard to conceive that they are obsolete or will be.

Dr. KISSINGER. I don't want to go into the technical weapons characteristics. I think you will get more competent witnesses than me on that subject.

Congressman FREYLINGHUYSEN. I am sure we all appreciate both your presentation and the question and answer period which you have given us. I would like to congratulate you on a masterful presentation. I think Clark is to be congratulated on the music that he has provided to supplement the high points.

My question gets back to this level of defense spending. The President and you both said you hoped for an earlier resumption of the SALT talks. Assuming ratification of the treaty, you didn't really answer Senator Fulbright's question as to whether the Soviets might not consider defense spending an indication of our sincerity or insincerity. Do you think that there is any chance that there is not an expectation on the part of the Soviets with respect to defense spending that might jeopardize successful talks following the ratification of the treaty?

In other words, does the other side hook our spending and our attitude towards defense to further talks?

Dr. KISSINGER. First of all, this last round of talks took nearly 2½ years. So, even if the talks start again this fall, they are likely to be prolonged. We would expect that the first session will deal with general principles rather than with detailed negotiating packages.

All the more so in the next round, we are getting into the more complicated issues of how to control technological change where national means of inspection are not as reliable as they are with respect to sheer numbers.

Now, there is no question that the Soviet Union will judge our intentions in part by the level of our defense spending, for good or evil, and that we cannot take the position that our defense spending is irrelevant to our general political relationship.

The question is: If we speed too little on defense, if we create such a unilateral weakness then we destroy their incentive to negotiate seriously. If we spend too much and give them the idea that we are gearing up simply for getting a tremendous spurt to get ahead of them, then we create the other problem.

So our problem is to get our defense expenditures at a level that does not create a unilateral weakness and give them pressure for agreement but does not get us into an area where it had the counter-productive tendency of generating a new round on their side.

We believe that we are navigating that course. But it is a serious question and it is a serious problem and we have to be alert to both of these dangers.

Mr. MACGREGOR. John Hunt wishes to make a statement in explanation for the departure of a number of members of Congress.

Congressman HUNT. Let me thank you for the clear and concise explanation of your mission this morning. On behalf of the Armed Services Committee, you will notice some of us are leaving. It is not because of any discourtesy to you, sir, or because we are not interested.

The fact is we have a conflicting schedule of subcommittees that are getting ready for an important mark-up of the legislation this afternoon in the absence of Mr. Hébert.

So, if you permit me for a moment to explain, that is the reason they are leaving.

Dr. KISSINGER. Thank you. I thought they were like my Harvard students. (Laughter.)

Congressman HARRINGTON. At the risk of being repetitive, to follow on Congressman Freylinghusen's question and Senator Fulbright's question, I am puzzled that this

year and last year we saw a $6 billion increase in defense spending requested and if the estimates given us by the Assistant Secretary of Defense Moot are correct, we can expect a $5 billion increase in Southeast Asia.

I have seen before the tide was even out, before our committee, hundreds of millions of dollars sought for additional spending in the procurement bill for the betterment of systems that were not part of your agreement in Russia.

On three levels I am puzzled, one, sound economic policy which appeared to be both centered in the White House as a concern prior to the present occupancy in the White House looking toward the era of 1964 and 1968, public confidence that has been led to believe that somehow out of this whole business will come a reduction, not an increase, in the overall spending in the defense area and in general, whether or not in going to these talks you didn't have enough of an outline of questions in coming before Congressional committee and members of the Executive Branch did to be able to live this year with the procurement and appropriations bill as they were without adding to them in the way and with the timing I think has been chosen to do it.

I would like to have you address yourself to some of those considerations, particularly as a constituent might say to me, "What do you mean it is going to cost more for defense? I thought you fellows were negotiating for reductions in tensions and costs." I think that is the problem most of us have.

Dr. KISSINGER. It is our intention and conviction that as these talks proceed into other areas that we will be able to bring about a substantial reduction in defense expenditures as a result of these talks.

There are, of course, certain savings in the ABM program. What we are finding out is that the combination of certain trends has produced requirements which are not themselves the cause of the agreement, but which have come to a head at about the same time by accident as the agreement.

One of these problems is that for a number of years we had significantly slowed down the modernization of our strategic programs so that our strategic weapons now were essentially designed in the early 60s, while those of the Soviet Union were designed in the late 60s and this has created a certain technological requirement.

This is the reason for this additional expenditure. This other figure for Southeast Asia that you mentioned is a projection forward of current rates and may or may not be necessary, depending on how long current rates are being sustained.

Congressman HARRINGTON. I am quoting Assistant Secretary Moot.

Dr. KISSINGER. I know and he projected them forward over a period of months which may or may not be necessary because he was being proper with the Congress by giving his best estimate, but he was projecting current expenditure rates.

If there were negotiations, for example, if the offensive slows down, there are many factors that could affect this. I am just trying to give you an idea.

Thirdly, the increase in the defense spending has been caused to a considerable extent also by military pay increase which now consume about 54 percent of our defense budget. I have seen a chart—I think the Secretary of Defense can do it much better than I—that shows what the present defense establishment would cost if the pay scales were still those of eight or 10 years ago.

So, it is a combination of these factors that have produced the increase of defense costs while forces have actually been shrinking.

Senator COOPER. I would like to join with others in thanking you and showing appreciation for your very fine statement.

The first question I will ask is not one that I suggest myself, but it was asked the day the agreement was announced. I am sorry Senator Jackson is not here, but he wouldn't mind my saying he asked the question.

Are there any other understandings, secret understandings, which have not been made public or will not be made public? I think we will be asked, and it is just as well to ask it now.

Dr. KISSINGER. There are no secret understandings. We have submitted to the Congress the list of all the significant agreements and interpretive statements, and so forth. What we have not done is to go through the record to see whether Ambassador Smith might have said something that they interpreted in a certain way, and this is why we put on the qualification "significant", because otherwise we would have to submit the entire record.

According to the best of our judgment, there are no secret understandings, and all the significant interpretive statements have been submitted to the Congress.

Senator COOPER. May I ask one more question? I notice in your explanation, it is said that the United States asked for a prohibition on mobile land-based missiles. You later withdrew that. But you did say that if the Soviet Union went ahead with deployment, you would consider it serious enough to break the agreement. Is the Soviet Union going ahead with mobile land-based missiles?

Dr. KISSINGER. Let me make one other comment with respect to the first thing about secret understandings.

There are, of course, in the discussions, general statements of intentions. For example, we have conveyed to the Soviets what I have also said here publicly on the record: that the option of converting the Titans into submarines, given our present construction program, was not something we would necessarily carry out. But we do not consider that as a secret agreement, that sort of thing. This was simply a statement of general unilateral intentions.

Now, with respect to the land-based mobile missiles, we have made an interpretive statement according to which the deployment of land-based mobile missiles would be inconsistent with the purposes of the agreement. Then this raises the question of whether our national means of verification are adequate to monitor this.

The national means of verification are adequate to monitor over a period of time whether a land-based mobile missile is being deployed. The margin of error with respect to total numbers would be great, if you have a margin of error of five percent, and I am giving you a fictitious figure; it might be 15 percent with respect to mobile missiles.

But the fact of the matter is, what we have to monitor is not total numbers of land mobile missiles; what we have to monitor is the fact that they are deploying any of them. We are quite confident that within a reasonable period of time after the initial deployment, and maybe not in the first month, but over a three- to four-month period, and well before they can develop a substantial capability, we will be able to tell whether they have deployed a land mobile missile and we can draw the appropriate conclusions.

So as to the fact of deploying a land mobile missile, we are confident that we will discover it well before they could deploy enough to have any effect.

Congressman MONAGAN. Dr. Kissinger, you have said that these agreements, our confidence in them, is not based on trust, but enlightened self-interest, and yet I think you would agree with any bilateral arrangements, with the credibility of the other party to the contract, where that is very important, you have also said that there is reason to believe that the area of distrust and suspicion may be at an end.

I just wonder, in view of that question of credibility, is there any specific reason that you have for coming to this conclusion?

Dr. KISSINGER. We are not basing this agreement on trust, and we believe that this agreement can be verified; and secondly, that it has adequate safeguards to prevent its being violated. We also believe that we have started a process by which we can move international relations into a new era, and we base this on the fact that we agreed with the Soviet Union over the past two years on the issue of Berlin, which has removed one of the primary causes of tension in the world for the foreseeable future, and a whole spectrum of agreements on health, space, environment, rules of navigation, that we are on the verge of making progress with them in other fields such as commercial agreements, and finally, we have signed a Declaration of Common Principles which it would have been no point to sign unless we meant to move in a major effort in that direction.

So, for all of these reasons, we believe that there is a basis, that we have an opportunity both in the Soviet Union and in the United States, to move into a new era. Whether both sides have the wisdom to do it, and even if they have the wisdom they are not caught by events in areas in which they cannot control their decision, this remains to be seen. But I think we have the opportunity to turn a significant page in history, and as far as this Administration is concerned, we are going to make a major effort in that direction.

Senator PELL. It is an excellent presentation. I have three short questions.

First, if the Soviet expenditures for arms remains static, or should decline, or ours go up, wouldn't that have a reverse effect on their willingness to move into SALT II?

Secondly, are any of the provisions of the seabed disarmament treaty in conflict with our own treaty which you have negotiated, in view of the fact that we apparently still consider the possibility of weapons of mass destruction stored on the seabed floor, and they are prohibited by the seabed disarmament treaty?

Third, why, in this set of negotiations, was the constitutionally normal course of Congressional consultation, advise as well as consent, not engaged in?

Mr. MACGREGOR. When did you stop beating your wife?

Dr. KISSINGER. With respect to the seabed, I am not aware that we have any intention of deploying weapons on the seabed, and we have no intention of violating the seabed agreement, so unless you know of some weapon that I am not aware of, I would have to say that this is not planned.

We believe that the defense expenditures will stay roughly in balance and that the Soviet incentive to come to an agreement will not be reduced by our being stronger. On the contrary. So the judgment has been that our strength, if anything, gives them an additional incentive to make a negotiation, if we do not carry it to a point where they are convinced that this is just a subterfuge for a massive effort to get ahead of them. If that should become their conviction, then, in fact, we have a problem.

I have to repeat: We have to navigate between that, on the one hand, weakening ourselves unilaterally, and on the other hand between having them see these negotiations simply as a stage by which we try to achieve superiority. Either of these things would be self-defeating.

As for the process of consultation with the Senate, as Senator Fulbright knows, this is not my specialty, but it has been my understanding that Mr. Smith and the appropriate Secretaries have been in close consultation, and we have tried from here to be on a personal basis in contact with key Senators.

Mr. MACGREGOR. Might I add in that respect, Senator Pell, that at least since I have been here, that is, January 4, 1971 to date, it has been Ambassador Gerard Smith's intention, following the directions of the President, to make himself readily available to the Members of the Senate and the House of Representatives, here in Washington as well as in Helsinki and Vienna. I would be delighted to talk to you further about that, but I had thought that was worked out to the reasonable satisfaction of the Members of the Congress.

Congressman FRASER. Dr. Kissinger, let me say first that I have thought that the consultations with Ambassador Smith have been good, both here in Washington and in Vienna.

I listened with some care to the answer you gave to Senator Percy's question on the ABM sites. I can appreciate the Soviets would want to have a symmetrical arrangement with ours, but I was not quite clear from your answer whether in fact you have evidence that the Soviets intend to go ahead with their option to protect an offensive missile site.

The reasons I ask that is that since building the National Capital Defense is not a bargaining chip clearly because we have now put a cap on ABM and since we have a two to three times lead over the Soviet Union building a site over the Capital is not going to give us any significant benefit from the possibility of attack. It will not even give us more time.

Unless we already know the Soviets are going to build a second ABM, why couldn't we wait on ours and save the taxpayers several billions of dollars?

Dr. KISSINGER. It depends on how you define "how do we know". We have no evidence that they have started construction. We have the impression that they have the firm intention of proceeding. I have no evidence whatever to the contrary that they do not intend to proceed.

All the conversations the Presidential party had with them left the impression that they have a firm intention of proceeding with their second site. As for the argument of how much time you gain, the effort to overwhelm, in itself, is apt to give some additional time but I would not insist that this will add a huge span of time to the warning.

Congressman ZABLOCKI. Dr. Kissinger, the President and you have made it quite clear that it would be desirable to have the treaty ratified and the Executive Agreements approved by Congress in order that Phase II could begin in October.

We fully understand the system of the Soviets and there is no ratification on their part as we have it here, and I am sure the Soviets understand that this is an election year and we have political conventions and there may be an opportunity not to meet, that is a ratification and approval of the Executive Agreements.

Is it absolutely necessary that the treaty be ratified and Executive Agreements approved by Congress before Phase II can begin, sometime in October? Indeed, cannot Ambassador Smith meet with his counterparts, even though the Senate and the Congress have not finished their work as far as the treaty and Executive Agreement are concerned?

If I may ask just a second question, I think it is in the report, but what problems were there, or why didn't we pursue with greater determination the inclusion of MIRV's in the Executive Agreement?

Dr. KISSINGER. With respect to the first question actually, the Soviets do go through a ratification procedure. They have their Supreme Soviet approve it but with all respect, it is a little more tractable than our Congress.

The reason why, really, we can have some exploratory informal talks and we probably will at various levels, but the reason it would be difficult to start formal sessions is because we have to know from what base we are operating. It is rather an embarrassing position to have a senior negotiator operate on the basis of the assumption of a ratification.

Also, it would be somewhat presumptuous towards the Congress to assume a ratification that has not in fact taken place. Yet, on the other hand, unless you make some assumption, you really have not got a fixed base from which you can operate.

Therefore, the beginning of the second phase of SALT really has to follow congressional ratification. We understand the pressures of this year and this is simply a fact.

Now, with respect to MIRV, MIRV is a complex issue for this reason: You can count numbers with national means of verification, but it is much more difficult to determine how many warheads are confined in the master warhead.

Now, you have some indications but it is not very easy. Therefore, with respect to the deployment of MIRV, the inspection requirements have to be a little bit more rigid than would be otherwise the case.

Now, we have made two proposals, two linked proposals, one is a ban on the testing of MIRV, this we are prepared to monitor by national means of inspection, and second, a ban on the deployment of MIRV for which we asked for spot-checks on on-site inspection. Now we considered the test ban absolutely crucial because we could have been somewhat more lenient on the frequency of on-site inspection if there had been a test ban on MIRV's because without testing, by definition, it is not easy to deploy them. It is, in fact, impossible to deploy them.

The Soviet Union, for not ununderstandable reasons, because they are behind in MIRV technology, refused a test ban. They also refused a deployment ban as such. What they proposed was a production ban but without inspection. A ban on production is totally unverifiable in the Soviet Union while they could verify ours through our budget and other methods through which our industrial production generally becomes known.

So, the Soviet counter-proposal for a production ban without a test ban was generally unacceptable to us and when we reached that stalemate, we could not proceed any further. This was the obstacle to proceeding on the MIRV's.

Congressman ZABLOCKI. What encouragement do you see, or optimism that this may be an area that in Phase II we may find some common ground on?

Dr. KISSINGER. Phase II, Mr. Congressman, will be very much more difficult than Phase I, because there, we will deal with technological problems and there we will require even more ingenuity with respect to Phase II than was shown in Phase I.

If one can have optimism with respect to it, it is because now the Soviet technology has gone somewhat further probably so that they may be more willing to accept a test ban which will at least put a limit on further deployments, and secondly, you will remember when we started these negotiations in 1969, we were going through a crisis in the Middle East and the Berlin Crisis. We were emerging out of this whole miasma of suspicion and it was the first time we engaged with the Soviets in any major negotiation, so the climate was different.

Now, we have established a pattern in which the Chief of State on our side, the President and their political leaders, can be in constant contact with each other and I believe we can perhaps move a little more creatively in the early stages of SALT II than we could in the early stages of SALT I.

I must also say that the subject is more difficult. Certainly, we had conversations of the breadth and precision in Moscow that would have been unimaginable three or four years ago with respect to strategic questions, but this gives us some hope that at least we can talk about the gut issues.

Senator FULBRIGHT: Can I ask you to comment on one aspect, on the significance of ABM, so much more has been said about the agreement.

How do you evaluate what appears to me to be a renunciation of the effort to create a defense? What you have left in the ABM is surely nothing more than a token. Hasn't each country, in effect, said, "We recognize, we have no defense to almost total devastation in view of the capacities for destruction, or within the existing weapons", and if that is true, isn't this the experience, and I don't know why you would say it would be much more difficult.

If they live up to that and we give them no reason to believe we haven't accepted in good faith that our population is hostile to their weapons, and vice versa, and it seems to me it ought not to be more difficult if you believe in that.

Dr. KISSINGER: I believe, Mr. Chairman, this is a very good point. The limit on ABM's or effective ABM's of both sides, really creates a situation, as I said in my statement, in one sentence, in which the offensive weapons of both sides really have a free ride into the country of the other.

So that therefore, the difference in numbers is somewhat less signficant than you would assess otherwise. There is still a danger that one side will get such an enormous numerical advantage in warheads that it can completely obliterate the force of the other.

But in the absence of significant defenses, even relatively small forces can do an enormous amount of damage.

Therefore, too, if we can move into the second phase of SALT, into an explicit recognition that both sides will try to stay away from counter-force strategies, from the one danger that now exists, or the overwhelming danger, that they will try to destroy each other, then perhaps the premium on MIRV's will be reduced, because, as you remember very well, Mr. Chairman, MIRV's were developed at first as a hedge against ABM.

So I think we will find, in perhaps unexpected ways, that the new strategic relationship that is created by this treaty will create realizations on both sides as to the significance of usable strategic power that over a period of the next negotiations could have quite dramatic impacts.

I am very glad that you asked that.

Mr. MACGREGOR: It is very close to 12 noon. We appreciate your participation and your presence and your patience, and we thank you for launching what the President has called an effective Legislative-Executive partnership.

MEXICO'S PRESIDENT— AN OUTSPOKEN VISITOR

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the U.S. News & World Report for June 26, 1972, entitled "Mexico's President—An Outspoken Visitor."

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

MEXICO'S PRESIDENT—AN OUTSPOKEN VISITOR

It is a concerned and frank-speaking President of Mexico who has been touring the United States on a six-day visit.

From the start, Luis Echeverría Alvarez made it clear that he had no intention of confining himself to the sort of "hands across the border" platitudes that have characterized previous state visits between the two nations.

Addressing a joint session of the U.S. Congress, President Echeverría strongly criticized an American foreign policy of coming to terms with other strong countries while "ignoring the rights and interests of less-developed nations."

Mexico's leader noted that the U.S. "is encouraging dialogue with other world powers that have different ideologies"—namely, Russia and Communist China.

"Nevertheless," Mr. Echeverría told Congress, "these changes have not yet been reflected in the policy of the United States toward the Third World and toward the Latin-American countries, in particular."

The Mexican President, both in his speech to Congress and in talks at the White House, pinpointed specific problems that, in his view, now cloud relations between his nation and the U.S.

Biggest of these is the high salt content of the Colorado River. The U.S., in agreeing to share its water, had also agreed to improve its quality. Mexicans maintain the salinity in the Mexicali Valley had sharply reduced farm output.

"It is impossible to understand," Mr. Echeverría told Congress, "why the United States does not use the same boldness and imagination that it applies to solving complex problems with its enemies to the solution of simple problems with its friends."

The Mexican leader's words drew a quick response. President Nixon, the next day agreed that Mexican farmers should get water as purs as Americans do. He pledged prompt action to achieve this.

TRADE PROBLEMS

Trade between the two nations has emerged as a special concern of President Echeverría, who warns of the damage caused by protectionist measures taken at the behest of American "minority groups."

An example cited by Mr. Echeverría is imports into the U.S. of Mexican winter fruits and vegetables. These now are controlled by strict "voluntary" quotas set in consultation with Florida and California growers. They sometimes have forced the Mexicans to destroy strawberry and tomato harvests.

Another worry "south of the border" is the possible passage of a measure currently before Congress, which would affect more than 300 "in-bond" factories, American-owned, operating in Mexico. Organized labor in the U.S. is giving considerable support to the bill as a means of blocking the "export of U.S. jobs."

On this point, the Mexican President is believed to have received assurance from President Nixon of his opposition to the bill, as well. Studies carried out for the White House conclude that the bill would cause little change in the job picture—and might even worsen it. The bill's prospects for passage are rated as "very dim."

The visit of President Echeverría is a break with the past in another important respect—after two days in Washington, he became the first Mexican President in history to cross the U.S. on a series of personal appearances. Cities on the schedule included New York, Chicago, San Antonio and Los Angeles.

President Echeverría's plans on this whirlwind tour of major cities include meetings with Mexican-American groups.

The changes in Mexico's foreign policy that caused President Echeverría to do things differently on this U.S. trip have been dictated by economic problems at home as well as by a changing world picture.

Mexico, after years of rapid growth, is beset with the sort of economic headaches that plague many other developing countries. It runs a trade deficit of 1 billion dollars, has a foreign debt of 4.5 billion dollars, and a heavy debt-servicing burden.

DRIVE TO EXPORT

To improve its foreign-payments position, the nation has pushed a major export drive, sending trade missions to Asia, Europe, parts of Latin America. Mr. Echeverría went to Japan on such a mission early this year.

At the same time, the Mexican Government has begun to show more interest in association with other Latin-American countries and with the so-called Third World of underdeveloped countries on other continents. Last April, Mr. Echeverría went to Chile to speak before the United Nations Conference on Trade and Development—a rallying place for developing countries in their campaign to obtain trade concessions and aid from the industrialized nations.

But President Echeverría has made clear throughout his American tour that Mexico's ties to U.S. must remain strong. "Mexico proposes to the people and Government of the United States," he told Congress, "that we begin a new phase in our relations. Thus you would conform to the action you have taken in other areas, and we would attain the objectives that have always guided our foreign policy."

SLOWDOWN IN GI WITHDRAWAL FROM VIETNAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the U.S. News & World Report for June 26, 1972, entitled "Why the Slowdown in GI Withdrawals?"

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

WHY THE SLOWDOWN IN GI WITHDRAWALS

SAIGON.—President Nixon's carefully designed withdrawal of American troops from Vietnam is running into complications.

Since the massive Communist invasion of March 30, the U.S. has boosted sharply the number of fighter-bomber squadrons based in South Vietnam.

These units must be protected by U.S. ground troops. Other Americans are needed to advise and support South Vietnamese forces battling the enemy.

As a result, the number of nonessential men available for withdrawal has been drastically reduced, putting the pull-back behind schedule.

Now, more than 4,000 men must be taken out each week if Mr. Nixon's July 1 ceiling of 49,000 is to be reached. Over the past six weeks, withdrawals have averaged no more than 1,100 a week.

SHIFT TO THAILAND

The solution hit upon by military planners: Move three Marine and four Air Force squadrons from Da Nang in South Vietnam to base in neighboring Thailand. This would cut the U.S. troop total in Vietnam by 5,000 and would keep the planes in the war zone for the bombing campaign against North Vietnam.

"This is a kind of numbers game," says a U.S. official in Saigon, "but it is the way we have been told to do it."

When the switch is completed, the Da Nang base will be returned to South Vietnamese jurisdiction, releasing U.S. guard units for withdrawal, including 3,000 soldiers in three combat battalions of the 196th infantry Brigade.

The withdrawal is complicated further by this development: Despite a steady drop in the number of Americans in South Vietnam itself, a major build-up of the U.S. Seventh Fleet off the Vietnam coast and of fighter-bomber units in Thailand actually has increased over-all American strength in Indo-China.

For the first time in the war, the Army is outnumbered by both the Air Force and Navy. As of June 8, there were 40,900 soldiers in Vietnam. The Air Force had 15,800 men in Vietnam and another 40,000 in Thailand. Navy strength totaled 2,700 in Vietnam and had almost tripled, from 15,000 to 42,000, aboard Seventh Fleet warships.

DECISION COMING

In coming days, President Nixon is faced with yet another crucial decision: How many more American troops can be safely pulled out in the next stage of the pull-back schedule to be announced before July 1.

Ranking officials say that despite the offensive by the North Vietnamese, President Nixon is determined to press ahead with his program which already has removed nearly half a million Americans from Vietnam in three years.

Administration sources predict that at least another 15,000 men will leave Vietnam between July 1 and August 31—barring a renewed Communist thrust.

This would be just one step away from an eventual "residual force" of 20,000 to 25,000 men expected to remain until the Communists release all American prisoners.

Military sources caution, however, that Mr. Nixon could be hard-pressed to find enough GI's to pull out beyond July 1. U.S. forces in Vietnam, they say, already are near an irreducible minimum.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Delaware (Mr. ROTH) is recognized for not to exceed 15 minutes.

RESCISSION OF ORDER FOR RECOGNITION OF SENATOR ROTH TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order granted to the distinguished Senator from Delaware (Mr. ROTH) be vacated.

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

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 for not to exceed 30 minutes, with statements limited therein to 30 minutes.

DEMOCRATIC PLATFORM PROPOSALS

Mr. RIBICOFF. Mr. President, today I am proposing to the Democratic Party platform committee my ideas on what this year's platform should include. In my presentation, I point out that the 1972 election offers the Democratic Party, as well as the country generally, a unique opportunity to reassess the direction we are to follow in the decade and beyond. The end of the next Presidential term will coincide with the 200th anniversary of our country's founding. Great progress has been made these past 2 centuries, but our focus must be on the future, its challenges and opportunities as well as its problems.

This is not the year to strike up the band with "Happy Days are Here Again" and then cart out the old rhetorical cliches about the dignity of man, the worth of the individual and the rest of yesterday's high-sounding, windy talk. This may have worked in the past, but

people want constructive, workable solutions today. We should promise only what we can deliver and discuss only what we know.

The Democratic Party has always led the way with a program directed at today's reality, not yesterday's history. We must continue in that tradition. Where programs—even our own—have failed, we should be the first to admit it. When new approaches are needed, we should devote the resources and imagination necessary to develop them.

In that light, I would like to present several proposals for consideration based on legislation I have developed to attack some of the basic problems confronting this country.

I. BUILDING A UNIFIED SOCIETY

People scoffed at the Kerner Commission's prediction in 1968 that we were becoming a divided nation—one black and poor, the other white and wealthy. All the evidence in the intervening 4 years has only shown this warning to be true.

The principles of equality the Nation was founded on and the Democratic Party has championed are being severely tested. A gap has always separated the myth of equal opportunity for all Americans and the reality of inequality. But the Democratic Party has always led the fight to close the gap.

Now, however, we are governed by an administration intent on widening the gap between rhetoric and reality. We have a President who calls for equal educational opportunity, but introduces legislation which would subvert the Constitution and turn back the clock to pre-1954 America, when "separate but equal" was the standard. If we fail to oppose such a policy and to reiterate our support for equal opportunity, everything the Democratic Party has fought for will be lost.

Every day we debate the issue the growing division in America increases. Only 27.8 percent of the black students in the North and West now attend majority white schools. In the South, where we always assumed the problem was the greatest, the figure is now much higher—43.9 percent. This still means that over half the black students there attend basically segregated schools.

Segregated schools are only a manifestation of a segregated society. For years we have talked about open housing while allowing virtual apartheid to sweep across the country.

Our central cities are becoming blacker and our suburbs whiter. During the last decade 2½ million whites left the cities and 3 million blacks moved in. At the same time, the suburbs in our 66 largest metropolitan areas gained 12.5 million whites and only 800,000 blacks.

Poor families, black or white, are becoming trapped in the inner cities, unable to move to the suburbs because of rising housing costs resulting from restrictive land use controls. Approximately 80 percent of the housing on the market, most of which is in the suburbs, is priced above the level a family with an income of $8,000 can afford. At the same time most of the jobs for inner city residents are opening up in the suburbs, but cannot be reached because of high housing costs and inadequate mass transportation systems.

North and South, in schools as well as housing, we must recognize that the divisiveness undermining the strength of this country will end only when we develop a national commitment to attack segregation on a metropolitan-wide basis. In view of the absence of any presidential initiative in this direction, the Democratic Party must provide the leadership needed to solve this crucial problem.

I have developed two proposals designed to deal with this problem.

The first involves long-term, metropolitan-wide integration of our Nation's urban schools. Under my plan the schools in our urban areas would have 12 years to devise and implement a plan for insuring that each individual school had a percentage of minority group students equal to one-half the percentage of minority group students in the entire metropolitan area.

For example, if the minority group school population of the entire area was 20 percent—a figure that includes most major cities—10 percent of the students in each school would have to be minority-group students at the end of the 12 years. This would mean that only two or three minority-group students would be in each class. I cannot believe anyone is so bigoted that they would object to sending their children to school with two or three blacks or Spanish-speaking Americans.

This proposal is the only major piece of civil rights legislation which has gained the support of Democrats from every section of America including men like Senators STENNIS, MUSKIE, ALLEN, MCGOVERN and CRANSTON.

Even my education plan will ultimately fail if we continue to have all-white suburbs and black central cities. We simply cannot shuffle enough students around fast enough by buses, trains, or automobiles to overcome the effects of residential segregation. On the other hand, if neighborhoods were integrated, supporters of the neighborhood schools concept would find that they had also achieved integrated schools.

For this reason, I have introduced legislation that would use the immense power of the Federal Government to open the burgeoning suburbs to all citizens. Under my proposal, no Federal Government agency or contractor could build or expand a facility until the town where it would be built provided a sufficient supply of housing for the facilities' expected low- and moderate-income employees. Thus, if a community desired to obtain the economic benefits of such a facility, it would also have to bear the responsibility of providing housing for workers of the facility.

The Senate has incorporated portions of my plan in the 1972 housing legislation by requiring that cities and towns must build low- and moderate-income housing for employees of Government agencies before they could receive community development grants. If approved by the House, this will represent an important first step in the struggle to eliminate economic discrimination in our housing markets. Nevertheless, much more needs to be done.

The Nixon administration talks a lot about "forced integration."

But is it forced integration to allow families to escape the ghetto and own a home of their own?

Is it forced integration to allow a man to live near his job?

And is it forced integration to provide this Nation with a national goal and commitment to end the racial isolation that threatens more than anything else to tear this country apart?

The Democratic Party knows it is not and must continue to lead the Nation toward achievement of our goal of a unified society.

II. WELFARE REFORM

Everyone agrees that the present welfare system is a mess. No one supports it and it supports no one adequately.

The current public assistance program, aid to families with dependent children—AFDC—is made up of 54 different State and territorial programs, each administered by a separate jurisdiction under broad Federal guidelines. Including the county-administered programs, there are at least 1,152 distinct operating welfare systems.

As a result of this diversity of programs, there is a wide variance in benefit levels and rules and regulations for determining eligibility and need. There are as many different interpretations of the Federal welfare guidelines as there are interpreters.

At the same time, costs for the States are rapidly growing out of control. At the present rate, costs will double at least every 3 years.

And yet the beneficiaries of the welfare system are no better off. In fact, welfare cutbacks are taking place all over the country. Payments to recipients in almost half the States have been decreased in the last 2 years.

Other problems abound in the welfare system. By limiting payments to those families in which the male head is absent family disintegration is encouraged. Families with an unemployed father are eligible for limited assistance in only 23 States. The "working poor," that is, those who work full time but still live in poverty, are not helped at all. And yet 40 percent of the poor in this country live in families headed by full-time workers. Single people and childless couples are also completely ineligible for Federal assistance. Our welfare problem is a national one which requires a national solution.

In January of 1968 President Lyndon Johnson commissioned a study of income maintenance programs. After 22 months of intensive study and hearings the President's Commission on Income Maintenance Programs—the Heineman Commission—issued its recommendations to create a family assistance plan. Based in large part on the work of the Commission, President Nixon introduced in October of 1969 a family assistance plan.

During the 3 years of debate on welfare reform the President has revised and rerevised the originally sound proposal to a point where, in its present form in H.R. 1, it is completely unacceptable.

As passed the House and pending in the Senate, H.R. 1 is reform in name only. While it sets up a guaranteed annual income of $2,400, it does little to assure that payment levels in States whose levels exceed $2,400 will be maintained. Thousands of impoverished Americans would face potential massive welfare cutbacks. H.R. 1 sets work requirements for employable adults which would result in welfare recipients being forced to accept jobs at the subpoverty wage level of $1.20, only three-fourths of the Federal minimum wage. H.R. 1 sets up stringent and punitive administrative procedures, provides inadequate day care, inequitable methods of determining eligibility and need, and no aid to single people and childless couples.

I have therefore introduced a major welfare reform proposal based on the family assistance plan concept. My amendment to H.R. 1—amendment No. 559—cosponsored by 18 Democratic Sentors would establish a single national welfare program for all citizens in need, with uniform benefits, rules, and administration.

It would establish a national Federal floor of benefits at a level of $3,000 for a family of four. Benefits would increase over a 5-year period so that all people in need of public assistance would be receiving at least a poverty level income by the time the program is fully federalized.

My proposals also embody the following principles which must be included in any program of welfare reform:

First. We must assure that no recipient receives less following welfare reform than he or she now receives. In States where payments are higher than the Federal guarantee level, States must be required to make supplemental payments up to the level at which they were paying in January of 1971 or any previous or subsequent higher level. This will rescind most of the State welfare cutbacks.

Second. Benefit levels must increase automatically on an annual basis according to increases in the cost of living. Such a principle has recently been adopted for social security benefits.

Third. We must adopt a national welfare system with equitable and humane uniform rules for determining eligibility and need under Federal administration.

Fourth. Fiscal relief for the States must be part of a welfare reform system. By assuring that State costs for welfare will not have to rise above their 1971 levels—as envisioned in amendment 559 and H.R. 1—States will be able to plan their budgets on a rational basis.

Fifth. Any jobs that are provided to employable welfare recipients must be at no less than the Federal minimum wage. The present $1.60/hour is already $700 less than the poverty level on an annual basis. Surely there is no justification for paying lower wages.

Sixth. Adequate protections to assure that mothers are not forced to work and leave their children against their will are mandatory.

Seventh. The method of determining eligibility and need must be placed on a "current need" system. That is, welfare payments must provide for the needs of recipients at the present, notwithstanding income earned in the past. Safeguards can be built into the accounting period to assure that those with high incomes cannot take advantage of the system.

Eighth. Administrative procedures assuring fairness, dignity, and due process to the recipients must be afforded, including right to counsel, hearings meeting the standards of the Administrative Procedure Act, written decisions, quick determination of eligibility, the rights to appeal, and simplified administrative procedures easily understandable and responsive to the recipients' needs.

Ninth. Income supplements must be provided to those who work full time to support themselves and their families, but still have a subpoverty level income. By aiding the working poor, an incentive is built into the system assuring that it is always more profitable to work than to receive welfare.

Tenth. Any system of public assistance must provide jobs for those willing to work—either in the private or the public sector. It has been estimated that State and local government could use as many as 4 million additional people to provide the basic services expected of government. All such jobs must meet Federal minimum wage standards as well as health and safety criteria.

Eleventh. A social services component, including comprehensive day care meeting the 1968 Federal interagency day care requirements is also needed to provide the ancillary assistance enabling a family to move, if possible, toward full self-support.

Ultimately, we must recognize that a welfare system cannot solve the problems of poverty. Public assistance is only a short-term means of alleviating the deleterious long-term effects of a society which has yet to solve the basic problems of providing good jobs, housing, education and health care for all its citizens.

III. THE WORKING CLASS

We are only beginning to discover that the working class of this country has legitimate problems of its own that we have long ignored. From womb to tomb, the American working class is in constant economic insecurity. Unemployment, recession, inflation, medical bills, a lack of educational opportunities, poor housing, and the fear of retirement in poverty are major problems that haunt working families wherever they turn.

Working Americans have done everything we told them to. They have worked hard—done their best to save what they can—and they still cannot make it.

They feel their Government has forgotten them, that their leaders are preoccupied with the problems of blacks and other minorities. Working men and women increasingly sense a prejudice against them in academic, intellectual, and liberal political circles.

The working class has noted that there are few people to articulate their thoughts for them. When leaders do pay attention, they often play to the biases of workers rather than their strengths.

President Nixon has claimed an interest in the working class. He terms them the "forgotten" Americans. But his solution to their problems is not a positive program. All the President has done is to give working people scapegoats to dislike—TV networks, militant blacks and college students—and very few positive reforms and accomplishments to improve their lives.

Providing only scapegoats is smart politics because everyone knows the poor and the black and the young do not vote. But it clearly is not responsible politics for a country that faces a growing polarization between white working people and the rest of society.

Some political observers have noted that because blacks and other minorities have nowhere to move but into the lower middle class, Federal efforts should be directed at improving the white families' conditions. This thinking asserts that we will never solve the problems of minorities until we solve the problems of the lower middle class. For a time, I advocated that approach. Yet as I thought about it, I came to realize that it is not the right reason for helping working white families. The deserving deserve assistance because they deserve it—not because somebody else is more deserving.

We should set out to help the lower middle class because it is the right thing to do, not because it will indirectly help some other group. We should help middle Americans because they are vitally important and essential to the success of this country. They erect our skyscrapers, dam our rivers, unload our ships, pave our roads, drive our trucks, police our streets, man our defense. They are the muscle and heart that keeps the country moving. America needs them as much as they need America.

A. JOBS

Our highest priority must be to insure that every able-bodied American who wants a job is able to find one. We should establish the concept of the Government as "employer of last resort" for men and women who have lost or cannot find jobs in the private sector.

We have a great paradox in American society today: We have over 5 million unemployed men and women in a country burdened with a huge backlog of public service needs—in our parks and streets, slums and countryside, schools and colleges, libraries, hospitals, nursing homes, public buildings—indeed, throughout the public and nonprofit sectors of this economy. The Government as "employer of last resort" would insure that all Americans are able to lead meaningful, productive lives.

B. EDUCATION

1. STUDENT AID

Our goal should be to open the doors of our universities to all intelligent and interested youngsters, regardless of their parents' financial resources and to encourage those who, for one reason or another, are just filling up desk space to use their time more profitably. Academic ability is not a gift only the rich enjoy any more than an interest in nonacademic subjects is limited to the children of working people. Scholarship

funds need to be increased so that all qualified students are able to continue their education past high school.

2. COMMUNITY COLLEGES

Our focus should not be only on 4-year colleges. Enrollment in 2-year colleges tripled from 1960 to 1970. Over 2 million students now attend community colleges across the country, and new colleges are being built at a rate of about one a week.

To provide more diversity and balance in the academic world, the country's system of smaller, community oriented colleges must be expanded and their doors opened to everyone with a desire to learn and grow intellectually.

In a dynamic society, each citizen should have the opportunity to develop his or her mind for an entire lifetime. That is why the community college, with its emphasis upon meeting the educational needs of the local people, is so vitally important. That is why the student body should not be composed only of young people preparing for the professions. The student body should be a "civic body," represented by all aspects of American life—and all ages.

A cornerstone of State and Federal policy should be to support the growth of community colleges. Every high school graduate should have the opportunity to attend a community or State college within driving distance of his home.

3. TUITION TAX CREDIT

In addition to scholarships, other forms of assistance must be found to enable working class parents to send their children to college. I have proposed for several years a tax credit plan for tuition payments.

My bill proposes a maximum tax credit of $325 per student. The credit would be computed on the basis of 100 percent of the first $200 of qualifying expenditures for tuition, fees, and books; 25 percent of the next $300; and 5 percent of the subsequent $1,000. No credit would be allowed for student costs above $1,500.

The available credit would begin to be phased out when the taxpayer's adjusted gross income reached $15,000. Two percent of the amount by which a taxpayer's adjusted gross income exceeded $15,000 would be deducted from the credit available to that taxpayer. Thus, no taxpayer with an income above $31,250 would be eligible for a credit.

I have proposed a similar program for those who pay to send their children to private schools. More is involved than simply the cost to parents.

The President's panel on nonpublic education has reported that nonpublic school enrollment has been declining at a rate of 6 percent per year. Roman Catholic schools have been 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 services. In the 20 largest cities nearly 2 out of 5 schoolchildren are enrolled in nonpublic schools. The public school system 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 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 Kurtzman, 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 student's 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.

Unless some Government 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.

C. NATIONAL HEALTH INSURANCE

No problem affects the working class more than the absence of adequate health care and insurance. This Nation is facing a health care crisis. Spiralling costs, inadequate insurance, maldistribution of resources and a shortage of medical manpower characterize our nonsystem of medical care. Despite growing Federal expenditures for health care programs, no coherent national plan has been developed to deal with these problems.

For most Americans, the symbol of American medicine is not the Red Cross, the Blue Cross or the physicians insignia. It is the dollar sign. In the decade between 1960 and 1970, hospital costs almost tripled and doctors' fees nearly doubled. The average day in the hospital that cost $32.23 in 1960 cost $79.83 in 1970. The complete physical that cost $57 as recently as 1968 cost $100 in 1970.

An individual in most cases is forced to rely on luck to protect himself against backbreaking medical bills. He hopes he lives in the right city, works for the right union, and earns enough money. In the last analysis, these factors determine the kind of medical security his family has. Many people do not have much but luck to rely on. In the face of rising costs, there are still 24 million Americans—one out of every seven persons under age 65—who have no hospital insurance at all. One person in five is without surgical insurance—35 million. One in three is not covered for extra in-hospital medical expenses, such as doctors visits—61 million.

Absence of adequate insurance is only one factor contributing to the health care crisis. The Nation is currently faced with a gross misallocation of resources. Many rural communities are unable to attract the services of even one qualified, primary care physician while many larger, affluent areas have an excess of specialists.

Hospitals are further compounding the problems. In the battle to attract more patients and doctors, they rely on the prestige of new programs, research, and medical specialties. It is the average patient who pays for the duplication and reduplication of narrowly channeled expertise.

Many proposals have been introduced in the Congress which propose at least some revision in the financing of medical care. However, few adequately address the larger problem of the deficiencies in the health care delivery system. We must direct our attention toward effecting needed improvements in this system if we are to insure the success of a national health insurance plan.

Our strategy must include consideration of methods to increase the numbers and distribution of health manpower, means to optimize the utilization of resources, outreach programs to bring all persons into the mainstream of the health care system, and cost control guidelines to curtail the rising costs of needed health services.

The development of a coherent national health strategy will provide a sound basis for the implementation of a national health insurance plan. In the development of a platform proposal for national health insurance the Democratic Party should consider the following essential principles:

First. National health insurance must

guarantee universal entitlement and universal coverage of benefits.

Every individual in this country, regardless of financial status, age, race, medical history, or geographical location should be entitled to the same amount, duration and scope of benefits. The coverage of benefits should be broad enough to assure that no person will be unable to obtain needed medical care.

Second. National health insurance should insure the patient as well as it insures the hospital and the doctor.

Most hospitals and insurance plans do a much better job of insuring the hospital and the physician against the cost of their doing business than they do of insuring the patient against the cost of doing business with them. If the Nation decides to grant private insurance companies the privilege of providing national health insurance, we must have guarantees that the industry will be fully accountable to the public.

Third. National health insurance should have as few restrictions, clauses, qualifications, and limitations as possible and it should be administered in the simplest and easiest way possible.

We should fit the health care system to the individual and stop asking the individual to fit his medical needs to the existing health care system.

Fourth. National health insurance must be accompanied by dramatic new solutions to the problem of medical manpower.

Not only is this country short on primary care physicians, but many of our medical schools are on shaky financial ground. A year ago, 40 percent were in such severe trouble that they needed financial distress grants from Washington. Their condition has not improved. The country cannot train more doctors if our medical schools continue to live on a hand-to-mouth basis.

Another crucial manpower need is the paramedical man, the physician's assistant, the civilian equivalent of the Armed Forces medical corpsman. He is needed both by overworked urban doctors and by people in isolated rural areas. We are producing very few of them in this country at this time.

Fifth. National health insurance must also include establishment of alternatives to the present pay-as-you-go and fee-for-service medical care that most people now receive.

The most common alternative suggested is the prepaid group practice plan. Its virtues are well known. Subscribers pay a fixed monthly sum, arranged in advance, and receive all the medical care they need. There is a heavy emphasis on diagnostic screening and preventive medicine. And these plans also seem to have the additional advantage of stimulating cost consciousness in the providers of medical care. This is not to suggest that fee-for-service should be abolished, but it should not be the only choice a patient has.

Sixth. Continuing health planning must be considered an essential component of any national health insurance plan.

Planning must have real authority and sanctions. If planning agencies had the power to do their job properly, we probably wouldn't have the duplication of expensive equipment that exists in so many cities. Nor would we have an oversupply of one type of institution or hospital, and an undersupply of others.

Seventh. National health insurance legislation should include provision for statewide pilot projects to be conducted in five or six selected States and a specific date when the program is to be implemented nationwide.

There are currently many unknowns that we face when we attempt to develop a national health insurance plan. Establishment of pilot projects prior to national implementation and careful assessment of the variables built into the experimentation projects will enable us to determine which concepts should be incorporated into the national system.

D. AN ADEQUATE RETIREMENT INCOME

Finally, to help working class Americans, we must guarantee them a decent, reasonably comfortable, dignified retirement. If society is to be judged by the care it takes of its elderly members, American society is a failure. To be old in America is too often to be poor. Most working class couples have seen their friends retire and find themselves living at or near the poverty level.

In 1969 the aged had less than half the income of those under age 65. By December, 1970, according to the Senate's Special Committee on Aging, approximately 5 million of the 20 million aged Americans lived in poverty, an incidence of poverty twice the rate of society generally. The number of those living in poverty decreased somewhat in recent years in this country for every group but older Americans. For them, the number arose.

Many of the aged poor are simply those who have been poor all their lives and have grown old. But an increasing number are working class Americans who made enough while working to stay out of poverty but were unable to save much for retirement and find that pensions and social security have not kept them from growing into poverty.

The Federal Government has ignored this plight of working people, contributing to some of the resentment felt by workers against a government that cares for the rich and attempts to provide for the poor but ignores the average man.

The first thing we need to do is to insure that those on social security receive more adequate incomes. A Social Security Administration study showed that one-fourth of aged couples and two-fifths of single beneficiaries receiving social security depended solely on it for their entire support.

Democrats in Congress are working for a 20 percent social security increase. This should be part of our party's platform as well.

This will require a larger investment in social security by working people, but I do not think they will mind if, at the same time, they understand that this will guarantee them a comfortable retirement.

As social security deductions are increased, however, the system should be made more equitable. Social security taxes now are regressive, forcing lower paid workers to pay a much higher percentage of their income than higher paid employees. The injustice arises because everyone in social security is taxed 5.2 percent on their first $9,000 of earnings.

A man making $40,000 a year pays $468 or 1 percent of his total income in social security taxes. A worker making $9,000 this year pays the same $468. But this is 5.2 percent of his salary, a rate five times greater than that paid by the other man.

There is no justification for this difference. The financing of social security should be reformed so that everyone pays a more reasonable share of their income and receives more adequate benefits.

Another inequity for the working class in the social security system is the limitation on income by social security pensioners. Many elderly persons are eager to work and help support themselves. But the Government discourages work by penalizing them for every dollar earned above $1,680 a year.

The effect of this earnings limitation penalizes the working class. While an elderly worker loses benefits for every dollar earned, the wealthy are allowed on retirement to receive all of their income from investments, stocks, bonds, copyrights, patents, rentals, dividends, and other pensions without losing a penny of social security benefits, even if their outside income is $100,000. Two million elderly workers meanwhile are losing some or all of their social security benefits for which they paid a higher percentage of their salaries.

This is wrong and must be changed if social security is to be a program that meets the needs of the lower-middle class. Proposals are pending now to raise the income ceiling; but, again, this is only a start in the right direction.

Social security is not the sole means of providing for the retirement of our citizens. Approximately $140 billion is now invested in 34,000 private pension funds covering 30 million workers. Unfortunately, more than half of the private work force are not employed by a company or union that has a pension plan. As many as one-half of those workers who have a plan may not receive pension benefits when they retire and more than half of all persons who will receive private pension benefits will receive less than $1,000 a year.

The fine print in many pension plans rivals those famous life insurance policies that, once you get through the disclaimers, covered you against being run over by a herd of buffalo in downtown Detroit. Many pension plans provide no benefits for widows or widowers, require years of work before a worker has a right to any pension and cause him to forfeit all rights if he changes jobs. As a New York Times survey showed last year, private pension plans are "a phantom for millions of workers who never collect them."

We should support legislation to allow workers to transfer their interest in one pension plan to another when they change jobs, to shorten the years of work necessary to qualify for pension rights and to give tax deductions to those investing in pension plans for themselves or their employees.

Whatever we do, we must help workers to insure that their retirement years will not be years of poverty and insecurity.

IV. NEW DEPARTMENTS OF HEALTH AND EDUCATION

Much talk has been heard about the need to reorganize the Federal Government. President Nixon has proposed that we make the Federal bureaucracy even larger by consolidating existing agencies into four superagencies. In particular, the President has suggested increasing the size of the Department of Health, Education and Welfare.

As a former Secretary of Health, Education and Welfare, I seriously question the desirability of such a move. No Secretary can keep up with the activities of the agency as it is now structured, let alone an even larger institution. Since its establishment in 1953, HEW has grown into a bureaucracy of 108,000 employees with an overall budget of nearly $79 billion, one-third of the entire Federal budget.

For several years I have supported creation of a separate Department of Education and this year have introduced a similar proposal for a Department of Health.

A. DEPARTMENT OF EDUCATION

Today 29 Federal agencies spend over $14 billion on education, often with no coordination and little cooperation. Millions of Americans are educated through Federal programs as diverse as those of the Office of Child Development, the Defense Department, the Job Corps and the Bureau of Indian Affairs.

My bill consolidates and coordinates responsibility for education at the Federal level and affords an opportunity for the first time to rationalize, analyze, present, and carry out Federal policy for education in this Nation.

But arguments of scale are only one part of the reason for better coordination and execution of the Federal role in education. We must also recognize the present importance of education and educational policy to American society, and the increase in that significance in the decades ahead. Our society and the technology which supports it continue to increase in complexity and require individuals possessed of more sophisticated educational background and preparation.

The time has come to end the uncertain status of education in the Federal Government. Education must be represented at the highest levels of policy discussion. Its weak voice must be strengthened through the consolidation of programs which rightly belong together.

B. DEPARTMENT OF HEALTH

As already discussed, this Nation is currently facing a health care crisis. Despite growing Federal expenditures for health care programs, no coherent national plan has been developed to deal with this problem. We must reshape and streamline our existing institutions now if we are to assure the success of whatever new national health care system is adopted.

The Department of Health, Education and Welfare is clearly too large to handle the task. Over 40 separate Federal health grant programs are operated by HEW which will spend over $18 billion in fiscal 1973 on medical and health-related activities.

I am convinced that health policy can be more rationally developed and the health programs of our Nation better handled if they are placed under the jurisdiction of one agency of manageable size, a Department of Health. At present a sizable portion of the $25 billion we are spending throughout the Federal Government for medical and health related activities is being lost through inefficiency, lack of coordination, and overlapping of programs.

As a result of the scattering of programs and the lack of a centralized health policy mechanism, the only place in the Federal Government where health priorities can be set is in the Office of Management and Budget when the budget is being developed. Major policy decisions affecting the Federal Government's health policy should be made by experts in the health field, not by OMB employees who cannot be expected to formulate national field priorities, much less understand the intricacies and interrelationships of the myriad health programs now in existence.

Twenty-five Democrats in the Senate joined with me last March to introduce S. 3432, which would create a new Department of Health. All of the Democratic presidential candidates joined in this effort; 60 House Members, the vast majority of whom are Democrats, supported the companion measure introduced in the House by Congressman PAUL ROGERS, Democrat of Florida.

The Democratic Party should support this move to end the uncertain status of health in the Federal Government. Responsibilities must be focused in one department and health policy must be developed and coordinated by those who are knowledgeable in the health field.

V. CONSUMER PROTECTION

To be credible our platform must include a creative and far-reaching program for protecting consumer interests, combating consumer fraud, and providing a meaningful voice for consumers in the private and public decisions which affect their lives. I propose that the Democratic Party pledge to adopt a new definition of the rights of American consumers in both the marketplace and the institutions of government.

Specifically, I propose that the Democratic Platform support—

First, legislation to create an independent Consumer Protection Agency to represent the interests of consumers before Federal agencies and courts;

Second, vigorous enforcement of the food, drug, and consumer product safety laws and the establishment of an independent agency to enforce these laws;

Third, passage of important consumer protection bills sponsored by Democrats in the last two Congresses;

Fourth, establishment of a Council of Consumer Advisers, or similar organization, in the Executive Office of the President;

Fifth, broad reform and restructuring of existing regulatory agencies and programs for protecting consumers; and

Sixth, substantial increase in Federal assistance to States and local communities for consumer protection programs.

The most urgent need of consumers today is to have an effective representative in the many decisions of the Federal Government which determine the choice, cost, quality, and safety of goods and services in the marketplace.

I have sponsored a bill, S. 1177, to create a new independent Consumer Protection Agency—CPA—to represent the interests of consumers before Federal agencies and courts. My bill also sets up a Council of Consumer Advisers in the Executive Office of the President to advise the President on consumer matters and provides grants to States and local communities for consumer protection programs.

The bill has been reported by my subcommittee of the Committee on Government Operations and soon will be considered by the Senate. I strongly urge that the Democratic Platform commit our Party to this legislation and to its underlying purposes.

Despite the existence of many regulatory agencies—for example, Federal Trade Commission, Food and Drug Administration, Interstate Commerce Commission—and many ambitious new consumer protection laws—for example, Truth in Packaging, Toy Safety, and Truth in Lending Acts—which are supposed to protect, consumers are not receiving the protection which they have been promised and are demanding in 1972.

Every day the newspapers carry alarming stories of serious injuries caused by food additives, detergents, toys, prescription drugs, credit schemes, and corporate mergers. During the last year, my subcommittee has released studies showing that deplorable sanitary conditions continue to exist in the meat and poultry plants; that tens of millions of subpotent influenza vaccines were licensed for 3 years by an agency which was fully aware of the vaccine's ineffectiveness and that the Federal Government lacks an effective means of testing the effects of the many chemicals in the human food supply and environment.

The most important reason for the failure of Federal agencies to protect consumers adequately is that consumers have no choice in the day-to-day decision-making processes of these agencies. Big business is the only group with the incentive and the resources to maintain a close relationship with Federal agencies. These agencies hear only one side of most issues.

Consumers are too fragmented to provide effective representation for themselves. Few consumers have a large enough stake in a specific agency or the money to hire a professional representative to argue their case in Washington for months or even years.

During recent years, a few dedicated men and women have established organizations to represent the consumer viewpoint to Federal agencies. It is unrealistic to expect, however, that these organizations will ever obtain sufficient nongovernmental funds to be an effective counterweight to the overwhelming resources and talent at the disposal of business.

Thus, the best hope of consumers for equal representation is through the Consumer Protection Agency established by my bill.

The CPA, as an advocate, will be a totally new kind of Federal agency. It will have no authority to regulate any industry, to make any decisions for existing regulatory agencies, or to overrule their decisions. The CPA will be the lawyer for consumers; the regulatory agencies will continue to be the judges.

One of the most serious defects in consumer protection programs is the conflict which results when one agency has responsibility for both protecting consumers and promoting the production or sale of consumer products. No person or agency can faithfully serve these two different masters for long.

Congress now has an opportunity to remedy this conflict in Federal food inspection programs. In March, the Senate Commerce Committee reported a bill, S. 3419, to authorize Federal safety standards for hazardous household products. The bill also creates a new regulatory agency—the Food, Drug, and Consumer Product Agency—by transferring the FDA from the Department of Health, Education, and Welfare.

My subcommittee strengthened the independence of the new agency and transferred the meat, poultry, and egg inspection programs of the Department of Agriculture into it. Consolidation of food inspection programs has been recommended by the Congressional General Accounting Office, the White House Conference on Food and Nutrition, and the President's Advisory Council on Executive Organization.

This legislation represents a long overdue reform and an important model for improving other Federal consumer protection programs. It, first, combines similar consumer protection programs in a single agency, and, second, places consumer protection programs in an agency whose primary responsibility is consumer protection.

VI. THE ECONOMY

The American economy is in deep trouble. Our tragic 6 percent unemployment figure persists—in my own State of Connecticut it is more than 8 percent, in some localities 20 percent. Our trade deficit is mounting—more than $2 billion in the first quarter of this year alone. The dollar, despite devaluation, is under new attacks and our balance-of-payments deficit remains huge. Twenty-five percent of our industrial capacity remains idle while our Nation desperately needs rebuilding.

Clearly, both workers and businessmen need effective help now.

There is a desperate need to develop long-range policies that are better designed to achieve the twin objectives of full employment and relative price stability—the prerequisites for a healthy American economy.

We must encourage and stimulate growth in those areas where we can still compete successfully particularly in the area of high technology. The United States continues to enjoy a large trade surplus in technology intensive goods. But greater and more imaginative federal R. & D. support is necessary to maintain this lead into the 1980's.

Workers' skills must be upgraded so that people who are unemployed as a result of changes in the economy will be equipped to fill the new jobs. New job training programs should be made available—not only to those already unemployed, but to workers in danger of being laid off.

We have no systematic way to encourage industries to develop along lines with high social priority and a high degree of future success. Much talk is heard about the need to convert from a wartime to a post-Vietnam peacetime economy. The key to any successful defense conversion program will be the assumption by the Government of the responsibility for allocating civilian priorities. I have proposed the establishment of a new Economic Priorities Commission to chart the future direction of the civilian economy and encourage economic expansion into new areas such as pollution control, housing, and mass transit.

Our use of technology will determine whether or not America will maintain a viable, growing economy and remain competitive in international markets.

We must expand and coordinate government efforts to ease the economic dislocation that will inevitably result by changes in Federal spending patterns and in the conversion of noncompetitive industries. Under our proposal a new administration would be created in the Commerce Department to administer these activities to assist workers and failing companies.

When we speak of economic dislocation we must bear in mind we are talking about people, their families, and their communities.

Actual experience to date with the adjustment assistance legislation on the books shows that it is too restrictive, too infrequently granted, and invariably help comes too late to be of use.

The emphasis today must be put on spotting in advance those industries and companies which are running into trouble. Under my proposed legislation, assistance would be available before a company is a financial basket case, and workers could begin retraining before their skills become obsolete.

The thrust of my proposal is on readjustment and retraining in order to best utilize our technological and managerial and manpower resources—and to avoid serious trade conflicts and world economic disorders.

VII. NORTHERN IRELAND

The violence and bloodshed in Northern Ireland have been a source of deep concern for many Americans. The recent signs of moderation are most welcome. But the underlying causes of the violence still exist.

America, and the Democratic Party, must speak out against injustice and discrimination wherever it exists. It will be a sad day in this Nation when we think in terms of the freedom and well-being only of Americans. The persistent and oppressive discrimination against the Catholic minority in Northern Ireland deserves to be condemned. But more than this, our own Government should be able to suggest equitable, just solutions upon our friend and ally, Great Britain. Our friends certainly do not hesitate to advise us on such matters.

Senate Resolution 180, which I introduced in the Senate and which has been cosponsored by Senators KENNEDY, HARTKE, and PASTORE, was also introduced in the House by HUGH CAREY and 61 cosponsors. Some of the measures it has called for—such as the dissolution of the Stormont Parliament—have already been taken. But it should still serve as the basis for an eventual settlement of the conflict.

Our platform should promise to express at the highest levels to the Government of the United Kingdom our concern over the tragic situation in Northern Ireland calling upon the British Government to take the following steps consistent with the principles of nondiscrimination and justice:

First. The termination of the current policy of internment without trial and release of all persons detained.

Second. Full respect for the civil rights of all the people of Northern Ireland and the end of all political, social, economic, and religious discrimination.

Third. The prompt implementation of the reforms promised by the Government of the United Kingdom including those reforms in the fields of law enforcement, housing, employment, and voting rights.

Fourth. The establishment of law and order with justice leading to the withdrawal of all British forces from Northern Ireland.

In addition, the Governments of the Republic of Ireland and the United Kingdom should cooperate in creating appropriate forums for discussing the eventual unification of a united and independent Ireland with the rights of all citizens fully protected.

We must also seek appropriate use of the good offices and facilities of the United Nations to assist in the quest for peace in Northern Ireland.

VIII. MIDDLE EAST

The recent massacre at Lod Airport and the undisguised glee expressed over this bloody event in Cairo and Beirut demonstrates the continuing threat to Israel. At the same time, Soviet military and economic penetration in the Middle East continues unabated. The Iraqi takeover of the British Petroleum Co. and Moscow's eagerness to exploit this seizure highlights the danger to vital American interests in the Mediterranean and Persian Gulf areas.

The maintenance of a strong and secure Israel should be the cornerstone of American policy in the Middle East. Israel has proven its steadfastness, courage, and dedication to democracy. It deserves our continuing military, economic, and diplomatic support.

Our platform should pledge to continue our diplomatic efforts to bring Israel and the Arab States to the peace table where they must negotiate directly. Any result-

ing peace treaty to be lasting must include agreement on secure and recognized boundaries.

We should oppose any revival of the administration's Rogers Plan of December 1969 and any efforts by outside parties to dictate the terms of any settlement.

In order to prevent a resumption of hostilities, we must maintain Israel's deterrent strength, providing it with the advanced planes and weapons essential to carry out this task. Israel must also have the appropriate economic supporting assistance to maintain the viability of its economy threatened by a crushing defense burden brought on by the Soviet Union's presence in the Middle East and its lavish military assistance to the Arab States.

The Democratic platform should also support a strong and credible U.S. defense posture in the Mediterranean Sea and in the Persian Gulf to deter Soviet aggression in the area.

We should oppose any efforts to divide Jerusalem and turn the clock back to former Arab misadministration of the Holy City. Under Israeli administration Jerusalem has been united and the holy places are now accessible to all faiths.

We should support the movement of the American Embassy from Tel Aviv to Israel's capital, Jerusalem, as well as our position that the Suez Canal and the Straits of Tiran are international waterways which must remain open to the shipping of all nations.

Large-scale assistance must also be provided to the Palestinian Arab refugees, along with U.S. cooperation in any international programs designed to facilitate their resettlement in Arab lands. The Arab States must begin to welcome Arab refugees in the same way that Israel resettled hundreds of thousands of Jews from the Arab countries.

We must urge the Soviet Union to permit the emigration of Jews from the Soviet Union and express the hope that the Soviet Union will grant exit permits to those who seek to go in Israel and that they will cease the harassment and intimidation to those who have applied for visas. Israel should receive our assistance to cover a portion of the costs of absorbing these new emigrants.

QUORUM CALL

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

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

The second assistant legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the time for the transaction of routine morning business be extended for an additional 6 minutes.

The PRESIDING OFFICER Without objection, it is so ordered.

EDUCATION IN THE 1970'S WILL BE A CRITICAL CHALLENGE TO AMERICA

Mr. RANDOLPH. Mr. President, on June 21 the National Education Association will sponsor a "Salute to Education" in Washington. This event comes, coincidentally, shortly after Congress has approved the most far-reaching education legislation in recent history. It also comes at a time when educators and laymen are suddenly questioning the old methods, discounting innovative experiments, and professing puzzlement about the educational system itself. We can agree, however, that the American educational system is the greatest movement in mass education of all time.

Statistics show that total pupil enrollment during the fall term of the 1971–72 school year totaled 46,168,540 in public elementary and secondary school systems. This figure represents only a slight increase of 0.6 percent over the previous school year, but it is evident that nearly one out of every four Americans was enrolled in public school systems last fall.

It is interesting to note, too, that the 17,218 school districts in the United States during the 1971–72 school year represent a decrease of 444 districts, or 2.5 percent of the total. The number of high school graduates was 2,733,156, a 2.4 percent increase over the previous year.

During the past school year, the number of classroom teachers increased 1.3 percent to a total of 2,089,623, and their average annual salaries rose 4.6 percent to $10,146.

To finance this colossal system of public education for our youngsters, Americans provided a total of $50,127,357,000, an increase of 5 percent over the previous school year.

Of the total revenue receipts, the Federal Government provided $3,305,707,000, the States raised $19,062,836,000, and $24,276,080,000 came from local, intermediate and other sources.

A renewed emphasis on adult education, community services and other programs operated by local school districts is evident in the 8.1 percent jump in expenditures for these programs. The total amount was $1,202,515,000 devoted to education on the local level outside the normal pupil enrollment.

Mr. President, I commend the National Education Association in its efforts to focus national attention on our schools. I hope that the "Salute to Education" will serve to revive the spirits and strengthen the faith of both teacher and taxpayer in our American system of elementary and secondary education. We will need this uplift, for the 1970's will be a time of critical challenge to America in the field of education.

A vital part of that challenge will be the development of comprehensive career education programs.

I believe that in a sense we have cheated our young people in the high schools of this country by not stressing the need for career education, for occupational education, for vocational education, for technical education. I feel that in these coming years we must give more attention at several levels of learning to our commitment to occupational education, so that young people are prepared to fill available jobs. Now too often they are unprepared for productive work at the close of their high school education.

A fundamental purpose of education is to prepare the young to live a productive and rewarding life. For far too many young Americans our schools are failing in this essential mission.

Nearly 2.5 million students leave the formal education system in this country each year without adequate preparation for a career. Only about one in six high school students is enrolled in occupational preparation. More persons are graduating from colleges with bachelor's degrees than there are jobs for degree holders. By the end of this decade, eight out of every 10 jobs available will not require a college degree. Yet today, three out of every 10 high school graduates are enrolled in college.

These statistics show where we are heading—obviously many thousands of our young people are being cheated by our educational system. It should be just as obvious that the mere attainment of a college diploma is no longer the "open sesame" to success.

A recent survey of parents in a large innercity school which revealed that 93 percent of the parents expected their children to go to a 4-year college. This, in spite of the fact that the actual college entrance record of the school's graduates was less than 6 percent. And almost 70 percent of the school's student body had a negative academic performance.

As a concerned member of the Senate Subcommittee on Education, I am gratified that the conference on S. 659, the education amendments of 1972, which recently passed by the Senate and the House of Representatives, places a greater emphasis on career education and vocational training. We are beginning to face the challenge of providing a more meaningful education for our young people.

The challenge is clear. Change is coming. If, as a recent President said, education is "the keystone and the arch of freedom and progress," then each of us has a special responsibility to this and future generations.

I am confident that the National Education Association will discharge its responsibilities as we move forward in the 1970's.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

PROPOSED AMENDMENTS TO THE BUDGET, 1973, FOR DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE (S. DOC. NO. 92-314)

A communication from the President of the United States, transmitting proposed amendments to the budget for the fiscal year 1973, in the amount of $140,000,000 in budget authority and a decrease of $20,000,000 in proposals not affecting budget authority for the Departments of Labor and Health, Education, and Welfare (with accompanying papers); to the Committee on Appropriations and ordered to be printed.

PROPOSED AMENDMENT TO THE BUDGET, 1973, FOR THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE (S. DOC. NO. 92-313)

A communication from the President of the United States, transmitting a proposed amendment to the budget for the fiscal year 1973, in the amount of $968,712,000 for the Department of Health, Education, and Welfare (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROPOSED OIL AND GAS INVESTMENT ACT OF 1972

A letter from the Chairman, Securities and Exchange Commission, transmitting a draft of proposed legislation to provide for the registration and regulation of oil and gas programs, and for other purposes (with accompanying papers); to the Committee on Banking, Housing and Urban Affairs.

PROPOSED AMENDMENT OF OIL POLLUTION ACT, 1961

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Oil Pollution Act, 1961 (75 Stat. 402), as amended, to implement the 1969 and the 1971 amendments to the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954, as amended, and for other purposes (with accompanying papers); to the Committee on Commerce.

PUBLICATION ENTITLED "SALES BY PRODUCERS OF NATURAL GAS TO INTERSTATE PIPELINE COMPANIES, 1970"

A letter from the chairman, Federal Power Commission, transmitting, for the information of the Senate, a publication entitled "Sales by Producers of Natural Gas to Interstate Pipeline Companies, 1970" (with an accompanying document); to the Committee on Commerce.

REPORT RELATING TO EXTENSION AND FINANCING OF THE EMERGENCY UNEMPLOYMENT COMPENSATION ACT

A letter from the Secretary of Labor, reporting, pursuant to law, on recommendations with regard to extension and financing of the Emergency Unemployment Compensation Act; to the Committee on Finance.

REPORT ON SCIENTIFIC RESEARCH GRANTS

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a report on scientific research grants, for the calendar year 1971 (with accompanying report); to the Committee on Government Operations.

THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATION FOR CERTAIN ALIENS

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

PROPOSED EXTENSION OF CERTAIN INSURANCE TO U.S. NATIONALS

A letter from the Chairman, United States Civil Service Commission, transmitting a draft of proposed legislation to extend Civil Service Federal Employees Group Life Insurance and Federal Employees Health Benefits coverage to United States Nationals employed by the Federal Government (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. RANDOLPH):

A joint resolution of the Legislature of the State of California; to the Committee on Aeronautical and Space Sciences:

"SENATE JOINT RESOLUTION NO. 11

"Relative to space shuttle research and development facilities

"Whereas, There is an acute economic need to level out and avoid the sharp rises and pitfalls in sporadic aerospace employment; and

"Whereas, The initial development and manufacturing of the space shuttle is particularly sought to prevent an acute employment and economic slump, which will occur at the conclusion of the next six years unless corrective steps are taken now; and

"Whereas, Decisions are being taken now that will affect the long-term economic stability of California at the conclusion of this decade and through the remainder of this century; and

"Whereas, The skills developed in the manufacture of the space shuttle can best be utilized in the followup to the shuttle's manufacture; and

"Whereas, The space shuttle base site is anticipated to hire 19,000 employees which will contribute to the approximately 60,000 residents expected to be located at the base site; and

"Whereas, The income and expenditures associated with shuttle launch operations are now estimated to approximate from $2.5 billion to $4 billion per decade; and

"Whereas, The employees associated with the current Vandenberg and Edwards operations might be diminished and drawn elsewhere if a base site is selected for a location other than California; and

"Whereas, The launch operations currently conducted at Vandenberg contribute over $1 billion to the California economy each decade, and might otherwise be drawn elsewhere if California is not selected as a launch and landing site; and

"Whereas, The history of the space program during the past decade has indicated that the increasing size of the missile components has required manufacturing and employment to gravitate within a convenient geographic and logistics relationship with ultimate launch site, and

"Whereas, California has suffered a consistent decline in relative share of aerospace manufacturing, aerospace activity, aerospace employment; and

"Whereas, There are highly logical, scientifically warranted, technically justified, and economically sound reasons for locating the research, development, launch and landing site, as well as the long-term operational base site, in California; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States and the National Aeronautics and Space Administration to locate the initial space shuttle base site, as well as the research and development site for the space shuttle, in California; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Administrator of the National Aeronautics and Space Administration."

A joint resolution of the Legislature of the State of California; to the Committee on Armed Services:

"SENATE JOINT RESOLUTION NO. 3

"Relative to United States military medals

"Whereas, The Los Angeles County Council of the Veterans of Foreign Wars has requested the President of the United States to release a complete set of United States military medals, to be donated as a gift to the citizens of the City and County of Los Angeles for a permanent historical display in Patriotic Hall, located in the Los Angeles metropolitan area; and

"Whereas, The display of these United States military medals would be an inspiration to all the people of California and would make an outstanding contribution to the celebration of national holidays and patriotic events throughout the year; and

"Whereas, The donation of these medals would be particularly important in contributing to an understanding and appreciation of the tremendous sacrifices made by our veterans, both living and dead, who have served the American people in the highest tradition of gallantry and honor; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes the President of the United States to issue an executive order releasing a complete set of United States military medals, to be donated to the citizens of the City and County of Los Angeles and of the State of California and to be presented to the Commander of the Los Angeles County Council of the Veterans of Foreign Wars for use in a permanent historical display in Patriotic Hall in the County of Los Angeles; and be it further

"Resolved, That the Secretary of Senate transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the Army, to the Secretary of the Navy, to the Secretary of the Air Force, and to the Commandant of the United States Coast Guard."

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"SENATE JOINT RESOLUTION NO. 1

"Relative to grape tariff

"Whereas, The Trade Expansion Act of 1962 provides for a diminution of the tariff on imported table grapes; and

"Whereas, Such act establishes minimum protection during the California table grape harvest; and

"Whereas, Foreign imports during this calendar period are increasing rapidly; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That in order to recognize the growing importance of the California table grape industry to the United States economy and to prevent irreparable injury to that industry, the Legislature of the State of California respectfully memorializes the President and the Congress of the United States, the United States Department of State, *and the United States Tariff Commission* to adjust the tariff on grapes, other than hothouse grapes, which would provide the degree of protection for California table grapes warranted by these circumstances; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of State, *the United States Tariff Commission,* to the Speaker of

the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution adopted by the board of directors, South Louisiana Electric Cooperative Association, Houma, La., opposing certain advertisements relating to investor-owned light and power companies; to the Committee on Commerce.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 632. A bill to amend the Water Resources Planning Act (79 Stat. 244) to include provision for a national land use policy by broadening the authority of the Water Resources Council and river basin commissions and by providing financial assistance for statewide land use planning (Rept. No. 92–869) (Together with minority and additional views).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 2270. A bill for the relief of Magnus David Forrester (Rept. No. 92–870);

S. 2489. A bill for the relief of Judy A. Carbonell (Rept. No. 92–871);

S. 2575. A bill for the relief of William John West (Rept. No. 92–872);

S. 2591. A bill for the relief of Doctor Constante S. Avecilla (Rept. 92–873);

S. 2625. A bill for the relief of Giuseppe Paul Pinton (Rept. No. 92–874);

S. 2704. A bill for the relief of Rita Rosella Valleriani (Rept. No. 92–875);

S. 2822. A bill for the relief of Alberto Rodriguez (Rept. No. 92–876);

S. 2937. A bill for the relief of Slobodan Babic (Rept. No. 92–877);

H.R. 1974. An act for the relief of Mrs. Gloria Vazquez Herrera (Rept. No. 92–878);

H.R. 2052. An act for the relief of Luz Maria Cruz Aleman Phillips (Rept. No. 92–879);

H.R. 2076. An act for the relief of Vladimir Rodriguez LaHera (Rept. No. 92–880);

H.R. 4050. An act for the relief of Maria Manuela Amaral (Rept. No. 92–881);

H.R. 6201. An act for the relief of Lesley Earle Bryan (Rept. No. 92–882);

H.R. 6907. An act for the relief of Matyas Hunyadi (Rept. No. 92–883); and

H.R. 7641. An act for the relief of Chung Chi Lee (Rept. No. 92–884).

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

S. 465. A bill for the relief of Mrs. Hang Kiu Wah (Rept. No. 92–885);

S. 1950. A bill for the relief of Mrs. Josefita Esther Worley (Rept. No. 92–886); and

S. 2562. A bill for the relief of Guido Bellanca (Rept. No. 92–887).

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

S. 3722. A bill to provide for the establishment of a Foreign Service grievance procedure (Rept. No. 92–888).

By Mr. ROBERT C. BYRD (for Mr. LONG) from the Committee on Commerce, without amendment:

H.R. 9552. An act to amend the cruise legislation of the Merchant Marine Act, 1936 (Rept. No. 92–889).

By Mr. MONDALE, from the Committee on Banking, Housing and Urban Affairs:

S. 3726. An original bill to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity to establish a Council on International Economic Policy, and for other purposes (Rept. No. 92–890) (together with additional views.)

Mr. MONDALE. Mr. President, from the Committee on Banking, Housing and Urban Affairs I report a bill, to extend and amend the Export Administration Act of 1969, to afford more equal export opportunity, to establish a Council on International Economic Policy, and for other purposes, and request that the report, together with additional views be printed; and also request permission to deliver the copy to the Government Printing Office by midnight tonight.

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

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. PROXMIRE:

S. 3720. A bill for the relief of Josefina and Antonio Macias Garcia. Referred to the Committee on the Judiciary.

By Mr. MONDALE:

S. 3721. A bill for the relief of Raffaele Colangelo. Referred to the Committee on the Judiciary.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

S. 3722. An original bill to provide for the establishment of a Foreign Service grievance procedure. Ordered to be placed on the calendar.

By Mr. COOK:

S. 3723. A bill to amend the Federal Coal Mine Health and Safety Act of 1969. Referred to the Committee on Labor and Public Welfare.

By Mr. MONTOYA:

S. 3724. A bill to amend the Federal Hazardous Substances Act to require manufacturers of toxic substances to file certain information with the Secretary of Health, Education, and Welfare regarding such substances, and for other purposes. Referred to the Committee on Commerce.

By Mr. MANSFIELD (for himself and Mr. METCALF):

S. 3725. A bill to amend the Small Business Act to authorize the Small Business Administration to make loans to small business concerns which are adversely affected as a result of certain international agreements. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. MONDALE, from the Committee on Banking, Housing and Urban Affairs:

S. 3726. An original bill to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity to establish a Council on International Economic Policy, and for other purposes. Ordered to be placed on the calendar.

By Mr. SCOTT:

S.J. Res. 246. A joint resolution authorizing the President to proclaim the first Sunday in December as "National Fellowship Day." Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COOK:

S. 3723. A bill to amend the Federal Coal Mine Health and Safety Act of 1969. Referred to the Committee on Labor and Public Welfare.

THE ENERGY CRISIS AS IT RELATES TO COAL

Mr. COOK. Mr. President, power, strength, vigor, and resolution are all synonymous with energy. I would like to add one word to that list and that being America. To the free world, America has always represented strength, power, and above all, energy. The source of this energy has been the abundance of natural resources which provided unlimited amounts of cheap fuel. We now face the realization that this fuel is not unlimited and with this realization comes the disagreeable fact that it is no longer cheap. The decision we as Americans face is very simple. Either we pay the price and find ways to develop and use our natural resources within the limits established by recent environmental legislation or we sacrifice a considerable portion of our way of life and our national strength and independence.

There is general acceptance that we do have an energy crisis. What concerns me is the "business as usual" way we are seeking the solution to this problem. There seems to be an attitude that we have almost unlimited time to find these solutions. Unfortunately this unlimited time is just as unlimited as our unlimited resources. The shortage of fuel is here with us today and unless the executive branch, the Congress, the scientific community, the ecologist, the producer of fuel, and the consumer band together to solve our problem, we very soon will be locked into fixed procedure and find our alternatives to be very limited.

To my way of thinking the problem is not a shortage of our natural resources but rather the finding of an acceptable method of using these available resources to meet our fuel requirements.

We all look to nuclear power as the panacea. I support these programs and I wish them well. However we are told by the most optimistic nuclear boosters that fossil fuel will still furnish 50 percent of our energy in the foreseeable future and certainly beyond the year 2000. When we consider that our energy requirements are forecast at three to four times our present requirement it is obvious that fossil fuel will be required in ever-increasing amounts. The Interior Department and the Federal Power Commission both agree that there is sufficient coal in our reserves to meet our fuel requirements for many years to come. In fact coal constitutes 73 percent of our recoverable fossil fuel. This fuel has always been the backbone of the energy producing industry. At a time when our fuel requirements are increasing and coal is attempting to meet this requirement the very use of coal as well as the coal industry itself is threatened. This threat arises from the increased restrictions Federal legislation is placing on the coal operator and consumer, making it most difficult to produce and use this valuable fuel.

I supported the Coal Mine Health and Safety Act of 1969. I had severe reservations then and I still have reservations concerning what I consider to be unrealistic restrictions on nongassy mines. Typical of the many letters I have been receiving from my State is the one from Mr. B. W. Whitfield which I ask unanimous consent to have printed in the RECORD.

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

KENTUCKY-JELLICO COAL CO.,
Brookside, Ky., June 13, 1972.

Hon. MARLOW W. COOK,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR: I have been in the coal business since 1923 and I have owned and operated mines in four counties of Kentucky; namely, Knox, Harlan, Bell and Letcher Counties. I have also owned and operated mines in Lee and Wise Counties, Virginia. I believe that I have been fairly successful in my business and I have a good safety record of which I am justly proud.

For many years I enjoyed my work as a coal operator and I have made many friends among my employees and with my fellow coal operators. I have mined over thirty million tons of coal in various operations and enjoyed every minute of it. However, since the enactment of the Federal Coal Mine Health and Safety Act of 1969, my career as a coal operator has been destroyed. I have been harassed by Federal inspectors, penalized and fined by assessment officers and I have seen my business decline until I can no longer operate at a profit.

I have sold all of my mining properties and my sons and I will no longer attempt to continue a business that was started by my father in 1890. If the Mine Safety Law had included exemptions that would have recognized the difference between a dangerous gassy mine and a non gassy mine we would have continued in business. However, this does not seem possible and so we are being forced out of business along with hundreds of other operators. On the other hand the tremendous increase in cost of producing coal which we estimate to be at least a billion dollars is an added burden that the public will have to bear.

We appreciate your efforts to help the coal industry. I hope you succeed—if not for our sake, perhaps to keep the coal industry alive for the benefit of future generations.

Sincerely,

B. W. WHITFIELD, Jr.

Mr. COOK. Mr. President, since 1890 this family has been mining coal in Kentucky. They have now sold their business. The letter states:

If the mine Safety Law had included exemptions that would have recognized the difference between a dangerous gassy mine and a non gassy mine we could have continued in business. However, this does not seem possible and so we are being forced out of business along with hundreds of other operators.

I question that this was the intent of the Congress when the Coal Mine Health and Safety bill was passed in 1969. To this end, in a letter, I ask unanimous consent to have printed in the RECORD, I have requested Senator WILLIAMS to hold oversight hearings on this legislation at the earliest practicable date. Now that the law has been in effect for 2 years, I believe a very worthwhile purpose could be served and hopefully some remedial action could be initiated. I do not advocate the weakening of the safety now afforded the miner but I do favor a commonsense approach to the safety requirements.

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

U.S. SENATE,
Washington, D.C.

Hon. HARRISON A. WILLIAMS, Jr.,
Chairman, Labor Committee, New Senate Office Building, Washington, D.C.

DEAR PETE: Now that the Federal Coal Mine Health and Safety Act has been in effect for more than two (2) years, it has been brought to my attention in correspondence from coal operators and miners alike that there may be inequities in the law regarding coal mine safety which Congress should address.

In the last several years, Congress has considered numerous amendments to improvise title IV of the Coal Mine Health and Safety Act, the most recent being the Black Lung Benefits Act of 1972 (P.L. 92-303), to compensate miners having black lung disease. I have supported these attempts to broaden coverage for those who are disabled. However, we in Congress may have inadvertantly avoided assessing the safety related aspects of the Coal Mine Health and Safety Act since its passage.

Having dispensed with coal health legislation, I would recommend that the Senate Labor Subcommittee conduct oversight hearings to officially evaluate the safety provisions of the law. I am deeply concerned over the plight of the coal industry in this nation and am hopeful that a Congressional inquiry will not only resolve many questions which are of primary concern to those in the industry but will also offer suggestions to reconcile the problems of safety in our Nation's coal mines. I will be happy to discuss this matter with you at any time.

Sincerely,

MARLOW W. COOK,
U.S. Senator.

QUESTIONS TO STUDY

(1) Does the 1969 Act in fact perpetuate unsafe conditions because of inability to comply and are miners jeopardized because the safety regulations may be too stringent or ineffective?

(2) Do the injury fatality records lead one to conclude that the safety regulations adequately insure the safety of the miners so that they do not face death or serious injury while working in mining operations?

(3) Do the safety requirements work unnecessary financial hardships upon the operator by forcing the purchase and use of unnecessary equipment and does this lead to the eventual elimination of small mining operations?

(4) Do the safety regulations create a strain upon the environment by making surface mining more attractive than underground operations?

(5) By what means can the problems of complying with the safety regulations be minimized so that excessive fines do not unnecessarily force the shut-down of mining operations?

Mr. COOK. Mr. President, the Black Lung Benefits Act of 1972 passed recently by the Congress amending title IV of the Coal Mine Health and Safety Act of 1969 will correct many inequities. I recognize that many of the personnel now covered by this bill have in the past years suffered inequitable benefits. I applaud this new action. However, I am most concerned as to the effect of this bill on the operator, the Federal Government, and the individual. To this end I am introducing an amendment to title IV of this act which would create an Interdepartmental Commission composed of representatives from the Department of Health, Education, and Welfare, the Department of Labor, and the Department of the Interior. This Commission would be charged with the responsibility of assessing the cost and the effects of the Coal Mine Health and Safety Act, as amended, which would be imposed upon the various States, the coal industry, and, specifically, the small coal operators.

Many in the coal industry are fearful of the consequences that this legislation will have, not only upon themselves, but upon the economy as well. It is important that we acknowledge these apprehensions and explore this potential problem so that it cannot be said that Congress acted blindly.

With a cost projection in the neighborhood of nearly $3 billion, it is clear that the costs to the coal industry will be staggering, but at this time, it is impossible to ascertain its total liability under this new legislation. All of the figures, estimates, and projections are just what they imply—only estimates. We can only make offhand guesses. At this time no one knows for certain what the actual costs will be. However, there is considerable room for doubt in the present $3 billion estimate, particularly when one recognizes that the original cost estimate of the black lung program turned out to be 40 times below that which was actually incurred. If this situation applies to HEW's new estimates, can it be true that the $3 billion cost projection is, in reality, 40 times below what the actual cost will be?

Mr. President, the point is that the full financial impact on the national economy, and the effect on the consumer as reflected in the costs of goods and services has never been thoroughly considered. The 20 largest coal companies, employing half the work force, produce 55 percent of the annual tonnage from 350 mines. Forty-five percent of the annual tonnage is produced by the other half of the work force in the 5,200 small mines. Thus, a major portion of the cost of this legislation will fall on the small, independent coal producers who may not be able to afford insurance to cover the expected costs under this program. Moreover, the ability of all coal producers, large and small, to meet the present and future energy demands of the Nation may be seriously impaired. Also, the much-needed coal export market may be threatened. No one has assessed its impact on the balance of payments.

Very shortly we will be asked to consider surface mining legislation which will have a significant impact on the coal operator. I have always opposed uncontrolled strip mining as well as the stripping of land which cannot be reclaimed

I believe that the operator should reimburse the Nation for a portion of the value of the natural resource extracted from our Reserve and I introduced S. 3444 which would require a 4-percent severance tax to be paid by the operator on every ton of coal extracted. I have sent a letter to Senator LONG, the chairman of the Finance Committee requesting the scheduling of hearings on this bill at an early date and I ask unanimous consent that this letter be printed in the RECORD.

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

JUNE 19, 1972.

Hon. RUSSELL B. LONG,
Chairman, Senate Finance Committee,
Washington, D.C.

DEAR MR. CHAIRMAN: On March 30, 1972 I introduced S. 3444, the Federal Coal Severance Tax and Revenue Sharing Act. This bill will assist the States in raising revenues

by making more uniform the incidence and rate of tax imposed by States on the severance of coal.

In the statement I made on the floor of the Senate at introduction, I noted the benefits of this bill as several. More than ever am I convinced that a uniform tax of 4 percent is essential to place all companies and all coal producing states on an equal footing. Moreover, this bill will create an important incentive for state governments to enact their own severance taxes, which in turn will create new sources of income for many of our tax-starved states.

Certainly a measure which can provide over $140 million in new revenue is urgently needed at this time. I recommend, therefore, that the Senate Finance Committee judge the merits of this legislation by conducting hearings at the earliest possible date.

With kind regards,
Sincerely,

MARLOW W. COOK.

Mr. COOK. Mr. President, if all these proposals are successful the production of coal will increase. But production is just half the problem and we must solve the problems related to the emission of offensive oxides which occur during the combustion of coal having a high sulphur content.

There are two entirely separate problems which must be resolved; the first being the removal of offensive sulphur from coal prior to its use and the second being the provision of a suitable system to remove offensive oxides from the stack emissions resulting from the combustion of high sulphur coal.

The gasification of coal provides us with the best answer to this first approach. I am very pleased with the joint industry—Government—Bureau of Mines—effort underway to produce pipeline quality gas from coal. The willingness of industry to contribute $10,000,000 of their capital coupled with the $20,000,000 in Federal support argues well for the interest of both entities. This limited program along definite lines should permit the concentration of effort and hopefully produce acceptable results.

I am concerned about the paucity of effort to develop a process for the low B.t.u. gas combined with advance cycle turbine—steam powerplants can generate electrical energy in a most efficient and acceptable manner. For some time there was a small low B.t.u. program in the Environmental Protection Agency. As of fiscal year 1973 this effort has been transferred to the Bureau of Mines to capitalize on the knowledge gained from related gasification programs. There is $3,000,000 in the fiscal year 1973 budget for this purpose. I am informed that this amount would be ample if the effort is concentrated on a limited program which shows significant promise. While I do not assume to instruct the Interior Department, I have requested that they select a specific limited program as soon as possible and concentrate their effort in this area. I ask unanimous consent that a copy of this letter also be printed in the RECORD.

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

U.S. SENATE,
Washington, D.C.

HON. HOLLIS DOLE,
Assistant Secretary of the Interior,
Interior Building, Washington, D.C.

DEAR MR. DOLE: My concern for the adverse impact the shortage of energy is having on this nation is well-documented. Just recently, on the floor of the Senate, I defended rulemaking Procedure R441 proposed by the FPC to create an incentive for the producer to encourage him to increase his exploration efforts. This program will assist but will not solve the energy shortage problem.

As you have stated in your appearance before Senate Committees coal is the one fossil fuel which is capable of meeting our energy requirements. An inherent problem in using fuel is the excessive emission of sulphur oxides which result from the combustion of high sulfur coal. As my state of Kentucky is now the leading coal producer in the Union, I am most interested in pursuing the use of this valuable resource. One solution to this emission problem is the gasification of coal. It is to this solution I wish to solicit your comment and support.

The FY 73 budget includes funds to support a substantial gasification program to develop a process for the economical manufacture of high BTU gas. I am encouraged by the efforts in this regard and look forward to excellent results. A companion program makes available $3 million dollars for a low BTU program. I am under the impression that these funds are ample to support a program dedicated to a very limited number of specific projects. The recent transfer of this low BTU program from the Environmental Protection Agency to the Department of the Interior could cause a slippage in the overall program and I am sure that you are doing everything possible to prevent this unsatisfactory condition from occurring.

I have been briefed on programs designed to combine a low BTU gasifier with an advanced cycle generator which have been initiated by Westinghouse and United Aircraft. I am sure that there are others. While I refrain from supporting a specific proposal I do encourage the adoption of a specific course of action and urge that this course be pursued with all expediency to achieve a viable system in the shortest possible time.

To this end it would be most helpful to me to learn of your evaluation of the processes which have been presented to you as well as the program you have decided to support. I assure you that I will lend my voice to assist you in any way possible in your pursuit of a solution to this problem.

Sincerely,

MARLOW W. COOK,
U.S. Senator.

Mr. COOK. Mr. President, while the gasification of coal furnishes promise, there is the problem of lead time as well as the actual tonnage of coal which can be utilized by this process, and we are still faced with a requirement to burn high sulphur coal for fuel. The problem facing the powerplant operator who desires to burn this coal is that he does not have an effective commercially tested desulphurization system available for installation which meets the emission standards established by the EPA. Legislation has overtaken technology. Unless he is provided with a system by the scientific community he will no longer be able to burn coal. I have dispatched a letter to Dr. Edward E. David, Director of the Office of Science and Technology, requesting that a dynamic program be initiated to develop such a desulphurization system. I ask unanimous consent that this letter also be printed in the RECORD. To me, this problem is the single most important problem facing the energy industry today. We must find a solution.

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

U.S. SENATE,
Washington, D.C.

DR. EDWARD E. DAVID,
Director, The White House,
Office of Science and Technology,
Washington, D.C.

DEAR DR. DAVID: I am greatly concerned that the nation's utilities may in the very near future be unable to meet the requirements for electrical power. This inability will be even more acute when these utilities are required to meet stack emission standards established by the Environmental Protection Agency for 1975.

Coal is recognized as the backbone of the fossil fuel reserve of this nation and constitutes 73% of the total recoverable fuel. There is sufficient coal to meet our needs, however regulation has outrun research and in order to meet the emission standards industry is forced to import residual fuel oil. The facts are that the equipment is not commercially available to remove offensive oxides from stack gas where other than low sulfur coal is used as fuel.

If we continue at the present pace the results are inevitable. We will be dependent on imported fuel. At a time when we are very much concerned over trade deficits we will be importing billions of dollars in oil at a billion dollar loss to the coal industry.

We must find a way to use our natural resources. I recognize that the gasification of coal will provide a patrial solution by 1980. However it is imperative that this nation develop a stack gas desulfurization system within the next twelve months if we are to remain a nation capable of meeting its energy requirements from domestic resources.

I urge that an intensive accelerated program be initiated immediately to meet this requirement

Sincerely,

MARLOW W. COOK,
U.S. Senator.

Mr. COOK. Mr. President, there is of course an alternate solution to the energy problem and that being the ever increasing importation of residual oil. I find this unacceptable for several reasons.

First, we would sacrifice our independence and become dependent on foreign powers for our energy. To an unacceptable degree I question if we can afford to do this.

Second, in a period when we are concerned for our balance of payments we would be importing billions of dollars in residual oil with no offsetting export.

Third, we would be crippling our billion dollar domestic coal industry.

Mr. President, I realize that there are other facets of this problem to be addressed. My purpose has been to address the energy crisis as it relates to coal. I believe that we have some excellent programs and that we are making progress but I urge each Member of the Congress to study this problem carefully and lend his support.

I do not desire to alarm this body or the Nation but I believe that the time has come to face the facts and to take action. As the famous Hebrew scholar Hillel said some 2000 years ago:

If not us, who. If not now, when?

By Mr. MONTOYA:

S. 3724. A bill to amend the Federal Hazardous Substances Act to require manufacturers of toxic substances to file certain information with the Secretary of Health, Education, and Welfare regarding such substances, and for other purposes. Referred to the Committee on Commerce.

POISONOUS SUBSTANCES REGISTRATION ACT OF 1972

Mr. MONTOYA. Mr. President, today the Nation is virtually being inundated by a flood of new commercial products emerging from industry's laboratories. As new combinations of ingredients are put together, they are packaged and promoted with a fine disregard for consequences involved insofar as health and well-being of the eventual consumer are concerned.

More often than not, a manufacturer is determined to enter the marketplace with that product, come what may. As a result, even a cursory perusal of packaging periodicals reveals a bewildering procession of spanking new items, complete with glittering packages and noisy promises of performance.

An increasing number of such items contain very hazardous ingredients. In the past year and a half, I have been intimately involved in seeking strict enforcement of the Poison Prevention Packaging Act. This measure calls for childproof safety packaging for any product containing dangerous substances.

In the course of my efforts, it has been discovered that literally thousands of products are sold across Amreica without anyone outside of the actual manufacturer knowing their composition fully.

It is quite possible, as of today, for any given producer with laboratory and manufacturing facilities, to create a product, test-market, produce, and sell it everywhere in the United States—all without revealing what it contains.

An unsuspecting public, attracted by packaging and enticed by clever advertising, purchases the item, bringing it into millions of homes without knowing what the consequences will be if it is ingested.

It is in the interest of the entire consuming public that such products and their composition be made known to some central agency of Government before any more such combinations are placed on sale in the Nation's marketplace. The public today is completely unprotected.

Such knowledge is available to the U.S. Government only on a purely voluntary basis. If any manufacturer decides to register his product with an appropriate Federal agency, it is only done as an afterthought.

In the course of my Poison Prevention Packaging Act work of the past 18 months, it was fairly common to encounter instances of child poisonings by new products. In the case of Clorox II, a child ingested some and immediately became very ill.

Her parents had the presence of mind to rush her to Walter Reed Hospital in a matter of minutes.

The Food and Drug Administration has tried to set up a series of poison control centers which would be able to respond to such happenings with product ingredient information. In this case, according to the report on the case, the Walter Reed poison control center did not have the product listed at all. Hence, no knowledge was immediately available on the product's makeup and of course no projection could be made by physicians in attendance as to reactions going on inside the child.

Hence, they could not proceed with treatment, even though she was right there in one of the most sophisticated medical facilities in the world. We already know labeling of all contents is still a question that is in question insofar as consumer protection is concerned.

The physician at the Medical Center made an emergency call to the Clorox Co., yet it was almost 3 hours before he finally received the information required. It seems, to quote the child's mother, that "everyone who knew anything about Clorox II was out to lunch."

Our conclusions are obvious. The child could have easily died while both doctors and parents stood by helplessly. This situation is compounded daily around the Nation. In the case we are considering today, the child was extremely lucky immediate action was not required.

My bill, the Poisonous Substances Act of 1972, is very simple and amply fills this need. It simply states that whenever a manufacturer is about to place a commercial product on the market, he must register its contents with an appropriate Federal agency if that product contains toxic ingredients. This would be required even before he test-markets the product.

Further, he must also indicate the level of toxicity of such ingredients, and the appropriate antidote. This would have the effect of insuring that whenever there is a poisoning, an attending physician will be able to contact a central directory in Washington to ascertain what exactly was in the substance ingested by his patient.

Once this rule was instituted, it would be a simple matter to notify each physician, hospital, and clinic of the existence of the central data source, which in turn could operate in tandem with the existing network of poison control centers.

As offered, the measure calls for registration of toxic ingredients in any product with the Secretary of Health, Education, and Welfare. No test marketing or sale of any new product could be undertaken without such toxic substances registration. No damage would be sustained by industry as a result of this measure. No public revelation of industry secrets is sought. Only registration of toxic substances in any given product.

Once the rule is instituted, manufacturers of products not registered and already being marketed would have 90 days in which to register appropriate information with government.

Presently, any manufacturer goes through a series of elementary processes before marketing any new item. Now, he would simply have to insure that his scientific personnel notified the appropriate Federal agency of potential hazard posed by a given ingredient.

No major new cost would be incurred by industry. Nor would the Federal Government incur any major additional expense. A central card file available yearround to medical personnel is all that would be needed.

Here is the simplest, most effective way of plugging a gaping loophole in elementary consumer protection laws. Passage of this measure in tandem with or as part of an excellent consumer protection measure shortly to be offered by the distinguished Senator from the State of Washington (Mr. MAGNUSON) would be very much in order.

I offer this measure at this time.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 632

At the request of Mr. JACKSON, the Senator from Oklahoma (Mr. BELLMON) was added as a cosponsor of S. 632, the Land and Water Resources Planning Act of 1971.

S. 3530

At the request of Mr. BEALL, the Senator from Washington (Mr. MAGNUSON) was added as a cosponsor of S. 3530, a bill to provide for the conveyance of certain real property in the District of Columbia to the National Firefighting Museum and Center for Fire Prevention, Inc.

S. 3604

At the request of Mr. BROCK, the Senator from Kansas (Mr. DOLE), the Senator from Ohio (Mr. TAFT), and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 3604, to provide for the establishment of safety standards for mobile homes in interstate commerce.

S. 3613

At the request of Mr. BAKER, the Senator from Tennessee (Mr. BROCK) was added as a cosponsor of S. 3613, to amend title 38, United States Code, so as to make presumption relating to certain diseases applicable to veterans who served during the period between the end of World War II and the beginning of the Korean conflict.

SENATE JOINT RESOLUTION 244

At the request of Mr. RIBICOFF, the Senator from South Dakota (Mr. MCGOVERN), the Senator from Rhode Island (Mr. PASTORE), the Senator from Iowa (Mr. HUGHES), the Senator from Texas (Mr. TOWER), and the Senator from Wyoming (Mr. HANSEN) were added as cosponsors of Senate Joint Resolution 244, calling for new efforts to protect international travelers from acts of violence and aerial piracy.

SENATE JOINT RESOLUTION 245

At the request of Mr. RANDOLPH, the Senator from Wyoming (Mr. HANSEN), the Senator from Maryland (Mr. MATHIAS), and the Senator from Oregon (Mr. PACKWOOD) were added as cosponsors of Senate Joint Resolution 245, to designate the calendar month of September 1972 as "National Voter Registration Month."

SENATE CONCURRENT RESOLUTION 85—SUBMISSION OF CONCURRENT RESOLUTION RELATING TO NEGOTIATIONS TO PREVENT ACTS OF TERRORISM AT INTERNATIONAL AIRPORTS

(Referred to the Committee on Foreign Relations.)

Mr. PERCY. Mr. President, on May 30 there was another brutal act of airline terrorism. Three fanatics coldly and calmly murdered 26 people, 16 of them American citizens, at Lod International Airport in Tel Aviv. The never-ceasing campaign to destroy the State of Israel took the lives of innocent passengers of international aviation. No claim that this was a political act in the continuing war against the State of Israel can hide the ugly fact that what occurred was the murder of innocents.

Civilized people everywhere were shocked by this outrage, but shock should not prevent us from promptly moving to seek new and more effective ways to cope with the growing menace of terrorism—particularly in the area of international civil aviation. The United States has consistently taken the lead in this area and must do so again. It is to this purpose that I am introducing a resolution which calls upon the President to undertake negotiations with the governments of all countries in which international commercial airports are located, with a view to achieving an international agreement designed to prevent such terrorist acts as took place at Lod Airport.

Terrorism in or around airports and directed at their related facilities such as ticket offices and downtown terminals has occurred before. On November 27, 1969, terrorists struck at the ticket office of El Al International Airlines in Athens, Greece, wounding 15 people. On February 10, 1970, a group of terrorists struck at the international airport in Munich, killing one person and wounding or maiming 11 others.

International society simply cannot allow itself to remain defenseless against criminals who seem bound and determined to use every available opportunity to commit their outrageous acts at crowded airports. One can only sadly agree with the observation of Prime Minister Golda Meir after the tragedy at Tel Aviv when she pointed out that it takes a special kind of coward to hire gunmen to murder defenseless men, women, and children.

The resolution I present today cannot, of course, cure the spiritual and psychological sicknesses of those who sponsor or commit such criminal acts as at Lod Airport, but it can serve to focus world public opinion on this problem and lead to strong and effective international arrangements which could diminish the likelihood of such acts.

The resolution does deal with specific problems and issues and seeks concerted international action to cover those areas that are not currently covered by existing international treaties.

It recognizes that airport terrorism is an international problem that must be dealt with by the international community. In the Lod case, the murderers were Japanese, the airline that carried them was French, the airport where they boarded the plane that took them to Tel Aviv—and where internationally agreed upon security procedures were not carried out—was in Italy, and the men behind this tragedy were Palestinian with their headquarters in Lebanon.

Although Israel has been the primary target of such terrorism, similar acts could strike with equal ferocity at travelers of any nation, on any airline, in any airport, in any country. The resolution recognizes this and calls for an international effort at the governmental level as well as through international organizations.

The resolution fills a gap not currently covered by either the Hague Convention or the recently negotiated Montreal Convention. Both of these very useful and desirable conventions focus primarily on the aircraft itself. Neither would cover the murder and destruction that took place inside the Lod Terminal. Neither would have covered the incidents in Athens or Munich. This resolution specifically calls for a treaty that would cover airports and related facilities such as terminals, airline ground transportation, storage facilities, ticket offices, and downtown passenger terminals. It will not be easy to negotiate such coverage, seeking common definitions, in sum, dealing with the problem of reaching an agreement that would cover areas and events normally considered to be the sovereign responsibility of the state in which they are located. However, the President has directed the successful negotiation of even more complex issues such as were involved in the strategic arms limitations talks, and our negotiators are second to none in skill and determination.

This resolution encourages action which, through existing international organizations, would strengthen the implementation of treaties and agreements already in force. Obviously the diligent implementation of airport, aircraft, and passenger security measures is a case in point.

Most importantly this resolution calls for an agreement containing a number of specific mandatory actions to be taken in the event an act of airport terrorism occurs. It provides that any agreement should require mandatory classification of acts of airport terrorism as common crimes, not political acts, and therefore not excludable from the list of extraditable offenses.

It has been made quite clear that it would take only a few fanatics to commit such an act, an act which they would no doubt seek to justify as a political act committed against a state or group against whom the terrorists have a grievance. The world abounds in highly emotional issues, which have been used to justify as political acts the most vicious examples of common criminality. Terrorism of various kinds has been directed against innocent third parties in numerous countries and there is no reason to suspect that such criminality will cease unless strong measures are taken to curb it and insure that the criminals who commit such acts will find no refuge or sanctuary anywhere. Equally important the resolution calls for the mandatory apprehension and extradition of such persons alleged to have committed acts of airport terrorism. In such cases where national law makes extradition impossible, it commits the signatory state to try such person under the appropriate law of that jurisdiction in which he has been apprehended. These provisions are clearly designed to cope with a situation that could arise if terrorists were not apprehended by local authorities, as in the case of Lod, but managed to escape and sought the protection of the laws of another state or of refuge within its borders.

International conventions must, after being successfully negotiated, be signed and ratified by a large number of states before they become truly effective. I have no illusions that certain states will refuse to sign a convention dealing with airport terrorism or even participate in its negotiation. This, however, should not deter us from seeking such an agreement. Attention must be focused on this problem. Pressure must be exerted upon states to act in concert and exercise the responsibilities that we all share as members of an international and civilized society. Let those who refuse to exercise this responsibility be exposed and be forced to justify their refusal in the full glare of world public opinion.

I call upon this Chamber and our colleagues in the House of Representatives to act on this resolution so that progress can be made to stop the threat of violence from disrupting international civil aviation.

The concurrent resolution reads as follows:

SENATE CONCURRENT RESOLUTION 85

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the President should, at the earliest practicable date, undertake negotiations with the governments of all other countries in which international commercial airports are located with a view to achieving an agreement among all such countries and the United States for the initiation and carrying out of such actions as may be necessary and appropriate to protect against or prevent the commission of acts of violence or terrorism at international airports which are related to international civil aviation.

SEC. 2. It is further declared to be the sense of the Congress that the President should, through official representatives of the United States, present to appropriate international organizations for consideration the matter of acts of violence or terrorism at international airports which are related to international civil aviation, including consideration of appropriate actions to protect against or prevent such acts.

SEC. 3. It is further declared to be the sense of the Congress that any agreement or other arrangement entered into by the United States and other countries pertaining to acts of violence or terrorism committed at international airports and related to international civil aviation should include provisions requiring all parties to any such agreement or arrangement to—

(1) consider such acts as extraditable offenses, but provide that, in any case where extradition is not possible that the trial be conducted in the country in which the person or persons alleged to have committed such acts are apprehended;

(2) provide for the immediate apprehension and extradition of persons alleged to

have committed such acts to the country in which such acts were committed; and

(3) afford certain safeguards to insure that any person accused of committing such acts will receive a fair trial.

THE COMPREHENSIVE HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES ACT OF 1972—AMENDMENTS

AMENDMENTS NOS. 1244 THROUGH 1248

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

Mr. BUCKLEY, for himself and Mr. TOWER, submitted five amendments intended to be proposed by them jointly to the bill (S. 3617) to strengthen and expand the Headstart program, with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes.

AMENDMENTS NOS. 1249 THROUGH 1253

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

Mr. DOMINICK submitted five amendments intended to be proposed by him to the bill (S. 3617), supra.

AMENDMENT NO. 1254

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

Mr. DOMINICK, for himself, Mr. BEALL, and Mr. TAFT, submitted an amendment intended to be proposed by them jointly to the bill (S. 3617), supra.

FOREIGN ASSISTANCE ACT OF 1972—AMENDMENT

AMENDMENT NO. 1255

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

Mr. COOPER 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.

ADDITIONAL COSPONSOR OF AN AMENDMENT

AMENDMENT NO. 364

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from Washington (Mr. MAGNUSON), I ask unanimous consent that the Senator from Washington (Mr. JACKSON) be added as a cosponsor of amendment No. 364, intended to be proposed to the bill S. 1684, the Powerplant Siting Act of 1971.

Amendment No. 364 is a proposal to establish a Federal power research and development program, and for other purposes.

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

NOTICE OF HEARINGS ON CORPORATE SECRECY: INDUSTRIAL AND NATURAL RESOURCES OWNERSHIP AND CONTROL

Mr. NELSON. Mr. President, I announce that the Subcommittee on Monopoly of the Select Committee on Small Business will resume its hearings on the role of giant corporations in the American and world economies on Wednesday, June 28, 1972, at 10 a.m. in room 318, Senate Office Building. The session will open part 4 of the hearings. This part will be entitled "Corporate Secrecy: Industrial and Natural Resources Ownership and Control."

The witnesses will be:

Hon. LEE METCALF, U.S. Senator from Montana.

Mr. Richard Ney, Richard Ney & Associates, investment counselors, 10708 Stradella Court, Bel-Air, Los Angeles, Calif. 90024.

In opening the corporate secrecy phase of the hearings on corporate giantism, we identified seven aspects of corporate secrecy which we wished to explore as fully as possible. These were the withholding by corporate giants of valuable information about—first, the separate organizational, industrial, and geographical segments of the business, and the interrelationships of the segments; second, industrial and natural resources ownership and control; third, product quality and performance characteristics; fourth, new discoveries and the processes by which decisions are made to market or withhold from the market new products and techniques; fifth, Government procurement and Government contracts; sixth, environmental impacts; and seventh, employment policies and working conditions.

It would seem unreasonable to assume that the larger and more powerful a corporation is, the more it should be required to and should expect to live in a goldfish bowl, subject to careful public scrutiny. Unfortunately, the exact opposite is the case. The larger and more powerful a company is, the more lives it affects, the less we know about it. These hearings will continue to try to improve and eventually reverse the existing situation, which is gravely dangerous to the free enterprise system itself.

The witnesses at the next session of the hearings are qualified to discuss all of these aspects of corporate secrecy, but we expect their testimony to center chiefly on the second: The secrecy that conceals from the public vital economic information on industrial and natural resources ownership and control. Senator METCALF, with Vic Reinemer, has written "Overcharge: How Electric Utilities Exploit and Mislead the Public, and What You Can Do About It." Mr. Ney is the author of the best-selling, "The Wall Street Jungle," described as a "survival kit for investors."

Senator METCALF and Mr. Reinemer have recently published two articles in the Nation, dealing with the secrecy that surrounds the identities of the principal controlling stockholders of giant corporations. Because of their great relevance to the forthcoming hearing, at which the Senator from Montana will testify, I ask unanimous consent that both articles be printed in the RECORD.

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

THE NOMINEE LIST: UNMASKING CORPORATE OWNERSHIP

(By Senator LEE METCALF and Vic Reinemer)

WASHINGTON.—Aftco, Byeco, Cadco, Cepco, Ninco. A space age counting system? No. Those are "front" names used by American corporations to hide their identity. The names above—and thirteen others, when translated from the Corporate Code—identify financial interests of the Prudential Insurance Company of America.

Use of multiple pseudonyms is common corporate practice today. The biggest name-dropper is the Bank of America. It uses 111 front names—which the securities trade calls "street names," "straws" or "nominees"—to hide its identity in financial affairs.

Occasionally the name of the nominee offers a clue to the identity of the owner or trustee. The University of Pennsylvania proudly lists its investments under Franklin & Co. The Wisconsin Alumni Research Foundation uses the acronym Warf & Co. St. Mary's Convent at Notre Dame handles the Foreign Mission Fund of the Sisters of the Holy Cross through the Annunciata, Angela, Augusta or Pauline companies.

Usually, though, the name of the nominee affords no clue. The *Nominee List*, a publication closely held by the American Society of Corporate Secretaries at 9 Rockefeller Plaza, New York, runs the alphabet from AAB and Co., which is the Virginia National Bank in Norfolk, to Zyzco, which is also the Virginia National Bank, but its Bristol branch. Mellows & Co. is Bankers Trust at 9 Queen Victoria St., London. Fixfund, Funfund and Pride are among the Bank of California's fifty nominees. (Senator Metcalf inserted the *Nominee List* into the *Congressional Record* of June 24, Part II.)

Attentive Lockheed watchers may know that Kane & Co. and Cudd & Co. translate into a few of Chase Manhattan Bank's accounts. But there are pitfalls to trap the unwary. Davidson & Co. is the nominee for First National Bank of Boston, Manufacturers Hanover Trust in London and also the Farmers Bank of the State of Delaware. D. A. Davidson & Co., which is a Montana investment firm, chose as its pseudonym dear old Dad & Co.

The tail-wagging watchdogs on regulatory commissions often don't even know whom they are supposed to be regulating. Commissions ask corporations to identify their principal stockholders. The reporting requirement varies. The Federal Power Commission, for example, asks electric power and gas pipeline companies to name the ten principal security holders. The Interstate Commerce Commission asks for the top thirty. Whatever the requirement, the response is usually meaningless, because the companies habitually list nominees rather than beneficial owners. The Commissions simply let the companies get by without furnishing the basic information on corporate ownership and control. Commissions aren't interested in this subject and their staffs have neither the time nor the temerity to pursue the question.

About three weeks ago we walked down Capitol Hill to the Securities and Exchange Commission. The new commission headquarters looks out over quiet, cavernous Union Station, so it was appropriate that we inquire of the SEC regarding the ownership of the companies which formerly provided the American public with railroad passenger service. We already knew that conglomerates—Rio Grande Industries, Northwest Industries, Kansas City Industries and the like—had added major railroads to their investment portfolios and had undisputed control of the railroads. What we sought to determine from the SEC records was the ownership of the third generation in the corporate family tree—the grandfathers who through holding companies control the railroads and thousands of other companies.

We were well received and guided through requested files by an experienced staff attorney. But neither he nor we could find the answer to the big question. Companies sometimes disregarded the SEC's question on corporate ownership. In other instances "Kane & Co." and the other street names hid the

beneficial owner. We learned that a lot of railroad holding companies have moved into executive stock options in a big way, now that they have escaped what little regulation of options they formerly were subject to at the ICC. We learned all about the cost and number of railroad ties and cabooses. But we couldn't find out who owned the companies.

Like other regulators and trust busters in Washington, our able guide was unaware of the *Nominee List* and its potential usefulness in breaking the Corporate Code. Had he known of it he might not have been able to get a copy. The publisher doesn't push it. Last spring a Tucson attorney, Stuart Herzog, tried to obtain a copy. He represents consumers in the Tucson Gas and Electric rate case and wanted to discover whether large industrial customers of the utility, who enjoy much lower rates than his clients, owned part of the company. The American Society of Corporate Secretaries told him distribution of the list was limited to the membership. The managing editor of a string of suburban Washington newspapers, W. J. Elvin III, received a similar response this summer. He then asked for the membership list to which the *Nominee List* is sent. No, he was told, the membership list is circulated only to the members.

Knowledge of corporate ownership, possessed by neither government nor the public, is basic to law enforcement. The Attorney General and regulatory commissions need the information to enforce antitrust law. The Federal Trade Commission, which is contemplating some ground rules for truth-in-ecology ads (and needs some encouragement and support in this effort), needs to compare the pollution in Florida by Rayonnier with the ads of its parent, ITT, Congress, if serious about the expressed concern of some members and committees regarding the energy crisis, needs current data on the acquisition by oil companies of coal companies, uranium companies, mineral leases and options on rights to water in federal reservoirs.

And Congress needs to know the relationship—through both ownership and interlocks—between those oil companies and what we perhaps improperly term the railroad conglomerates, such as the Union Pacific Corporation and Burlington Northern. They are primarily land and mineral companies, now free at last of the bothersome business of transporting the public and able to devote all energy to making the maximum profit from natural resources and real estate. Glancing at the back of one SEC file, we saw that a subsidiary of Union Pacific Corporation and a subsidiary of Eastern Gas & Fuel Associates have just created Rocky Mountain Associated Coal Corporation. It purchased the Reliance Coal Mine, a strip mine in Wyoming, and plans considerable coal development.

Knowledge of corporate ownership is also critically important to achieve the fundamental objective, generally agreed upon, of changing policy by working within the system. Public policy is determined by the private as well as the public sector. The two methods relevant here by which private corporations determine public policy are through withholding information and through cumbersome administrative procedures which exclude reformers and protect and perpetuate corporate owners and managers.

Consider the procedures for an annual stockholders' meeting. The agenda and the candidates are determined well in advance by the corporate management. Great effort and considerable expense, months prior to the meeting, are required to obtain consideration of the most modest proposals that have not been offered by management. If the attempt to get on the ballot is successful, identification of the voting stockholders and timely communication with them is difficult or impossible. At the meeting, company management counts the proxies it has received from Kane, Cudd, Cede* and all those other nebulous nominees, casts them for its candidates and proposals, winning in a 99 per cent landslide vote.

The overwhelming vote for itself is then publicly construed by the corporation as a ringing endorsement of its past activities and a mandate to continue doing whatever it decides to do. "Your management is most grateful for the Shareowners' continued evidence of support. [Shareowners and Stockholders are capitalized to make them feel wanted.] The thirteen incumbent directors were re-elected and independent auditors for 1971 were approved."

We quote above from Virginia Electric and Power's June 20, 1971 report to Shareowners (again with a capital S), but the procedures and results are typical. The directors, of course, had no opposition; nor did the "independent auditors" who were designated by the board of directors and simply ratified by proxies. *The corporate election process in America today is as rigged as elections are in the Soviet Union, the outcome as predictable, and the accompanying propaganda as self-serving.*

That is one reason why the sons and daughters of corporate executives turn away from Westchester, preferring to leave the Establishment, perhaps to become part of the tremendously important effort to inject democracy into the totalitarian corporation state.

Ralph Nader's Washington-based Center for the Study of Responsive Law and Public Interest Research Group, along with the Project for Corporate Responsibility—which spearheaded efforts to change General Motors from within—have led the way. But there are similar cadres within environmental groups and universities. In the latter case the work is usually done by students or young faculty members who have chosen not to grab for the ring that pulls hundreds of professors into consultancies for industry and corporate directorships, from which they contribute to the problem rather than its solution.

It has been more than thirty years since the last detailed study was made of economic and financial concentration. That study was undertaken by the TNEC—the Temporary National Economic Committee headed by the late Sen. Joseph C. O'Mahoney (D., Wyo.). By 1968, the 200 largest manufacturing corporations controlled a share of assets equal to that held by the top 1,000 corporations when the TNEC made its final report in 1941.

The Federal Trade Commission reported two years ago that the top 200 industrial corporations control more than 60 per cent of the total assets held by all manufacturing corporations. Insurance, oil, real estate, banking, utilities and industrial giants are tightly interlocked, through directors, banks and stock ownership. Control or mere influence on public policy slip further and further away from both the public and its elected representatives, while the decision makers of the corporate state think up new names to hide behind. That is why it is time for the Senate to institute a special committee to investigate economic and financial concentrations, as proposed in Senate Joint Resolution 113, now before the Senate Judiciary Committee. Change from within the system depends upon revelations of facts on ownership and control which the public has a right to know. Armed with that information we can proceed to reshape our institutions so that they will be responsive to the needs of our times.

*Cede & Company is a nominee partnership composed solely of employees of Stock Clearing Corporation, a wholly owned subsidiary of the New York Stock Exchange. It engages in no business whatsoever and acts merely as the registered holder of securities deposited by members of the Exchange. Yet Cede & Co., Box 20, Bowling Green Station, New York, is a principal—sometimes the largest—security holder in major airlines, utilities and other corporations, according to companies' reports to regulators.

"PRIVILEGED AND CONFIDENTIAL": WHO OWNS THE PRIVATE GOVERNMENTS?

(By Senator LEE METCALF and Vic Reinemer)

Sen. James Couzens of Michigan used to say that whoever held 2 or 3 per cent of the stock of a corporation could usually get "the majority to do the wishes of the minority." He spoke from experience half a century ago as president of the Bank of Detroit and a director of Detroit Trust. Rep. Wright Patman's House Banking Subcommittee on Domestic Finance considers 5 per cent significant when judging the potential influence that a bank trust department's stockholding may have on a particular corporation, but emphasizes that "even 1 or 2 per cent of stock in a publicly held corporation can gain tremendous influence over a company's policies and operations." Because common stock is widely held, an institution with only a small percentage may nevertheless be the biggest stockholder. Control can be exercised through interlocking directorates or credit policy. The most fundamental control is through voting of stock, thereby selecting the corporations' leadership and setting the general policy, as in a government election.

The American public knows a great deal about the voting constituencies of New Hampshire, Florida, Wisconsin, Maryland and other states where Presidential primaries have been held. The voters in these states have been canvassed, analyzed, photographed, interviewed, and polled. In contrast, no one knows much about who votes stock in the superstates—the major corporations whose wealth and power rival that of national governments—except the people who vote it. They don't brag publicly about the number of proxies they cast. They don't volunteer much hard information and not much is dug out by others. In fact, no one has even publicly identified the voters in the multi-billion-dollar corporations whose decisions dwarf, in political, economic, environmental and social consequence, actions taken by individual states or even the Congress.

The men who cast the ballots in the superstates can check on you. They determine your financial situation from a retail credit data bank, your medical condition from an insurance industry computer. But you can't check on them. And neither their tail-wagging regulators nor the leaderless little antitrust division of the Justice Department can give you a list of the key voters in Corporation X. The $126 million Justice Department-FBI edifice going up on Pennsylvania Avenue is destined to house the records of millions of individuals, but not of Fortune's 500 corporations.

There are enough data available to show that the list of key voters in major companies is not very long, and that some of them cast millions of votes in many constituencies. One source is the Securities and Exchange Commission Institutional Investors' Study Report, which the House Committee on Interstate and Foreign Commerce printed last year as House Document 92-64.

Part Five of the study analyzed concentration of stockholdings of the 230 largest institutional investors—bank trust departments, investment houses, insurance companies, employee benefit plans, educational endowments and foundations. They hold about three-fourths of all corporate share holdings. The companies in which stock is held—the 800 companies listed with the New York and American Stock Exchanges or traded exclusively over the counter—are named in the study, although their institutional investors are not.

The tables in the SEC report show the

number of institutional investors which hold and vote various percenatges of stock in each company. In some cases the institutional investors have only partial voting rights, but in many instances they have exclusive voting rights—and enough of them to get "the majority to do the wishes of the minority;" as Senator Couzens put it, with plenty of proxies to spare.

Proctor & Gamble has an institutional investor who can cast at least 10 percent of the votes. So do Gulf Oil, Ford and Northwest Industries. The big boy behind Sears Roebuck has at least 20 percent. Some of these big blocks are employee benefit funds, and it is pertinent here to say that banks have sole voting rights in 81.5 percent of the 11,087 such funds surveyed by the Patman subcommittee.

From one to three institutional investors have sole voting rights for at least 10 percent of the stock in more than one-fourth of the companies in the SEC study that have a stock market value exceeding $15 million. This category includes another oil company, Standard of Indiana, and an auto company, Chrysler. It includes six airlines—Eastern, Twa, United, National, Delta and Northwest, plus Boeing. There are Holiday Inns and Hilton Hotels, Upjohn, Parke Davis and A. H. Robins, Aetna Life and Casualty, Hartford Fire Insurance, Connecticut General Insurance and Farmers New World Life, Collins Radio and Lafayette Radio, Benrus Watch and General Time, Fairchild Camera and Polaroid, Avon Products and Revlon, Control Data Corporation and Sperry Rand, Celanese, and Syntex, Xerox, Textron, Sunbeam, International Paper, Reynolds Tobacco, Loew's Theatres, National Steel, Freeport Sulphur, Colt Industries, Hercules, Grand Union and Ideal Toy, among many others.

The SEC study documents the concentration of economic power, at a level above that of company officials, but it doesn't show where the power lies. Nor does it show how many companies are subjected to control by one institutional investor. That information is basic to achieving law and order in the antitrust field, especially if one or two of these unknown voters dominate an industry, such as the commercial airlines.

There is not much point in telling people to work for change "within the system" if they can't find out who the system is. So we asked the SEC to send over the names of the thirty top stockholders of major corporations. Chairman Casey of SEC responded that the information was not required to be filed with the Commission and did not volunteer to try to obtain it. We therefore used the direct approach, and put the query to the presidents of the nine largest industrial corporations of America. Three of them are oil companies—Standard of New Jersey, Texaco and Mobil—and three are car manufacturers—General Motors, Ford and Chrysler. The others are IBM, General Electric and ITT.

Texaco replied that the stockholders information was "privileged and confidential." GM said that "it is our policy not to disclose specific information concerning individual stockholders, as such individuals or organizations may regard their holdings as a matter that is private to them."

Standard of New Jersey used the "third party" excuse: "We regard the relationship between the Company and the shareholder as a private one, somewhat like that between a bank and its depositors, and, in the absence of some legal requirements, would not wish to be guilty of disclosing a shareholder's private affairs for the purposes of third parties. Normally, of course, third party inquiries arise out of marital difficulties, creditors' claims, or just plain curiosity of, say, a relative or a newspaper columnist."

IBM doesn't even trust the second party, the stockholders, with such basic information about themselves: "The By-laws of our corporation restrict the availability of this type of information even to our own stockholders."

ITT neglected to respond until a follow-up letter was sent along with the other responses, after they appeared in the April 25th *Congressional Record*. But ITT had been busy, and the first letter may even have been shredded. In declining to divulge, ITT said: "I am sure you understand that in view of their confidentiality, it would represent a breach of our fiduciary responsibility to stockholders if we were to disclose their shareholdings without their consent, unless of course it were pursuant to a statutory or legal requirement."

But the other four companies, to their credit, supplied the requested information. True, some of the ownership was hidden behind street names or nominees—those phantom companies that are nothing more than post office boxes of the banks and other institutions which use the dummies to hide their concentrated power. But it is possible to find who the nominee fronts are by using the Nominee List, published and at last publicly available from the American Society of Corporate Secretaries in New York.

The data reported by the four companies showed that banks dominate the top stockholders and that the New York Stock Exchange itself, operating under the nominee "Cede and Company," is a significant stockholder. The thirty top stockholders in Chrysler hold 41 per cent of its common stock. The banks included in the top thirty and the Exchange account for 39 per cent of Chrysler's total stock. Ford's top thirty hold 35 per cent of the total common stock, with the banks and Exchange accounting for 33 per cent. Comparable figures for GE are 21 per cent and 19.6 per cent, and for Mobil 28 and 26 per cent.

While we did not ask and do not know precisely how much of this stock is subject to complete voting control by the stockholder, studies by the House Banking and Currency Committee show that most of the stock held by banks is voted by them. Members of the New York Stock Exchange can vote its "Cede and Company" holdings under certain conditions.

The "top thirty" stockholders are in some cases actually the top twenty or so, because of the practice of institutional investors, amazingly allowed by regulators, of hiding holdings through multiple nominees. [See Metcalf and Reinemer: "Unmasking Corporate Ownership," *The Nation*, July 19, 1971.] Thus to use examples, involving five of the largest banks based in New York, General Electric included among its top thirty stockholders Barnett & Co., Eddy & Co., and Salkeld & Co., all of which are pseudonyms for Bankers Trust, Chrysler listed Kane & Co., Cudd & Co. and Egger & Co., all of which translate to Chase Manhattan. Ford listed Gerlach & Co., Stuart & Co., Thomas & Co. and King & Co., all of which are nominees for First National City Bank. Mobil listed Carson & Co., Kelly & Co., Reing & Co., and Shaw & Co., all of them nominees for Morgan Guaranty Trust.

The concentration spreads horizontally as well as vertically. Sigler & Co. is listed as a principal stockholder by all four of the companies which divulged holdings. Call Manhattan telephone information and the girl will tell you she doesn't have a listing for Sigler & Co., or any of the other nominees. But Sigler & Co. is actually a post office drop for the bank empire built by Peter Flanigan's father, Manufacturers Hanover Trust.

So the pyramid of power tops at the banks and New York Stock Exchange, among persons unidentified. Those are the voters who must be lifted from low profile to sharp silhouette. Change within the system is possible only in an open society, in which the people know where the power lies and whom to petition for redress of grievances.

ANNOUNCEMENT OF HEARINGS ON CERTAIN BILLS

Mr. EASTLAND. Mr. President, I hereby announce the Subcommittee on Environment, Soil Conservation, and Forestry of the Committee on Agriculture and Forestry will hold hearings July 20 and 21 on the following bills:

S. 3224, to designate the Sipsey Wilderness and establish the Sipsey National Recreation Area, Bankhead National Forest, in the State of Alabama;

S. 3225, to establish Southeastern wild areas in the U.S. national forests, with the Sipsey Wild Area in the Bankhead National Forest as a prototype; and

S. 3699, to establish a system of wild areas within the national forests in the Eastern half of the United States.

The hearings will be in room 324, Old Senate Office Building, beginning at 10 a.m. Anyone wishing to testify should contact the committee clerk as soon as possible.

ANNOUNCEMENT OF HEARINGS ON S. 3231

Mr. COOK. Mr. President, as chairman of an ad hoc subcommittee of the Committee on Rules and Administration, I wish to announce that we have scheduled an open hearing on S. 3231, sponsored by the Senator from Oregon (Mr. PACKWOOD) and 11 cosponsors, relating to the reimbursement of actual travel expenses of Senators and employees of Senators, to be held on Tuesday, June 20, 1972, at 10 a.m., in room 301 of the Old Senate Office Building.

ADDITIONAL STATEMENTS

DEFINITE IDEAS ABOUT LIFE IN AFRICA

Mr. SCOTT. Mr. President, I invite the attention to the Senate to an interview with a young man who has spent some time in Africa and who has definite ideas about life there. Without commenting on the merits of his presentation I say simply that the spirit of "getting out and doing" is most important to remember in our foreign aid undertakings. I ask unanimous consent that the interview, which was published in the Philadelphia Times Chronicle, be printed in the RECORD.

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

PERSONALITY MAGNA CUM LAUDE FINDS "USEFULNESS" IN AFRICA

(By Bonnie Dalzell)

Talking with Jeff Seder in his parents' cavernous home on Meetinghouse Rd., Jenkintown, is like being in the middle of a prairie and watching a tornado approaching.

All the while he is spilling out his rapid-fire stream of uncensored language there is muffled activity in the wings and a steady stream of stage walks-ons by a bulldog named Archie, a monstrous German Shepherd and Jeff's own special love, Armin, a formidably tough white African dog whom he found

half-frozen and crawling with lice abandoned in a marketplace in the capital of Botswana.

On the short side of 25 years old, Jeff Seder is a magna cum laude graduate of Harvard who claims he "didn't know who he was" but wasted no time finding out.

"I majored in Social Relations a composite major of sociology, psychology and social anthropology," he explained, "and although I was taken in by a lot of radical crap I was really deeply interested in government and economics. I wanted to be an observer in an underdeveloped country for a while; I needed to test the book psychology; I had to see how true it all rang.

"Above that, I wanted to be useful."

Jeff applied through the Jenkintown Rotary Club for Rotary Foundation sponsorship in a Special Grants Program, and after many alterations of plans (including extensive technical training offered him free by General Motors Training Center), set off for the independent country of Botswana in southern Africa.

"I got to the Shashi River School, expecting to be a mechanic," he said, "and they promptly informed me they needed a chemistry and economics teacher. So I did my damndest to organize and expedite a good educational program with plenty of visual aids. And in my spare time I repaired broken machinery."

His hands black with grease even as he spoke, Jeff made no secret of the fact that the challenge of a recalcitrant piece of machinery still gives him as much stimulation as varsity wrestling did at Harvard.

He threw every ounce of creative and physical energy he had into repairing a 100-year-old carding machine which, he said, "some English schnook with a black heart had sold them at an outrageous cost." Seder spent four days picking the brains of a South African textile technician and about four months stripping off junk, fashioning parts, and welding brackets in a frenzied but fruitful passion to get the thing running.

His days in Botswana initially averaged about 17 hours' work, including weekends and vacations. Later, when personality conflicts with others at the project arose, he summoned his knowledge of human psychology to play the role of calm manipulator, goading his antagonists to out-do his own mechanical achievements.

For a guy who went halfway around the world seeking personal peace, Jeff Seder plunged into one traumatic challenge after another. He lived in a thatched roof, one-room round hut, and ate what the natives ate without abandoning his own American values; he picked scorpions off his body and carried a snake club for his own safety, then turned around and put to use his knowledge of clinical psychology on a deeply disturbed young girl who was being fed tranquilizers by the overworked local doctor.

Most of all, Jeff Seder fortified his conviction that what underdeveloped countries need most from the great world powers is a stream of people with vocational skills who can set up self-help programs that will grow.

"There's no time to question whether or not industrialization is right for them," he said. "With the population explosion in Botswana, they'll all starve in a few years unless they industrialize."

Back in the States since January, Jeff believes he has found a course for his own future.

"I've begun my own African entrepreneurship," he said. "My intent is to find markets here for a very fine African hand-crafted, dye-processed fabric so that the income can be used by the African workshop to blow it up into a full-scale factory. I've already sold a thousand dollars worth of the fabric, and I'm determined to provide a steady source of income until they are independent."

The other area of concern to Jeff is something he terms "intermediate technical aid"; that is, using simple machinery—"something with four wheels and a frame"—that the people can understand and maintain themselves.

"The imbalance of technical skill in Botswana is a regular horror show," Seder said. He believes Rotary has taken an important step in sponsoring people with technical skills, particularly in light of its refreshing lack of accompanying political or religious rhetoric.

"I was known to many people as 'that Rotary guy,'" Seder said. "And in terms of being an 'Ambassador of Good Will' I look on my mechanical skill as the most important thing I could give."

THE STAR SHINES ON RURAL DEVELOPMENT

Mr. TALMADGE. Mr. President, it has been a matter of concern to me that the media in the large cities of the Nation have seemingly been unable to understand the important implications which rural development has as it regards the future growth of the metropolitan centers.

The cities will grow to alarming proportions from national population growth in any case, but the annual migration of about 600,000 rural people a year to the cities will simply make them unmanageable.

I am pleased to say that one major, metropolitan newspaper has recognized the importance of the Senate and House efforts on behalf of rural revitalization. I ask unanimous consent that an editorial entitled "Saving the Small Towns" published in the Washington Evening Star of June 15, 1972, be printed in the RECORD.

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

SAVING THE SMALL TOWNS

About everyone realizes by now that the rescuing of the big cities is a matter of critical importance. Many of us tend to forget, however, that the saving of those shriveling small towns across the country is one of the requisites for urban salvation. For the great migration that has caused the cities' staggering problems hasn't ended. Every year, from thousands of small communities, come 600,000 poor people, more or less, to swell the overcrowded metropolitan centers. Many of those bring no skills; hence they only increase the unemployed rolls.

Without much fanfare, Congress has taken full account of this in a number of hearings, and seems about to take constructive action. Last week a Senate-House conference committee reached a good compromise on the Rural Development Act which Senators Talmadge of Georgia and Humphrey of Minnesota have been pushing for many months. The measure is designed to improve rural economies, mainly by stimulating industrial development through infusions of capital and betterment of small-town living conditions. It would authorize about $500 million annually in grant funds, and greatly expand the loan authority for federal rural-development activities.

Many a little town, with people in need of work, has failed to qualify for a new industry because it had an inferior waterworks or sewer system, or none at all. This bill would provide much more federal assistance for these and other standard community facilities—and also for industrial parks, employment centers and planning services. For the first time, the Farmers Home Administration would be able to make small business and industrial loans, and there are devices to encourage private investment in rural areas.

All this is a product of much battling over several months to consolidate several divergent bills. Dropped along the way were President Nixon's proposal for rural revenue sharing, and Senator Talmadge's plan for creation of a National Rural Development Bank. There's no damaging loss in either case; certainly the bank would have been superfluous.

As it stands, the bill is a moderate but imaginative experiment. It might be a start toward stemming the flight to the cities, and in any event the quality and rewards of life in rural America need to be improved.

THE OCEAN DUMPING BILL

Mr. ROTH. Mr. President, nearly 6 months ago, on November 24, 1971, the Senate passed H.R. 9727 the ocean dumping bill. While this legislation has foundered in conference since then, millions of gallons of raw or partially treated sewage, industrial wastes—some of them dangerously poisonous—and dredged material from shorelines and harbors have been indiscriminately dumped into the oceans off the Atlantic, gulf, and Pacific coasts.

In my own State of Delaware, a recent serious crisis was averted, only through the last minute personal intercession of Governors Peterson of Delaware and Holton of Virginia. In that instance 2,500,000 gallons of raw sewage and sludge was destined for a Federal dumping site, 8 to 10 miles off the ocean beaches of Rehoboth. Although this particular incident was precipitated by a mechanical failure at the Hampton Roads, Va., sewage treatment plant—necessitating this alternative disposal—it brings to light the shameful neglect for our ocean resources which occurs every day.

The Cape Henlopen dumping grounds off the Delaware shoreline have become a marine graveyard, a section of the Atlantic 12 miles in diameter where solid and liquid wastes have been dumped for years. The tragedy, of course, is that this deadly contamination cannot be contained. As anyone familiar with this part of the coast knows, strong ebb and flow tides course in and out of the Delaware Bay, carrying with them a putrid plume of pollutants, originally dumped at the federally specified location.

There are several sources of these pungent waste materials: first, the municipal sewage systems of Philadelphia, Pa., and Camden, N.J.; second, industrial plants and oil refineries located along the Delaware River; and third, dredge material from operations of the Army Corps of Engineers all along the river and ocean fronts of Delaware, Maryland, Pennsylvania, and New Jersey.

The sewage sludge has been partially treated, but other more dangerous toxins, arsenic compounds, various concentrated acid and alkali solutions and organic substances are periodically barged to this dump, and various points up to 50 miles out. The sewage and dredge material are constant, almost daily additives; the others come at times when companies empty their holding lagoons built as interim storage facilities for their waste by-products.

While this painful practice strongly underscores the need for prompt action by the Senate-House conferees on the ocean dumping bill, I am convinced that firm action should be taken on this problem right now.

It is critically important that all agencies, public or private, be immediately prohibited—and I emphasize the word "immediately"—from dumping in all areas endangering our shorelines and coastal areas.

If practical, it would be desirable to have a complete moratorium on ocean dumping until such time as adequate criteria could be established for setting standards for disposing of material in the sea. Undoubtedly, the larger nearby cities will insist that they need to continue to dispose of their waste in the ocean. If they are to be permitted to continue to do so, then it is essential that they be required immediately to carry it out far enough to sea that it does not threaten our coastlines. The question of whether this should be off the Continental Shelf, 100 miles out to sea, or elsewhere, I think should be based upon the best possible scientific advice available.

But I repeat, this dumping of sewage sludge and other contaminants as close as 12 miles from the Delaware coastline must be halted immediately and alternate means of disposal developed.

This would not, of course, lessen the urgent need for swift approval of the ocean dumping bill. This legislation would give the Environmental Protection Agency the statutory muscle it needs to put a stop to the shameful desecration of our coastal waters. Under the Senate version, the Agency would have final authority to regulate all ocean dumping by American ships and to prohibit foreign-flag ships from taking on cargo in the United States for the purpose of discharge, within or beyond our territorial waters. I understand that a compromise measure has been suggested which would continue the Corps of Engineers authority to issue dredge and fill permits, subject to EPA approval. Sewage, though, and any other material would come under the exclusive purview of EPA.

But, Mr. President, I should stress that regulation must embody careful study and selective elimination of certain kinds of dumping—radioactive or other dangerously poisonous substances. The bill speaks strongly to these hazards. With these effective controls, EPA could begin the urgent task of reviewing all dumping activities, to halt certain kinds of disposal, and perhaps relocate existing sites, until more acceptable permanent solutions can be achieved. In the meantime, nothing short of an immediate end to this dumping can be tolerated.

DR. PETER GOLDMARK'S "NEW RURAL SOCIETY"

Mr. TALMADGE. Mr. President, in March of this year the Committee on Agriculture and Forestry named Dr. Peter Goldmark as a special advisor on rural development.

Dr. Goldmark, former president of CBS Laboratories, is involved in a new endeavor—applying his genius to the task of improving the quality of life in rural America through the use of communications technology.

The entrance of a distinguished scientist like Dr. Goldmark into the field of rural development has been extremely welcome. In addition to his practical work, he has become an effective evangelist for the people of rural America, with articles on his work appearing in national magazines and newspapers.

Mr. President, I ask unanimous consent that a summary of the remarks by Dr. Goldmark made to our committee upon his appointment be printed in the RECORD.

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

SUMMARY OF REMARKS BY DR. PETER C. GOLDMARK

In order to curb the migration of people from rural areas to the cities and to reverse the continuing trend of urban deterioration, a national program has been proposed by Dr. Peter C. Goldmark, President of Goldmark Communications Corporation. The "New Rural Society" program is an outgrowth of the results and recommendations of a distinguished panel of experts sponsored by the National Academy of Engineering in cooperation with a Presidential Advisory Committee.

The two-year NAE study proposes the use of communications technology to solve the problems of rural-urban imbalance and provide people in small towns with the choice of living and working in rural communities or urban centers.

The electronic innovations to make the New Rural Society possible are here now. What is needed is the willingness to move from planning to action to bring about the following:

EMPLOYMENT OPPORTUNITIES

People will have a choice of working in an urban environment or in a smalltown atmosphere because the use of existing communications technology will make it practical and attractive for companies to set up operations in controlled-growth towns.

Sophisticated audio-video equipment will enable large companies to decentralize their operations into moderately-sized units for servicing all areas of the firm's widespread activities through instantaneous two-way, multi-channel communications facilities to conduct everyday business or meet emergencies. Such functions as procurement, accounting, research, general administration and others which operate across-the-board for an organization can be housed in their own individual centers in smaller communities and be in complete contact with corporate headquarters and branch and plant operations anywhere. Companies will not be faced with the maintenance of huge, crowded skyscrapers, housing thousands of employees, where communications frequently bog down because of the sheer weight of their volume. The fact of its present availability will enable communications technology to take over the lion's share of numerous administrative procedures which have traditionally been handled by conferences or correspondence or one-to-one contact.

Through broadband video cable installations—providing up to 40 channels in use simultaneously—meetings can be held with groups of any number required, without the individuals leaving their own offices. Multi-channel audio-video facilities literally bring the people participating in these meetings face-to-face.

Visual material, from letters to blueprints, computer output and the like can be instantly transmitted by facsimile to as many locations as are involved. Videophone installations make it possible for one-to-one contacts or group discussions with each participant in his own office with all of his own documentation readily available to him to pass on to others.

These innovations, involving existing techniques, mean that rural areas can house operational departments of national organizations and provide employment for people in small towns who previously have had to seek productive occupations in the cities.

HEALTH CARE

Smaller communities today are faced with a shortage of doctors, experienced medical assistants and hospital facilities to insure adequate health care for community residents.

Health care can be brought to these residents from central medical centers through communications technology. Small community centers and mobile units can make it practical for on-the-spot diagnoses and treatment decisions by doctors located miles away at the main medical centers via audio-video, two-way communications. Emergency methods can be ordered and provisions made for any necessary follow-up treatment at the main centers.

Businesses located in small towns can bring employees to satellite operations with the knowledge that the workers and their families will have expert medical attention available to them.

EDUCATION

Smaller communities, generally speaking, have limited facilities for higher education. Rising costs of resident attendance at the great universities is keeping many high school graduates from further studies.

Satellite campuses can be an integral part of life in the new small-town communities. The same communications techniques which can enable business to maintain close-knit operations between remote locations and the central operation can be applied to education.

Local campuses will have two-way, audio-video communications with the nearest larger university. Local students will "attend" classes at this university via telecommunications. They will be able to participate in classroom discussions, listen to lectures by outstanding faculty members, draw upon the university's library for research material (via facsimile and other methods) and benefit from all of the facilities of the institution without traveling to the main campuses. People working in the business operations located in these small towns will be relieved of the economic burden of their children's residency in out-of-town schools. At the same time, they will be assured that every available educational facility is available. Company operations will be relieved of many personnel problems since their employees will have the advantage of smalltown living along with the advantages of educational advancement for their children.

GOVERNMENT RELATIONS

Telecommunications facilities in the smaller communities will enable state governments to set up local operations which can be in complete contact with their headquarters in the state capitols. Local residents will be able to deal directly with state departments on problems which today require voluminous correspondence, telephone communication, and delayed action because of distance from the source of the problem.

Local government can keep its finger on the pulse of the people's needs and wants. Polling on local issues to learn the will of the majority can become a simple matter of electronic "yes-or-no" response by taxpayers without the necessity of leaving their

homes. Town meetings can be held by closed-circuit two-way television. Audio-video communications with all phases of the community's essential public services will mean instant action in emergencies.

Taxpayers will know that they are a part of the community's active operation and will have a better understanding of the problems of running the public services essential to a town's well-being.

CULTURAL-ENTERTAINMENT OPPORTUNITIES

Important attractions of the big cities such as theatres, concerts, broadway shows, sport events, museums and lectures, can be transported to rural communities by a synchronous satellite. This satellite would be parked in such a way through directional antenna that it would illuminate the entire United States. The satellite would pick up live performances from broadway theatres, concerts, sport events, etc., and re-transmit these programs to small towns equipped with electronic low-cost receiving antennae for simultaneous viewing. Cable television systems could also receive the satellite signals and make available special events programs to the community either on large screens and special theatres with high-resolution projection equipment or over local channels directly to the home. In such a manner the audience of a single broadway performance would be numbered into the millions instead of thousands.

SENATOR MANSFIELD'S COURTESY

Mr. GRIFFIN. Mr. President, some observations made recently by the Columbia, S.C., Record deserve notice in the Senate and beyond. I ask unanimous consent that an editorial published on June 15, 1972, be printed in the RECORD.

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

MAYBE PRUDISH, BUT—

A lesson in decency and ordinary courtesy, too often missing in partisan politics, is found in a recent utterance of U.S. Sen. Mike Mansfield, the Democratic leader of the Senate. What he said in the Senate speaks clearly for itself, and was, in part:

"Mr. President, the distinguished Republican leader of the Senate is to be honored at a dinner this evening given by the American Technion Society, on which occasion Senator Scott will receive the Albert Einstein Award.

"As Pennsylvania's senior senator, Hugh Scott represents the people of his state with integrity, intelligence and ability. Always calm, unfailingly courteous, possessed of good judgment and a dedication to public service, he is the delight of his colleagues and a tribute to the good sense of the voters of Pennsylvania."

It is not at all unprecedented for a senator of one party to commend one of another on the Senate floor, and so-called "senatorial courtesy" is a part of the political nomenclature of the country.

Nevertheless, when the leader of the majority party in the Senate speaks in such generous and obviously sincere terms of the leader of the minority (in an election year at that), it would seem to us a wholesome example for all in politics—in South Carolina or wherever.

It is not to be expected, of course, that two candidates running against each other for office, at whatever level, would extend "courtesy" to the point of lauding each other in the way Senator Mansfield so highly estimated Senator Scott. But perhaps some of the practitioners of raucous and vitriolic electioneering might find it, in these times, more profitable to proceed less harshly.

If this be political prudishness on our part, so be it.

THE EQUAL RIGHTS AMENDMENT

Mr. BAYH. Mr. President, the Journal of the American Bar Association for June 1972, contains an excellent editorial supporting the equal rights amendment. The editorial points out that the bleak predictions of those who opposed the amendment are unfounded, and expresses the Journal's "confidence that our system will be able to prevent 'legal chaos' if the amendment is ratified." I share that confidence, Mr. President, for the amendment was carefully, almost painstakingly, studied by successive Congresses before being approved, and the intentions of the framers of the amendment are clearly laid out for all to see in the committee reports which preceded passage.

The House of Delegates of the American Bar Association has also approved the amendment. Just before the Senate debate on the amendment last March, the house of delegates passed a resolution favoring "constitutional equality for women" and urging the "extension of legal rights, privileges, and responsibilities to all persons, regardless of sex." This, of course, is just what the equal rights amendment does. This support from the association was very helpful to those of us in Congress fighting for the amendment.

Mr. President, I am happy to report that as of today 19 States have ratified the equal rights amendment: Alaska, Colorado, Delaware, Hawaii, Idaho, Iowa, Kansas, Kentucky, Maryland, Michigan, Nebraska, New Hampshire, New Jersey, New York, Rhode Island, Tennessee, Texas, West Virginia, and Wisconsin. We are now, just 3 short months after congressional approval, halfway to final ratification of the amendment. I am confident that the remaining States will ratify the amendment very soon.

I ask unanimous consent that the editorial be printed in the RECORD.

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

EQUAL RIGHTS AMENDMENT ARRIVES

The margins by which both houses of Congress approved the equal rights amendment and sent it to the states for ratification give promise that there may be a successful conclusion to the fifty-year campaign for a formal constitutional declaration that legal rights do not depend on the fortuity of sex. The House of Representatives approved the amendment 354 to 23, the Senate 84 to 8, both considerably better than the two-thirds vote required and both indicating that the climate may be right for thirty-eight states to ratify the proposal as the Twenty-Seventh Amendment to the Federal Constitution. In fact, Hawaii ratified the amendment within one hour after the Senate's vote.

The House of Delegates seemed to put the American Bar Association in favor of the amendment last February when it adopted a resolution supporting "constitutional equality for women" and urging the "extension of legal rights, privileges and responsibilities to all persons, regardless of sex".

The proposed amendment declares in its operative portion (Section 1): "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex." The second section gives Congress the power to enforce the amendment by legislation, and the third delays the effective date of the amendment until two years after ratification. The Senate report states, "The basic principle on which the amendment rests is that sex should not be a factor in determining the legal rights of men or women." The report also points out that the amendment affects only governmental action and not the private actions or relationships of men and women.

It may seem odd that the Constitution and the Fourteenth Amendment do not provide in themselves a sufficient basis for equality of the sexes under the law. But that has not been the course of judicial decision. In 1872 the United States Supreme Court affirmed Illinois' exclusion of Myra Bradwell from its Bar on the ground of her sex (15 Wall. 130), and Justice Bradley was able to say, "The paramount destiny and mission of woman are to fulfill the noble and benign offices of wife and mother. This is the law of the Creator."

Even when a woman won her case, it was in the fact of a continued judicial declaration that the Constitution permitted classification on the basis of sex. In the landmark case *Muller* v. *Oregon*, 208 U.S. 412 (1908), the Supreme Court upheld Oregon's statute limiting the hours of work for women, but to do so it had to draw a distinction between men and women, as a similar state law had been invalidated as to men in *Lochner* v. *New York*, 198 U.S. 45 (1905). Justice Brewer put it this way: "As healthy women are essential to vigorous offspring, the physical well-being of woman becomes an object of public interest and care in order to preserve the strength and vigor of the race." As recently as 1968 the Supreme Court refused (393 U.S. 83) to entertain a direct appeal challenging a California statute limiting the hours of employment of women only.

The legal debate on the equal rights amendment has revolved around the question of whether the amendment is necessary. Opponents have insisted that there is ample constitutional authority without the amendment to secure equal rights for women. And, they have added, the amendment opens up thorny questions that might lead to what Senator Ervin, the principal Congressional opponent of the amendment, calls "legal chaos." Professor Paul A. Freund of Harvard Law School thinks that discrimination on the ground of sex "should be left to be worked out under the equal protection clause as are other questions of group classification." Even Roscoe Pound and Felix Frankfurter have been resurrected by way of quotation. Dean Pound, opposing the same amendment many years ago, said that it was a "mistake to pile up specific prohibitions in addition to the general guaranties of the Bill of Rights." In opposing the amendment in 1924 when it was sponsored by the Woman's Party, Justice (then Professor) Frankfurter declared: "Nature made men and women different; the Woman's Party cannot make them the same. Law must accommodate itself to the immutable differences of nature."

But proponents of the amendment have pointed out that judicially condoned classifications based on sex still stand in many fields. "The Supreme Court has been slow to move", the Senate report on the amendment noted. "The Court has consistently refused to apply the Fourteenth Amendment to discrimination based on sex with the same vigor it applies the amendment to distinctions based on race . . . On the whole, sex discrimination is still much more the rule than the exception." The most recent Supreme Court case, *Reed* v. *Reed*, 404 U.S. 71 (1071), struck down an Oregon statute that automatically preferred men over women as administrators of estates, but it did not do so with a decision that had

enough sweep to make sex a suspect classification under the Constitution.

Proponents and opponents agree on one thing: the amendment will make many changes in federal and state law. Perhaps the most startling will be that military service and the draft will become equally applicable to women. In fact, both houses of Congress turned down specific modifications of the equal rights amendment that would have saved the validity of laws exempting women from service. Many state employment statutes relate to women only—for instance, prohibition on performing certain jobs and limitations on hours of work. While these protective laws were enacted from humanitarian motives, in practice they have hampered the ability of women to move upward into higher-paying and managerial jobs. Some state criminal laws provide different punishments for men and women who commit the same crime. Many state and some federal educational institutions do not admit women or discriminate against them in other ways. In the field of family law, many established practices will become invalid, and the possible demise of one of them—the preference of women over men for child custody—would show that the equal rights amendment operates for men as well as women.

These are only a few of the fields and practices that the amendment will touch. True it is that litigation will be required to resolve many of the knotty issues that will arise. But it was litigation that developed much of the discrimination at which the amendment is aimed, and we have confidence that our system will be able to prevent "legal chaos" if the amendment is ratified. To act fifty years after an amendment was required to give women the vote hardly seems to be rushing something that should have been accomplished without another amendment but wasn't.

ALLIANCE FOR RAIL COMMUTER PROGRESS

Mr. MATHIAS. Mr. President, I know that every Senator is interested in relieving the many problems which plague our Nation's transportation system. I am today releasing a survey, prepared by the nonprofit Alliance for Rail Commuter Progress, which concludes that expanded commuter service on existing Washington area railroad lines could reduce street congestion, parking problems, and air pollution by eliminating 25,000 automobiles from the area's daily traffic flow. I ask unanimous consent that the survey be printed at the conclusion of my remarks along with other relevant information.

This study estimates that an expanded rail commuter system would have as many as 30,000 daily rush hour commuters—more than double the projection of the 1971 Englund survey commissioned by the U.S. Department of Transportation. Using a reasonable figure of 1.2 commuter per car, this means that 25,000 automobiles would be removed from rush hour traffic, which now averages around 75,000 cars according to a recent District of Columbia Highway Department study.

The survey was conducted by ARCP members on three commuter trains and on Amtrak's Washington-Parkersburg train during the week of April 24. Over 300 questionnaires were returned from regular passengers on these routes.

Other findings of this survey include the following:

An overwhelming majority—68 percent—of commuters on the Baltimore & Ohio Railroad's Brunswick line are new riders, not "standbys" as previously thought.

Thirty-five percent of the commuters have started to use the service within the last year and 68 percent have used the service 3 years or less.

Ridership gains have been made despite the fact that the railroad does not advertise the service.

Seventy-eight percent of Brunswick line commuters drive to pick up the service and, of these, 58 percent drive from 2 to 4 miles to meet the train.

The finding that 58 percent of those who use the train drive up to 4 miles to get to the station contrasts with the Englund study which projected that people would drive no more than 2 miles to reach such service.

Using the 2-mile figure, the Englund survey estimated that rail commuter service would have a rush-hour patronage of 14,000. Extrapolation of the Englund survey, based on the results of the ARCP study, shows that the Washington Metropolitan Area could support a viable rail commuter system to carry as many as 30,000 daily rush-hour commuters and take 25,000 cars off the streets.

Like the weather, everybody talks about his rush-hour experiences, but nobody does very much about it. However, unlike the weather, it may be possible to do something toward reducing the crush of automobiles that daily clog the streets, highways, expressways, lanes, and avenues of metropolitan Washington.

I am asking Secretary of Transportation John Volpe and Secretary Harry Hughes, of the Maryland Department of Transportation to comment on ARCP's finding.

While the Washington Metro system is under construction, it will not begin to offer any relief to the area transportation crisis until late in this decade. A system that uses existing rail lines could bring immediate relief and serve to supplement and complement Metro when that service gets underway.

Mr. President, I believe this survey will be of interest to all Senators, and I hope that it will help both State and Federal officials to build a better, balanced transportation system that will meet our urgent local needs and serve as a model for the rest of the Nation.

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

ALLIANCE RAIL
COMMUTER PROGRESS,
Kensington, Md., June 6, 1972.

Hon. CHARLES MCC. MATHIAS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MATHIAS: During the week of April 24th, the Alliance for Rail Commuter Progress (A.R.C. for Progress) conducted a survey as previously arranged with Mr. John Fogarty of your staff.

The survey of rail commuters who use the service on the B&O Brunswick line was very successful and we believe that you will find the results informative and supportive of your stand for a balanced commuter transportation system in the Washington Metropolitan Area. The report, together with pertinent data collected, is attached to this letter.

The State of Maryland, according to news reports on Friday, June 2, 1972, in the *Washington Evening Star,* is currently considering an expanded rail commuter system. We believe that the attached report which indicates that there is a potential of *30,000* daily rail commuters for an expanded system using rail tracks, is very attractive and will help you in your efforts in behalf of area commuters.

Sincerely yours,

DAVID G. SPOKELY,
Coordinator, A.R.C. for Progress.

SUMMARY TOTALS: SENATOR MATHIAS' COMMUTER TRAIN QUESTIONNAIRE

1. Do you regularly commute to work by train? Yes 306. No 5.

2. Why? Convenient 264. Safe 137. Personal preference 169.

3. How long have you commuted by train? Under one year 108: 35%. One to three years 99: 33%. Three or more years 98: 32%.

4. How many days do you use the train each week? Five 290, Four 16, Three 4, Two 1, One 1.

5. Does the train schedule suit you or would you prefer other times? Prefer present schedule 147. Prefer other times (indicate) 168.

6. Do you favor expansion of the service? Yes 269. No 10.

7. Is service prompt? Yes 280. No 15.

8. Are there adequate seats on the train? Yes 64. No 235. (at survey time).

9. How do you get to the station? Walk 65: 22%. Drive 234: 78%. Distance (see report).

10. Is parking space adequate at your station? Yes 195. No 90.

11. Is public transportation from Union Station to work ok? Yes 143. No 95.

12. Has the train ever broken down? Yes 182. No 95. Frequently 12.

13. Is the equipment safe in your judgment? Yes 188. No 44.

14. How did you hear about the commuter service? (See report).

15. Please use additional space for any other comments you may care to make about the commuter service: (See report).

REPORT OF RAIL COMMUTER SURVEY FOR SENATOR CHARLES MCC. MATHIAS, WEEK OF APRIL 24, B. & O. BRUNSWICK LINE

BACKGROUND

The Department of Transportation sponsored the Englund Study, which was issued in May, 1971, and concluded that the Washington, D.C. Metropolitan Area can support a viable rail commuter system using *existing* rail tracks in the District of Columbia and reaching into suburban points in Maryland, Virginia, and West Virginia. Such a system, subsidized at a nominal cost of only a few cents per rider, was projected to handle 14,000 riders during rush hour based on a corridor of rider interest of two miles on each side of the rail tracks.

At the suggestion of the Office of Senator Charles McC. Mathias, Maryland, a survey of current rail commuters (approximately 850 daily) on the B. & O. Brunswick Division line was conducted by *A.R.C. for Progress,* a non-partisan civic alliance of 262 participating members using a survey questionnaire form prepared in conjunction with the Senator's office (Attachment III). Questionnaire forms were distributed to all riders on three commuter trains and the AMTRAK Parkersburg train during the week of April 24th by *A.R.C.* members. Over 300 questionnaires were returned representing an appreciable response of *35 percent of the total ridership*

with over 100 being returned by mail. Summary and analysis by *A.R.C. for Progress* is given below.

SUMMARY AND ANALYSIS

Summary and analysis of questionnaires show that:

An overwhelming majority—68 percent—of the rail commuters are *new* riders, not old "standbys" as previously thought.

Another great majority—78 percent—of the rail commuters drive to pick up the service. More than one-half, in fact 58 percent, of the total commuters drive *over two miles* to their departure station. (Figure 1).

The gains in ridership (40 percent since September, 1971) on the B. & O. Brunswick line have been achieved with *absolutely no advertising.*

Extrapolation of the Englund Study, based on the results of this survey, shows that the Washington Metropolitan area could support a viable rail commuter system to carry as many as 30,000 daily rush hour commuters and thereby take 25,000 cars off the highways.

SIGNIFICANT FINDINGS

Following are significant findings from the survey:

1. An overwhelming majority—68 percent—of the rail commuters are new riders, not old "standbys" as previously thought.

35 percent of these riders have started to use the service within this last year; the 68 percent total (majority) have been using the service three (3) years or less.

All of these gains have been made in rail commuter utilization with absolutely no advertising.

2. Another great majority—78 percent—of the rail commuters drive to pick up the service. The following table displays the percentages of riders by distance from home to departure station:

Distance from home to departure station	Percent of riders	Percent
More than 4 to 25 miles	25	----------
2 to 4 miles	33	58
0 to 2 miles	42	42
Total	100	100

These percentages and the graph in Figure 1 clearly show that 58% of the riders use a travel corridor of greater than 2 miles on either side of the rail tracks and in a growing population and living area.

3. The great majority of riders became aware of the service by word of mouth. Only a few (less than 5%) heard of commuter rail through realty services, employers, or other organized approaches. There is no B&O advertising.

4. An overwhelming majority—96%—of riders would favor expansion of the existing rail commuter service.

5. More than one-half of the riders indicate that they would prefer additional times for trains to arrive and depart Washington, D.C. In particular, a later morning train and later evening trains are favored with a midday train to prevent being "trapped" in Washington.

6. Almost all written comments on questionnaires were positive and constructive in nature with some of the following predominant and typical:

(a) The service ought to be advertised by B&O as an important part of their total services.

(b) Subsidization of service is needed to expand and make it more frequent and attractive to riders. Formation of a Regional Transportation Authority (Md.-Va.-W. Va.-D.C.) should have high priority.

(c) "It is tragic that service is not extended to the Southwest area of Washington (L'Enfant Plaza) to tap that growing work area."

(d) "Extend the service past L'Enfant Plaza to Virginia."

(e) Additional service would provide greater flexibility and more riders.

(f) Parking facilities at departure stations need to be upgraded and increased.

(g) Rail commuting could significantly reduce auto congestion and air pollution caused by autos.

(h) "More highways for more commuters is not the answer to the future."

(i) "Once the subway is built, rail commuting will become a feeder to Metro. They do not compete."

(j) Train crews are capable and friendly.

(k) "This is one of the few civilized amenities we have left."

(l) "Keep 'em rolling."

CONCLUSIONS

Existing rail commuter service in the Washington Metropolitan Area should be expanded as quickly as possible to reduce auto congestion, D.C. parking problems, and air pollution caused by automobiles according to a large sample of current rail communters who use the service daily. Using existing rail tracks, and based on actual current ridership distance from home to departure station (58% of riders use a travel corridor of greater than 2 miles on each side of the tracks), the expanded service could serve daily potentially more than 30,000 area commuters during rush hour. This represents 25,000 cars off the highways using an average of 1.2 persons per car.

The phenomenal growth rate of 40% since September, 1971, on the Brunswick line of B&O, with absolutely no advertising, and the fact that 68% of riders have used the service three years or less illustrates the fact that the Washington area commuters will use rail commuting as a feasible and welcome mode of public transportation. If the service is made more frequent, goes into Virginia with commuting in both directions, and remains economical, many more will be attracted to this form of Public Transportation, as well as those using the service for purposes other than commuting (e.g., travel into the District for shopping, theater, sight-seeing).

The potentially untapped market of 30,000 riders can be obtained through advertising, expansion of the service, and community interest in development of the departure station as a hub for public commuting and transportation. Parking facilities must be adequate at each station.

Rail commuter complements Metro and will significantly reduce air pollution by attracting motorists out of their automobiles which would otherwise emit thousands of pounds of pollutants into the air each day.

SENATOR MATHIAS' COMMUTER TRAIN QUESTIONNAIRE

1. Do you regularly commute to work by train? Yes __ No __

2. Why? Convenient __ Safe __ Personal Preference __

3. How long have you commuted by train? Under one year __ One to three years __ Three or more years __

4. How many days do you use the train each week? Five __ Four __ Three __ Two __ One __

5. Does the train schedule suit you or would you prefer other times? Prefer present schedule __ Prefer other times (indicate) _____

6. Do you favor expansion of the service? Yes __ No __

7. Is service prompt? Yes __ No __

8. Are there adequate seats on the train? Yes __ No __

9. How do you get to station? Walk __ Drive __ Distance _____

10. Is parking space adequate at your station? Yes __ No __

11. Is public transportation from Union Station to work ok? Yes __ No __

12. Has the train ever broken down? Yes __ No __ Frequently __

13. Is the equipment safe in your judgment? Yes __ No __

14. How did you hear about the commuter service? _____

15. Please use additional space for any other comments you may care to make about commuter service: _____

Please complete and mail to: ARC for Progress, P.O. Box 247, Kensington, Md. 20795.

Yes, I want to join ARC for Progress:

Name: _____

Mailing Address _____

City _____

State _____ ZIP _____

Telephone _____

HANDGUNS SHOULD BE BANNED

Mr. TUNNEY. Mr. President, people who oppose handgun controls have a number of simplistic slogans which they employ against stronger laws. But when you look at those slogans closely, they are contradicted by the facts.

One such slogan is that only the honest citizen will turn in his gun, leaving him helpless against the criminal who will keep his. But the fact is that practically every handgun used in a crime was at one time owned by an honest citizen.

Each year, thousands of guns are confiscated by police officers in every city in the country. Where then do the guns come from which replace them? They come from the homes and stores of honest citizens. The millions of handguns owned by law-abiding citizens are nothing less than a national warehouse from which the criminal can select at random. And even those handguns which do not fall into the hands of criminals have an all too familiar potential for tragedy. Accidental shootings by children playing with father's pistol, shots fired in anger in a family quarrel, these are the real uses to which handguns are put.

People say that they need a handgun to protect their home against burglars. But the facts sadly contradict that argument. A recent study by a national commission in Detroit and Los Angeles showed that only 2 percent of home robberies and 1 percent of home burglaries result in the robber or burglar being shot by the occupant.

Who is it then that the gun is used upon? All too often it is a husband or wife, friend or relative. A study of homicides in Chicago recently showed that 71 percent of all killings in that city involved relatives, friends, and neighbors.

A final argument, one that I believe is the most compelling of all, is the toll which the handgun is taking among our police officers. In 1970, 100 police officers were killed in the United States; of that number, 73—73 percent—were killed by a handgun. In 1971, 121 were killed, 94—76 percent—by handguns. It is no wonder then that some of the strongest advocates of laws banning handguns are the police themselves.

And that brings me to my responsibility as a U.S. Senator.

Gun control is not an easy issue for a politician. Although every poll that I

know of shows that the vast majority of Americans want strong laws against guns, there is a powerful and vocal minority which has managed to intimidate us. It is not a very subtle intimidation—what it says is we will beat you when you run for reelection. And true or not, it is a sadly credible threat—because there are private citizens today who 2 and 4 and 6 years ago were Senators and Congressmen. And while there are other explanations for their defeats, there are a lot of gun advocates who carved notches on their pistols when those men lost.

I have not been immune to those kinds of pressures. No Senator likes to alienate deliberately any part of the electorate. But I think the time has come to stand up for what tens of millions of Americans know is right. The killing has got to stop, and it will not stop until we stop the proliferation of handguns.

For this reason, I have decided to support and vote for S. 2815 the strongest gun control bill now being considered by the Senate. It was introduced by the Senator from Michigan (Mr. HART), a man who I believe is one of the most honest and courageous Members of the Senate.

The bill is a very straightforward one. It bans the possession of handguns by anyone except law enforcement officers and security guards. Other handguns would be bought at fair value by the Government and destroyed. A limited exception is available for target shooting clubs which would be allowed to own handguns if they were stored in a secure place. Similarly, antique guns—those manufactured before 1890—would be exempt along with some modern weapons judged to be collectors items.

All other handguns must be sold to the Government within 6 months after passage of the law at fair market value or a minimum of $25. After that time period, any unauthorized person with a handgun in his possession would be subject to a jail term of 5 years and/or a fine of $5,000.

Next Tuesday, June 20, 1972, the Senate Judiciary Committee will consider the issue of handgun control. I have no illusions that the debate will be an easy one. But if there is one message from the many primaries which have been held this year, it is that the people of the country are fed up with politics as usual. I hope the committee will act favorably on S. 2815. As a member of the committee, I will urge my colleagues on the committee to do so.

THE RHODESIAN ORE ISSUE

Mr. MOSS. Mr. President, when the U.S. Senate voted nearly 3 weeks ago to continue this country's violation of U.N. sanctions against Rhodesia, it was emphasized during the floor debate this action not only imperiled our standing in the United Nations, but it also damaged our image in black Africa as well.

Newsday for June 12 contains an editorial entitled "Selling (Out) in Africa."

The editorial noted that as a result of the Senate vote—

We are forced into being the only country, other than Portugal and South Africa, overtly doing business with Rhodesia and a regime dedicated to denying fundamental rights to the 5,000,000 blacks who make up 95 per cent of its population.

The editorial raises some very poignant questions concerning the impact of the Senate vote on the Rhodesian chrome ore issue. As was pointed out in the editorial:

Our dealings with Salisbury and other white governments of southern Africa smack of "collaboration" and are "both morally wrong and practically self-defeating in terms of the long run interests of the U.S.

It would behoove all Senators to give close attention to the thoughts contained in this editorial.

I ask unanimous consent that the editorial be printed in the RECORD.

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

SELLING (OUT) IN AFRICA

American prestige and influence in black Africa are fast crumbling as the U.S. draws closer to the white colonialist and racist regimes of southern Africa, in defiance of its commitment to racial justice and international law.

Disregarding principle, the administration has moved to increase trade with Portugal, stiffening that country's resolve to hang on to its Africa colonies. Tacit White House approval has promoted bigger American investment in racist South Africa's economy. All the while in the UN, the U.S. has been casting negative votes or abstaining on motions condemning apartheid and white supremacy.

Most serious is the administration's behavior during the Senate's recent debate over economic sanctions against Rhodesia. Binding sanctions were imposed by the UN Security Council after an unrepresentative colonial government of minority whites declared independence from Britain in 1965 and vowed to keep the black majority out of power. Britain, prodded by the U.S., called for economic sanctions rather than force to bring Rhodesia around.

Last fall, Congress voted to flout our UN treaty obligations by exempting chrome ore and other strategic metals from the trade ban. Congress was unmoved by the argument that the U.S. can get all the chrome it needs elsewhere. In fact, chrome is so abundant now that the U.S. wants to sell off half its strategic stockpile, still keeping enough to satisfy defense needs for a decade.

Anyway, metal availability wasn't the real issue. More important, it seems, was a desire to punish the UN for admitting mainland China and ousting Taiwan. Some congressmen displayed unconcealed sympathy for Rhodesia's white rule, as well. That's how we started illegally buying unneeded Rhodesian chrome and unwanted African enmity.

In the Senate last month, an effort was mounted by Sen. Gale McGee (D-Wyoming) to return to the rule of law and reimpose the boycott. He got a letter of support from Acting Secretary of State John Irwin. But that's all he got. There was no other White House intervention or follow-through—not as much as a telephone call to an indecisive senator—and so the McGee effort went down to defeat by a vote of 40 to 36, with McGee accusing the administration of being "basically dishonest" on the Rhodesian chrome issue. The argument will continue in the House, where chances of a reversal are even slimmer than in the Senate.

So we are forced into being the only country, other than Portugal and South Africa, overtly doing business with Rhodesia and a regime dedicated to denying fundamental rights to the 5,000,000 blacks who make up 95 per cent of its population.

The administration of Prime Minister Ian Smith, negotiating with Britain on terms for independence, promised to seat a few blacks in Parliament. But the offer was grudging and limited; blacks wouldn't achieve real power until after the year 2000 if all the promises were kept. As shown by a British canvass of African opinion, few blacks believed them anyway, and the proposed settlement was rejected by a ratio of more than 36 to 1.

For Britain, the UN and most of the rest of the world, secessionist Rhodesia remains under outlaw rule. Among black Africans, that rule provokes shame and rage, and invites violence. Fears are intensified by a scheme to checkerboard the country in an apartheid system of separating the races.

Our dealings with Salisbury and other white governments of southern Africa smack of "collaboration" and are "both morally wrong and practically self-defeating in terms of the long run interests of the U.S." This is the view of 15 former State Department officials, who have jointly asked for a U.S. embargo on any form of military cooperation. (Full text of their letter on Page 43.) They urged the President specifically to seek restoration of the Rhodesia sanctions. They warned:

"There can be no peaceful change in southern Africa if the emphasis is solely on the maintenance of the status quo. If peaceful change in that area does not come at an acceptable pace, change will come anyway—but it will not be peaceful. Our national interest in Africa is with the majority of Africans. Business as usual will hasten the day of violence as usual."

THE GENOCIDE CONVENTION 23 YEARS LATER

Mr. PROXMIRE. Mr. President, it has been 23 years since the Senate first received the Convention on the Prevention and Punishment of Genocide. On June 16, 1949, President Harry S. Truman transmitted this treaty to the Senate for its advice and consent. In his letter, President Truman wrote:

One of the important achievements of the General Assembly's first session was the agreement of the members of the United Nations that genocide constitutes a crime under international law . . . America has long been a symbol of freedom and democratic progress to peoples less favored than we have been and . . . we must maintain their belief in us by our policies and our acts.

By the leading part the United States has taken in the United Nations in producing an effective international legal instrument outlawing the world-shocking crime of genocide, we have established before the world our firm and clear policy toward that crime. By giving its advice and consent to my ratification of this convention, which I urge, the Senate of the United States will demonstrate that the United States is prepared to take effective action on its part to contribute to the establishment of principles of law and justice.

The Foreign Relations Subcommittee held hearings on the treaty in 1950. During the next 2 decades, the Genocide Convention was ratified by 75 nations—while it languished here. In 1970 and 1971 there were new hearings, and the treaty has been reported favorably by the committee. Action by the Senate is long overdue, and I urge that it come immediately. An anniversary commemorating inaction becomes increasingly disgraceful as it occurs again and again. The United States should after 23 years wait no longer to finally affirm its commitment against genocide.

A 237 COUNSELING PROGRAM IN DECATUR, ILL.

Mr. PERCY. Mr. President, I am pleased to announce that the East Side Housing and Economic Development Corp. of Decatur, Ill., has been selected to conduct an FHA section 237 credit and homeownership counseling service in Decatur and Macon County.

This is a voluntary program carried on under a contract with the Department of Housing and Urban Development. Although Congress appropriated $3.25 million for 237 counseling services for fiscal year 1972, these funds have been used only for a few demonstration projects and for evaluation of the voluntary efforts which HUD has been encouraging under section 235 and 237 authority.

The East Side Housing and Economic Development Corp. was formed by a group of citizens in a proposed urban renewal area of Decatur. The board of directors includes not only residents of the renewal area, but of other parts of the city as well. The corporation's primary function is to combat community deterioration and to secure adequate housing and related social services.

The planned 237 counseling program for low-income families goes well beyond the usual scope of these programs. Not only will the ESHEDC offer classes to families rejected for homeownership because of poor credit ratings, but classes will be made available to all mortgage insurance applications and other persons interested in such areas as debt management, credit buying with attendant information on interest rates, possible purchase frauds, home maintenance, how to hang pictures, fix faucets, repair minor home damages, and other related information.

I firmly believe the serious problems we currently face with our homeownership programs for low-income families could have been avoided, at least in part, had programs like this one been implemented on a systematic basis under the authority of the Housing Act of 1968. I have consistently urged funding for the counseling provisions of this legislation. I hope this year we shall make a commitment to reach all those low-income families in need of counseling services with a program similar to the one offered by the ESHEDC.

I commend the East Side Housing and Economic Development Corp. for its initiative in developing a voluntary counseling program.

THE CONTINUING REPRESSION OF SOVIET JEWS

Mr. TUNNEY. Mr. President, I had the privilege last week of meeting with Mr. Ishai Branover, an Israel citizen who previously lived in the Soviet Union. In an impressive and convincing manner, Mr. Branover discussed the problems that confront the Jewish scientists in the Soviet Union who wish to emigrate to Israel.

Although the Soviet authorities allowed Mr. Branover to emigrate to Israel, they have refused the same permission to his brother, Rabbi Herman Branover. Even while the Soviet leaders talk of detente and cooperation, they refuse to allow Jewish scientists such as Rabbi Branover the fundamental right to leave Russia.

Ishai Branover talked to me about his brother. He explained, amply and directly, his brother's case. I believe that case is important, Mr. President, and I would like to take several minutes to explain it to my colleagues. For it demonstrates again, in vivid and disturbing detail, the tragedy and the travail of the Jewish people who are still trapped in Soviet Russia.

Rabbi Branover's case is important in itself. For it illustrates the insensitivity sometimes shown by governments and and the cruelty by which man can deal with his fellows. I believe also that it is important because it is representative. For it is instructive evidence of the way the Soviet Union continues to treat its Jewish scientists. It represents the current Soviet hard-line response to those Jewish scientists who wish to join their families and coreligionists in Israel.

Rabbi Herman Branover, at the age of 40, is a unique person who combines a brilliant intellect with a deeply religious commitment. Herman Branover finished high school at the age of 15, after skipping 2 full years of academic study. He received the highest possible honors upon his graduation from high school and indicated that he wished to embark upon the pursuit of a career in nuclear physics. Because he was a Jew, he was denied the opportunity to study nuclear physics. He then decided to pursue a career in the science of hydrodynamics.

While he was studying hydrodynamics in Leningrad in 1952, he witnessed the burning of 24,000 Jewish books from the library of the Kaleinen Institute. He was deeply disturbed by the bookburning. He could not believe that people could burn the books of great philosophers. He was drawn to wonder what lessons these books held; what ideas could be so powerful as to provoke such a response.

As a result of the book burning and the questions it raised in his mind, he decided to study a variety of religions and philosophies. He read extensively—from Buddhist, Christian, and Jewish works. He decided that Judaism was the philosophy most attractive to him. He became increasingly religious. His scientific pursuits were soon coupled with a deep philsophical and religious attraction to Judaism. His attraction became a commitment. It complemented his dedication to science.

As he became increasingly observant, he soon developed a reputation as one of the most learned scholars of Judaism in the Soviet Union. He has been granted the credentials of rabbi both from the chief rabbi of Israel and the chief rabbi of the United Kingdom. He has an honorary rabbinical degree from the Yeshiva University in New York.

It became apparent to Rabbi Branover that he could not continue to be a successful scientist in the Soviet Union and also a deeply religious person. He, therefore, left his work at the Academy of Science in Riga in April of 1971. Several months later, he appealed for permission to emigrate to Israel.

His wife, Fania Branover, a medical doctor, was immediately fired from her job. In January of 1972, the Soviet Union denied the appeals of Rabbi Herman Branover and Dr. Fania Branover to leave for Israel.

In February 1972, Herman Branover started to teach the Bible to Jews from Riga, Kovno, and Vilna. He was teaching some 35 to 40 Jewish students. Almost immediately after he began his Bible teaching, he was advised by the Govment that he would be imprisoned for 3 years if he continued to teach the Bible. He was warned also that if the Bible lessons were continued in the synagogue that the synagogue would be closed.

In early May 1972, in an effort to persuade the Soviet Government to allow them to emigrate, the Branovers went on a hunger strike. They were joined by 39 other Jews, all of them professionals, most of whom were Bible students of Rabbi Branover, and all of whom had been denied permission to emigrate but nevertheless fired from their jobs.

Shortly before President Nixon visited the Soviet Union, Rabbi Branover cabled President Nixon and appealed for an opportunity to meet with him. As a result of that cable, the Rabbi was asked by the KGB to pledge that he would not travel from Riga to Moscow. He refused. Subsequently, he was imprisoned on the pretext he had killed a girl in a traffic accident. The car was tested soon thereafter and the tests revealed that it had not been used for more than a month. Nevertheless, he was held in prison for 2 days and was instructed to return the following day.

But he went into hiding. Since that time, it has been impossible to obtain further information pertaining to the rabbi. Congressmen PODELL and BRASCO joined Ishai Branover in an attempt to telephone the Soviet Union. They recently called 19 different telephone numbers, homes of Jews in Riga, Moscow, and Leningrad between 4 and 5 a.m., Moscow time. None of the numbers answered.

Rabbi Branover's status is uncertain, but evidently critical. He and his wife, as well as the 41 families which are in touch with the Branovers, cannot be reached. They have been tormented and harassed by the Soviet authorities. They are not allowed to emigrate. And they are not allowed to live in peace.

Mr. President, I am afraid that the case of Rabbi Branover is more typical than we would like to believe. The Soviet Union, faced with enormous courage and unexpected resistance from the Jewish community, has allowed many Jews to emigrate to Israel.

Jews have emigrated in larger numbers than many people originally anticipated.

But the Soviets continue to impede the free emigration of numerous others. They continue to oppose the emigration

of scientists and other professional Jews—often despite the fact that none of them have or ever had access to sensitive material. Forty-five percent of those Jews who wish to emigrate are denied the opportunity. At the same time, they are denied the basic privileges of Soviet citizens, are barred from work, are ostracized by every possible apparatus and mechanism of the Soviet system. Frequently the applications are denied without reason or excuse.

Mr. President, I am afraid that Rabbi Branover's case is all too typical. I am afraid that the Soviet Government, despite its protestations of good will and its talk of detente, seems determined to sustain its policies of repression and resistance, its reliance upon coercion and fear. I am afraid that it remains necessary for men of goodwill in the United States and elsewhere to renew their protests; to reiterate their despair; and to remind others of the anguish which pervades the lives of the Soviet Jews. The simple demands of justice and fairness are still denied by the Soviet Union.

It is because that problem continues, because the Soviet Government does not respond more fairly and sensitively, that I have felt compelled today to advise the Senate of the tragic circumstances which surround Rabbi Branover, his wife, and his friends.

THE COMMERCIAL FISHERIES RESEARCH AND DEVELOPMENT ACT

Mr. HATFIELD. Mr. President, in a short time, the Senate will consider S. 3524, a bill to extend the Commercial Fisheries Research and Development Act of 1964 for another 5 years. When our distinguished colleague, Senator MAGNUSON, introduced this bill in April, I asked to join him in cosponsoring this legislation, for I knew firsthand the numerous benefits to my State from operation of this bill over the past 5 years. I want to add at this point that it has been my good fortune to work in several instances with Senator MAGNUSON on behalf of the commercial fishermen of the Northwest, and I have benefited from his counsel on many occasions. Our fishermen face many similar problems, and it is my good fortune to join once again in efforts for the benefit of Northwest fishermen.

FISHERMEN FACE ECONOMIC HARDSHIPS

Mr. President, I cannot turn to a detailed discussion of the merits of this bill without prefacing my remarks regarding the general economic plight of the commercial fishermen of this country. I have spoken on numerous occasions about the declining economic fortunes of the commercial fishermen of this country. Their goal is merely to stay afloat—if you pardon the weak joke—as they see foreign fishing incursions, greater imports of fish products, and other inroads being made into their livelihood.

Recently, I solicited the latest fish-catch statistics from the Oregon Fish Commission. My colleagues may recall that I have mentioned these in past years during debate on related subjects. The statistics point out the declining catch of Oregon fishermen. I ask unanimous consent that the most recent statistics and cover letter appear at this point in the RECORD.

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

FISH COMMISSION, RESEARCH LABORATORY,
Newport, Oreg., June 1, 1972.

MR. WALTER EVANS, care of
Senator MARK O. HATFIELD,
Senate Office Building,
Washington, D.C.

DEAR MR. EVANS: Enclosed is a copy of the fishing information you requested last month. It is essentially the same table sent to you last year by Mr. Schoning with the 1971 data added.

Sincerely,

JAMES M. MEEHAN,
Program Leader,
Groundfish and Shrimp Investigations.

LANDINGS BY OREGON FISHERMEN FROM OFF WASHINGTON AND OREGON, MAY 31, 1972

	1965	1966	1967	1968	1969	1970	1971
Pacific Ocean perch:							
Landings [1]	13.5	3.8	1.6	0.8	0.6	0.6	0.9
Catch rate [2]	1,200	1,000	700	400	400	300	300
Other rock fish: Landings [1]	4.0	4.8	4.0	3.6	4.0	3.1	2.9
Arrowtooth flounder: Landings [1]	2.3	2.2	2.1	1.0	.9	.4	.5
Total, all species:							
Landings [1]	32.5	24.2	20.3	18.2	19.8	18.4	18.6
Catch rate [2]	1,100	1,100	1,000	800	800	700	700
Hours fished [3]	28.5	22.6	19.6	22.4	24.2	25.9	26.7

[1] Landing figures represent millions of pounds.
[2] Catch rate, unit of effort/pound per hour.
[3] Hours fished figures represent thousands of hours.

The Russians first appeared off Oregon and Washington in April 1966. The declines are not caused by adverse market conditions. The Russian and American scientists have agreed the Pacific Ocean Perch stocks have been over-fished and are in need of protection. We have clearly demonstrated, in our judgment, that the Russians are responsible for the decline. The Arrowtooth Flounder are found in deeper water where the Russians are known to have fished and their fishing has caused the reduction in the population.

JAMES M. MEEHAN,
Management & Research Division.

Mr. HATFIELD. Mr. President, I call these alarming statistics to the attention of the Senate because the inattention of the Federal Government threatens the extinction of one of the oldest industries in the country. Listen to these statistics:

Perch catches falling from 13.5 million pounds in 1965 to 900,000 pounds in 1971;

Catches of arrowtooth flounder, a deeper water fish and, therefore, more susceptible to overfishing by the Russians, falling from 2.3 million pounds in 1965 to 500,000 pounds in 1971.

The total fish catches paint a distressing picture for the future of the industry: a catch that has fallen from 32.5 million pounds in 1965 to only 18.6 million pounds in 1971. This is little more than half the prior catch, with almost the same amount of hours spent in fishing.

Mr. President, I have opened my remarks about the fishing industry with this rather bleak report because I want to stress that steps must be taken by the Federal Government to improve the economic outlook for our fishermen.

PAST OPERATION OF LAW SHOWS NUMEROUS PUBLIC BENEFITS

The legislation we are considering now, S. 3524, has helped greatly in solving some problems facing the industry. I hate to think what the economic picture in Oregon would be if the existing law had not been in effect. Under terms of 88–309, the law that is due to expire if S. 3524 is not enacted, valuable research has been carried out in several research projects.

OREGON BENEFITS

The amount of Federal assistance to Oregon that has been allocated from fiscal year 1966 through fiscal year 1972 is $901,000. The fiscal year 1972 amount is $135,800. This money from the Federal Government, coming to Oregon under the terms of 88–309, has meant that 25 projects, with a total cost of $1.7 million, could be undertaken. Sixteen of these are completed, at a cost of $956,504. Nine projects still are underway with a total cost of $744,400.

In my opinion, concrete examples can be shown of benefits that have flown from this research that greatly outweigh the cost of such projects.

EXAMPLES OF OREGON RESEARCH EFFORTS

A few primary examples come to mind in Oregon that illustrate this point. I am sure that Senators could echo sentiments about how this has helped their States.

One of the best examples of specific, dollarwise results from the operation of 88–309 has taken place in the town of Astoria, located at the mouth of the Columbia River. Fishing long has been an important factor in the region's economy. Located in Astoria is the seafoods laboratory. This operates under the auspices of Oregon State University's Department of Food Science and Technology. It is located in a structure constructed by Economic Development Administration funds, and dedicated in 1968. In summary, the research centers on development of new food products from underutilized fish species, such as protein from hake, new human food products from shad, and utilization of dogfish for human food.

I contacted Dr. David L. Crawford, program director at the seafood lab, to ask for further details about the fine research now underway under 88–309 programs. At this point in the RECORD, I ask unanimous consent that the opening section of his letter appear at this point in the RECORD.

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

OREGON STATE UNIVERSITY, DEPARTMENT OF FOOD SCIENCE AND TECHNOLOGY,
Astoria, Oreg., June 8, 1972.

Subject: Commercial Fisheries Research and Development Act, Public Law 88-309; importance to industry and people of Oregon. Review of research and development.

Hon. MARK O. HATFIELD,
U.S. Senate,
Washington, D.C.

Attention: Mr. Walt Evans.

DEAR SENATOR HATFIELD: At the request of Mr. Walt Evans, of your office, I am writing you to convey my views on the importance of PL 88-309 to the industry and people of Oregon and to outline the research activities of our Laboratory supported by PL 88-309. Hopefully, they will provide you with information and views to help develop and formulate your support for continuing this program beyond June 30, 1973.

By way of introduction and identification, I am a Associate Professor in the Department of Food Science and Technology at Oregon State University. I function as a researcher and Program Director for the Seafoods Laboratory in Astoria, Oregon which operates as a branch laboratory of our Department through the Oregon State University Agricultural Experiment Station.

The PL 88-309 program is vitally important to the State of Oregon and particularly to the economy of our coastal counties. The three for one supplementation of state funds by this program provides the means by which adequate programs can be developed at the state level for the systematic and scientifically based management and development of Oregon's valuable marine resources. Our seafood industry provides many jobs for Oregon's people and adds significantly to the state's economy. It should be pointed out that this industry converts a self-replenishing resource into a product which adds something new to our state and national economy unlike other industries which only transfer capital and/or skills. Continuing programs such as PL 88-309 are necessary to support, develop and expand this fraction of our state's economy. Without this federal support, such programs would be very difficult for individual states to fund with the heavy demands being placed upon the resources of state government today. In fact, if one looks at the potential value of Oregon's marine resources, the present and projected programs under PL 88-309 are insufficient. I might suggest the program could be profitably expanded by increasing total funding with an increase in the proportion supported by the federal program coupled with a reduction in the state's share of the cost.

The program provides for a unique mechanism for cooperation. I am not referring to federal-state cooperation as such, but cooperation between researchers. In Oregon, PL 88-309 funds come to the Fish Commission of Oregon and provide support for both biological and technological investigations. Since projects under this program are reviewed by the National Marine Fisheries Service, the PL 88-309 program fosters unique cooperation between researchers with the National Marine Fisheries Service, the Fish Commission of Oregon and Oregon State University.

To be more specific, PL 88-309 programs provide vital support for the management and research programs of the Fish Commission of Oregon as well as the research program of the Department of Food Science and Technology at the Seafoods Laboratory. Although I cannot speak specifically with regard to the programs of the Fish Commission of Oregon, the PL 88-309 program supports a vital part of the program of our Laboratory. This program involves applied and basic research activities in the areas of improvement of fishery product quality and utilization of fishery by-products for human and animal food. The Seafoods Laboratory was established in Astoria by Oregon State University so these activities could be carried out in close cooperation and with the participation of the seafoods industry.

Continued funding of PL 88-309 is the key to continuing our Laboratory's program of research and development which is geared to aggressively supporting the growth and well-being of Oregon's seafood industry. Without support from PL 88-309 it is certain our program could not be maintained at its present minimal level and could put in question the viability of our Department's branch laboratory activities on the coast.

Our research program supported by PL 88-309 is largely directed toward utilizing species of fish not presently caught or marketed by Oregon's fishing industry. This program was in response to a considerable reduction in the availability of preferred commercial species in Oregon's coastal waters by heavy, uncontrolled foreign fishing pressure. Shad, Pacific hake and dogfish shark were singled out as target species.

Shad, an anadromous species available in large quantities in Oregon's coastal waters and rivers, is a species highly prized on the East Coast, but only caught for its roe on the West Coast. Product development investigations have shown this very fat and bony fish very adaptable to the preparation of minced fish products such as sausages, fish loaves, etc. Methods of bone comminutation and separation were developed and/or evaluated. Formulations of product concepts were developed and acceptance and frozen shelf-life characteristics were characterized and documented using expert and student taste panels. In addition, research showed that salted shad was as acceptable as herring for the preparation of pickled products. Large quantities of salted herring are imported for this purpose.

The utilization of shad in the preparation of minced prepared food products has created a lot of interest in Oregon's seafood industry. However, application of these product concepts by industry is slow and will require continued persistent consultation and technological help. The technological information for this species utilization is available, but the movement of a commodity oriented industry to one oriented toward prepared products is slow.

Our research and development work with shad as a raw material for preparing a pickled product has been applied commercially. Presently, this species is being processed according to our formulations and marketed in Oregon. A small step, but complete success is composed of a series of these small step. This result has been very gratifying.

Mr. HATFIELD. Mr. President, to me this is very exciting news. While at first, the thought of a fish sausage stains even my taste for fish, I know such products can be made to be very tasty. The point that is important here is that the research is direct in its application. Some people have criticized various federally funded research efforts in various disciplines as being far from practical in their application, and too abstract for any benefits to accrue to the public at large. Here, however, are good examples of real, tangible payoffs from a modest expenditure of Federal funds.

In addition to the research directed to better utilization of the shad, research is going on at the Astoria Lab directed at Pacific hake. As a resident of Newport, Oreg., myself, I know from my fishermen friends that hake has been known as a trash fish, and one with little or no commercial utilization. Dr. Crawford describes some of the hake research in his letter, and I ask unanimous consent that this section of his letter appear at this point in the RECORD.

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

PACIFIC HAKE

Another species of great potential importance to Oregon is the Pacific hake. The standing stock of Pacific hake in waters off Oregon and Washington is estimated to range from 609.5 to 1206 thousand short tons with a sustainable yield of 174-349 thousand short tons. Hake of the Pacific coast are regarded generally as a trash fish having flesh of poor keeping quality. Only small amounts are used for animal food. Hake of the genus *Merluccius* are valuable human food in the U.S.S.R., Chile, Spain, Argentina, and South Africa.

Our research activities have been directed toward the development of numerous avenues for the utilization of this important species. Our research has brought about the use of this fish in the formulation of hatchery fish rations. Through development activities this species was included as a possible ingredient in the formulation of the Oregon Moist Pellet. Presently, this formulation can use up to 40 percent raw fish as a component. Over 16 million pounds are produced in Oregon and Washington annually. Although this is a poor use for this species which has great human food potential, it does create a market and help develop a fishery.

Research was carried out in cooperation with the National Marine Fisheries Service in evaluating hake processed into a meal as a supplement in broiler rations. Nutritional investigations showed its meal to compare well with meals presently used.

Presently, we see a great market potential for this species in the production of frozen blocks to be used for the preparation of fish sticks, portions, etc. Present research is directed toward characterizing and documenting comparative acceptance and frozen shelf-life characteristics. Market evaluation studies in cooperation with the Otter Trawl Commission of Oregon are planned in the near future. Results to date from preference taste panels show portions prepared from blocks of frozen fillets to have a high degree of comparative acceptance. If handled properly, frozen shelf-life is comparable to other commercially utilized species.

As a part of our over-all Laboratory research program we have evaluated various deboning and skinning machines. Processing with this type of equipment separates the flesh from the bone and skin of whole dressed fish. Flesh is yielded in a coarse minced form. The advantage of this type of processing is that edible flesh yields are increased as much as 100% over routine hand or machine filleting procedures.

A multitude of new fishery products produced by machine extrusion or continuous cooking extrusion is possible using this machine-processed minced flesh. A new mixed food product produced by machine extrusion, in the form of a breaded patty composed of 50% shrimp and 50% minced hake, has been developed by our laboratory. This product concept utilizes hake as an extender for a high priced seafood item to produce a high quality and highly acceptable product. Presently, acceptance and frozen shelf-life characteristics are being evaluated and documented. Our laboratory is working very closely with an Oregon firm who has expressed considerable interest in producing and marketing the new product concept. Commercial production is in the early test marketing stages of development. If market development is successful, a new market for this species will be developed. Also of considerable consequence will be the fact that an Oregon resource will be manufactured into a prepared food product in Oregon, rather

than being marketed as a commodity, thus providing more job opportunities and a greater contribution to the economy of our state.

Mr. HATFIELD. Mr. President, I want to pay particular attention to the potential for new jobs in the processing of hake products that can flow from development of these new fish products. As one who as Governor of Oregon for 8 years, worked hard for the creation of new job opportunities throughout Oregon, I welcome this news.

The closing section of Dr. Crawford's letter discusses aspects of the Astoria Seafood Lab research directed to processing of the Dungeness crab. I ask unanimous consent that this section of Dr. Crawford's letter appear at this point in the RECORD.

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

SECTION OF LETTER

Another phase of our PL 88-309 program deals with problems related to the processing of Dungeness crab. Every year the development of a blue discoloration in fresh cooked crab results in thousands of dollars loss to Oregon processors. Also, this same discoloration problem results in a reduction in the quality of Oregon's canned crab pack.

Research efforts have found the problem to be caused by degradative enzyme activity in the live crab prior to processing. Research is being directed toward eliminating the mechanism of the degradative process and developing handling and processing procedures which will eliminate or greatly minimize the problem. The cost-benefit ratio from the research could be considerable in addition to providing considerable information on post-extraction biochemical changes which could greatly affect the quality of other seafood products.

Our projected research efforts beyond June 30, 1973, if support is available, will be directed toward (a) the utilization of Oregon's bay clams and (b) the utilization of seafood industry waste in Oregon.

The demand for bay clams for food products far exceeds the available supply. Large beds of many varieties of bay clams are located throughout Oregon's coastal bays and estuaries. The soft shell clam, in particular, is very similar to the East coast soft shell clam. This clam is the most important species harvested on the East coast. However, at the present time, the soft shell clam is not being utilized in the Northwest. Present tentative plans call for a joint biological and technological attack on this problem by the Fish Commission of Oregon and Oregon State University.

In many food industries, large shares of the total profit are obtained from conversion of processing wastes into acceptable and marketable products and commodities. The seafoods industry has a greater potential for utilization of waste than other segments of the food industry in that a major fraction of their waste is composed of more valuable protein. As an example, landings of trawl species in Oregon and Washington alone in 1968 amounted to over 51 million pounds. This would represent a calculated 40 million pounds of waste and over 6 million pounds of protein. Processing waste from Pacific shrimp and Dungeness crab also represent a large and under-utilized source of raw material. In these days of environmental concern, motives other than profit are also drawing industry to utilize waste. This capacity in the seafoods industry has not been exploited to any great degree.

The purpose of this proposed research program will be to develop means and methods for incorporating fish processing waste into acceptable products for consumption by fish, mammals and humans. Compositional and nutritional evaluation and documentation will be an important part of the program.

I hope this rather long and rambling informational letter will be of value to you. However, it does not adequately detail all of my views concerning the importance of PL 88-309 research programs or represent our entire research program. If we can be of further help in any way please feel free to call upon us.

Very truly yours,

DAVID L. CRAWFORD, Ph. D.
Program Director.

FISH WASTE IS HIGH

Mr. HATFIELD. Mr. President, I want to restress one point Dr. Crawford makes in his discussions of fish waste. He says:

In many food industries, large shares of the total profit are obtained from conversion of processing wastes into acceptable and marketable products and commodities. The seafoods industry has a greater potential for utilization of waste than other segments of the food industry in that a major fraction of their waste is composed of more valuable protein.

I cannot overstate the importance of this: We are talking about better utilization of one of our basic energy sources—protein. Naturally, in authorizing these various projects, and in approving the funding for them, we need to see that these tax dollars are not wasted. The central point here is that there is a practical, people-related benefit that flows from every tax dollar that is spent under this program. The goal of this research is to better utilize our fish products. What evolves from this is better protein enriched fish products. Protein, as a vital part of our diet, is even more important to people that lack enough balance in their diet from other food sources. I think here of the poor urban resident, or the senior citizen on a fixed, modest income. My colleagues recall that during the debate on the fish inspection bill last fall, I raised this same point. In summary, fish products are of such high protein value that they should form a greater part of the diet of such people who face severe problems meeting their dietary needs. I need not point out the current concern about rising meat prices, and a family that is unable to eat recommended amounts of meat to meet dietary standards can recoup to some degree by purchasing less expensive fish products.

Mr. President, I call attention to this because an examination of many of the research projects under this law have a direct public goal of meeting the dietary needs of future generations of Americans as their goals. I applaud this, and I suggest that Senators should see the wisdom in this.

In closing, Mr. President, I want to urge approval of this legislation when it is considered by the Senate in a short time. It is not expensive, and the many benefits far outweigh the costs of the bill.

In Oregon, this program has support all over the State. As a resident of Newport, Oreg., a beautiful town on the coast where many of my friends work as commercial fishermen, this bill is widely endorsed.

I ask unanimous consent that a representative sampling of projects either completed or underway under terms of Public Law 88-309 appear at this point in the RECORD.

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

OREGON COAST FISHING PROGRAMS AIDED BY P.L. 88-309

I-3-R. Study on the distribution and abundance of pink shrimp in the Pacific Ocean off Oregon. Sampling of commercial pink shrimp landings at Warrenton, Newport, frequency, catch, and effort data by area of and Coos Bay has been completed. Length-catch were reported. The vertical distribution and migratory behavior of this species by diel, lunar, and seasonal periods, and the environmental factors which may influence these movements were investigated off the Oregon coast near Astoria and Newport. Begun: 1965, Finished: 1970. Total cost: $141,832.

I-4-R. Investigation of the abundance and recruitment of bottomfish off Oregon, with emphasis on Dover sole—Data on fluctuations in abundance and year-class strength of Dover, English and petrale soles and Pacific ocean perch were evaluated. Techniques for determination of spawning success and abundance were investigated also. Begun: 1965, Finished: 1970. Total cost: $165,390.

I-5-R. Controlled rearing of dungeness crab larvae and the influence of environmental conditions on their survival—This project at Oregon State University's Marine Science Center at Newport was to develop techniques for the identification and rearing of dungeness crab larvae and to study how dissolved oxygen concentrations, temperature, and salinity affect the larvae distribution and survival of larvae. The feasibility of hatching and rearing crab larvae on a commercial basis was explored. Date Begun: 1965, Finished: 1970, Total Cost: $67,774.

I-10-D. Development of the shad industry—Oregon State University Seafoods Laboratory at Astoria developed new products using American shad and ground fish. Shad and striped bass have been used to make an acceptable smoked pepperoni product. The shelf-life of this appetizing fish product was evaluated. A frozen brown-and-serve fish sausage with a fresh pork sausage seasoning has been formulated. Development of a fish loaf of the luncheon meat type was considered. Dates Begun: 1966, Finished: 1970. Total cost: $71,771.

I-12-R. Utilization of hake, dogfish, and by-products of the fillet industry for protein supplements—The State of Oregon has a large quanity of hake and dogfish, both sources of animal protein, and, in addition, the bottomfish industry provides fillet scrap that amounts to over 60 percent of trawl fish landed. Oregon State University, Corvallis, and their seafood laboratory at Astoria, experimented with these fish to develop stable protein products and to determine possible uses of such products. An 8-week broiler production feeding trial combining herring and hake to improve body weight and decrease food consumption was completed. Preparations to evaluate hake meals as a source of protein for trout were investigated. Date Begun: 1966, Finished: 1970. Total Cost: $134,167.

I-15-R. Processed hake in feed for mink.—This study was made to determine if Pacific hake could serve as the source of protein in mink ration. Date Begun: 1965, Finished: 1968. Total Cost: $18,153.

I-25-R. Utilization of hake for human food.—The purpose of this study was to investigate the use of hake as a high-quality food for human use, with emphasis on the autoxidation of the oil of hake and means of rancidity control in fresh, frozen products. Date Begun: 1969, Finished: 1970. Total Cost, $16,000.

I-27-R. Laboratory hatching and rearing of Pacific Coast clams and oysters.—The de-

velopment of methods to spawn and rear several species of claims and oysters for planting was the major objective of this study. Growth was observed from spat grown in the laboratory to placement in Netarts and Yaquina Bays. Date Begun: 1967, Finished: 1970. Total Cost: $62,983.

I–34–R. Preparation of marine protein concentrate from hake.—Studies at Oregon State University Seafood Laboratory, Astoria, using drum drying to make fish protein concentrate indicate that oil will separate from hake during the drying process. Experiments were made to evaluate the use of antioxidants and their effect in preventing deterioration, oxidation, or extractability of lipds. Date Begun: 1967, Finished: 1970. Total Cost: $60,000.

I–38–R. Biology of Columbia River shad and the development of selective commercial fishing gear.—Since little was known about shad in the Columbia River and no studies had been made since the early 1950's, this study provided current information on the status of this available resource. Studies of life history and of the reproductive potential and natural mortality of this species were made. Selective commercial fishing gear and methods necessary to allow the salmon to escape were developed. Date Begun: 1967, Finished: 1969. Total Cost: $12000.

I–46–R. Boat Charter.—A 55-foot trawler was chartered on an annual basis for research on the tunas from northern Oregon coast to Cape Mendocino, Calif., and on shrimp and crabs in the coastal waters between Astoria and Newport. Albacore were tagged and released for migration studies. Date Begun: 1967, Finished: 1970. Total Cost: $76,800.

I–58–D. Development of new human food products from shad.—Conventional methods of processing and preparing fishery products, such as canning, salting, pickling, and smoking, that are compatible with shad flesh are investigated. The use of commercial shad flesh derived from deboning machine will be investigated also. Date Begun: 1970, Finished ——, Total Cost: $12,000.

I–59–D. Utilization of hake for human food.—Hake for food for human use is investigated, with emphasis on the autoxidation of the oil and means of controlling rancidity and texture changes in fresh and frozen products. Date Begun: 1970, Finished: ——, Total Cost: $50,000.

I–60–R. Clam-oyster-abalone larval rearing—The purpose is to develop techniques for mass culturing clams, oysters, and abalone to assess the feasibility of artificial propagation as a supplement to natural production. Date Begun: 1970, Finished: ——. Total Cost: $52,000.

I–61–R. Data analysis—Dover sole stocks—Provides for completion of data analysis and submission of reports for publication on Dover sole population dynamics. Also results of survey of Dover sole stocks in deep coastal waters will be distributed. Date Begun: 1970, Finished: ——. Total Cost: $38,500.

I–62–R. An evaluation of methods for determining movements of shrimp—This study is twofold: (I) to evaluate the feasibility of various techniques of determining the movements of Pacific pink shrimp, and (2) to develop holding and rearing techniques of pink shrimp in aquaria. Date Begun: 1970, Finished: ——. Total Cost: $28,500.

I–63–R. Discoloration in fresh and frozen crab meat—To improve methods and techniques in the handling and storage of dungeness crab and crabmeat and of maintaining the natural color and quality of canned crabmeat. Date Begun: 1970, Finished: ——. Total Cost: $44,250.

I–64–R. Preparation of fish protein concentrate—Methods and procedures for the preparation of low-fat fish protein concentrate from machine deboned and skinned, round and eviscerated hake are investigated. Date Begun: 1970, Finished: ——. Total Cost: $18,000.

I–66–R. Crab larval rearing—To develop techniques for rearing dungeness crab larvae in mass culture. Crab larvae will be challenged to different current velocities and beight intensity to gain information for development of techniques for sampling larvae at sea. Date Begun: 1970, Finished: ——. Total Cost: $50,000.

I–69–R. Preparation of fish protein hydrolysates from fish fillet scrap and and waste fish including hake and dogfish. Date Begun: 1970, Finished: ——. Total Cost: $28,000.

THE ALCOHOLISM BILL

Mr. MOSS. Mr. President, The distinguished Senator from Iowa (Mr. HUGHES) has introduced a bill, S. 3644, amending the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970.

In the 2 years of its existence, the Institute of Alcohol Abuse and Alcoholism had made an impressive start toward reaching the goals of the act. But more needs to be done.

In the first stages of its development, the authorizations and appropriations for the Institute were purposely kept low so that the Institute would have time to plan and prepare to administer the funds needed to cope adequately with alcoholism. Now the time has come for the Institute to take the offensive. The groundwork has been laid, plans made, a course of action prepared.

The amendments submitted by Senator HUGHES would extend the authority of the act for an additional 3 years and authorize $480 million in formula grants and $420 million in project grants for the same period.

In addition, the amendments provide more personnel for the Institute, require hospitals receiving Federal funds to treat alcoholics on a nonprejudicial basis the same way as drug addicts are now treated under the Drug Abuse Act, a significant step in recognizing the true nature of the disease.

The amendments also rearrange the project grant authorities by shifting them from the Community Mental Health Centers to the Comprehensive Alcoholism Act.

The adoption of the amendments will not, of course, immediately end alcoholism. To get the job done will require an enormous amount of effort at every level of government and the dedicated support of the public. While the asked for appropriation is a significant increase over previous funding, in the long run it will certainly prove much less than the lost working hours, broken careers, and wasted lives that now is the toll of alcoholism.

There is no easy or quick solution to the problem. Its roots go deep into the pressures and failings of our society. But the amendments to the already existing legislation are unprecedented in their comprehensiveness.

These amendments mean that the future is beginning to look brighter for those millions of American families now facing the tragedy of alcoholism. If Congress will agree to provide the needed funding, the massive counter attack on the disease can finally begin. The countless victims of the sickness can be saved, and America will be a richer place for it.

As the Senate's earliest advocate of Federal legislation to control alcoholism, and as one of the three principal sponsors of the Hughes-Javits-Moss Act of 1970, I am pleased to cosponsor the amendments to this act submitted by Senator HUGHES.

ADEQUATE PROTECTION FOR MOBILE HOME BUYERS

Mr. BROCK. Mr. President, mobile homes are the fastest growing mode of housing in the United States today.

In view of this, careful and considered steps must be taken to insure that this housing is safe and reliable. In my bill, S. 3604, now before the Senate Committee on Banking, Housing and Urban Affairs, I have proposed the establishment of national standards for the construction of mobile homes.

While other initiatives to provide protection to mobile home purchasers have been discussed, no one committee has addressed itself in a substantive way to an exhaustive examination of what is really needed to guarantee an adequate level of safety. I believe such an examination is imperative before we can act. Recognizing the pervasive influence a mobile dwelling has on its occupants, to ignore the complexities of what have been the experiences of State and local officials, owners, and private organizations involved in mobile home safety would be a miscarriage of legislative responsibility.

I am aware of language contained in the Senate Commerce Committee report on S. 3419, Consumer Safety Act of 1972, which states:

> Because many inquiries concerning mobile home safety have been directed to the Committee, it would seem appropriate to express the Committee's intent with respect to mobile home safety. It is the Committee's intent with respect to mobile home safety. It is the Committee's intent to include mobile homes under the definition of "consumer product."

The report language would perhaps be better stated if it had read, "Despite specific statutory language to the contrary, it is the Committee's intent" and so on. For if my reading of the bill is correct, then mobile homes are specifically excluded from coverage under the proposed act.

The contradictions of the Commerce Committee's position on mobile homes coupled with the fact that more thorough legislation is needed to provide adequate protection to the mobile homeowners will give my legislation, the National Mobile Home Safety Act, the chance for active consideration by the Senate. I feel that such study is necessary.

My legislation offers a comprehensive approach to the problem and hearings are expected before the close of this session of Congress.

Mr. President, the reasons for the astounding growth in the use of mobile homes are manifold. Most importantly, the spiraling cost of conventional homes has literally made it impossible for the average family to purchase its own home. In 1965, the cost of single family dwellings averaged $23,600; in 1970, the price has skyrocketed to over $32,500.

The enormous cost of site-built homes coupled with the fact that 95 percent of homes sold for under $15,000 are mobile homes has led over 7 million Americans to choose this type of dwelling.

Incredibly enough, in 1970 there were more mobile homes constructed than single family housing starts in all the United States.

Whatever the reasons for this development, it remains clear that mobile homes are very apt to continue their phenomenal increase in sales and should be viewed as a pervasive and futuristic element in America's housing capabilities.

Such a home, although technically mobile, is for all intents and purposes a dwelling which meets the objective and legal definitions of a domicile. In most instances, the only time a mobile home is mobile is for the trip between the point manufacturer and the home's park. Statistics show that the average mobile home is moved once every 40 months, that it spends less than 12 hours on public roads in 18 to 20 years, and that it only spends 0.055 percent of its useful life on the highway. The average size is 12 feet wide and 60 feet long. Despite the traditional shoebox configuration required for transportation purposes, mobile homes may now be purchased in double or even triple width.

A mobile home, regardless of its mobility, is a residence. However, unlike conventional housing it is not subject to local building ordinances. In their stead some 26 States have adopted standards covering mobile home construction.

Unfortunately, protection for the purchaser is spotty and enforcement of existing guidelines dubious. In most States which have adopted mobile home construction guidelines, most only apply to homes manufactured and sold in the State. Mobile homes manufactured in a State with no regulations and sold in a State with specific criteria are not regulated at all. Equally important is the matter of enforcement of official State regulations. In Florida, the country's leading consumer of mobile homes, there are three inspectors who handle all complaints against manufacturers of mobile homes and recreational vehicles, as well as the inspection of the construction of all such vehicles. It could hardly be expected that such a program could eliminate risks to the consumer.

In sum, Federal legislation covering mobile homes of the type I have proposed in S. 3604 is imperative. All attempts to subvert its importance by burying it in other so-called consumer legislation must be resisted. This issue demands thorough examination to determine its various ramifications and to consider the collective experiences of State and local authorities in order to provide the potential mobile home buyer with assurance that the home he purchases meets certain standards of quality and safety. I would add, however, that since virtually all mobile homes are delivered with components such as convenience appliances and furnishings, these components will and should be covered by pending consumer legislation. Nevertheless, mobile homes in and of themselves should be considered as dwellings.

Mr. President, in order that Senators may know how mobile homes use relates to their separate States, I ask unanimous consent that statistics provided by Mobile Home Manufacturers Association concerning production sales volume be printed in the RECORD at the conclusion of my remarks.

It will be noted that the use of mobile homes runs heavily in the more temperate climes of our South and West; however, production of these mobile dwellings is spread throughout the country with little relation to geography or climate.

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

MOBILE HOME SHIPMENTS TO DEALERS

	1966		1967		1968		1969		1970	
	Homes	Percent	Homes	Percent	Homes	Percent	Homes	Percent	Homes	Percent
Northeast	28,563	13.1	30,342	12.6	37,283	11.7	44,917	10.9	46,705	11.6
Connecticut	1,104		1,273		1,315		1,114		1,052	
Maine	1,885		1,775		2,686		3,827		4,833	
Massachusetts	1,239		1,433		1,716		1,716		1,585	
New Hampshire	1,409		1,674		1,715		2,446		2,302	
New Jersey	1,558		1,261		1,544		2,706		2,710	
New York	9,183		10,132		13,031		13,415		13,585	
Pennsylvania	10,654		11,142		13,552		16,776		18,768	
Rhode Island	241		259		216		655		262	
Vermont	1,290		1,393		1,508		2,242		1,608	
East North Central	41,751	19.2	39,925	16.6	51,946	16.3	68,706	16.6	67,781	16.9
Illinois	8,332		7,703		9,238		11,273		10,634	
Indiana	8,316		6,932		9,260		12,410		13,176	
Michigan	11,737		12,248		16,112		20,676		19,612	
Ohio	8,711		8,649		11,428		15,990		17,446	
Wisconsin	4,655		4,393		5,908		8,357		6,913	
West North Central	19,033	8.8	23,434	9.7	27,707	8.7	36,356	8.8	32,390	8.1
Iowa	2,116		2,528		2,658		3,889		4,609	
Kansas	3,296		4,029		4,828		6,408		5,007	
Minnesota	3,936		4,937		6,230		7,700		7,413	
Missouri	5,331		5,936		8,413		10,147		8,850	
Nebraska	1,468		2,455		2,353		3,941		2,944	
North Dakota	1,376		1,558		1,325		1,773		1,479	
South Dakota	1,510		1,991		1,900		2,498		2,088	
South Atlantic	49,812	22.9	60,764	25.3	78,178	24.6	108,156	26.2	115,752	28.9
Delaware	1,538		1,803		1,820		1,755		2,152	
Florida	14,183		18,732		26,012		33,618		37,854	
Georgia	9,379		11,680		16,109		24,268		22,976	
Maryland	2,092		2,096		2,275		2,789		2,979	
North Carolina	8,884		11,790		14,616		22,678		23,606	
South Carolina	5,321		6,603		7,632		10,657		10,694	
Virginia and District of Columbia	6,501		6,139		6,715		8,050		9,619	
West Virginia	1,914		1,921		2,999		4,341		5,872	
South Central	39,578	18.2	47,652	19.8	67,812	21.3	94,597	22.9	79,118	19.7
Alabama	6,755		7,521		8,304		12,718		12,463	
Arkansas	3,257		3,982		4,872		5,919		4,796	
Kentucky	4,287		4,325		5,279		7,008		8,225	
Louisiana	4,304		5,004		6,943		11,235		6,371	
Mississippi	4,454		4,295		5,543		10,226		6,823	
Oklahoma	2,432		3,290		4,601		7,111		5,016	
Tennessee	6,256		5,348		7,850		11,353		8,822	
Texas	7,833		13,917		24,420		28,987		26,692	
Mountain	14,959	6.9	15,581	6.5	20,424	6.4	27,287	6.6	29,383	7.3
Arizona	2,970		2,913		4,949		7,134		8,735	
Colorado	3,469		4,572		4,773		6,333		6,503	
Idaho	1,721		1,701		2,126		3,001		3,737	
Montana	2,342		2,476		2,379		3,410		2,722	
Nevada	1,176		912		2,065		2,224		1,967	
New Mexico	1,824		1,594		2,528		2,570		2,673	
Utah	784		686		781		1,364		1,722	
Wyoming	673		727		823		1,251		1,324	

MOBILE HOME SHIPMENTS TO DEALERS—Continued

	1966		1967		1968		1969		1970	
	Homes	Percent	Homes	Percent	Homes	Percent	Homes	Percent	Homes	Percent
Pacific	23,051	10.6	21,390	8.9	33,396	10.5	31,389	7.6	28,678	7.2
California	13,306		10,828		19,287		18,911		17,796	
Oregon	4,919		4,351		5,975		5,033		5,495	
Washington	4,826		6,211		8,134		7,445		5,387	
Alaska	553	.3	1,242	.6	1,204	.5	1,228	.4	1,361	.3
Hawaii							54		22	
Total United States	217,300	100	240,360	100	317,950	100	412,690	100	401,190	100

UNIT SHIPMENTS TO STATES IN 1970, MOBILE HOMES ONLY (REVISED)

	1969	1970	Percent change
Northeast	44,917	46,705	+4
Connecticut	1,114	1,052	−6
Maine	3,827	4,833	+26
Massachusetts	1,716	1,585	−8
New Hampshire	2,466	2,302	−7
New Jersey	2,706	2,710	(1)
New York	13,415	13,585	+1
Pennsylvania	16,776	18,768	+12
Rhode Island	655	262	−60
Vermont	2,242	1,608	−28
East North Central	68,706	67,781	−1
Illinois	11,273	10,634	−6
Indiana	12,410	13,176	+6
Michigan	20,676	19,612	−5
Ohio	15,990	17,446	+9
Wisconsin	8,357	6,913	−17
West North Central	36,356	32,390	−11
Iowa	3,889	4,609	+19
Kansas	6,408	5,007	−22
Minnesota	7,700	7,413	−4
Missouri	10,147	8,850	−13
Nebraska	3,941	2,944	−25
North Dakota	1,773	1,479	−17
South Dakota	2,498	2,088	−16
South Atlantic	108,156	115,752	+7
Delaware	1,775	2,152	+23
Florida	33,618	37,854	+13
Georgia	24,268	22,976	−5
Maryland	2,789	2,979	+7
North Carolina	22,678	23,606	+4
South Carolina	10,657	10,694	(1)
Virginia and District of Columbia	8,050	9,619	+19
West Virginia	4,341	5,872	+35
South Central	94,597	79,118	−16
Alabama	12,718	12,463	−2
Arkansas	5,919	4,706	−20
Kentucky	7,008	8,225	+17
Louisiana	11,235	6,371	−43
Mississippi	10,266	6,823	−34
Oklahoma	7,111	5,016	−29
Tennessee	11,353	8,822	−22
Texas	28,987	26,692	−8
Mountain	27,287	29,383	+8
Arizona	7,134	8,735	+22
Colorado	6,333	6,503	+3
Idaho	3,001	3,737	+25
Montana	3,410	2,722	−20
Nevada	2,224	1,967	−12
New Mexico	2,570	2,673	+4
Utah	1,364	1,722	+26
Wyoming	1,251	1,324	+6
Pacific	31,389	28,678	−9
California	18,911	17,796	−6
Oregon	5,033	5,495	+9
Washington	7,445	5,387	−28
Alaska	1,228	1,361	+11
Hawaii	54	22	−59
Total United States	412,690	401,190	−3

[1] Less than 1 percent.

MOBILE HOMES SHIPPED TO STATES

	1970	1971 [1]	Percent change
Northeast	46,705	41,824	−10
Connecticut	1,052	726	−31
Maine	4,833	3,645	−25
Massachusetts	1,585	1,248	−21
New Hampshire	2,302	1,980	−14
New Jersey	2,710	2,179	−20
New York	13,585	12,073	−11
Pennsylvania	18,768	18,433	−2
Rhode Island	262	296	+13
Vermont	1,608	1,244	−23
East North Central	67,781	74,613	+10
Illinois	10,634	11,688	+10
Indiana	13,176	14,875	+13
Michigan	19,612	22,887	+17
Ohio	17,446	18,345	+5
Wisconsin	6,913	6,818	−1
West North Central	32,390	35,260	+9
Iowa	4,609	4,789	+4
Kansas	5,007	5,179	+3
Minnesota	7,413	6,783	−8
Missouri	8,850	10,162	+15
Nebraska	2,944	3,708	+26
North Dakota	1,479	2,307	+56
South Dakota	2,088	2,332	+12
South Atlantic	115,752	133,427	+15
Delaware	2,152	1,933	−10
Florida	37,854	49,366	+30
Georgia	22,976	22,821	−1
Maryland	2,979	2,425	−19
North Carolina	23,606	27,445	+16
South Carolina	10,694	12,263	+15
Virginia and District of Columbia	9,619	10,522	+9
West Virginia	5,872	6,652	+13
South Central	79,118	110,707	+40
Alabama	12,463	15,999	+28
Arkansas	4,706	8,620	+83
Kentucky	8,225	12,062	+47
Louisiana	6,371	8,336	+31
Mississippi	6,823	9,584	+40
Oklahoma	5,016	7,282	+45
Tennessee	8,822	15,215	+72
Texas	26,692	33,609	+26
Mountain	29,383	47,147	+60
Arizona	8,735	17,380	+99
Colorado	6,503	10,669	+64
Idaho	3,737	4,154	+11
Montana	2,722	3,464	+27
Nevada	1,967	2,576	+31
New Mexico	2,673	5,156	+93
Utah	1,722	2,475	+44
Wyoming	1,324	1,273	−4
Pacific	28,678	52,580	+83
California	17,796	32,578	+83
Oregon	5,495	12,433	+126
Washington	5,387	7,569	+40
Alaska	1,361	969	−29
Hawaii	22	43	+95
Total United States	401,190	496,570	+24

[1] Revised.

MOBILE HOME PRODUCTION IN STATES

(Units)

	1970	1971	Percent change 1971/1970	Percent of total 1971 production [1]
Northeast	32,300	32,975	+2	7
Connecticut	0	0		
Maine	0	0		
Massachusetts	0	0		
New Hampshire	(2)	(2)		
New Jersey	(2)	(2)		
New York	0	(2)		
Pennsylvania	32,090	32,461	+1	6
Rhode Island	0	0		
Vermont	0	0		
East North Central	81,760	98,207	+20	19
Illinois	1,270	1,494	+18	
Indiana	49,500	61,527	+24	12
Michigan	15,060	13,558	−10	3
Ohio	9,080	9,775	+8	2
Wisconsin	6,850	11,853	+73	2
West North Central	37,710	44,328	+18	9
Iowa	(2)	(2)		
Kansas	17,710	19,572	+11	4
Minnesota	5,470	5,974	+9	1
Missouri	4,750	7,218	+52	1
Nebraska	7,040	8,803	+25	2
North Dakota	(2)	(2)		
South Dakota	1,670	1,699	+2	(4)
South Atlantic	108,510	133,567	+23	26
Delaware	0	0		
Florida	26,700	35,432	+33	7
Georgia	48,160	56,711	+18	11
Maryland	(2)	(2)		
North Carolina	18,880	26,090	+38	5
South Carolina	7,740	6,660	−14	1
Virginia and District of Columbia	5,690	7,177	+26	1
West Virginia	(2)	(2)		
South Central	90,140	119,257	+32	24
Alabama	23,440	29,470	+13	6
Arkansas	8,550	9,655	+13	2
Kentucky	2,850	5,171	+81	1
Louisiana	5,330	5,774	+8	1
Mississippi	5,430	9,987	+84	2
Oklahoma	3,850	5,317	+38	1
Tennessee	4,830	7,989	+65	2
Texas	35,860	45,894	+28	9
Mountain	[3] 14,130	[3] 23,350	+65	5
Arizona	1,510	7,231	+379	1
Colorado	1,240	2,369	+91	(4)
Idaho	10,220	11,285	+10	2
Montana	(2)	(2)		
Nevada	0			
New Mexico	(2)	(2)		
Utah	(2)	(2)		
Wyoming	(2)	(2)		
Pacific	43,800	55,536	+27	11
California	33,550	42,622	+27	8
Oregon	7,300	9,241	+27	2
Washington	2,950	3,673	+25	1
Alaska	(3)	(3)	(3)	
Hawaii	0	0		
Total, United States	408,350	507,220	+24	100

[1] Detail may not add to total because of rounding.
[2] Production in this State has been concealed to prevent disclosure of individual plant production. The region total includes the production of this State.
[3] The production in Alaska is included in the Mountain Region total.
[4] Less than ½ of 1 percent.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The time allotted for the transaction of routine morning business has expired, and routine morning business is closed.

FOREIGN ASSISTANCE ACT OF 1972

The PRESIDING OFFICER (Mr. ALLEN). At this time, in accordance with the previous order, the Chair lays before the Senate the unfinished business (S. 3390), which the clerk will state.

The assistant legislative clerk read as follows:

A bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes.

The ACTING PRESIDENT pro tempore. The pending question is on agreeing to the amendment (No. 1223) of the Senator from Alabama (Mr. SPARKMAN). Time on the amendment is controlled, and is limited to 2 hours, to be equally divided between the Senator from Alabama and the Senator from New Jersey (Mr. CASE).

The amendment will be stated.

AZORES AND BAHRAIN AGREEMENTS

The assistant legislative clerk read as follows:

On page 11, beginning with line 19, strike all through line 2 on page 12.

On page 12, line 6, strike "SEC. 14" and insert "SEC. 13".

Mr. SPARKMAN. Mr. President, what is the limitation on time?

The PRESIDING OFFICER. There is a time limitation of 2 hours, to be equally divided.

Mr. SPARKMAN. One hour to each side?

The PRESIDING OFFICER. That is correct.

Mr. SPARKMAN. Mr. President, the effect of my amendment would be to strike section 13 out of the bill. Section 13 is a part of what is known as the Case amendment. There are two parts to that amendment, section 13 and section 14. Section 13 would have the effect of stopping the expenditure of all funds with reference to the Azores and with reference to Bahrain unless and until treaty with each of those countries is submitted to the Senate for ratification.

These arrangements are now operating under executive agreements; and I believe it would be bad, but against the interests of the United States, to adopt this provision. I go a long way toward supporting the argument—and I have supported the argument—that there ought to be more consideration given to the utilization of treaties, particularly where there is something that might tie us down with respect to the security of the particular country with which we are acting. I believe, however, that that can be accomplished through our working with the executive department of the Government, and that we can prevail upon the executive department to submit treaties when a treaty is required.

However, I do not feel that a treaty is required in either of these cases. In neither case do we in any way whatsoever make any commitment toward the area covered that we would participate in any action looking to the preservation of their security. They are operating agreements.

With reference to the Azores, following the ratification by the Senate of the North Atlantic Treaty in 1949, the United States concluded executive agreements for the stationing of U.S. forces in a number of NATO countries—Belgium, Canada, Denmark, Germany, Greece, Iceland, the Netherlands, Turkey, and the United Kingdom, as well as Portugal. The agreement with Portugal was signed on September 6, 1951. This agreement formally expired on December 31, 1962, but the Portuguese chose not to require us to withdraw. The new government which took office in Portugal in 1968 asked for a reactivation of the base negotiations, which the Portuguese had broken off in 1962. We, of course, had no choice but to agree. Substantive discussions began in the fall of 1970 and lead to the exchange of notes of December 9, 1971, which provided for the extension of our base rights to February 3, 1974, and for certain U.S. assistance for economic development in Portugal.

The December 9, 1971, exchange of notes and letters merely extended our Azores base rights and involved no political or military commitments to Portugal—indeed, no commitments at all except to provide a modest amount of aid and export credits. To submit an agreement of such limited nature to the Senate for advice and consent would involve a major departure from long established practice. It would also give the agreement a formality which implies an importance and a U.S. commitment which are neither involved nor desired.

A question which has repeatedly come before the Senate has been raised again in recent days by the new series of executive agreements signed by the President with foreign nations. These agreements raise the question of the responsibility of the Senate to advise the President in advance of his action on questions of foreign affairs and, subsequently, to consent to his actions in this field. This power is at the heart of the Senate's constitutional powers in the field of foreign policy; and the recent inquiries by Senator CASE, Senator ERVIN, and Senator FULBRIGHT into the propriety of executive agreements reflect a well-justified and discerning concern for our constitutional system of checks and balances.

At the present time, no agreement is signed by the Department of State without a so-called circular 175 authorization. This is a legal review to determine whether any bilateral agreement should be submitted to the Senate in the form of a treaty or whether it can appropriately be concluded as an executive agreement. Clearly, any basic political commitment to come to the defense of another country must be presented to the Senate in the form of a treaty. No President has the power under the Constitution to accept on his own authority an obligation to make war without the clear and specific declaration of the Senate. The treaty clause of the Constitution is an ancillary safeguard against abuse of executive responsibilities in the field of defense and security.

On the other hand, a great number of other subjects can be appropriately concluded under an executive agreement. Essentially, the test is one of the importance of the subject. Moreover, the importance of any particular agreement should be measured not only in the eyes of our own Government, but in the eyes of the officials of foreign countries which are parties to the agreement. A smaller State may see an agreement with the United States as essential to its own defense or well-being even though the United States does not regard the facilities or benefits obtained as being essential to American interests. Thus, not only mutual defense agreements which should be submitted to the Senate as treaties, but also any agreement which assumes a vital importance in the security of another country. This is especially true if it involves the stationing of American military personnel abroad.

In concluding this brief discussion of the subjects that should properly be included in a treaty or an executive agreement, I should note a related concern of Congress—that is, a desire for openness in foreign affairs. Congress has an equal concern and an equal responsibility to the executive branch in these fields. Misunderstanding and misrepresentation can result when Congress is not consulted in advance on certain executive agreements. Much of the value in the treaty clause in the Constitution stems from the broad and open discussion which precede the advice and consent of the Senate to any formal bilateral agreement, and it is my judgment that much of the opposition to executive agreements would cease if the executive branch clearly and fully explained its purposes to Congress. This need not be in formal committee session of the appropriate congressional committee, but could also occur through the medium of letters or even informal conversations.

The Senate should insist on its full measure of power in this vital area of the review of important bilateral agreements, but I feel its anxiety has been misplaced in the recent case of the executive agreement to station naval personnel on Bahrain. This agreement does not relate to the defense of Bahrain, anyway. In fact, misleading publicity about the agreement has been a cause of some embarrassment to the Government of Bahrain, which is a thriving state on good terms with all its neighbors and is determined to preserve its new independence. Therefore, as one might expect, the stationing agreement does not obligate the United States in any way to support or defend the Government of Bahrain against aggression; nor is there even any agreement to consult in times of international tension. It recognizes administrative arrangements to lease buildings to be used for housekeeping, communications, and recreational purposes, and for part-time use of a commercial pier. As it is the intention of the Department of Defense to continue to maintain a homeport for a U.S. vessel in Bahrain, the published agreement mainly spells out arrangements relating to legal jurisdiction, tax exemptions, and import privileges of naval personnel on Bahrain. None of these matters reaches the degree of importance which is required for a treaty; and the Department of State, like the Foreign Ministry in Bahrain, does not see any reason to drape such mundane matters in the mantle of a treaty. This would give the arrangements an importance and a diplomatic significance which are completely unfounded.

The executive agreement in this case is merely a device to continue courtesies which the U.S. Navy has enjoyed for more than 20 years on the island of Bahrain. These courtesies were previously extended by the Bahrainis informally through the British, who had long acted for the Bahrainis in matters of foreign affairs. When this British relationship with Bahrain was ended last year, it became necessary to regularize the status of the small U.S. naval Mideast force with the new Government of Bahrain. The openness of the long-standing U.S. naval arrangements on the island of Bahrain has always been public and the need to adjust to new circumstances is obvious. When the United States decided it was in our interest to maintain these arrangements in the period following British withdrawal, it undertook to provide a formal basis for this small American military presence to remain in this crucial area, which is the principal source of oil for the world.

Let me conclude by saying that I believe an executive agreement was the appropriate form in which to provide for an extension of COMIDEASTFOR's activities on the island of Bahrain. The agreement sets no new policy. No new Navy mission is established in the Persian Gulf. The agreement most definitely does not contain any defense or political commitment, nor is any necessary in the eyes of Bahrain or the United States. The agreement is clearly within the authority of the President, as Commander in Chief, to provide facilities for our military personnel. The agreement provides for the rental of certain commercial facilities like a pier and cold stores which are useful to the maintenance of a vessel in foreign waters. The provisions of the agreement are public and commonplace and are subject to termination by either party at any time.

Mr. CASE. Mr. President, the Senate will soon be voting on whether or not to uphold the constitutional requirement for Senate advice and consent on treaties.

The specific issue before us, with the Sparkman amendment, concerns recent agreements which the executive branch has made with Portugal and Bahrain. But beyond these two important pacts is the broader question of what is a treaty. Does an agreement with a foreign country become a treaty only when the executive branch tells us this is the case? I think not.

An executive agreement for military bases outside the geographical territory of the United States is an important matter, I suggest, Mr. President. I think that is so on its face. But the executive branch says that the agreements with Portugal and Bahrain are executive agreement, not treaties, and that the Senate has no business—may I say in a polite way—involving itself in this area.

Does the Constitution mean anything? Does it mean only that the Senate is becoming a facade, to be pointed at when the teacher tells his pupils that we have a democracy, a constitution, and a representative government?

Is the Senate purely for the sake of window dressing? Is the whole thing a a sham? If it is not, then what does the Constitution mean when it talks about treaties? Well, the Senate did not think that these arrangements for bases in the Azores and in Bahrain should not have been treaties. The Senate thought otherwise.

On March 3 the Senate voted overwhelmingly in favor of the resolution which I introduced, which stated that the administration should submit the two agreements to the Senate as treaties. As I say, the vote was overwhelming. The administration, however, chose only to "note" the sense of the Senate and still refused to submit the agreements to the Senate for consideration as treaties under the Constitution of the United States.

Well, I do not know of any way we can compel the Executive to submit these agreements as treaties. I do not know that there would be any "writ that runs" in our favor against the President of the United States in any court of law. But, on the other hand, the Senate does not have to approve the funds to implement agreements which should be submitted to us for consideration as treaties and which are not submitted to us.

Accordingly, I presented an amendment to the Foreign Assistance Act of 1972 in the Committee on Foreign Relations, when it was considering that act, to cut off all funds for the imple-

mentation of these agreements until the administration had submitted them to to the Senate as treaties.

In fact, the Sparkman amendment, as the Senator from Alabama correctly noted, would, if it passes, eliminate this section. Its effect would be to acquiesce in the executive claim that we have no business meddling in these matters. Passage of the Sparkman amendment would be a clear signal that we are capable of passing a nonbinding resolution or, in other words, making stump speeches for the reassertion of the constitutional rights of the Senate, but that we are not willing to pass legislation with any teeth in it..

Do you think, Mr. President, that this is the way a Senator of the United States should treat the obligations of his office, to make stump speeches and then humbly bow the knee when the executive indicates that it prefers to have us do so?

What does that do to the Government of the United States? The Government is supposed to be composed of three equal and independent branches of government. What does it do to the proud tradition of this body, Mr. President?

We were not given authority under the Constitution for our own aggrandizement. We were not given it to flaunt it as evidence of the prestige of this body. That was not its purpose. Its purpose was a check on the use of arbitrary power by the executive branch. That is the purpose, Mr. President.

And so when we attempt to assert a claim to involvement by the Senate in agreements with foreign nations, we are not trying to show our own muscle as Members of the Senate of the United States. We are not trying to build ourselves up in any sense. We are trying to perform our constitutional duty. And when we refuse to do it and when we accept the assurances of the executive that in its judgment we had better not do this or that, we are not just demeaning ourselves, but we are also refusing to assume an obligation which the Constitution of the United States puts upon us and which our oath of office requires us to fulfill.

That is what we have been doing. I know that it is customary for most Members of the Senate to assert the dignity of the Senate and its importance in their belief in this independent role in general terms. And of course it is very easy to make stump speeches. We made them before in this matter when we said that it is the sense of the Senate that the agreements should be submitted as treaties.

It is much more difficult when we have to bite the bullet and do something about it and when we have to take action, the only kind of action we can take within our power.

I know that over many decades the U.S. Congress has become what one of our Members in days gone by called the sapless branch. He was speaking in another vein, perhaps. However, what he said is directly applicable here. Either we do or we do not move to fulfill our obligation under the Constitution of the United States as members of an independent branch of the Government of the United States.

I think it would be a sad commentary on the Senate of the United States once we have made our position known to back down when the administration says, "No, boys, this isn't possible. These are important matters. These matters are not for children. This is for the President to decide."

Of course, my remarks are not directed at this President. It is directed at all Presidents who, over many years, have usurped the Senate's authority to the point where the treaty power has become almost an exclusive authority of the occupant of the Office of President.

Mr. President, a curious thing has come about in the reversal of feelings that has taken place in many quarters of American intellectual thought. For a long time, as we know, a strong President was the ideal. The academicians, the editorialists, the writers, and others all extolled a man who exercised the powers of the President with authority. And they ridiculed those they called bumblers, like President Eisenhower, who had a strong sense of the limitations of office of the Presidency.

How ironic the change has been. These same people are now looking to Congress to reassert its authority. They have discovered that there is danger in an all-powerful President. They are talking about evil intentions. This is not the question. The founders of our land in their great wisdom—and they were a most extraordinary bunch—struck off an instrument, the Constitution, that was the marvel of the world. They did not think of the President of the United States and his successors as evil men. They simply recognized that no man is wise enough to run everything all by himself—no man nor any little group of men.

That is what we are talking about. And the only way we can check power is with countervailing power. That is why the Founding Fathers set up a system of checks and balances. And that is what we are talking about here. We have no authority in this matter to enforce the observance of the Constitution except the power of the purse. That power ought to be used sparingly. That power is very drastic, indeed. But, Mr. President, if it is not ever used, not only will that power atrophy but so will the Government of the United States as a democracy, as a representative government, as a government of divided authority.

Mr. President, I invoke that authority here because a vital constitutional question is involved.

Mr. SYMINGTON. Mr. President, will the distinguished Senator from New Jersey yield?

Mr. CASE. I will yield to the Senator from Missouri in a moment.

Mr. SYMINGTON. I am sorry. I thought that the Senator was finished. I was hoping that he would yield to me when he is through.

Mr. CASE. I will be pleased to yield to the Senator from Missouri when I am through. I am so cheered by the presence of the Senator from Missouri because of his great authority and the interest he has taken in this matter. He has been a shining light and a beacon to all of us. I will be very happy in a moment or two to yield to the Senator from Missouri.

Mr. SYMINGTON. I thank the Senator.

Mr. CASE. Mr. President, I have not taken any position on these agreements as substantive matters. I am not complaining about their terms. I am saying that the Senate of the United States ought to pass on them. That is what I am saying. So any discussion of the importance of these agreements is irrelevant except that it indicates their importance and that they therefore should be considered by the Senate of the United States as treaties.

We are not put in the Senate to deal only with treaties on copyrights, extradition, stamp collections, and minor questions of protocol. If that is the meaning of the Constitution, then I think the Founding Fathers wasted their time, and they did not waste their time unless we choose to have it so.

We can do this. We have done it in the past. It has become fashionable to say that politics stops at the water's edge. So politics does stop at the water's edge. But not when it comes to a serious consideration by the Senate of the United States of important matters proposed by the President of the United States. That is not the kind of politics that should stop at the water's edge. There should be no boundary to the discussion of these matters at all, no boundaries and no limit.

Mr. President, I would rather not sit in this body if it is to be a matter of passing upon questions of protocol. It is a great honor. However, it is not an honor if we choose to dishonor it by refusing to exercise and by not insisting on our right to exercise our constitutional authority.

One point has been made, and it is a very important one because of the great prestige of the Senator from Alabama (Mr. SPARKMAN), the mover of the amendment. He is chairman of the Committee on Banking, Housing and Urban Affairs. And he is naturally particularly interested in a special aspect of the Portuguese agreement, the agreement referring to the matter of credits or guarantees by the Export-Import Bank. That is the product of his committee. It is one of his babies in a sense. It has grown to be rather a large baby. However, he still has a paternal interest in it. And this is right and correct. He rather resents the idea that the actions of the Foreign Relations Committee—of which he is also a member, of course—should in any way limit the authority or activities of this bank.

I understand this. I want to make this point here. I understand that he and the Senator from Texas (Mr. TOWER) have another amendment. I am not sure about all the language in the amendment but, in effect, it would provide that nothing in this act, if the amendment is rejected, would prevent the Eximbank from carrying on its activities in the normal way. I agree. Passage of the bill with section 13 in it would not prevent the Export-Import Bank from conducting its ordinary business. It would take away an obligation of the United States of America to use the Bank in

political matters which it never should do in any event.

The Senator from Alabama has a very good mind. He understands this distinction. I will accept the other amendment, assuming this one fails. I offer now to do so because I want to eliminate from the consideration of the constitutional question here involved, any question of an effort on our part to question an agency set up for entirely different purposes. That is not the intention and I agree it should not be the result. If an amendment is necessary, I will join in sponsoring it.

Under the last six Presidents, the executive agreement has gradually but steadily replaced the treaty as the principal means of making agreements with foreign governments. Lend-lease and destroyers-for-bases have led to Korean mercenaries for Vietnam, secret military bases in Ethiopia and Morocco, and even a secret war in Laos.

It was to avoid just such unilateral entanglements that the Founding Fathers wrote into the Constitution the requirement for Senate advice and consent to treaties. They felt that if a particular agreement could stand up to senatorial scrutiny, it was much more likely to involve the United States in a beneficial course of action. I am not saying that any of the agreements I have mentioned necessarily were not beneficial to our country. But I am saying that we have a Constitution; that ours is a system of laws; and that we should follow this Constitution in our foreign as well as domestic policies.

Opponents of section 13 have raised several arguments about the importance to the United States of military bases in the Azores and Bahrain. I do not dispute these arguments, but I believe them to be irrelevant to the central issue of whether or not the American constitutional process has been followed in the administration's use of executive agreements. I would remind my colleagues that the executive agreement is nowhere even mentioned in the Constitution, and I cannot conceive that the Founding Fathers would not have included arrangements for foreign military bases in their definition of a treaty.

It is also argued that to submit the Azores and Bahrain agreements to the Senate for advice and consent would give the agreements a formality which might imply some new type of American commitment to Portugal or Bahrain.

I would say to this that executive agreements have the same force in international law as treaties, and the Portuguese and Bahrain pacts could be redrafted as treaties which grant no greater and no less commitment than the present executive agreements. If this somehow were not considered to be enough, then a simple declarative sentence could be added which stated that nothing in either agreement should be interpreted to imply a new commitment.

I might add, somewhat parenthetically, that the Portuguese Prime Minister has referred publicly to the Azores agreement as a treaty, so the fine distinction between an executive agreement and a treaty would seem clearer to our own Government than to the parties we are dealing with.

There have been suggestions, although Congress has never been officially advised to this effect, that the Bahrainis insist upon the arrangement being included as an executive agreement. Even if this is so, is it tolerable for the Senate to permit the application of the American Constitution to be determined by a foreign government? I think not.

In conclusion, let me say that both the Azores and Bahrain agreements concern the stationing of American troops overseas, and that this is simply too important a matter to be left to an executive agreement. We have seen how in recent years the presence of our soldiers in a foreign country can lead to a commitment toward the host country and ultimately to war. For both practical and Constitutional reasons, the Senate should participate in making a decision of this sort.

And if the Senate does not start to take action now, then we shall only have ourselves to blame for our own impotence.

Mr. President, I ask unanimous consent that the remarks I made on April 4, 1972, when I introduced the legislation the Sparkman amendment would strike, be included in the RECORD along with various supporting documents.

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

REMARKS OF SENATOR CASE

Mr. CASE. Mr. President, I am today introducing a bill which would block all assistance to Portugal and Bahrain promised in recent executive agreements. This ban would remain in effect until the executive submits to the Senate as treaties these two executive agreements. I expect to offer the substance of this legislation as an amendment to the Foreign Aid Act.

I would have preferred that this matter be handled in a less drastic fashion. For several months now, I have been taking actions which urge the executive to submit to the Senate the agreements for U.S. military bases in the Portuguese Azores and in Bahrain—but to no avail.

I started out by writing to Secretary of State Rogers on December 9, 1971, urging that the agreement with Portugal for a 25-month extension of U.S. bases rights in the Azores in return for about $435 million in U.S. assistance and credits be submitted as a treaty.

I wrote:

"There is no question in my mind that in and of itself, the stationing of American troops overseas is an issue of sufficient importance to necessitate the use of the treaty process."

And I added that—

"The furnishing of economic aid to Portugal is complicated by the fact that Portugal is involved in colonial wars in Africa."

When it became clear that the administration would not react favorably to my letter, on December 16, 1971, with the consponsorship of four other senior members of the Foreign Relations Committee, I introduced a resolution which called on the executive to submit the Portuguese agreement as a treaty.

Then on January 6, I read in the newspaper that the United States had entered into an "unpublicized" agreement with Bahrain for the establishment of a naval base on that island in the Persian Gulf. Again, the administration intended not to submit the agreement to the Senate but to settle the whole matter with a stroke of a diplomat's pen. Again, I pointed out on the Senate floor that the stationing of American troops overseas could lead to a commitment toward the host country and ultimately to war, and that the United States was becoming involved in a volatile part of the world where previously we had never had our own base.

On that day, I announced my intention to expand my resolution on the Azores to include also the submission to the Senate of the Bahrain agreement. The Foreign Relations Committee then held 3 days of public hearings during which the State Department testified it still would not submit the Azores and Bahrain agreements.

Nevertheless, on March 3, the Senate passed my resolution 50–6. The vote was significant not only because of the overwhelming majority by which it was adopted but also because Senators of all ideological persuasions joined in the effort to reassert the Senate's explicit constitutional role in the treatymaking process.

On March 6, I wrote again to the Secretary of State asking, in view of the Senate's passage of my resolution, if and when the executive would submit the two agreements to the Senate for advice and consent.

I have now received the State Department's reply—dated March 21—which says that after "serious consideration," it still will not submit the Bahrain and Azores agreements to the Senate. Claiming that the agreements "were appropriately concluded as executive agreements," the State Department's only reaction to the overwhelming vote of the Senate on my resolution is to "have noted the sense of the Senate."

I understand full well that a Senate resolution is not legally binding, so the State Department technically has the right only to "note" it. Yet, I must say that the attitude of the Department is most unwise and is shortsighted in the extreme.

The framers of the Constitution were explicit in their inclusion of the requirement for advice and consent of the Senate in the making of a treaty. And nowhere in the Constitution did they mention that the executive could skirt senatorial approval by simply calling a pact with a foreign government an executive agreement.

But the Department still refuses to take heed of the Senate's will on this question. So, I am faced with two choices: Either I can let the matter drop—content to have a resolution with my name on it passed by the Senate—or I can at least try to take further action. I have chosen the latter course because I believe a fundamental constitutional question is at stake.

The Senate cannot compel the executive to submit the agreements, but the same time the Senate does not have to appropriate any money to pay for the agreements' costs.

I am today calling on my colleagues to uphold the Senate's vote of March 3 and cut off the funds needed to implement the agreements with Portugal and Bahrain until they are submitted as treaties.

Mr. President, I ask unanimous consent that there be printed in the RECORD the text of my bill, various background documents, and earlier editorial comment on the Portuguese and Bahrain deals.

(There being no objection, the bill and material were ordered to be printed in the RECORD, as follows:)

S. 3447

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Congress declares that, until the agreements signed by the United States with Portugal and Bahrain, relating to the use by the United States of military bases in the Azores and Bahrain have been submitted to the Senate as treaties for its advice and consent, assistance to be furnished Portugal and Bahrain as the result of such agreements should be terminated, and that Senate Resolution 214, 92d Congress, agreed to March 3, 1972, expressed the sense of the Senate

that such agreements should be so submitted to the Senate as treaties.

(b) Therefore, notwithstanding any other provision of law, on and after the date of enactment of this Act—

(1) no vessel shall be loaned or otherwise made available to Portugal;

(2) no agricultural commodities may be sold to Portugal for dollars on credit terms or for foreign currencies under the Agricultural Trade Development and Assistance Act of 1954;

(3) no funds may be provided to Portugal for educational projects out of amounts made available to the Department of Defense;

(4) no excess articles may be provided by any means to Portugal;

(5) no defense articles may be ordered for Portugal from the stocks of the Department of Defense under section 506 of the Foreign Assistance Act of 1961; and

(6) the Export-Import Bank of the United States may not guarantee, insure, extend credit, or participate in any extension of credit, with respect to the purchase or lease of any product by Portugal, or any agency or national thereof, or with respect to the purchase or lease of any product by another foreign country or agency or national thereof if the Bank has knowledge that the product is to be purchased or leased principally for the use in, or sale or lease to, Portugal; until such agreement with Portugal is submitted to the Senate as a treaty for its advice and consent.

(c) Notwithstanding any other provision of law, on and after the date of enactment of this Act, no funds may be furnished by the United States to Bahrain for the use of any such base in Bahrain until such agreement with Bahrain is submitted to the Senate as a treaty for its advice and consent.

DEPARTMENT OF STATE,
Washington, D.C., March 21, 1972.

Hon. CLIFFORD P. CASE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CASE: The Secretary has asked me to reply to your letter of March 6, 1972 asking to be informed if and when the Administration plans to send the recent agreements with Bahrain and Portugal to the Senate for its advice and consent.

The Department has given serious consideration to S. 314, as is deserving of any resolution expressing the sense of the Senate on a matter of this nature. However, as Under Secretary U. Alexis Johnson stated in his testimony before the Senate Foreign Relations Committee on February 1, the Department of State believes that the agreement with Portugal to continue United States rights to station forces in the Azores and the agreement with Bahrain to permit the Middle East Force to continue to use support facilities in Bahrain were appropriately concluded as executive agreements. The agreements involve no new policy on the part of the United States nor any new defense commitment. Indeed, to seek Senate advice and consent would, in our view, carry a strong implication of new commitments that were not in fact intended by the parties. Of course the agreement with Portugal is in supplementation of our already existing commitments under the North Atlantic Treaty, which was approved by an overwhelming majority of the Senate.

We realize, of course, that there may be a difference of view on the form an international agreement should take, and we have noted the sense of the Senate with respect to the Bahrain and Azores agreements as expressed in the vote on S. 214. We will continue to make every effort to keep the appropriate Congressional Committees informed of important agreements under negotiation and to consult with those Committees whenever there is a serious question whether an international agreement is to be made in the form of a treaty or otherwise.

Sincerely yours,

DAVID M. ABSHIRE,
Assistant Secretary for Congressional Relations.

TREATY WITH PORTUGAL AND
U.S. ECONOMIC AID,
December 9, 1971.

The Hon. WILLIAM P. ROGERS,
Secretary of State, Department of State, Washington, D.C.

DEAR MR. SECRETARY: In this morning's *New York Times*, it was reported that the United States and Portugal had negotiated an agreement regarding the future use by the United States of air and naval bases in the Portuguese Azores. It was further reported that the United States would furnish Portugal with economic aid in return for the use of the bases.

While not questioning the right of the Executive to negotiate agreements of this sort, I would like to receive your assurances that any final agreement will be submitted as a treaty for the Senate's advice and consent, and that no economic assistance will be furnished to Portugal without affirmative action of both Houses of Congress.

There is no question in my mind that in and of itself, the stationing of American troops overseas is an issue of sufficient importance to necessitate the use of the treaty process. It is unfortunate that American forces have been in the Azores since World War II only on the basis of executive agreements, but that past oversight in no way justifies the enactment of a new agreement without conforming to our Constitutional processes.

Similarly, the Executive has the right to discuss with any foreign government the furnishing of foreign assistance, but the Constitution clearly establishes that the Congress must appropriate (and hence authorize) the funds to institute such a program. Congress has provided the President with certain discretionary authority to make changes in the allocation of foreign aid funds, but the clear intent of Congress has been for this discretionary authority to be used in emergency situations. The new agreement with Portugal is not a matter on which the Executive must act immediately and thus would not and have time to come to Congress for authorization.

Finally, I would point out that the furnishing of economic aid to Portugal is complicated by the fact that Portugal is involved in colonial wars in Africa. You stated on March 26, 1970: "As for the Portuguese territories, we shall continue to believe that their peoples have the right of self-determination. . . . Believing that resort to violence is in no one's interest, we imposed an embargo in 1961 against the shipment of arms for use in the Portuguese territories."

Yet there would seem to be a clear tie between the furnishing of economic aid to Portugal and the wars in the Portuguese colonies. *The New York Times* said this morning: "The loans could reduce pressure on Portugal's foreign currency reserves, which are under considerable strain because of the need to import foodstuffs in part because of the war against the guerrillas in Angola, Mozambique and Portuguese Guinea."

This additional complication is an added reason for the Executive Branch to seek the advice and consent of the Senate before final action is taken on the reported agreement with Portugal. I am confident you will agree and I await your affirmative response.

Sincerely,

CLIFFORD P. CASE,
U.S. Senator.

DEPARTMENT OF STATE,
Washington, D.C., December 17, 1972.

Hon. CLIFFORD P. CASE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CASE: The Secretary has asked me to reply to your letter of December 9 regarding the recent exchange of notes with Portugal formalizing continuance of the rights of the United States to use certain military facilities in the Azores.

The basis of our defense cooperation with Portugal is the North Atlantic Treaty, which was, of course, overwhelmingly approved by the Senate on July 21, 1949. The bilateral Defense Agreement of 1951 with Portugal, which was executed in implementation of the North Atlantic Treaty, provided for wartime use of the Azores facilities by United States forces "during the life of the North Atlantic Treaty" and for the peacetime presence of American personnel during a specified time for the purpose of preparing the facilities for possible wartime use, storing materiel, and otherwise achieving a state of readiness. These rights to peacetime presence of United States forces in the Azores, in pursuance of the goals of the North Atlantic alliance, were extended by agreement on November 15, 1957, to December 31, 1962.

Upon the expiration of our agreed rights of peacetime use under this bilateral agreement in 1962, those rights were extended unilaterally by the Portuguese Foreign Minister in a letter of December 29, 1962, to the American Ambassador. The exchange of notes which took place last week restored those rights to a bilaterally agreed basis, as was the case from 1951 to 1962. This exchange of notes did not, of course, expand in any way our presence in the Azores, which has remained substantially the same for many years. Likewise, it does not expand our commitments beyond those accepted by the Senate in giving advice and consent to ratification of the North Atlantic Treaty.

The various forms of assistance we intend to make available to Portugal will come under existing programs of the Departments of Defense, Agriculture and the Export-Import Bank of the United States. All assistance is expressly conditioned on the availability of authorizing legislation and appropriated funds. The Department does not agree that there is "a clear tie between the furnishing of economic aid to Portugal and the wars in the Portuguese colonies." Contrary to the press article you cite, there is no strain on Portugal's foreign currency reserves, which, in fact, have been rising continually and now stand at an all-time high of $1.6 billion. The main effect of the Eximbank and PL-480 credits we are offering Portugal should be to increase the United States share of Portugal's import market, which is lower than our share of the market in any other Western European country.

I am enclosing for your information, a complete set of the documents exchanged last week between the the Secretary and the Portuguese Foreign Minister. If you have any further questions about them, please do not hesitate to let me know.

Sincerely yours,

DAVID M. ABSHIRE,
Assistant Secretary for Congressional Relations.

DECEMBER 9, 1971.

His Excellency, RUI PATRICIO,
Minister of Foreign Affairs of Portugal

EXCELLENCY: I have the honor to acknowledge receipt of Your Excellency's Note dated December 9, 1971, which reads as follows:

"I have the honor to refer to the letter of the Foreign Minister of Portugal to the Ambassador of the United States of America, dated December 29, 1962, and to the notes of this Ministry and of your Embassy, dated January 6, 1969, and February 3, 1969, respectively, relating to the conversations regard-

ing the continued stationing of American forces and personnel at Lajes Base in the Azores and its use by the same.

"I have the honor to propose that the continued use by American forces of the facilities at Lajes Base be authorized by the Government of Portugal for a period of five years dating from February, 1969.

"The continued use of such facilities will be regulated by the mutual arrangements affirmed and described in the letter of the Foreign Minister of Portugal dated December 29, 1962. Either party may propose the commencement of conversations regarding use of such facilities beyond the period described in this note six months before the expiration of such period, but not determination that a negative result has arisen in such conversations shall be made for at least six months following the expiration of such period. In the event neither party proposes the commencement of further conversations, a negative result shall de deemed to have arisen upon the expiration of the period described in this note.

"I should like to propose that, if agreeable to your Government, this note together with your reply, shall constitute an agreement between our two Governments."

I confirm to you that the above quoted proposal is acceptable to the Government of the United States, and that Your Excellency's note and this reply shall be regarded as constituting a formal agreement between the two Governments.

Accept, Excellency, the assurances of my highest consideration.

WILLIAM P. ROGERS,
Secretary of State of the United States of America.

THE SECRETARY OF STATE,
Washington, D.C., December 9, 1971.

His Excellency RUI PATRICIO,
Minister of Foreign Affairs of Portugal.

DEAR MR. MINISTER: I refer to the series of discussions that have taken between our two Governments designed to enhance our political, economic, and cultural relations and in particular to the discussions that have centered on Portugal's development programs in the fields of education, health, agriculture, transportation, and science.

As a result of these discussions, the United States agrees, within the limitations of applicable United States legislation and appropriations, to help Portugal in its development efforts by providing the following economic assistance:

1. A PL–480 program that will make available agricultural commodities valued at up to $15 million during FY-1972 and the same amount during FY-1973. The terms of the agreements under PL–480 will be 15 years at 4½ percent interest, with an initial payment of 5 percent and currency use payment of 10 percent.

2. Financing for certain projects of the Government of Portugal, as follows: The two Governments have reviewed development projects in Portugal valued at $400 million and the United States Government declares its willingness to provide, in accordance with the usual loan criteria and practices of the Eximbank, financing for these projects.

3. The hydrographic vessel USNS Kellar on a no cost basis, subject to the terms of a lease to be negotiated.

4. A grant of $1 million to fund educational development projects selected by the Government of Portugal.

5. $5 million in "drawing rights" at new acquisition value of any non-military excess equipment which may be found to meet Portuguese requirements over a period of two years. The figure of five million dollars is to be considered illustrative and not a maximum ceiling so that we may be free to exceed this figure if desired.

As soon as the Government of Portugal replies to this letter, discussions shall be initiated to implement the details of each of the individual items listed herein.

Sincerely yours,

WILLIAM P. ROGERS.

THE SECRETARY OF STATE,
Washington, D.C., December 9, 1971.

His Excellency RUI PATRICIO,
Minister of Foreign Affairs of Portugal.

DEAR MR. MINISTER: During the recent discussions between our two Governments regarding possible participation by my Government in the plans which your Government has drawn up for the economic and social development of your country. Portuguese and American technicians have reviewed various Portuguese proposals with a total value of some $400 million. These included, inter alia, projects for airport construction, railway modernization, bridge-building, electric power generation, mechanization of agriculture, harbor construction and town planning, and the supplying of equipment for schools and hospitals.

I am pleased to inform you that the United States Government is willing to provide, through the Export-Import Bank of the United States, financing for U.S. goods and services to be used in these projects, in accordance with the usual loan criteria and practices of the Bank. Applications for loans or preliminary commitments covering specific projects may be submitted to the Bank through the Portuguese Embassy in Washington or directly at any time and will receive expeditious handling.

Sincerely yours,

WILLIAM P. ROGERS.

JANUARY 14, 1972.

Hon. WILLIAM P. ROGERS,
Secretary of State, Department of State, Washington, D.C.

DEAR MR. SECRETARY: As you may know, I have already informally told the Department that I plan to include the Bahrain base agreement in my resolution on Azore bases (S. Res. 214). I am enclosing for your information a copy of the amended resolution.

Since we are now in the process of preparing for hearings on S. Res. 214, I would be grateful if you could send me the details of the Bahrain agreement as the Department did earlier on the Azores pact.

Sincerely,

CLIFFORD P. CASE,
U.S. Senator.

DEPARTMENT OF STATE,
Washington, D.C., January 26, 1972.

Hon. CLIFFORD P. CASE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CASE: The Secretary has asked me to reply to your letter of January 14 requesting details on the agreement between the U.S. and Bahrain providing for the continued stationing of the U.S. Navy's Middle East Force in Bahrain.

I enclose a copy of the text of the agreement, which was concluded December 23, 1971, and will soon be published in the Treaties and Other International Acts Series. The Chairman of the Foreign Relations Committee has also been provided with a copy.

I would like to stress that this agreement is essentially a logistics arrangement to permit Middle East Force to continue to carry out its mission of visiting friendly ports in the Persian Gulf and Indian Ocean area as a manifestation of the United States interest in the states of the region. The agreement with the Government of Bahrain was necessary because the British have relinquished the naval facilities in Bahrain, a small portion of which our Navy has utilized on an informal basis for over two decades. In addition, the British retrocession of legal jurisdiction over all foreigners in Bahrain as that state became fully independent last year necessitated a direct U.S.-Bahraini arrangement on the legal status of the personnel of Middle East Force.

The agreement with Bahrain involves no change in U.S. naval presence or mission in the area and the agreement in no way involves a political or military commitment to Bahrain or any other state.

Department officers would, of course, be pleased to have the opportunity to discuss with you the Bahrain agreement and its relationship to U.S. policy toward the Persian Gulf.

Sincerely yours,

DAVID M. ABSHIRE,
Assistant Secretary for Congressional Relations.

Enclosure: Text of Bahrain Agreement.

I, the undersigned consular officer of the United States of America, duly commissioned and qualified, do hereby certify that the attached is a true and faithful copy of the original this day exhibited to me, the same having been carefully examined by me and compared with the said original and found to agree therewith word for word and figure for figure.

In witness whereof I have hereunto set my hand and affixed the seal of the American Embassy at Manama, Bahrain this day of December 23, 1971.

RICHARD W. RAUH,
Vice Consul of the United States of America.

EMBASSY OF THE
UNITED STATES OF AMERICA,
Manama, Bahrain, December 23, 1971.

His Excellency SHAIKH MOHAMMAD BIN MUBARAK AL-KHALIFA.
Minister of Foreign Affairs, Government of the State of Bahrain.

EXCELLENCY: I have the honor to refer to the present deployment in Bahrain of the United States Middle East Force, including its flagship and other vessels and aircraft. The United States Government proposes to maintain this presence and its related support facilities subject to the following arrangements:

1. Vessels and aircraft assigned to or supporting the United States Force may freely enter and depart the territorial waters, ports, and airfields of Bahrain;

2. Members of the United States Force will be allowed freedom of movement within Bahrain and freedom of entry to and egress from Bahrain;

3. If there is any substantial change contemplated by the United States Government in the deployment of vessels or aircraft or numbers of personnel to be supported on Bahrain in connection with the United States Middle East Force, the United States Government will consult with the Government of Bahrain before effecting that change;

4. Passports and visa requirements shall not be applicable to military members of the United States Force except as shall be agreed upon between the two governments. All members of the United States Force, however, shall be furnished with appropriate identification which shall be produced, upon demand, to the appropriate authorities of the Government of Bahrain. Members of the United States Force will be exempt from immigration and emigration inspection on entering or leaving Bahrain, and from registration and control as aliens, but will not by reasons of their entry into Bahrain be regarded as acquiring any rights to permanent residence in Bahrain;

5. Members of the United States Force will respect the laws, customs and traditions of

Bahrain, and abstain from activity inconsistent with the spirit of these arrangements. The authorities of the United States will take necessary measures to that end;

6. Members of the United States Force shall not be subject to taxation on their salary and emoluments received from United States sources or on any other tangible movable property which is present in Bahrain due to their temporary presence there;

7. The authorities of Bahrain will accept as valid, and without a driving test or fee, driving licenses or military driving permits issued by the authorities of the United States to members of the United States Force;

8. The authorities of the United States will pay just and reasonable compensation in settlement of civil claims (other than contractual claims) arising out of acts or omission of members of the United States Force done in the performance of official duty or out of any other act, omission or occurrence for which the Force is legally responsible. All such claims will be expeditiously processed and settled by the authorities of the United States in accordance with United States law;

9. The United States Force and its members may import into Bahrain (without license or other restriction or registration and free of customs, duties and taxes, equipment, supplies, household effects, motor vehicles and other items required by the Force or for the personal use of the members of the Force. Any items imported under this paragraph may be exported freely without customs, duties, and taxes. However, any property of any kind imported entry free under this paragraph which is sold in Bahrain to persons other than to those entitled to duty free import privileges shall be subject to customs and other duties on its value at the time of sale;

10. Personal purchases by members of the United States Force from Bahraini sources shall not be exempt from Bahraini customs, duties and taxes except for certain articles to be agreed upon between the two governments;

11. The Government of Bahrain shall exercise civil jurisdiction over members of the United States Force, except for those matters arising from the performance of their official duties. The Government of the United States shall exercise criminal jurisdiction over members of the United States Force. In particular cases, however, the authorities of the two governments may agree otherwise;

12. The term "members of the United Forces of the United States and persons serving with, or employed by said Armed Forces, including dependents, but excluding indigenous Bahraini nationals and other persons ordinarily resident in Bahrain territory, provided that such nationals or other persons are not dependents of members of the United States Force;

13. The occupancy and use of the support facilities required by the United States Force will be governed by administrative arrangements between the United States authorities and the authorities of Bahrain or, as appropriate, private property owners;

14. Should either government determine at some future time that it is no longer desirable to continue the presence on Bahrain of the United States Middle East Force, the United States shall have one year thereafter to terminate its presence.

If the foregoing is acceptable to the Government of Bahrain, I have the honor to propose that this note and your note in reply confirming acceptance with constitute an agreement between our respective governments regarding this matter.

Accept, Excellency, the assurance of my highest consideration.

JOHN N. GATCH, Jr.,
Charge d'Affaires ad interim.

STATE OF BAHRAIN,
MINISTRY OF FOREIGN AFFAIRS,
December 23, 1971.

JOHN N. GATCH, JR.
Charge d'Affaires ad interim, Embassy of the United States of America, Manama, Bahrain

SIR: I have the honour to acknowledge the receipt of your note dated December 23, 1971, reading as follows:

"His Excellency,

SHAIKH MOHAMMAD BIN MUBARAK AL-KHALIFA, *Minister of Foreign Affairs, Government of the State of Bahrain.*

EXCELLENCY: I have the honour to refer to the present deployment in Bahrain of the United States Middle East Force, including its flagship and other vessels and aircraft. The United States Government proposes to maintain this presence and its related support facilities subject to the following arrangements.

1. Vessels and aircraft assigned to or supporting the United States Force may freely enter and depart the territorial waters, ports, and airfields of Bahrain;

2. Members of the United States Force will be allowed freedom of movement within Bahrain and freedom of entry to and egress from Bahrain;

3. If there is any substantial change contemplated by the United States Government in the deployment of vessels or aircraft or numbers of personnel to be supported on Bahrain in connection with the United States Middle East Force, the United States Government will consult with the Government of Bahrain before effecting that change;

4. Passport and visa requirements shall not be applicable to military members of the United States Force, except as shall be agreed between the two Governments. All members of the United States Force, however, shall be furnished with appropriate identification which shall be produced, upon demand, to the appropriate authorities of the Government of Bahrain. Members of the United States Force will be exempt from immigration and emigration inspection on entering or leaving Bahrain, and from registration and control as aliens, but will not by reason of their entry into Bahrain be regarded as acquiring any rights to permanent residence in Bahrain;

5. Members of the United States Force will respect the laws, customs and traditions of Bahrain, and abstain from activity inconsistent with the spirit of these arrangements. The authorities of the United States will take necessary measures to that end;

6. Members of the United States Force shall not be subject to taxation on their salary and emoluments received from United States sources or on any other tangible movable property which is present in Bahrain due to their temporary presence there;

7. The authorities of Bahrain will accept as valid, and without a driving test or fee, driving licenses or military driving permits issued by the authorities of the United States to members of the United States Force;

8. The authorities of the United States will pay just and reasonable compensation in settlement of civil claims (other than contractual claims) arising out of acts or omission of members of the United States Force done in the performance of official duty or out of any other act, omission or occurrence for which the Force is legally responsible.

All such claims will be expeditiously processed and settled by the authorities of the United States in accordance with United States law;

9. The United States Force and its members may import into Bahrain, without license or other restriction or registration and free of customs, duties and taxes, equipment, supplies, household effects, motor vehicles and other items required by the Force or for the personal use of the members of the Force. Any items imported under this paragraph may be exported freely without customs, duties, and taxes. However, any property of any kind imported entry free under this paragraph which is sold in Bahrain to persons other than those entitled to duty free import privileges shall be subject to customs and other duties on its value at the time of sale.

10. Personal purchases by members of the United States Force from Bahraini sources shall not be exempt from Bahraini customs, duties and taxes except for certain articles to be agreed upon between the two governments.

11. The Government of Bahrain shall exercise civil jurisdiction over members of the United States Force, except for those matters arising from the performance of their official duties. The Government of the United States shall exercise criminal jurisdiction over members of the United States Force. In particular cases, however, the authorities of the two governments may agree otherwise;

12. The term "members of the United States Force" means members of the Armed Forces of the United States and persons serving with, or employed by said Armed Forces, including dependents, but excluding indigenous Bahraini nationals and other persons ordinarily resident in Bahrain territory, provided that such nationals or other persons are not dependents of members of the United States Force;

13. The occupancy and use of the support facilities required by the United States Force will be governed by administrative arrangements between the United States authorities and the authorities of Bahrain or, as appropriate, private property owners;

14. Should either government determine at some future time that it is no longer desirable to continue the presence on Bahrain of the United States Middle East Force, the United States shall have one year thereafter to terminate its presence.

If the foregoing is acceptable to the Government of Bahrain, I have the honour to propose that this note and your note in reply confirming acceptance will constitute an agreement between our respective governments regarding this matter.

Accept, Excellency, the assurance of my highest consideration.

JOHN N. GATCH, Jr.,
Charge d'Affaires ad interim.

It is my pleasure to inform you that the Government of Bahrain agrees to all that was said in this note.

Accept, Sir, the assurance of my highest consideration.

MOHAMMAD BIN
MUBARAK AL-KHALIFA,
Minister of Foreign Affairs, Government of Bahrain.

[From the Washington Post, Dec. 18, 1871]

TRADE LEADS THE FLAG

Eager to sell more American goods overseas, the United States discovered that Portugal had (1) a long list of civilian needs and (2) a tradition of buying from West Europe. So the State Department went to work to open the Portuguese market. It succeeded handsomely. The other day it announced for the Export-Import Bank that the bank would finance American exports for Portuguese development projects (Lisbon happens to have an excellent credit rating) valued at about $400 million. Exim currently is financing only $17 million worth of exports to Portugal; the total since 1934 is only $175 million. Portugal, whose economic and political lag continues to keep it out of the European Common Market, had obvious economic reasons of its own to make the deal.

In return, Portugal got several things. First, it got a base-extension agreement from Washington. We have used Lajes field in the Azores since 1962 without a formal accord and, assured of use anyway, we didn't want or seek a renewal. But Lisbon sought the political imprimatur which, it felt, a formal renewal would bestow on its general policy. Second, Portugal got a visit from Mr. Nixon, who met Prime Minister Caetano (and French President Pomipdou) there this week. Mr. Caetano may not do much for Mr. Nixon's political image but Mr. Nixon does plenty for Mr. Caetano's. And third, Lisbon got a few other conspicuous goodies, such as $30 million worth of PL 480 food, $5 million worth of civilian gear (roadscrapers) from Pentagon "excess" stocks, and a $1 million grant for education projects "selected by the government of Portugal."

Well, these days export promotion is all the rage. And if the United States in fact needs an Atlantic base to track Soviet subs and to keep an eye on the mouth of the Mediterranean, then it's not outlandish that it should sign for it. Often, after all, as with Spain last year, base agreements are paid for in military supplies or in credits for such supplies, not in credits for development goods, as is the case now with Portugal.

There is, however, a high price to pay; many Americans, and black Africans, wish we weren't willing to pay it. It is to give Europe's last colonial power extra status and encouragement in its dominion over Portuguese Guinea, Angola and Mozambique. By allowing trade priorities to lead it into closer association with Lisbon, Washington unavoidably identifies itself further with a colonial regime. It did so without a word to indicate it may have some residual sympathies for Africans fighting for independence. It did so with a gratuitous visit to the Azores by Mr. Nixon. And it did so without any visible effort to separate the negotiation or at least the announcement of the base and credits details so as to avoid the damaging impression that the credits were some kind of aid given in return for the base.

There is also the question raised by Senator Case's resolution calling on the President to submit the new pact to the Senate as a treaty demanding ratification: "I cannot believe that the founding fathers would not consider to be a treaty an agreement, such as the reported one with Portugal, which calls for the stationing of American troops overseas and which furnishes a foreign government with a reported $435 million in assistance." We don't think the $400 million in export credits can fairly be counted as aid, but Mr. Case has a good point anyway. "Nowhere in the Constitution," he said, "did [the founding fathers] mention that the Executive could skirt senatorial approval simply by calling a pact with a foreign government an Executive agreement."

[From the Trenton Evening Times, Dec. 20, 1971]

ADVICE AND CONSENT

The five senators who are seeking to have the administration submit the recent agreement with Portugal to the Senate for its advice and consent may be batting their heads against a stone wall. But they deserve an A for effort and their proposal merits the thoughtful consideration of their colleagues and the American public.

Under the accord, which the administration describes as an executive agreement not legally subject to congressional ratification, the United States promises Portugal up to $435 million in economic and social development credits in return for continued use of air and naval bases in the Azores.

Senator Case of New Jersey, a member of the Foreign Relations Committee, immediately wrote Secretary of State Rogers demanding that the pact be submitted to the Senate as if it were a treaty because it involves the stationing of American troops overseas. The Case move was not unprecedented. Senator Fulbright, the chairman of the committee, had sought unsuccessfully last year to have the administration submit a bases agreement with Spain to Senate consideration. Now Sens. Case and Fulbright have been joined by Sens. Javits of New York, Symington of Missouri and Church of Idaho in the introduction of a resolution that would declare it to be the "sense of the Senate" that any new agreement with Portugal for military bases or foreign assistance be submitted as a treaty for the Senate's advice and consent, and that no economic assistance be furnished Portugal without affirmative action by both houses of Congress.

The justification of an arrangement with a highly authoritarian regime that has been engaged for a decade in wars against nationalist guerrillas in Africa might be a distasteful and difficult problem for the administration. But that does not justify the bypassing of the constitutional role of the Senate in the treaty-making area. And, as Senator Case said, the framers of the Constitution "did not mention that the executive could skirt senatorial approval by simply calling a pact with a foreign government an executive agreement."

[From the Long Island Newsday, Dec. 22 1971]

THE AZORES AGREEMENT

The recent decision of the Nixon administration to negotiate a five-year agreement with Portugal allowing this nation to use air and naval bases in the Azores has distressed one member of our United Nations delegations to the point of resignation.

And—as a black man and an American—Rep. Charles Diggs (D–Mich.) had good reason to be upset. The Azores agreement, said Diggs upon leaving the UN mission, was just another example of the "stifling hypocrisy" that characterizes this nation's policy toward black Africa.

For, the agreement comes complete with a $436,000,000 American donation to Portugal—money, said Diggs, that will be used to the disadvantage of suppressed blacks in Portugal's African territories.

Diggs is not the only person in Washington perturbed by the agreement. Sen. Clifford Case (R–N.J.) and four other senators, all members of the Foreign Relations Committee, last week introduced a "sense of the Senate" resolution that would put the upper house on record as opposing any new agreement with Portugal involving aid and military installations not first cleared by the Senate as a treaty.

The State Department says the White House was able to act unilaterally in this instance because the pact was an "executive agreement" and *not* a treaty. But Case and his co-sponsors—including Sen. Jacob Javits (R–N.Y.) and J. William Fulbright (D–Ark.)—are not satisfied with that answer.

On humanitarian and economic terms, the agreement with Portugal is questionable, at best. And, as an instrument of practical necessity, it is of doubtful purpose. An outpost in the Azores hardly seems vital to our national defense.

We urge the Senate to pass the Case resolution quickly when Congress reconvenes next month. Perhaps then the White House will get the message and re-think its position, at the very least when it considers future arrangements with foreign governments. Major U.S. support for the Portuguese—and the concomitant loss of respect for U.S. intentions among emerging African nations—is too vital a matter to be settled by Presidential decree.

[From the New York Times, Dec. 26, 1971]

IN CONTEMPT OF THE CONSTITUTION

Since World War II, the United States has had the privilege of refueling its military planes at an air base in the Portuguese Azores. This arrangement included port facilities for the U.S. Navy. A so-called "executive agreement" was entered into between this Government and Portugal and regularly renewed since 1962, when the Portuguese allowed it to lapse because of their resentment against the Kennedy Administration's anti-colonial policy in Africa. Use of the facilities continued, however, without a formal agreement. About 1,500 American servicemen have been stationed in the Azores for many years.

Earlier this month, President Nixon revived the agreement and not only renewed it for five years but also granted $435 million in economic aid to Portugal without consulting Congress.

Air and Naval bases, the stationing of troops overseas, the granting of money—these are the very substance of foreign policy. If the Senate is to exercise its constitutional authority to advise and consent in the making of foreign policy, it has an obligation to pass judgment on these issues.

Under the North Atlantic Treaty, of which Portugal is a signer, and under various laws enacted in the past the Nixon Administration can find a color of legality for the latest Azores deal. But the truth is that the President did not submit this agreement to the Senate as a treaty because he knew that he could not get two-thirds approval. It is doubtful if he could get the support of a simple majority. Rather than put the question to a test, he has put himself in contempt of the plain intent of the Constitution. It is an odd posture for a President who claims to be a "strict constructionist."

It is worth recalling that in 1947 when President Truman wanted to extend a smaller amount of aid—$400 million—to Greece and Turkey, he addressed a joint session of Congress and committees of Congress held lengthy hearings before approval was granted.

The amount of assistance granted to Portugal is enormous in terms of that small country's limited budget. It is also politically significant because it eases Portugal's budgetary difficulties when her finances are strained by the cost of combating the guerrilla warfare of the black rebels in the African colonies. Do the American people with their anti-colonial traditions wish to provide a subsidy to this last ramshackle little empire?

Senator Case, Republican of New Jersey, and four other members of the Senate Foreign Relations Committee from both parties have challenged Mr. Nixon's righthanded behavior by introducing a resolution calling upon him to submit the Azores agreement to the Senate for ratification as a treaty. If the Senate wishes to restore its constitutional credibility as a partner in the making of foreign policy, it will adopt this resolution.

[From the Washington Post, Jan. 9, 1972]

WHAT'S OUR GAME IN THE INDIAN OCEAN?

The stated grounds for the new American naval role planned in the Indian Ocean are so flimsy that one can only wonder if it has not been undertaken merely to provoke "the lady," as Indian Prime Minister Gandhi is apparently known in the White House these days. On the one hand, the larger and more frequent patrols will supposedly fill the "vacuum" being left by the British; on the other, they will offset the expanding but still modest presence (10 ships) of the Russians. Take your pick—or take both; they're small.

The Pentagon makes no effort to identify any newly threatened American interest. Rather, it says the Navy is eager for Indian Ocean "operating experience," vessels are available from the Vietnam war, and "we do have the capability." In a similar pose of innocence, the Pentagon calls attention to its new mid-Ocean "communications cen-

ter" on Diego Garcia, as though to say, we've got it so let's use it.

Just last July, addressing a House Foreign Affairs subcommittee, administration witnesses could discern no pressing reasons for enlarging the then-modest American naval presence in and about the Indian Ocean. Since then, of course, the Indo-Pakistani war has taken place. In a gesture intended, according to the "Anderson papers," to distract Indian forces from Pakistan, the United States sent a task force including aircraft and helicopter carriers into the Indian Ocean. The administration's explanation that the ships were meant to evacuate Americans, if a threat to them materialized, must be set against the fact that three weeks after the war, the ships are still there. Is this not the spirit in which the new patrols have been ordered?

For the United States substantially to upgrade its politico-military role in an ocean heretofore spared the excesses of great-power competition is, however, a major move deserving of thorough public discussion. It goes well beyond the administration's disturbing step, just revealed, to take over from the British a naval base on Bahrain in the adjoining Persian Gulf; Senator Case has correctly demanded that this new executive agreement be submitted to the Senate as a treaty. Just what American interests are being served, and how? Will the American move solidify or loosen the Soviet purchase in India? Should we move unilaterally into a new theater, international sea though it be, when no litoral state has invited us and when all litoral states have just demanded in a General Assembly resolution that the big powers stay out? Should we consider responding in kind to the public Soviet offer of last July to negotiate naval limits in the Indian Ocean and elsewhere? Will our increased presence there give the Russians a stronger claim to increase their presence in the Caribbean?

We would have thought that the vaunted "Nixon Doctrine" militated against such an initiative as the President has now taken in the Indian Ocean. Or is this Doctrine already extinct?

[From the New York Times, Jan. 10, 1972]

NEEDED: CANDOR AND CONSENT

From the strategic viewpoint it makes good sense for the United States to maintain a modest naval task force in the Persian Gulf, as it has done for twenty years. What concerns us about the new arrangement for a permanent American naval station on Bahrain is the same problem that bothers Senator Case of New Jersey and four of his Foreign Relations Committee colleagues.

The agreement, signed with the newly-independent Government of Bahrain Dec. 23, was not announced; it was confirmed by Washington only after a New York Times dispatch had disclosed its existence, it was not in the form of a treaty, which would require Senate advice and consent, but an executive agreement, which does not have to be submitted to Congress at all.

It thus fits the pattern of Administration behavior illustrated only last month by revival of a pact with Portugal for continuing use of bases in the Azores in return for $535 million in credits, and by the signing last year of a new agreement with General Franco for bases in Spain at a comparable price. Mr. Case and his colleagues, who have already asked the administration to submit the pact with Portugal as a treaty, say they will broaden their resolution to include the Bahrain agreement.

The presence in the Persian Gulf of even a converted seaplane tender and two destroyers—the current size of the task force—could bolster stability in a volatile area. Along with the decision to deploy Seventh Fleet patrols more frequently in the Indian Ocean, the force at Bahrain could offset an expanding Soviet naval presence and fill a vacuum left by Britain's withdrawal last year.

But if anything is clear about American military deployment and American bases in Asia after the bitter disillusionment in Indochina, it is that the Administration must make its case openly for every major move—with Congress and the country. Senator Case deserves plaudits, as usual, for reminding the Administration that establishment of an American base abroad is "a very serious matter" on which the Congress should be consulted.

[From the Philadelphia Evening Bulletin, Jan. 10, 1972]

SHOWING THE FLAG OFF INDIA

The U.S. Senate is restive over the emerging American presence in the Indian Ocean. And properly so, despite the Navy's argument that the "showing of the flag," in the shape of the giant nuclear carrier Enterprise, is necessary to counter Soviet penetration in this area of fast fading British influence.

Several senators have posed two critical questions: Could the deployment and the simultaneous leasing of an old British base from the Sheikdom of Bahrain precipitate the same disastrous sequence of events which culminated in the Vietnam War? And shouldn't the Bahrain agreement be submitted to the Senate for ratification?

There is, of course, a distinction to be made between the deployment of a carrier off the Indian subcontinent to assert "freedom of the (Indian) seas" and the leasing of a base.

The former suggests a transient presence, to be augmented, reduced, or, as the Navy asserts in this instance, to be withdrawn altogether, periodically.

But a base, in anybody's definition—the Senate's or the Nixon Administration's—is just the dangerous stuff unwanted commitments are made out of. There's always the danger the Bahrain agreement might escalate to a commitment far exceeding Mr. Nixon's "low (Asian) profile . . ." And this possibility is all the more real for the fact that Bahrain views the agreement as an effective counter to territorial demands by Iran and Iraq.

Thus, the understandable anxiety of U.S. Senator Case (R–NJ) and Senator Fulbright (D–Ark). It may well be that the senators overreach in demanding that not only the Bahrain accord but the recent agreement with Portugal for expanded U.S. use of the Azores be submitted to the Senate for ratification. But one thing is certain. Only such demands, registered in firm and uncompromising language, can set the stage for the comprehensive debate such agreements dictate.

The debate may not bring the vote on ratification Mr. Case wants, or even prove that the accords are "treaties," properly subject to Senate action. But surely debate on such a critical constitutional question would serve to set and illuminate the limits of the U.S. commitment, on Bahrain and the Azores.

It is knowing, precisely where the limits are that prevents or, at least substantially reduces, the threat of another Vietnam.

BACK TO THE CONSTITUTION

With no fanfare at all President Nixon has now entered into an agreement to establish a naval base on Bahrain, an island in the Persian Gulf that recently proclaimed its independence. Sen. Case of New Jersey rightly protests that the agreement is actually a treaty, and he insists it should be submitted to the Senate as the Constitution directs.

President Nixon is probably quite right in supposing that the base on Bahrain makes sense. He might even have been right in suppositions leading up to another so-called executive agreement with Portugal concerning bases in the Azores. But his rightness should not be permitted to obscure the central point, that major agreements with foreign nations should be submitted to the Senate for its review and advice.

The President's power in foreign affairs is enormous, which has been demonstrated for years in Vietnam and lately again in the war between India and Pakistan. But the Constitution and common sense insist that it be not unlimited. Congress does have its role.

There is need for debate of an issue like a naval base in the Persian Gulf. That is a dangerous part of the world. As Sen. Case points out, Iran has lately occupied certain islands in the Persian Gulf, and there is a territorial dispute among several Arab countries about islands there. The United States could become involved, and the Senate should have full knowledge of the possibilities.

Sen. Case has been joined by Sens. Javits, Fulbright, Church, and Symington in sponsoring a resolution calling for submission of the Azores agreement to the Senate for confirmation as a treaty. He now intends to submit a new resolution on Bahrain or to extend the Azores resolution to cover Bahrain.

Mr. Case stated the case well when he said:

The Senate's treaty-making role is so clearly defined in the Constitution that it should be redundant to be introducing resolutions calling for the Senate to give its advice and consent to treaties. Yet the Senate's role in the treaty-making process has become so eroded that we have no choice.

Mr. CASE. Mr. President, I wish to reserve the remainder of my time. I yield to the Senator from Missouri.

The PRESIDING OFFICER (Mr. CHILES). The Senator from Missouri is recognized.

Mr. SYMINGTON. Mr. President, first, I would respectfully commend the able and distinguished senior Senator from New Jersey for the logical, persuasive, intelligent approach he has established here this morning with respect to these two proposals. If the Senate is to have anything to say about foreign policy on any basis, it must be in the form of treaties.

On June 9, I received a letter from the distinguished Senator from Alabama stating that he planned to submit an amendment to the foreign assistance bill to strike the provision proposed by Senator CASE, and adopted by the Foreign Relations Committee, to cut off funds for implementing agreements re U.S. military bases in the Azores and Bahrain unless said agreements were submitted to the Senate as treaties for its advice and consent.

In this letter the Senator from Alabama itemized why he believed these two facilities are important to our national security.

May I say with great respect to my able colleague, the Senator from Alabama, however, that he has not addressed himself to the basic issue.

That issue is whether or not the Senate should have any role in the establishment of such agreements with other countries, particularly when it is the Senate which is subsequently asked to appropriate funds to implement such agreements.

The question: Is the Senate to be a rubberstamp body that agrees to whatever is requested by the executive branch,

and regardless of the stipulations contained in the Constitution? That is the basic question.

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

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from Alabama.

Mr. SPARKMAN. I want to say to the Senator that I regret very much he was not able to be in the Chamber when I presented my opening remarks in which I stressed very strongly the desirability of submitting agreements to the Senate in the form of treaties when it was proper to do so. I explained then some of the things I thought. But in both of these instances those conditions do not exist. We do not in any way make any commitment to either one on any defense, security, or anything of that kind.

I hope the Senator will read my remarks in the RECORD.

Mr. SYMINGTON. I certainly will, and express my deep regret for not being here when the distinguished Senator opened this discussion.

Unfortunately, this morning also the Secretary of State and Ambassador Smith, head of the Arms Control Disarmament Agency, appeared for the first time before the Committee on Foreign Relations with respect to the proposed SALT agreements, and I felt obligated to listen to the proposal for a treaty, a treaty which I shall support in the arms control field.

As was brought out by members of the Committee on Foreign Relations, however, the Secretary of Defense has stated that he would not support this treaty until the Senate and the House approved these heavily increased requests for money for new weapons systems being made simultaneously with the presentation of this treaty to the Senate, and the agreements to both houses.

That is why I was not here when the Senator from Alabama made his original statement. After asking a couple of questions of the Secretary of State, and presenting to him my thoughts re the heavy escalation in the cost of arms, I promptly came here.

Mr. SPARKMAN. I did not intend to be critical. I knew the Senator was there. As a matter of fact, I was there. I had presented this amendment and I had a call and I had to come to the Chamber. I wish I could have stayed for the very interesting session that was held.

Mr. SYMINGTON. I thank the able Senator. I just wanted to be sure he did not, in any way, think my absence was lack of interest in support for the position taken by the able senior Senator from New Jersey.

Mr. SPARKMAN. Not all all. I understood why it was.

Mr. SYMINGTON. I mentioned at the hearing, and know the Senator from Alabama will be interested, that during the briefings held at the White House, the President spoke for about 15 minutes, Dr. Kissinger then spoke for about an hour, and then there was another hour for questions. Not one statement by the President, or by Dr. Kissinger, or in any question from Members of the Senate or the House questioned the cost of this escalation in the arms race, its relation to the economy, whether the United States could afford this gigantic increase.

I asked Secretary Rogers this morning why he thought this was true. He replied one reason was he thought the economy was in very good shape and getting better. Each Member of this body has the right to form his own conclusions about that, as the already heavy Federal debt increases every day.

In any case, the central issue here is does the Senate have any role in the formulation of the foreign policy of this Nation. That is the central issue, not the merits of these two relatively unimportant bases in our vast network of overseas installations.

The Senate could agree with the need for U.S. installations in Bahrain and the Azores; but does not the Senate have a right, a duty, to give its advice and consent on behalf of the American taxpayers which they represent?

The able Senator says "there are no practical acceptable-risk alternatives to use of the Azores," and particularly with respect to ASW capability.

Now it would seem that, whenever an attempt is made to cut back on any of our commitments around the world, there is always justification as to why this particular base is vital to the security of the United States. As a result, the already heavily overburdened taxpayers of the United States continue to maintain, not hundreds, but thousands of bases, all around the globe, and at heavy cost.

Why, for example, cannot the already established American base in Rota, Spain, serve as an ASW base as well as the Azores?

The Senator has also noted the importance of the high frequency radio direction finding facility in the Azores, including its capability to provide 360 degree coverage of the area.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SYMINGTON. Mr. President, I ask unanimous consent to proceed for another 5 minutes.

Mr. CASE. Mr. President, I yield 5 minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from New Jersey yields an additional 5 minutes to the Senator from Missouri.

Mr. SYMINGTON. Is it not a fact that we have at least a dozen other stations that all monitor the same general area?

Why could not this same 360-degree coverage be provided from Iceland and why could not this particular operation be consolidated?

With respect to Bahrain and the apparent belief that the U.S. agreement with that country does not imply any new commitment, surely the Senator would agree that the role of the British Navy and Armed Forces in the Persian Gulf over the last century has been an important role.

Were the British not the final arbiters of disputes in the area, in fact the peacekeepers?

Did they not, in effect, provide for the defense of the Persian Gulf and exert a vital influence over the policies of the states and sheikdoms around that gulf?

I am sure the Senator is aware that the U.S. Navy has characterized its mission in the Gulf recently as that of taking over functions previously performed by the United Kingdom?

Surely the Senator would agree also that there is a significant difference between our operating in the Gulf under the auspices of the British, as we have in the past, and our becoming the one major power with a naval base of its own in the entire area?

This is not a simple question of continuing something we have been doing before. Once we are established in a naval base of our own, our presence will assume a vastly different character than before. Even the position paper of the State Department acknowledges that point. It states:

> The importance of this U.S. presence has increased since the British withdrawal from the region.

The executive branch asserts that the agreement in question is "a simple logistical support agreement." Perhaps our initial mutual security agreement with the South Vietnamese was originally only "a simple logistical support agreement." Simple agreements such as these however, should not be regarded as real estate transactions, this as we now know the executive branch would have us do. It is the future political obligations inherent in such agreements which make essential their approval by the Senate.

Based on sad recent experience, surely the Senator would agree that the time to consider such potential obligations is before they are called into question, rather than afterward.

Every Senator, regardless of his committee assignments, has the right to ask why the executive branch has never requested the views of the Senate as to the desirability of either the Azores or the Bahrain agreements?

In the case of the Azores we were all informed after the agreement was made.

In the case of the Bahrain agreement, we were not told the agreement was being negotiated until shortly before it was signed; in fact Foreign Relations Committee members were even told they could not be shown its terms until after said agreement was signed.

Let me ask my colleagues this question: if the executive branch does not consider itself under any obligation to engage in such prior consultations, what recourse does the Senate have except to insist upon the exercise of its constitutional prerogatives?

Does any Senator agree with the executive branch position paper which states that "the proper constitutional function" of the Senate in this instance is limited to the denial of funds to carry out the agreements?

Should the executive branch, on a unilateral basis, determine by itself the scope of the Senate's authority in the field of foreign affairs?

If the United States established a naval base in Bahrain, and then Bahrain is attacked by a third country—with their women and children—how could this nation avoid becoming involved in the conflict?

The administration states we have gone from confrontation to negotiation with the Soviet Union. With that premise, how would the latter regard the establishment at this time of a U.S. naval base in the Persian Gulf? Would they regard it as a "simple logistic support arrangement?"

If this base is established, based on precedent, we can be confident that some day Bahrainis will be seeking military assistance from the United States.

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

Mr. CASE. Mr. President, I yield another 2 minutes to the Senator from Missouri.

Mr. SYMINGTON. I thank the Senator.

If that assistance is given and the Bahrainis become involved in a dispute with the Saudis, or the Persian Gulf Federation, or the Iranians, or the Russians, what then will be our position?

In closing, Mr. President, in asking these various questions I am not arguing against any assertion of U.S. interest in the area, rather whether we should establish a military base without any action by the Congress.

Originally we were informed by the State Department that Bahrain wanted a formal agreement; but now the letter from the Senator from Alabama of June 9 implies in any case that Bahrain is afraid of the consequences of dealing with the United States.

In any case, is this an auspicious beginning for any new arrangement with Bahrain?

The Senator from Alabama stated in his letter that the agreement involved "no change in U.S. naval presence or mission in the area." Already, however, the Navy Department has informed the Congress that U.S. personnel stationed in Bahrain will be quadrupled by the end of 1972; and that the number of U.S. service families there will have doubled.

It is for these reasons that I oppose this amendment and fully support the logical and sound position taken by the Senator from New Jersey; and I thank him for his courtesy in yielding to me.

Mr. CASE. Mr. President, I yield myself such time as I may consume.

First, I want to express the satisfaction the support the Senator from Missouri always gives any man in this body. It is enormously helpful. It is enormously reassuring. He is in a unique position. He is a member of the Committee on Foreign Relations and he is a member of the Armed Services Committee, and he has finally achieved, after a good deal of apprenticeship, the dignity of that very select body called the Joint Committee on Atomic Energy, which, he assures us, on several occasions opened his eyes to matters that were never disclosed to him before as a member of the other two committees, although they are considered as important as any in the Congress. But the chief contribution he brings is the clarity of his thought and the broad wisdom that he has attained over many years in his enormous experience in public and private life, and I am most grateful to him.

I would like to ask him a question or two, if I may. It has been said that these matters are, in a way, too delicate to treat in the rough area of parliamentary discussion; that arrangements for matters of state have to be handled with deftness and great delicacy. It has always seemed to the Senator from New Jersey that if a matter is of that delicacy, we the United States ought not to be involved with it. Would the Senator have any comment about that?

Mr. SYMINGTON. First, Mr. President, let me thank the able Senator for his undeserved but deeply appreciated remarks. There is nobody in the Senate from whom I would rather receive such commendation than from my able colleague from New Jersey.

I would answer his question this way: if these matters are too delicate to be discussed in the Senate of the United States, in executive session when necessary, then I think we had better change the Constitution of the United States.

Mr. CASE. I agree with the Senator. I could not agree more. I think one of the problems we have had in foreign relations over many years has been the idea that these were matters for a very small group of people to deal with, and not matters that the average person had any right to be informed about. I think it is about time we gave the average person a chance, and I think the average person might do very much better than some of the experts and some of the elite who have ascribed to themselves the authority to handle international relations.

Mr. President, if my colleague from Missouri will be good enough to comment on this aspect of it, too, is it not really an indication that if these matters are so delicate that they cannot be discussed in the Senate, where of course we can go into executive session, then are our constitutional procedures too fragile to deal with the collective security of the United States? And if the leaders of these foreign countries are afraid that their discussion of these matters without censorship is going to hurt them with their own people, then they have no real authority, in any event, and their commitment to us is worth nothing. Would the Senator agree that that is so, and that this is not the kind of bridge of sand on which to build sound U.S. security arrangements?

Mr. SYMINGTON. I would. As the Senator implied if he did not actually so state as we get into these arrangements with these countries, everybody knows about it but we cannot even talk about it. That is not democracy.

For many years we had tens of thousands of Americans in Thailand, but were not allowed to admit a single American was in Thailand, even though hundreds were walking their streets. Today, the increase in the number of Air Force personnel in Thailand—and Naval personnel increase on the seas is greater than the reduction of ground troops in Indochina, and yet, as you read the newspapers, you would think the net reductions were much greater than any increases we have made in our forces.

This is the type and character of development which disturbs the people and raises the issue of credibility, and in my opinion, if we continue to operate on the basis of these executive agreements, as is now planned in the case of Bahrain and the Azores, we will get into the same type and character of problem in parts of the world that are much more important to the United States than is the Far East.

Mr. CASE. I thank my colleague. I am most grateful to him indeed.

Mr. President, I reserve the remainder of my time.

Mr. SPARKMAN. Mr. President, if the Senator is ready to yield back his remaining time, I will yield back my time.

Mr. CASE. As far as my own personal pleasure is concerned, I will be glad to, but there are certain Senators who are counting on the use of the time agreed upon. Therefore, I would not be willing to do that at this time.

I would be willing to suggest a recess for half an hour, if the Senator will agree.

Mr. SPARKMAN. May I ask, Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Alabama has 46 minutes, and the opponents have 16 minutes remaining.

Mr. SPARKMAN. I have no request for time on this side, and I am perfectly willing to agree to either a recess or, if there is other business to be transacted——

Mr. CASE. If the Senator is agreeable, I would, then, request that the Senate stand in recess until 12:15.

Mr. SPARKMAN. I would submit that to the majority leader.

Mr. MANSFIELD. And then have a vote?

Mr. PASTORE. Mr. President, before we reach that stage, may I ask a question?

The PRESIDING OFFICER. The time on the amendment would not be up until 12:47, if all the time is used. The proponents have 46 minutes remaining, and the opponents 16 minutes.

Mr. SPARKMAN. I proposed that we yield back our time, but the Senator from New Jersey says he has made certain commitments to other Senators who will not be able to be here if we yield it back now.

Mr. CASE. And I am morally committed to see that the vote does not occur until the time has expired. If that is agreeable, make it 12:30, and I will take 5 minutes and the Senator from Alabama can take as much time as he has.

Mr. MANSFIELD. Mr. President, after the Senator from Rhode Island gets through asking his questions, I ask unanimous consent that the Senate stand in recess until 12:20, and that Senators then have 10 minutes on each side to sum up their arguments before the vote.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. MANSFIELD. This would follow the colloquy of the distinguished Senator from Rhode Island.

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

Mr. PASTORE. Mr. President, I would like to ask the Senator in charge of the bill a question with reference to this very serious matter.

Have these agreements already been signed?

Mr. SPARKMAN. As I understand, yes, they were signed in December, if I am not mistaken.

Mr. PASTORE. I think that is quite important. In other words, I want to know whether or not Congress is already familiar with what is contained in these agreements.

Mr. SPARKMAN. It is an extension of agreements that have been running since 1951.

Mr. PASTORE. In other words, this is nothing new.

Mr. SPARKMAN. It is not a new agreement. It is an extension. There are provisions in it that may be different from some that have been in it before, but if so, they are dealing with the same thing. There is no item relating to defense or security. We make no commitments whatsoever. It is simply an extension of the operating agreements we have had running since 1951.

Mr. PASTORE. The reason I am asking the question is that I am one of those who feel that all future arrangements that have to do with military installations whereby American combat troops may be committed ought to come up here by way of treaty. But in this particular case, as I understand, the executive department has already consummated this agreement, it has been brought to the attention of the foreign relations committees both of the House of Representatives and of the Senate, and the question I am asking now is, Why are we insisting at this juncture that we reduce this to a treaty, when we have already gone through it, the agreement is already consummated, and Congress knows all about it? Is it because we want a two-thirds vote, or what is it?

Mr. CASE. Mr. President, will the Senator permit me, on my time, to make a comment at this point?

Mr. SPARKMAN. I am perfectly willing, yes.

Mr. CASE. It is a logical question. All treaties are signed before they are sent up here. The mere fact that an agreement is signed does not mean it is beyond our consideration. There is no document to send up until an agreement is signed, and they are signed, in the case of treaties, subject to Senate ratification and later formal delivery.

Therefore, I do not think there is any real substance to the suggestion that because an agreement has been signed we cannot look at it.

Mr. PASTORE. If the Senator will yield on that point, I think there is a big difference.

Mr. SPARKMAN. Mr. President, may I say that I have checked that question. There was an exchange of notes that was completed in December 1971, extending very much the same terms that we had had ever since 1951.

Mr. PASTORE. To come back to the question, there is a distinction between an agreement being signed with the understanding of a foreign government as against any negotiations that transpired that are going to result in a treaty because that foreign government knows it has to be ratified by the Senate.

Mr. CASE. I would suggest that all foreign governments ought to be, if they are not, be informed of the constitutional requirements of the United States, and realize that when they are dealing with the President of the United States, they do within our constitutional limitations.

Mr. PASTORE. That is true. There is an original agreement. That is the point I am making. But this agreement has been in existence.

To pursue it further, an attempt will be made to delete section 14, which is on the next page.

Mr. CASE. That is correct.

Mr. PASTORE. I am for subparagraph (1), and I am for subparagraph (2), but I am going to offer an amendment to delete subparagraph (3), which has to do with storage of nuclear weapons, because in that case I am afraid that we are opening a can of worms here.

That is the reason why I am raising the question now. I feel that any original agreement for the installation of military bases abroad, where combat troops may be committed by the United States, ought to come up by way of treaty. But in this case I think a distinction can be made with reference to the Azores situation, and that is the reason why I shall support the Senator from Alabama on this point.

Mr. CASE. Of course, the Portuguese agreement is an extension of an earlier arrangement, with some changes; but merely because it is an extension does not seem to me to obviate the requirement that the extension be brought before the Senate. Circumstances change over years. It seems to me that if an agreement is made for a period of 5 years, it is at an end so far as the constitutional authority of the President is concerned to act without the consent and the consideration of the Senate as to the possibility of extension.

Mr. PASTORE. Why does it have to come up by treaty? Let us just deny the money.

Mr. CASE. We are not considering here the substance of this agreement. We are considering whether we should consider the substance of it, and that is not a little point. That is the whole question. I think I support these arrangements. Perhaps I would want to have them modified in some sense. In general, I think I will support them.

That is not the question. The question is whether we should be permitted to look at them or whether we should, because the President of the United States says, "Boys, this is not your business," bow the knee and doff the hat and say, "Thank you, Mr. President," and then leave.

I think the Senator from Rhode Island was absolutely correct when he voted recently to support my resolution stating that it was the sense of the Senate that this matter should come before us for consideration—not for rejection, but for consideration and possible approval as a treaty.

Mr. PASTORE. Generally, I would agree with the Senator from New Jersey; but from a letter I received from Senator SPARKMAN I understand that this raises a question of sensitivity at this point and could affect the governments with which we are now negotiating, because we are changing the rules of the game in midstream. That bothers me no end, and I think that was the position taken by the Senator from Alabama when he wrote us his letter with reference to this section.

Mr. SPARKMAN. May I make this comment. I agree completely with the statement made by the Senator from Rhode Island. In fact, when I submitted this amendment this morning, I discussed somewhat the essential differences between executive agreements, which the executive department should be able to execute, and other matters that should be submitted by treaty.

I said this, essentially: If at any time there is any question of our supporting a country in its national defense or its national security, that certainly should be settled only in a treaty. I think that is equivalent to what the Senator has said with reference to opening a base and settling a military installation there. Those are matters that I think should be submitted to the Senate for advice and consent. With respect to many of these perfectly proper executive agreements, I believe it would be a much happier situation if the executive department would at least meet with and talk with the Committee on Foreign Relations.

As a matter of fact, I recall that some time in the 1950's I had printed as a Foreign Relations Committee document a list of all the meetings that had been held between the Foreign Relations Committee and the President or the Secretary of State over a period of years, and it was quite revealing. But I must say that I am rather sorry that in the past several years that seems to have died down considerably. I hope we can revive it.

I can recall when almost any time anything of importance came up, the Foreign Relations Committee would be given that information. We would be invited down there to discuss it with them. I hope very much that that kind of interchange and exchange can take place again even with reference to agreements which I would consider perfectly allowable to the executive to execute.

Mr. CASE. Mr. President, I appreciate the remarks of the Senator from Alabama. I suggest that the revival of a greater sharing by the executive of its activities, in terms of agreements, will be enhanced by the bill we passed in this body by a unanimous vote, 81 to nothing. This was my bill requiring the Executive to submit all executive agreements to the Senate within 60 days. I think the Senator was here, and I am sure the Senator from Rhode Island also supported it. In any event, neither opposed it. The measure is pending in the House, and it is my hope that it is going to become law in this session.

On the question of whether or not this is an extension, I point out to the Senator from Rhode Island that the original agreement expired 9 years ago, in 1962, and we have been running along without an agreement since that time.

Mr. SPARKMAN. But on the terms.

Mr. CASE. We have been living with each other, but we have not had any formal agreement. The present agree-

ment with Portugal is now an attempt to enter a new arrangement in return for which the U.S. will pay specific consideration for this extension. I think, therefore, that this is not just a continuation of an existing agreement.

Mr. PASTORE. My question has not been answered by the Senator from New Jersey or the Senator from Alabama. Is it true, at this particular stage, with reference to the Azores and Bahrain, that doing this is going to embarrass our country? That question has not been answered. Is it or is it not true?

Mr. SPARKMAN. I do not see how it could embarrass our country in any way. It does not tie us to any agreement, if that is what the Senator means.

Mr. PASTORE. No. My question is this: If section 13 is enacted at this point, is it going to be embarrassing?

Mr. SPARKMAN. I thought the Senator was talking about the amendment.

Mr. PASTORE. Yes, about the amendment.

Mr. SPARKMAN. I would say it would.

Mr. PASTORE. That is what the Senator said to me in a letter. I would like to have it elaborated upon.

Mr. CASE. Mr. President, before we recess, I want to go into the question of embarrassment. The potential embarrassment of a foreign power is not sufficient cause to put aside the Constitution of the United States. We ought to understand that ours is a government of divided powers, and so must every country dealing with us understand that. This is not to derogate from the authority of the President or to unduly elevate the standing of Congress. This is a plain matter of fact. If this is different from the way matters have been conducted before, so be it. The Founding Fathers intended things to be different. If this suggests that the old ways of diplomacy carried on by an elite should end, so be it, too.

Mr. TOWER. Mr. President, will the Senator from New Jersey yield?

Mr. CASE. I yield.

PRIVILEGE OF THE FLOOR

Mr. TOWER. Mr. President, I ask unanimous consent that during consideration of the Sparkman amendment and the Tower amendments, I may be allowed to have two staff members in the Chamber.

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

Mr. SPARKMAN. Mr. President, one more comment in connection with the question propounded by the distinguished Senator from Rhode Island (Mr. PASTORE). The original agreement was in 1951, which was an implementation of the terms of the NATO Treaty of 1949. In other words, it was executed in accordance with the terms of that treaty and we have operated under it ever since, even though there was a gap when there was actually no formal existence of the agreement.

Mr. PASTORE. I want to make my position clear. The Azores is a base essential to the security of America. There is no question about that. It is in a convenient geographical part of the world. We have been using it extensively.

My point is that in all this hassle now going on in the Chamber in connection with the general proposition of agreements, that agreements in original forms should come up as treaties not as agreements, with that I agree.

However, in this particular case, an exception can be made at this juncture because I am afraid that if we change the rules at this point, many questions will be asked by foreign governments.

We are not there in order essentially to help them so much as we are there to help them and help ourselves as well.

I would not want to do anything at this point that might disturb the situation.

For that reason, I shall vote to remove section 13 from the bill.

Mr. MANSFIELD. Mr. President, would the Senator from New Jersey, when the Senate reconvenes after the short recess, allow me 1 minute to speak on behalf of his position and the position of the Committe on Foreign Relations?

Mr. CASE. Reserving the right to object, and I shall not object, my only purpose would be that I should like to yield to the Senator 2 minutes for that purpose.

Mr. MANSFIELD. Two minutes at the most, then. I thank the Senator.

Mr. PASTORE. Mr. President, will the Senator from Alabama yield me 1 minute to submit an amendment?

Mr. SPARKMAN. I yield.

Mr. PASTORE. Mr. President, on behalf of myself and the distinguished Senator from Vermont (Mr. AIKEN), I send to the desk a perfecting amendment on section 14 of the bill which appears on page 12, and ask that it be printed.

The PRESIDING OFFICER (Mr. CHILES). Without objection, the amendment will be received and printed, and will lie on the table.

RECESS TO 12:20 P.M.

The PRESIDING OFFICER (Mr. CHILES). Pursuant to the previous order, the Senate will now stand in recess until the hour of 12:20 p.m. today, at which time the proponents and the opponents of the amendment will each have 10 minutes to conclude their remarks, after which the vote will occur on adoption of the amendment.

At 12:03 p.m., the Senate took a recess until 12:20 p.m., whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. BENTSEN).

The PRESIDING OFFICER. As a Senator from Texas and without objection, the Chair suggests the absence of a quorum. 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.

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. Who yields time?

Mr. SPARKMAN. Mr. President, I wish to inquire as to what the arrangement is. I believe each side has 10 minutes for summation. Is that correct?

The PRESIDING OFFICER. The Senator's understanding is correct.

Mr. SPARKMAN. At the conclusion of that time the rollcall vote will be held?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. SPARKMAN. Mr. President, at least, when the 20 minutes is up a vote will occur on the amendment. Is that correct?

The PRESIDING OFFICER. The Senator from Alabama is correct.

Mr. SPARKMAN. Mr. President, I am going to use a very few minutes now in summation. I frankly do not know that there is much I can say. I am not sure I know anything that I can say that would add to this debate.

Mr. President, I now ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. SPARKMAN. Mr. President, this agreement originally was made with the Azores in 1951 to implement the NATO Treaty that we had agreed to in 1949. In other words, in practically every treaty we adopt there will be certain things provided that have to be implemented. If each provision had to be implemented with another treaty it would never get through. That is what happened here.

There was an executive agreement that lasted until 1962. In 1962 they started negotiations but for some reason they dropped negotiations and let it run on under the terms of the agreement that was made in 1951. Now, last year negotiations were started. The extension was agreed to on December 9, 1971. The agreement was signed extending the same type of agreement we have had since 1951.

It has been pointed out that the Azores occupy one of the most strategic positions so far as our own interest is concerned. It has certain facilities there that we would not have anywhere else. It has a great communications center. We have had the use of the bases on the islands ever since the end of World War II, and even during World War II.

Furthermore, Mr. President, I want to say that should the Case provision in the bill, section 13, be allowed to stay in, our relations with Portugal would be severely damaged.

Here is an agreement that has already been made. It was made on December 9, 1971. It was signed into effect. This action would amount to a one-party, unilateral cancellation of an agreement that has already been made. It was negotiated in good faith on both sides. A full agreement was entered into. It was signed, and is in effect now. It could be taken—would be taken, I should think—as a gratuitous insult by Portugal.

The facilities on the Azores are highly important. I suppose it is about the most important place of operations that we have so far as surveillance of Soviet submarine activity in the mid-Atlantic is concerned. Also if we were denied the use

of those facilities, aircraft staging in the area would be jeopardized. It is highly important that we continue to do just as we have been doing now for over 20 years.

I could say the same things with reference to Bahrain. We do not hear as much about that as we do about the Azores, but it is a strategic position with reference to shipping. By the way, both of these rights we have had are highly important in connection with navigation of ships carrying oil. We know of the necessity of moving oil from the Near East both to Western Europe and to the United States, which will become more important as time goes on.

With reference to Bahrain, it seems to me, as I pointed out this morning, a good deal of the discussion on executive agreements revolves around the idea of not giving sufficient notice about it. I call attention to the fact that the Behrain agreement was submitted to the Foreign Relations Committee a month before it was signed, and there was never a word of complaint so far as I know. There was no question as to its being all right. So I do not think that argument applies there. It cannot apply as far as the Azores are concerned, because that arrangement has been running for over 20 years. Certainly there has been openness in all of that.

I submit that this amendment ought to prevail and that the Case provision, section 13 in the bill, ought to be stricken so we can continue to operate in good faith as we have in the past.

Mr. CASE. Mr. President, I yield myself such time as I may require.

Mr. President, these are important agreements, as the Senator from Alabama has said. That, in my judgment, is the criterion we have for it to be considered by the Senate as a treaty. Not only should routine matters absorb the time of this body, but important matters should. The very argument the Senator from Alabama makes is the strongest argument I know of why these agreements should be considered by the Senate, under the Constitution of the United States, as treaties.

This body determined that that is so, as I pointed out in my previous remarks, on March 3 of this year. The Senate, by a vote of 50 to 6 stated that it was the sense of the Senate that these agreements should have the advice and consent of the Senate.

Either we meant what we said, Mr. President, or we did not. Either we were making a stump speech, or we were not. Or if we meant it before and now change our minds and turn tail, tip the hat, bend the knee, and say, "Yes, Mr. President," that marks the Senate as that kind of body which our former colleague from Pennsylvania suggested when he applied to the Congress the term "the sapless branch."

I do not think that is what we are sent here to do. It seems to me we are sent here to consider all important agreements, and that these are important not only has been attested by the Senator from Alabama but is inherent in the contents of the agreement. Anything concerning the stationing of American troops abroad and the commitment of that stationing implies it is a matter important enough to be considered by the Senate. It is its constitutional duty. Not only does it have that right, but it has the obligation to perform its constitutional duty. I am not for abdicating that duty because the State Department says it will be difficult to do that.

If there are difficulties in our constitutional process, they were difficulties intended to be a part of the operations of our democracy by the Founding Fathers and they are essential to the successful operation of this country as a democracy in the world.

Mr. President, I ask unanimous consent that there be included in the RECORD, at the end of the remarks to be made by the Senator from Montana, the majority leader, the yea-and-nay vote taken in the Senate on the resolution I just referred to, Senate Resolution 214, which stated that it was the sense of the Senate that these agreements should have the advice and consent of the Senate in order to make them treaties.

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

(See exhibit 1.)

Mr. CASE. Mr. President, I yield the remainder of my time to the Senator from Montana (Mr. MANSFIELD).

Mr. MANSFIELD. Mr. President, the distinguished Senator from New Jersey has just referred to Senate Resolution 214, which was agreed to in the Senate on March 3, 1972. I think what we are confronted with is a determination of just where, as Senators, we belong. Are we members of the executive branch, or lackeys of the executive branch, or are we Members of the Senate, with separate constitutional authority and responsibility. Are we members of a coequal branch of the Government? The Constitution says so. What does the Senate say?

Senate Resolution 214 reads as follows:

Whereas an agreement with Portugal, which would provide for the stationing of American troops overseas and which would furnish Portugal with large amounts of foreign aid, is clearly a matter of sufficient importance to necessitate its submission to the Senate as a treaty;

Whereas an agreement with Bahrain, which would provide for the establishment of a new American military base on foreign territory and the stationing of American troops overseas, is clearly a matter of sufficient importance to necessitate its submission to the Senate as a treaty: Now, therefore, be it

Resolved, That any agreement with Portugal or Bahrain for military bases or foreign assistance should be submitted as a treaty to the Senate for advice and consent.

Mr. President, the pending amendment would have the Senate reverse the position it took only 4 months ago when, by a vote of 50 to 6, it—the Senate—said that the Azores and Bahrain base agreements should be submitted to the Senate as treaties. The Committee on Foreign Relations thought the Senate meant what it said. It adopted Senator CASE's proposal to carry out the principle endorsed by that eight-to-one vote. The Senator from Alabama's amendment would have the Senate say now, "We really didn't mean it."

The executive branch has made it clear that they will ignore the Senate's pleas for observance of the constitutional requirement that important agreements with foreign governments be submitted to the Senate for its advice and consent as long as the pleas are not backed up by action.

The executive branch, in effect, has told the Senate to put up or shut up. A majority of the Committee on Foreign Relations believe that the Senate must back up words with deeds if the Senate and Congress are to play a significant role in the making of foreign policy. Section 13, which the distinguished Senator from Alabama seeks to strike out, speaks in the only way that will make the executive branch listen—by cutting off the money if the agreements are not submitted as requested.

I urge that the amendment be defeated.

EXHIBIT 1

The result was announced—yeas 50, nays 6, as follows:

[No. 87 Leg.]

YEAS—50

Aiken, Allen, Allott, Anderson, Bayh, Beall, Bennett, Bentsen, Bible, Boggs, Brooke, Burdick, Byrd, Va., Byrd, W. Va., Cannon, Case, Church.

Cooper, Curtis, Fong, Fulbright, Gambrell, Gravel, Gurney, Hughes, Inouye, Javits, Jordan, Idaho, Kennedy, Long, Magnuson, Mansfield, Metcalf, Miller.

Mondale, Montoya, Nelson, Pastore, Pearson, Pell, Proxmire, Randolph, Roth, Smith, Spong, Stevens, Stevenson, Symington, Talmadge, Tunney.

NAYS—6

Dole, Dominick, Fannin, Schweiker, Scott, Young.

NOT VOTING—44

Baker, Bellmon, Brock, Buckley, Chiles, Cook, Cotton, Cranston, Eagleton, Eastland, Ellender, Ervin, Goldwater, Griffin, Hansen.

Harris, Hart, Hartke, Hatfield, Hollings, Hruska, Humphrey, Jackson, Jordan, N.C., Mathias, McClellan, McGee, McGovern, McIntyre, Moss.

Mundt, Muskie, Packwood, Percy, Ribicoff, Saxbe, Sparkman, Stafford, Stennis, Taft, Thurmond, Tower, Weicker, Williams.

So the resolution (S. Res. 214) as amended was agreed to.

The PRESIDING OFFICER (Mr. BENTSEN). Who yields time?

Mr. MANSFIELD. Mr. President, I believe it is time now for the yeas and nays. They were agreed to at 12:30.

The PRESIDING OFFICER. There are 3 minutes remaining to each side.

Mr. CASE. I am happy to yield back mine.

Mr. MANSFIELD. Mr. President, was not the unanimous-consent agreement that we would reconvene after a recess at the hour of 12:20, there would be 10 minutes on each side, and then we would come to a vote?

The PRESIDING OFFICER. The majority leader is correct. There was a quorum call that was not counted.

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

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

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

The PRESIDING OFFICER. The yeas and nays have been ordered. Who yields time?

Mr. SPARKMAN. Mr. President, I am willing to yield back the remainder of my time.

Mr. CASE. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. BENTSEN). All remaining time has been yielded back. The question is on agreeing to the amendment (No. 1223) of the Senator from Alabama (Mr. SPARKMAN). 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 Oklahoma (Mr. HARRIS), the Senator from Michigan (Mr. HART), the Senator from Indiana (Mr. HARTKE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), and the Senator from Maine (Mr. MUSKIE), are necessarily absent.

On this vote, the Senator from Louisiana (Mr. LONG) is paired with the Senator from South Dakota (Mr. MCGOVERN). If present and voting, the Senator from Louisiana 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), and the Senator from Georgia (Mr. GAMBRELL), would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from New Hampshire (Mr. COTTON), the Senator from Arizona (Mr. FANNIN), and the Senator from Alaska (Mr. STEVENS) are necessarily absent.

The Senators from New York (Mr. BUCKLEY and Mr. JAVITS), and the Senator from Vermont (Mr. STAFFORD) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER), and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

Also, the Senator from Illinois (Mr. PERCY), the Senator from Pennsylvania (Mr. SCHWEIKER), and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

On this vote, the Senator from Arizona (Mr. GOLDWATER) is paired with the Senator from New York (Mr. JAVITS). If present and voting, the Senator from Arizona would vote "yea" and the Senator from New York would vote "nay."

If present and voting, the Senator from Illinois (Mr. PERCY) would vote "nay."

The result was announced—yeas 36, nays 41, as follows:

[No. 223 Leg.]

YEAS—36

Allen	Dole	Miller
Allott	Dominick	Montoya
Anderson	Eastland	Pastore
Baker	Fong	Saxbe
Beall	Griffin	Scott
Bennett	Gurney	Sparkman
Brock	Hansen	Stennis
Byrd, Harry F., Jr.	Hruska	Taft
Byrd, Robert C.	Jackson	Thurmond
Cannon	Jordan, N.C.	Tower
Cook	Jordan, Idaho	Young
Curtis	McClellan	
	McGee	

NAYS—41

Aiken	Ervin	Pearson
Bayh	Fulbright	Pell
Bentsen	Hatfield	Proxmire
Bible	Hollings	Randolph
Boggs	Hughes	Ribicoff
Brooke	Humphrey	Roth
Burdick	Inouye	Smith
Case	Magnuson	Spong
Chiles	Mansfield	Stevenson
Church	Mathias	Symington
Cooper	Mondale	Talmadge
Cranston	Moss	Tunney
Eagleton	Nelson	Williams
Ellender	Packwood	

NOT VOTING—23

Bellmon	Hart	Mundt
Buckley	Hartke	Muskie
Cotton	Javits	Percy
Fannin	Kennedy	Schweiker
Gambrell	Long	Stafford
Goldwater	McGovern	Stevens
Gravel	McIntyre	Weicker
Harris	Metcalf	

So Mr. SPARKMAN's amendment (No. 1223) was rejected.

Mr. FULBRIGHT. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table 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 passed a bill (H.R. 15417) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 15417) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agenices, for the fiscal year ending June 30, 1973, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

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 question now is on agreeing to one of the two amendments to be offered by the distinguished Senator from Texas (Mr. TOWER).

AMENDMENT NO. 1242

Mr. TOWER. Mr. President, I call up my amendment No. 1242 and ask that it be stated

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment as follows:

On page 10, line 11, before the title "EXCESS DEFENSE ARTICLES", insert the following:

"(4) In section 33(a), relating to aggregate regional ceilings, strike out 'of cash sales pursuant to sections 21 and 22,'

"(5) In section 33(b), relating to aggregate regional ceilings, strike out 'of cash sales pursuant to sections 21 and 22,' ".

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

The yeas and nays were ordered.

The PRESIDING OFFICER. The time of 1 hour is now controlled, and equally divided. Who yields time?

Mr. TOWER. Mr. President, for the benefit of my colleagues, I might note that possibly the full hour will not be taken, so I should like to advise my colleagues that the vote might——

The PRESIDING OFFICER. The Senator will please suspend until the Senate is in order. Senators will please cease conversations. If they desire to converse, will they please retire to the cloakroom.

The Senate will be in order.

The Senator from Texas may proceed.

Mr. TOWER. Mr. President, I want to advise my colleagues that there is a strong possibility the full hour will not be used and that the vote will come much earlier than that.

I now yield myself such time as I may require.

Mr. President, the proposed legislation we have before us, S. 3390, maintains the present expenditure ceiling of $100 million on foreign military sales credits and grants military assistance to nations of Latin America. The present ceiling, however, covers not only sales made with U.S. credit assistance, but also sales made on a purely cash basis. Because these cash sales account for about half of the $100 million ceiling and because our Latin American partners have an increasing requirement for force modernization, I propose the removal of cash sales from this ceiling.

Latin American nations have legitimate internal security requirements. Many face extremely active and increasingly violent insurgency movements. Others, such as Uruguay, are plagued with the spread of urban terrorism. To combat these increasing security problems, the Latin American people must rely on obsolete World War II and Korean war weapons—weapons that are approaching the end of their useful lives, weapons whose reliability can be questioned.

We do not want to encourage an arms race in Latin America and I do not feel our allies are purchasing equipment with that in mind. It is, instead, these internal security requirements that have forced our allies to the south to modernize their forces. From 1967 through 1971, they spent well over $1 billion for

new equipment from Europe and Canada. Most of these orders were placed during the period our legislative restrictions were imposed. During this same period sales from the U.S. foreign military sales program amounted to about $250 million. It is clear that the Latin Americans feel they have a requirement for force modernization and it is just as clear that if we refuse to help them they will go elsewhere for modern equipment.

What I propose would not fuel an arms race in Latin America that would be detrimental to economic development. In fact, Latin American expenditures for military purposes have been modest in relation to their economic capacity. Throughout the continent these expenditures have averaged only about 2 percent of the gross national product. But they realize, as should we, that to continue this economic and social development, they require the stability brought by a secure environment. To the degree that it contributes to that security, adequate but not excessive levels of modern equipment—not only weapons, but also helicopters, radios, trucks, and so forth—fosters economic growth.

With the regional ceiling set at $100 million, and with the inclusion of cash sales in this ceiling, our Government is simply not able to respond to many reasonable requests for purchases of military equipment by our Latin American friends. Nearly half of their requirements will be for cash purchases of spare and replacement parts for equipment. This means that about half the ceiling would be used just to maintain equipment already purchased, leaving about $50 million for modernization of forces; $50 milion spread over all Latin American countries is wholly inadequate for updating equipment with the current high cost of aircraft, helicopters, and communications apparatus. In recent years we have reduced our military assistance program in Latin American countries from about $80 million in fiscal year 1966 to $20 million in fiscal year 1973. As part of our growing partnership with our sister republics, we have encouraged them to buy what they need rather than give it to them under a grant aid program. But now we refuse to let them buy with their own money what they need.

I propose to amend the committee bill by exempting cash sales from the regional ceiling. The $100 million ceiling should remain for the present and will be applicable to the major sales of expensive, sophisticated equipment that is virtually always purchased with credit. Placing cash sales outside the ceiling would insure that our friends in Latin America would have the opportunity to purchase spares and replacements for their U.S. origin equipment without impinging upon our ability to help them modernize that equipment.

We cannot afford to take Latin America for granted. President Echeverria's firm statement last week before the joint session of Congress makes clear the need for America to continue to mature in her relationship with her hemispheric allies. Our curtailment of cash and credit sales to Latin America is not consistent with this maturity.

Mr. President, I believe that it would be unfortunate both for us and more importantly for the Latin American people if we were to allow this bill to pass unamended. I, therefore, ask your support in exempting cash sales from the limitations imposed by the regional ceiling.

Mr. CHURCH. Mr. President, I yield myself such time within the limitation as I may require for the purpose of this statement.

Mr. President, the Foreign Military Sales Act now imposes a ceiling on the amount of U.S. Government military aid and sales and the value of ship loans that can be furnished to Latin America and Africa each year. The ceiling does not cover commercial sales or Government grants for training. Before the enactment of the foreign aid bill for the 1972 fiscal year, the annual ceiling was $75 million for Latin America and $40 million for Africa.

The ceiling was intiated by the Foreign Relations Committee a number of years ago in an effort to limit U.S. encouragement of unnecessary spending on arms by the nations of Latin America and Africa. Our objective was to keep the United States, insofar as possible, from stimulating an arms race either in Latin America or in Africa. It was felt by the committee that nothing could be more damaging to the prospects for economic progress on either continent than this kind of arms competition. In its report on the 1966 foreign aid bill, which recommended a $50 million ceiling for Latin America, the committee said:

> This committee does not wish to be responsible for encouraging in any way arms races in Latin America. The committee is not impressed with the argument that if the United States does not sell military equipment, the Latin Americans will buy it in Europe. One might as well argue for legalizing slot machines in the District of Columbia on the grounds that otherwise people will go to southern Maryland to gamble.

At the administration's urging, the committee last year approved an increase in the ceiling for Latin America from $75 million to $100 million. In conference agreement was reached to allow the President to waive the ceiling up to 50 percent—for a total allowable ceiling of $150 million a year—if he found that "overriding requirements of the national security" justify an increase in the ceiling. That is the state of the law today. The President has made such a finding for this fiscal year. The ceiling for Africa has remained at $40 million since it was set at that level in 1968.

The Senator's amendment would create such a huge loophole that the ceiling would be meaningless. He would exempt U.S. Government sponsored cash sales to both Latin America and Africa. Only $147 million in military grants—excluding training—sales, and ship loans are scheduled for Latin America in the 1973 fiscal year, which is within the allowable total if the President again exercises the waiver authority available. That is to say, the administration's own program comes within the ceiling established in this bill. The committee's action does not represent a cutback in the arms sales program proposed by the administration for Latin America.

The Senator's amendment would exempt the $60 million in planned Government cash sales from counting against the ceiling, making it a nullity, thus, in effect, increasing the ceiling by at least that amount.

There is nothing to prevent these countries from buying as many planes or tanks here as they want—as long as they do it through regular commercial channels, and not use our Government as their agent.

Mr. President, I simply cannot accept the argument that we are preventing these countries from coming to the United States to buy what they are determined to buy anyway and forcing them to go elsewhere, to Europe, for example, to buy the equipment that they feel they need.

They can come to the United States. They can buy all they want here. There is nothing in the ceiling that makes them go to Europe, because there is nothing in this bill that prevents them from purchasing armaments through ordinary commercial channels.

All the ceiling pertains to is the amount of military aid and credit sales that may be provided by the Government of the United States to the countries in Latin America and Africa.

The committee believes that these countries already spend too much on arms. Although we cannot prevent their diverting even more of their scarce resources to useless military spending, at least Congress can impose some practical restraints on our Government's involvement in this waste of their resources.

As to Africa, $44 million in military grants and sales are scheduled against a $40 million ceiling. In other words, Mr. President, this ceiling is so modest that it does no more than to cut back by $4 million the amount that the administration has programed for Africa in its own budget. After allocation to Africa of the reduced amounts for grants and credit sales recommended by the committee, this total will be well within the $40 million ceiling. So there is no practical reason to exclude the $6.6 million in cash sales scheduled for that region.

Mr. President, the committee believes that the restrictions in the law concerning military sales and grants to these poor countries are already too generous. It would prefer to see them tightened, not made meaningless as the Senator from Texas' amendment would do. But it would like to make these ceilings meaningful and prevent these arms programs from ballooning even larger without any form of statutory restraint.

That is why we have placed these reasonable limitations in the bill, and that is why I hope the Senate will see fit to reject the amendment offered by the Senator from Texas.

Mr. President, I ask unanimous consent to have printed in the RECORD a tabulation listing the regional ceilings in millions of dollars for Latin America and Africa in fiscal year 1973.

There being no objection, the tabula-

tion was ordered to be printed in the RECORD, as follows:

Regional ceilings

[In millions]

LATIN AMERICA—FISCAL YEAR 1973	
Military assistance grants	$20.3
Military credit sales	75.0
Government cash sales	60.0
Excess defense articles	2.5
Ship loans	.9
Total	158.7
Less: MAP training	10.9
Covered by ceiling	147.8
Commercial sales	43.5
AFRICA CEILING—FISCAL YEAR 1973	
Military aid grants	17.9
Military credit sales	18.5
Government cash sales	6.6
Excess defense articles	3.5
Total	47.5
Less: MAP training	3.5
Covered by ceiling	44.0
Commercial sales	15.2

Mr. TOWER. Mr. President, I yield myself such time as I may require.

Mr. President, it seems to me that the Senator from Idaho has admitted that the actions of the Foreign Relations Committee does nothing to discourage and deter an arms race in Latin America because arms are available elsewhere. As a matter of fact, if they could not buy them from the United States, they would probably buy more because the arms cost more in the United States than in Europe.

Therefore, I do not buy the argument made that we must assume some sort of moral posturing to discourage an arms race in Latin America, because we cannot do that anyway.

The fact of the matter is that we are taking, I think, an arrogant and a presumptious attitude, a paternalistic attitude perhaps at best when we say that we will discourage the immature Latin American countries from engaging in an arms race.

What we are saying here is that their governments have not matured to the extent that they can exercise good judgment. So we here in the United States are going to exercise good judgment for them.

Again, I refer back to the joint meeting of last week when we heard President Echeverria of Mexico. He warned us that we had better start regarding them as equals and treating them as mature partners in the community of nations.

I think that we had better start that now. I do not think it is up to us to determine what individual Latin American countries need in the way of arms. I think we must assume that they can make that judgment for themselves far better than we.

So the time for us to begin a new era in our relations with Latin American countries is now. I therefore urge adoption of my amendment.

Mr. CHURCH. Mr. President, I have a few words more to say in rebuttal.

First of all, I do not think there is anyone in the Senate who has more often spoken against attitudes of paternalism towards Latin American countries than has the Senator from Idaho. I have been critical of our general policy towards Latin America for some years.

Our position here has nothing to do with the desires of Latin American Governments and how much they won't spend on arms. They are free to spend as much as they please on arms. And they are free to purchase them wherever they please, either in Europe, in Japan, or in the United States through normal channels.

The question we are facing then is to what degree the Government of the United States should make itself an agent for the purchase and furnishing of arms to Latin America and elsewhere. It is true that the Senator's amendment applies only to cash sales. But the ceilings we are talking about apply to all types of sales in which the United States Government is directly involved, by acting as a purchasing agent, by extending credit or by providing subsidized interest rates.

In other words, the ceiling applies to an American policy, a policy of the United States, the purpose of which is to make it easier for Latin American countries and others to acquire arms at subsidy prices for which the American people ultimately pay. It is a national policy of the United States we are determining here, not an attempt to decide for other countries what their arms programs should be.

The committee has long opposed programs on the part of the United States, at the cost of the American taxpayers, the purpose of which is to encourage the flow of arms in larger and larger amounts into these areas of the world.

Therefore, I think the argument presented by the Senator from Texas really misses the point. The committee is simply trying to preserve a policy that was placed in the law some time ago and that is consistent with previous votes in the Senate to try to hold our own Government's arms supply program within reasonable limits as it applies to Latin America and Africa.

Mr. President, I yield to the Senator from Florida.

Mr. CHILES. Mr. President, I wonder if the Senator from Idaho would explain to the junior Senator from Florida a little detail as to the difference between a cash sale as we are referring to it in this amendment, and the right of the country to be able to buy on the market in this country from arms manufacturers or dealers.

Mr. CHURCH. In the case of a cash sale that would come within the limitation of this ceiling, our Government would act as a purchasing agent.

Mr. CHILES. What does that entail when we act as agent? Does that entail a guarantee?

Mr. CHURCH. No. It means the United States is the purchasing agent.

Mr. CHILES. It means the United States is the purchasing agent. Does that entail credit in and of itself?

Mr. CHURCH. No, not in and of itself; but in acting as purchasing agent the Senator knows the U.S. Government maintains permanent military missions in 17 Latin American capitals. The purpose of these missions is to make arrangements for and promote sales of weapons or the transfer of weapons under one of several arrangements that the Government of the United States is willing to work out. One such arrangement is the cash sale. Another is the credit sale, which provides subsidized terms, the tab for which is picked up by the American taxpayer.

Mr. CHILES. What are the terms of a cash sale? How does the foreign government make payment to the United States under cash sales?

Mr. CHURCH. As I recall, the terms may vary from contract to contract, but on the whole a cash sale would require the purchasing government to pay within a short period. A 3-month period would probably be typical of the provision in a cash sale arrangement.

Mr. CHILES. And there is no credit provision in that cash sale at all?

Mr. CHURCH. No, except that the cost to the U.S. Government of maintaining the agency through which all these arrangements are made is not deducted from the cash sale; that is borne by the taxpayer. These military missions in Latin America, and elsewhere, are maintained at our expense.

I was correct in recalling that cash sales terms may not extend beyond 120 days after delivery. But we engage, as the Senator knows, in credit sales too; we engage also in the sale of surplus equipment, equipment we have declared to be surplus, and we sell it at prices that are greatly reduced from the price the Government of the United States originally paid for the weapons at the time it acquired them. So on the whole these arms transfers are made on a subsidized basis.

Mr. PASTORE. Mr. President, will the Senator yield? I wish to ask a question for curiosity.

Mr. CHURCH. I yield to the Senator from Rhode Island.

Mr. PASTORE. To follow up the line of questioning pursued by my colleague from Florida, I understood the Senator to say that any Latin American country can come to this country and by going to an arms manufacturer buy all the arms it wants to buy.

Mr. CHURCH. Yes. The Senator is correct. For the coming fiscal year 1973 our Government estimates that Latin American governments will probably purchase $43.5 million worth of arms through commercial sales directly from U.S. manufacturers without the direct involvement of the U.S. Government.

Mr. PASTORE. Does the Senator mean that a government like Chile could come to the United States and buy 100 tanks?

Mr. CHURCH. It may if the State Department provides the necessary export license.

Mr. PASTORE. In other words, a country could not buy any arms unless it gets permission of the U.S. Government.

Mr. CHURCH. Commercial sales are subject to Government approval.

Mr. PASTORE. I am not being critical of that but I would be surprised that foreign government could come here and buy arms without sanction of the Government.

Mr. CHURCH. The Senator is correct. It is subject to the veto of the Government.

Mr. PASTORE. It does come under the ceiling, but it is subject to veto.

Mr. CHURCH. Commercial sales are not subject to the ceiling but are subject to export licensing requirements.

Mr. PASTORE. I think the record should be clear about that.

Mr. CHURCH. The Senator helped to make that point clear.

Mr. President, if there are no further questions I am prepared to yield back the remainder of my time.

Mr. TOWER. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. TOWER. Mr. President, even though with an appropriate export license Latin American Governments can come here and buy arms without having to go directly through Government channels to do so, the fact of the matter is, there are a number of items already in our military inventory that are surplus or redundant, or for our purposes obsolete, and languishing in our military inventory unused. They could be sold through the agency of our Government rather than having them go buy something in the market in this country.

Some mention was made here of credit sales and the cost to American taxpayers. My amendment only applies to cash sales. It is the policy when such sales are made that if there is any lag in payment, and any interest to be paid, that the purchaser is required to pay the cost to Uncle Sam of the money and, of course, the American taxpayer is not out any money. To say the cost of our military missions in 17 countries is attributable to military sales is incorrect. These missions would exist if there were no sales. This is the cost of the military doing business. I doubt whatever time and energy is put into these sales by military missions abroad really amounts to very much money in the scheme of things.

Mr. President, I suggest the absence of a quorum and I ask unanimous consent that the time be equally charged against both sides.

Mr. CHURCH. Mr. President, I wish to make a few final remarks.

Mr. TOWER. Mr. President, I withdraw the request.

Mr. CHURCH. Mr. President, I wish to make two final comments.

The Senator from Texas mentions surplus military equipment, and makes the argument that it may be to our advantage to sell weapons of this kind. I only want to point out that weapons declared to be surplus can be disposed of under the ceilings in the Senate bill.

Those ceilings represent figures very close to what the administration proposes to do anyway in Latin America and Africa. Our real purpose is not to force the administration to cut back in any appreciable way at all on what it plans to do. It is simply to prevent this program from getting bigger every year. At least with a ceiling it is necessary to come back to Congress and justify a bigger program if one is desired. That is why we did this in the first place. That is why it has been done in the past. This is not a new provision. We are just trying to keep in a provision which has been sanctioned by the Congress in past years.

Finally, with reference to the Senator's comments on military missions, I would not want to let that statement go unchallenged. The military missions in Latin America are there primarily for the purpose of transferring arms from the United States to those countries. That is why they were set up in the first place. If we did not have this kind of program going, we would not need those missions, which have caused us embarrassment from time to time, because they tend to identify the interests of the United States with the military rather than with the general interests of the country.

I think we pay a political cost for these permanent and ostentatious military missions in Latin America that far outweighs anything we gain from them.

If we did not have this program, we would not have to have these missions. We would go back to the regular military attachés, who do the normal work of representing the military of the United States in foreign lands. The faster we get back to that day in Latin America, the better it will be for the United States.

I am happy now to join with the Senator from Texas in calling for a quorum, with the understanding that the time for the quorum call will be equally divided between the two sides.

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

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 ordered.

RECESS

Mr. ROBERT C. BYRD. I ask unanimous consent that the Senate stand in recess until 1:55 p.m., that the time consumed by the recess be equally divided between the two sides on the pending amendment, and that the time between 1:55 p.m. and 2 p.m. be equally divided between the two sides.

The PRESIDING OFFICER (Mr. NELSON). Is there objections to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

Thereupon, at 1:40 p.m., the Senate took a recess until 1:55 p.m.; whereupon the Senate was called to order by the Presiding Officer (Mr. NELSON).

FOREIGN ASSISTANCE ACT OF 1972

The PRESIDING OFFICER. Who yields time?

Mr. TOWER. I yield myself such time as I may require.

Mr. President, back when the British offered the United States their assistance in the enforcement of the Monroe Doctrine, John Quincy Adams said that the United States will not suffer itself to be a "cock-boat in the wake of a British man-of-war." I think John Quincy Adams would whirl in his grave if he understood what we would be doing here today if we were to fail to adopt my amendment. What we would do would be to encourage the Latin Americans to become increasingly dependent on the Europeans for the military resources necessary to defend their territorial integrity against the elements that we know exist which would subvert their governments and bring them under the influence of a power that resides without this hemisphere.

So I think that, to a certain extent, the integrity of the Monroe Doctrine is at stake today, and I therefore urge the adoption of the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. CHURCH. I yield myself the remainder of my time.

Mr. President, I hope this amendment is rejected. Nothing in the ceiling adopted by the committee would prevent any country in Latin America or Africa from coming to the United States and buying such quantities of weapons that it desires from our weapons manufacturers, just as it may go to Europe or to Japan to do so.

It is true that the Government of the United States possesses a veto and that in a case where we feel that it is against our best interests for commercial sales to certain governments to take place in this country, the Federal Government can refuse to issue an export license. What the committee is trying to do is keep some control over the size of this program and the amount of arms that flows through the Government, whether by way of grant, credit sale, or cash sale. The ceiling in existing law is eminently reasonable. It conforms to the administration's own program. By retaining it, we will be assured that if in the future any administration wants to increase the size of these programs, it will have to come back to Congress and secure the consent of Congress. Therefore, consistent with the position that this Chamber has taken so often in the past, I would plead that we retain this provision in the law, which has long been a congressional policy approved by the Senate and already written into law.

For these reasons, Mr. President, I hope that the amendment will be rejected.

Mr. TOWER. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time consumed not be charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The assistance legislative clerk proceeded to call the roll.

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

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

Mr. Church. In accordance with the unanimous-consent agreement, I ask that the Senate now proceed to vote.

The PRESIDING OFFICER. All time on the amendment has expired.

The question is on agreeing to amend-

ment No. 1242 of the Senator from Texas (Mr. TOWER).

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 of West Virginia. I announce that the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), the Senator from Maine (Mr. MUSKIE), and the Senator from Michigan (Mr. HART) are necessarily absent.

I further announce that if present and voting, the Senator from Alaska (Mr. GRAVEL), the Senator from South Dakota (Mr. MCGOVERN) and the Senator from Georgia (Mr. GAMBRELL) would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from New Hampshire (Mr. COTTON), the Senator from Arizona (Mr. FANNIN), the Senator from Alaska (Mr. STEVENS), and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

The Senators from New York (Mr. BUCKLEY and Mr. JAVITS) and the Senator from Vermont (Mr. STAFFORD) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

On this vote, the Senator from Arizona (Mr. GOLDWATER) is paired with the Senator from New York (Mr. JAVITS). If present and voting, the Senator from Arizona would vote "yea" and the Senator from New York would vote "nay."

The result was announced—yeas 38, nays 43, as follows:

[No. 224 Leg.]

YEAS—38

Allen	Dominick	Miller
Allott	Eastland	Packwood
Baker	Ervin	Percy
Beall	Fong	Saxbe
Bennett	Griffin	Schweiker
Bentsen	Gurney	Scott
Boggs	Hansen	Sparkman
Brock	Hollings	Stennis
Cannon	Hruska	Taft
Cook	Jackson	Thurmond
Cooper	Jordan, N.C.	Tower
Curtis	Jordan, Idaho	Young
Dole	McGee	

NAYS—43

Aiken	Ellender	Pastore
Anderson	Fulbright	Pearson
Bayh	Hatfield	Pell
Bellmon	Hughes	Proxmire
Bible	Humphrey	Randolph
Brooke	Inouye	Ribicoff
Burdick	Long	Roth
Byrd, Harry F., Jr.	Magnuson	Smith
	Mansfield	Spong
Byrd, Robert C.	Mathias	Stevenson
Case	McClellan	Symington
Chiles	Mondale	Talmadge
Church	Montoya	Tunney
Cranston	Moss	Williams
Eagleton	Nelson	

NOT VOTING—19

Buckley	Hart	Mundt
Cotton	Hartke	Muskie
Fannin	Javits	Stafford
Gambrell	Kennedy	Stevens
Goldwater	McGovern	Weicker
Gravel	McIntyre	
Harris	Metcalf	

So Mr. TOWER's amendment (No. 1242) was rejected.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1243

Mr. TOWER. Mr. President, I call up my amendment No. 1243.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk proceeded to state the amendment.

Mr. TOWER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment reads as follows:

On page 10, line 7, strike out "1972" and insert in lieu thereof "$400,000,000 for the fiscal year 1972"; also in line 7, strike out "1973" and insert in lieu thereof "$527,000,000 for the fiscal year 1973"; in line 9, strike out "1972" and insert in lieu thereof "$550,000,000 for the fiscal year 1972"; and in line 10, strike out "1973" and insert in lieu thereof "$629,000,000 for the fiscal year 1973".

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

The yeas and nays were ordered.

Mr. TOWER. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. TOWER. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will please come to order. Those Senators carrying on conversations will please retire to the cloakrooms. The Senate is not in order. The Senator from Texas may proceed.

Mr. TOWER. Mr. President, I strongly oppose the reductions in the foreign military sales program recommended by the Foreign Relations Committee. The administration requested authorization for $527 million in new funds to carry out a credit program of $629 million. The committee has recommended only $400 million in new funds and a program of $550 million, of which $300 million is earmarked for Israel. This reduction will seriously limit the scope of the foreign military sales program which is a key instrument of the Nixon doctrine.

This doctrine is the keystone of U.S. strategy of the seventies. We have seen two of its three elements—strength and negotiations—yield rewards. But we have yet to fully realize the potential of the third element of the Nixon doctrine—partnership. Our foreign military sales program is designed to foster the kind of strong bonds necessary for full partnership. We have consistently tried to move away from grant aid to a more mature relationship by encouraging nations to purchase those military equipments they require. This modern equipment purchased through the sales program, together with the sharing of the responsibility for planning in joint national security matters, will be the foundation upon which these partnerships will flourish.

The credits and credit guarantees authorized by this legislation would be made available to allies and selected friendly countries for the purchase of military equipment manufactured in the United States for a number of reasons. First, they encourage and enable friendly nations to assume a greater portion of their own defense burden within their budgetary capabilities, and to achieve greater self-reliance in the area of security. All of this at little cost to the U.S. taxpayer. This self-reliance contributes to a reduced American role abroad.

A lowered U.S. profile overseas is, after all, the ultimate goal of the Nixon doctrine. This goal should be achieved through negotiations. And negotiations are successful to the degree that they are achieved from a position of strength. How strong we are, the outcome of negotiations, will largely depend upon how strong our partners are. Therefore, it seems clear to me that strong partners with adequate weaponry are essential to our hopes for a diminished U.S. profile abroad.

Credit sales are important to the United States for a second reason. They permit the United States to ease the transition of friendly nations from grant military assistance to cash sales. Thus, countries that have depended on our aid are not suddenly confronted by a sharply increased burden of military expenditures that could severely affect their developing economies.

A third aspect of credit sales of advantage to the United States is their impact on the balance of payments. While we would certainly not wish to sell arms and equipment solely to improve our balance-of-payments position, it has been clearly demonstrated that if we fail to make this equipment available to our partners for their legitimate needs, they will go to Canada or Europe for their purchases. Some of these suppliers have demonstrated a flushed eagerness to supply arms and credits. It therefore seems preferable to me to keep this market which is expected, because of inflation and technology, to be large in the 1970's for the United States.

Of course, Congress itself has enacted in the legislation provisions aimed at avoiding arms races and controlling armaments. The U.S. Government has on the whole made laudable efforts to carry out these purposes. However, the United States no longer has a monopoly on arms production. Other countries are prepared to provide credit and sell arms without restraints or concern for politi-

cal consequences. While I would argue that we should maintain that concern, it would seem more appropriate to provide our Government with the means of making legitimate sales. This will enable us to exercise some controls and offer weapons more appropriate to the needs of our allies.

I have mentioned that, of the total program, $300 million is specifically earmarked for Israel. I do not believe that I need to elaborate on the importance of these credits to Israel. But of similar importance to our entire Middle East policy is the $143 million that will be provided to other countries in that area, including some of the moderate Arab States. These programs alone constitute over 70 percent of the administration's request, which I think is a clear indication of the importance of this area to the United States.

Mr. President, I believe that the foreign military credit sales program makes good sense. It provides the United States with a valuable tool to carry out its security assistance program. The credit program contributes directly to the security of our friends and allies, especially Israel, thus affecting positively the security of the United States as well. It is unfortunate that nations of the world have not yet learned that there are better ways of settling differences than resorting to arms. However, we live in a less-than-perfect world and the United States must continue to provide its allies and friends with the weapons they need within appropriate restraints.

For these reasons, Mr. President, I ask that the Senate restore the foreign military sales program to the levels requested by the administration.

Mr. FULBRIGHT. Mr. President, I yield myself such time as I may require.

Mr. President, just a few short months ago, Congress approved the Foreign Assistance Act of 1971 and in its wisdom appropriated $400 million for military credit sales and established an overall credit ceiling of $550 million, of which $300 million was earmarked for credit sales to Israel.

In the bill before us, the committee recommends that the credit sales program for the coming fiscal year be maintained at the fiscal 1972 rate: $400 million in new obligational authority; $550 million as the overall credit ceiling; and $300 million of the credit ceiling earmarked for Israel.

The committee believes that the executive branch has not made a persuasive base for increasing the amounts above the level for the current fiscal year. The committee weighed the amount requested against our economic conditions here at home—conditions which, to say the least, are less than encouraging. Despite the forecasts of the administration's economic advisers, the United States is still subject to huge budget deficits, record-breaking balance-of-payment deficits, seemingly endless inflation, and an unemployment rate that has not dropped below 6 percent in 18 months. The economic indicators simply show that we cannot afford to underwrite a larger military credit sales program—a program subsidized by the American taxpayer.

In judging the committee's recommendation to hold the line on military credit sales, I hope my colleagues will also bear in mind that, for the most part, the countries which purchase military equipment under this program are the underdeveloped countries. These countries are, by definition, already strapped for funds to meet their pressing economic and social needs. The United States should not be in the position of encouraging them to purchase bigger and better armaments.

Mr. President, I hope the committee's recommendation on military credit sales will be sustained.

Mr. President, I am ready to yield back the remainder of my time.

Mr. TOWER. Mr. President, I would like to note that on these credit sales the interest paid by the purchasers is the same as that paid by the United States. In other words, the price they pay includes price of the money to the United States, with the exception of Israel. They get it at 3 percent, which is more favorable than anyone else gets it. We are not imposing additional costs on the American taxpayer.

There is one aspect I would like to mention and that is the possibility that of the $300 million allowed for Israel, the administration might regard some of its other programs as being so important it would dip into that $300 million and Israel would have to go to private financing. That would impose an additional burden on the Israeli economy.

I am prepared to yield back the remander of my time and apparently the Senator from Arkansas is ready to yield back the remainder of his time.

Mr. FULBRIGHT. I wish to make one further comment on the Senator's last remark. The Senator mentioned Israel in particular. In some cases we give Israel grant aid. The State Department authorization bill which was approved a couple of weeks ago carried $85 million for Jewish refugees. We have given them $50 million in economic aid and another $50 million is in this bill. Very few countries get military credits and not economic aid—with which they can then pay us back.

Mr. TOWER. I think it would be wrong to say the economic aid is given for the specific purpose of furnishing arms.

Mr. BROCK. Mr. President, I support the amendment of the Senator from Texas (Mr. TOWER). We must give the administration the resources it needs to continue to move forward in implementing the Nixon doctrine. This security assistance program lets us meet our international responsibilities not by sending our troops abroad but by bringing them home and providing the equipment and training which enables foreign troops to replace them. This bill is a good investment. It enables us to place the primary responsibility for meeting nonnuclear threats to the peace where it belongs—on the nations most directly affected.

Mr. President, in the last 4 years this administration has taken more than 500,000 troops out of the East Asia and Pacific area alone. And from Korea to Thailand troops of other nations now bear the primary responsibility for halting aggression on the ground. There has been encouraging progress in other areas as well. Our NATO allies are sharing much more of the common defense burden in the NATO area—they have agreed to a $1 billion program over the next 5 years. And in the Middle East our assistance to Jordan and Israel has helped sustain and strengthen these nations whose continued stability is crucial to the hope of eventual peace in that troubled part of the world.

Mr. President, these policies and the funds provided by this legislation are the foundations without which the President's dramatic trips to China and to the Soviet Union could not have been made.

For when our allies have the resources with which to defend themselves, both their attitudes and the attitudes of those who would be our enemies create a climate in which meaningful negotiations for a generation of peace become possible. The administration which has made these new policy initiatives deserves our continued support, and I urge Senators to provide this support by supporting this amendment.

The PRESIDING OFFICER. Is all time yielded back?

Mr. TOWER. I yield back the remainder of my time.

Mr. FULBRIGHT. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment of the Senator from Texas.

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 Nevada (Mr. CANNON), the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Michigan (Mr. HART), the Senator from Indiana (Mr. HARTKE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Wyoming (Mr. McGEE), the Senator from South Dakota (Mr. McGOVERN), the Senator from New Hampshire (Mr. McINTYRE), the Senator from Montana (Mr. METCALF), the Senator from Maine (Mr. MUSKIE), and the Senator from Rhode Island (Mr. PELL) are necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from South Dakota (Mr. McGOVERN), would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from New Hampshire (Mr. COTTON), the Senator from Arizona (Mr. FANNIN) and the Senator from Alaska (Mr. STEVENS) are necessarily absent.

The Senators from New York (Mr. BUCKLEY and Mr. JAVITS) and the Senator from Vermont (Mr. STAFFORD) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

If present and voting the Senator from Arizona (Mr. GOLDWATER) would vote "yea."

The result was announced—yeas 32, nays 47, as follows:

[No. 225 Leg.]

YEAS—32

Allott	Eastland	Saxbe
Baker	Fong	Schweiker
Beall	Griffin	Scott
Bennett	Gurney	Smith
Boggs	Hansen	Sparkman
Brock	Hruska	Stennis
Chiles	Jackson	Taft
Cook	Jordan, Idaho	Thurmond
Curtis	Miller	Tower
Dole	Packwood	Young
Dominick	Percy	

NAYS—47

Aiken	Eagleton	Montoya
Allen	Ellender	Moss
Anderson	Ervin	Nelson
Bayh	Fulbright	Pastore
Bellmon	Hatfield	Pearson
Bentsen	Hollings	Proxmire
Bible	Hughes	Randolph
Brooke	Humphrey	Ribicoff
Burdick	Inouye	Roth
Byrd, Harry F., Jr.	Jordan, N.C.	Spong
Byrd, Robert C.	Long	Stevenson
Case	Magnuson	Symington
Church	Mansfield	Talmadge
Cooper	Mathias	Tunney
Cranston	McClellan	Weicker
	Mondale	Williams

NOT VOTING—21

Buckley	Harris	McIntyre
Cannon	Hart	Metcalf
Cotton	Hartke	Mundt
Fannin	Javits	Muskie
Gambrell	Kennedy	Pell
Goldwater	McGee	Stafford
Gravel	McGovern	Stevens

So Mr. TOWER's amendment (No. 1243) was rejected.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 3104) to amend existing statutes to authorize the Secretary of Agriculture to issue cotton crop reports simultaneously with the general crop reports.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 6957) to establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the U.S. mining laws, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. TAYLOR, Mr. UDALL, Mr. SKUBITZ, and Mr. MCCLURE 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. 15097) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1973, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCFALL, Mr. BOLAND, Mr. YATES, Mr. STEED, Mr. MAHON, Mr. CONTE, Mr. MINSHALL, Mr. EDWARDS of Alabama, and Mr. BOW were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 12143) to provide for the establishment of the San Francisco Bay National Wildlife Refuge.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. RANDOLPH).

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.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that it be in order at this time for the distinguished senior Senator from Texas to offer an amendment.

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

Mr. TOWER. Mr. President, I ask unanimous consent that the time consumed in the consideration of my amendment be limited to 20 minutes, 10 minutes to a side, to be equally divided, the time on my side to be under my control and the time on the other side to be under the control of the chairman of the Committee on Foreign Relations or his designee.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the disposal of this amendment—I understand there will be no rollcall vote on it; it is a mutually agreeable amendment which will be explained—the distinguished senior Senator from Rhode Island (Mr. PASTORE) be recognized for the purpose of offering an amendment, with a time limitation of 1 hour on that amendment, to be equally divided between the Senator from Rhode Island (Mr. PASTORE) and the manager of the bill, the Senator from Alabama (Mr. SPARKMAN), or whomever he may designate.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that it be in order at this time to order the yeas and nays on the Pastore amendment.

Mr. PASTORE. Mr. President, if the Senator will yield, let me state what my amendment would do. It would remove from the bill subsection (3) of section 14 on page 12, which has to do with the storage of nuclear weapons or the renewal of agreements relating to such storage.

Mr. MANSFIELD. Mr. President, I repeat my unanimous consent request that it be in order to order the yeas and nays.

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

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

The yeas and nays were ordered.

Mr. TOWER. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. TOWER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

Mr. TOWER's amendment is as follows:

At the end of the bill insert the following:

"APPLICABILITY OF SECTIONS 13 AND 14 TO THE EXPORT-IMPORT BANK OF THE UNITED STATES

"SEC. 15. The provisions of sections 13 and 14 do not affect the authority of the Export-Import Bank of the United States, in accordance with its established procedures and practices, to consider and act on any application for a guarantee, insurance, extension of credit, or participation in an extension of credit with respect to the purchase or lease of any product by any foreign country, or an agency or national thereof."

Mr. TOWER. Mr. President, the purpose of this amendment is to remove from the proscription of sections 13 and 14 of the bill the functions of the Export-Import Bank, because of the adverse impact that these provisions would have upon U.S. exports.

Section 13 of the bill provides that:

No funds may be obligated or expended to carry out the agreements signed by the United States with Portugal and Bahrain, relating to the use by the United States of military bases in the Azores and Bahrain, until the agreement, with respect to which the obligation or expenditure is to be made, is submitted to the Senate as a treaty for its advice and consent.

As it happens, an understanding was reached between the United States and Portugal regarding the availability of Export-Import Bank assistance to help finance Portuguese imports of U.S. goods, in conjunction with the various negotiations taking place regarding the military base arrangements. The letter of understanding from Secretary Rogers to the Portuguese Foreign Minister merely states what in fact is standard practice as far as Ex-Im assistance is concerned: that it is available to help finance U.S. goods and services to be used in Portugal for the various social and economic development programs which Portugal is pursuing currently. Actually, Ex-Im assistance is available for virtually any financially sound, civilian-related purpose in most free world countries; the Rogers letter merely served to emphasize its availability for these high-priority development purposes.

Section 13 would operate to restrict the implementation of this formalized offer of assistance, since it is arguably part of the military base agreements. However, this offer merely stated what was in fact a standing offer of the United States to help finance its exports to countries in specific instances where export financing is not reasonably available through normal commercial processes. It should not be included in the package of arrangements which may have been made as part of the military base agreement, since it was an arrangement that was already a standing practice of the United States and would continue to have been such even without the military base agreement.

Section 14 would simply reinforce the effect of section 13, as far as the Eximbank aspects of the Portugal military base agreement are concerned, and for that reason the amendment exempting the Eximbank from the impact of section 13 also extends to section 14.

Mr. President, we are currently very concerned with the international economic situation of the United States, since in the years after 1964 our trade balance has been on a negative trend, that has for the first time in some 80 years left us with a negative balance in 1971. The impact of this deficit on the U.S. balance of payments and on the stability of the dollar have been substantial, and helped lead to the devaluation of the dollar this year. While we fight the fundamental battle for price stability and improved productivity at home, in order to turn this trade balance around and strengthen the external position of the United States, we cannot ignore the great tactical assistance which the Eximbank can lend to channeling foreign purchases to the United States. We cannot allow the substantial U.S. export potential to Portugal to be lost due to the unreasonably wide coverage of sections 13 and 14 of this bill.

I urge my colleagues to support this amendment.

It is my understanding that it does have the approval of the members of the committee, and at this time I would be delighted to answer any questions that the distinguished Senator from New Jersey might have.

Mr. CASE. I thank the Senator. He is correct in stating that I do approve this amendment. I join him in urging its adoption. I think there is no objection to it.

What we are attempting to do by his amendment is to make it quite clear, as we had originally intended, that we are not changing or restricting or hampering the normal operations the bank would conduct in the absence of a special agreement.

Mr. TOWER. In the absence of an agreement or a treaty.

Mr. CASE. What we are doing is taking out the forced draft that the executive agreement did involve.

Mr. TOWER. That is correct.

Mr. CASE. I thank the Senator.

Mr. TOWER. I thank the Senator from New Jersey.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. SPARKMAN. Mr. President, I am very glad that we have reached an agreement on this matter.

As a matter of fact, it is on of the provisions in the Case amendment that disturbed me because I thought it was curbing the Export-Import Bank, when, as a matter of fact, we have been encouraging people in this country who had things to sell abroad, helping them to develop business, helping to build up our trade returns, to cure the trade deficit we have and to help remedy our balance of payments. I am glad that we have worked out an agreement.

I yield back the remainder of my time.

Mr. TOWER. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

Mr. TOWER. 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.

Mr. PASTORE. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The second assistant legislative clerk read the amendment, as follows:

On page 12, line 12, insert the word "or" after "duty" and delete beginning with "or" on line 13 down to and including the word "storage," on line 15.

Mr. PASTORE. Mr. President, it will not take me more than 5 minutes to explain this amendment.

On page 12, section 14 is broken down into three parts. The first provides that in the case of the establishment of a military installation in any country at which combat units of the Armed Forces of the United States are to be assigned to duty, that agreement should come up in the way of treaty. I do not question or challenge that.

The second part refers to the fact that revising or extending the provisions of any such agreement also should come up by way of treaty. I do not question or challenge that, either.

But the third part is very disturbing, because I think it really is directed toward the security of this country. It could threaten our security. I think this would be a very dangerous course to pursue at this time. It reads, in part: "for the storage of nuclear weapons or the renewal of agreements relating to such storage, unless such agreement is submitted to the Senate for its advice and consent." That means by way of treaty.

Mr. President, under the Atomic Energy law, the President of the United States, as Commander in Chief, is the only person in this country who can order the firing of an atomic weapon. I repeat, no one can do it but the President of the United States. When we begin to discuss, perhaps rather glibly in some cases, just where these bombs are and how many, I am afraid that we are damaging the future security of this country.

Once a military base has been established, then at all times these atomic weapons have to be under the exclusive control of U.S. military forces. No one can give one of these weapons to any country in the world. Even the President of the United States cannot give away an atomic bomb. Wherever those weapons happen to be, they have to be under the exclusive control of the U.S. military, and they can be fired only on the order of the President of the United States.

To say that a matter of this sensitivity, which goes right to the heart of American security, has to be discussed by way of treaty is a questionable proposal. Even though it might be a classified protocol, the fact still remains that that is a dangerous course to pursue. Under the atomic energy law, our Joint committee is entitled, by provision of law, to be fully and currently informed on everything in connection with atomic weapons, I think that that serves the purpose; and anyone who needs to know can find out where they are, provided he has a right to know.

For that reason, while I support the remainder of section 14, I think it would be dangerous for us to include subsection (3). My amendment would merely strike out subsection (3), and I hope the Senate will adopt my amendment.

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. I yield myself 5 minutes.

Mr. President, I have sent for the Senator from Missouri (Mr. SYMINGTON). He thought this matter would come up tomorrow. He has shown more interest in this subject than any other member of the Committee on Foreign Relations. The Subcommittee on Security Agreements Commitments Abroad, of which he is chairman, did a great deal of work last year and the year before along with others, on the subject of our commitments abroad. It is my impression that he feels that this is a justifiable requirement, but I leave him to speak for himself.

Much of this becomes common knowledge. It is in the press. All of us, without having been briefed or having been given any secret information, know that nuclear weapons are scattered about the world in such places as Greece and Turkey and on ships off Vietnam. This has been in the press time and again. Reporters know it, and I think that the public who are interested generally know it. I think the time has come when Congress should play a role in these commitments, which have the effect—whether or not they so provide in the actual wording—of committing us to many countries throughout the world.

I am reminded of the Spanish bases agreement. There is no formal treaty, formal obligation in a written document, that we defend Spain. But the agreement creates a situation in which the Chairman of the Joint Chiefs of Staff said that Spain is given a greater assurance of our support than if there were a treaty to that effect.

Nuclear weapons have become such a great part of our strategic power and so significant in modern warfare that I think there is little to distinguish them from troops in the degree to which they commit the United States to the support of various countries. About all this really is saying is that when the United States is involved and when it is putting itself in the position under which it is obligated to support other countries by military means, such a commitment should be made the subject of a treaty and require the advice and consent of the Senate.

To put it in a different way, what we are trying to say here is that the Executive should not have this power alone. I am told by the Senator from Rhode Island that they are informed on a classified basis about the location of the

weapons, and that is sufficient. The committee is saying that an obligation of this gravity, with as much danger of involvement in warfare, should be a matter for the decision of the Senate as a whole.

I am very much pleased that the Senator from Rhode Island approves of subsection (1) and subsection (2). These have not been subject to treaties in many cases any more than the Vietnam war today is an authorized war under the Constitution.

On the issue of nuclear weapons storage abroad, I think this is a perfectly proper issue for Congress to pass upon. It would not be news if we put it in the RECORD, or in the newspapers, because there are very few surprises. Most people know where they are now. But it would lead to more sober consideration of our involvements abroad.

I do not agree with the Senator from Rhode Island that this is a matter that is so sensitive Congress should not be allowed to exercise its judgment on it. I think it does have implicitly within it the probability of involvement in war if those countries where the weapons are located are involved in conflict. So that is about the sum and substance of it. I would not be willing to accept the Senator's amendment.

I would hope that the Senator from Missouri (Mr. SYMINGTON) would express himself on this issue because he has, for a couple of years now, shown deep interest in the matter. He will be in the Chamber shortly.

I suggest the absence of a quorum and ask unanimous consent that it be taken out of my time.

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

Mr. FULBRIGHT. Mr. President, in the absence of the Senator from Missouri (Mr. SYMINGTON)—I am told they have not been able to locate him yet—for the RECORD at least, let me read this language from the subcommittee report on the nuclear weapons subject—page 30:

> The stationing of nuclear weapons in foreign countries represents a special kind of commitment between the United States and the host country. In almost every one of these countries a veil of secrecy hides the presence of such weapons. Nowhere is this veil stronger than in the United States.
>
> Most people here are unaware of the fact that United States tactical nuclear warheads have been and are stationed in countries all around the world, a pattern of deployment which results in arousing deep concern in both the Soviet Union and Communist China.
>
> . . . we should recognize the political implications involved in placing nuclear weapons in other countries, along with the need for continuous re-examination of such a policy.

What this means, I would think, is that a lot of people know where these weapons are. That is true. Most people do not pay much attention to this subject but I recall reading time and again about nuclear weapons in Turkey, and talk about we should be agreeing, at the time of the Bay of Pigs, to withdrawing our nuclear weapons if they would withdraw theirs from Cuba. I am sure I have seen many times references to nuclear warheads in Germany, in the recent discussion on the treaty with the Russians, that we have forward bases with nuclear weapons on them and airplanes to deliver them. There is no secret about this. Since this is not a deep, dark secret, and since it has these implications of commitments growing out of it, the committee believes that the arrangements for the overseas shortage of nuclear weapons should be a matter for the Senate to pass upon. I do not believe it has any serious effect upon our security in the sense that we are fooling the Russians.

I do not quite see how it prejudices our security if the enemy knows—and, presumably, that is Russia or possibly in the future, China—because the Russians know all about them. I do not see what difference it makes to our security, that this matter is discussed and passed on by the Senate unless, of coure, we assume that the Senate is an irresponsible body and should not be involved in decisions of this character.

Well, going back to the commitments, resolutions, and several legislative acts since, I had assumed that most Senators believe that the Senate is a responsible body and should be given some role in the determination of the policies which are likely to involve the United States in warfare.

Mr. President, I should like to yield now to the distinguished Senator from Missouri (Mr. SYMINGTON), since this is a matter in which his subcommittee has had much to do with and which he has, on numerous occasions, discussed.

I yield to the distinguished Senator whatever time he desires.

Mr. SYMINGTON. Mr. President, I appreciate the distinguished chairman of the Committee on Foreign Relations yielding to me on this subject.

At the suggestion of the distinguished chairman of the Joint Atomic Energy Committee, I went abroad with him a year ago last April. I have said, and repeat, that I learned more about the true military strength of the United States in Europe in 6 days with that distinguished chairman than in the previous 18 years on the Senate Armed Services Committee. In the latter committee we are not given adequate information with respect to this all-important subject.

In addition, Mr. President, as chairman of the Foreign Relations Subcommittee on Commitments Abroad, we found that in one country we were blackmailed at a cost of millions of dollars to maintain our nuclear weapons in that country. This is in the committee record, but some of it is classified; therefore, I will not give the details on this floor. Everyone knows in the countries where the weapons are. There is no secret about it. I have been in such countries and have for years been told about it by the people in the governments of the countries in question. For anyone to think for a minute we can put nuclear weapons in a country without its having an effect on foreign policy, taxes the credulity of any person interested in the subject.

They know where these weapons are, but do not know the nature of them, type and yield and so forth. Nor should they. I say, however, that one of the great tragedies is the degree of secrecy we have had about this whole nuclear situation. A small airplane in Europe, with one refueling, could be over Moscow and drop many times the lethal blast of the Hiroshima bomb. That is something all Americans should consider as in turn we consider the SALT talks and the reached agreements. Ignorance of Americans with respect to the overall aspects of this subject is unwarranted ever since the issue of the Smythe report, which came out in the 1940's.

We continue to authorize and appropriate billions upon billions annually for our military establishments, much of which we do not need for National Security. It would be more clear that we actually do not need some of these requests if we got out some of the facts about the new force in the world which is contained in the atom; facts which could in no way affect our Nation's security.

There is not a man in the Senate but who could walk in this Chamber today with a nuclear weapon that would correspond in force to the Hiroshima bomb. That is the type of information which should be disseminated as we discuss these matters. All other countries, especially the six or so in the nuclear club, know this to be true.

We cannot have constructive relations with another country, we cannot locate nuclear weapons in that country, without affecting foreign policy, because we always have made commitments to these countries to in turn get them to permit us to have nuclear weapons on their shores.

We are already having trouble with many countries as to whether they should allow our ships that use nuclear power—not necessarily war ships, any ship—to come into the harbors of their country. Among such countries are those we consider among our strongest allies.

Mr. President, I did not know this subject was coming up so rapidly this afternoon else I would have had more of a prepared statement about our relations with countries in which we have stored nuclear weapons, but not known to the American people.

I would hope, therefore, that the amendment of my good friend, the able chairman of the Joint Atomic Energy Committee, will be rejected. A Secretary of Defense testified in open hearings years ago that there were 7,000 nuclear warheads in Europe; and everyone knows that, if there were 7,000 nuclear warheads years ago, there are more today.

I cannot understand why it is necessary for us to be so secretive as to where we have these weapons. If they are there, they are fundamentally a problem to us as well as a problem—often welcomed—to the country in which they are located.

I would hope when this matter is considered by the Senate the importance of

nuclear knowledge, previously denied the American people, will be released to the public. Much should remain classified, but much that could be released but is not released, if made a matter of public knowledge, would help in the growing effort to prevent further escalation in the arms race.

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

Mr. SYMINGTON. Mr. President, I would be glad to yield to my able friend from New Jersey.

Mr. CASE. Mr. President, I associate myself with the remarks of the distinguished Senator from Missouri and with the remarks of the distinguished chairman of the committee, the Senator from Arkansas.

I fully appreciate the concern that the Senator from Rhode Island has expressed. I appreciate his diligence in expressing himself on this matter. However, I think that really the question is not really so much technical as political. I think it is quite clear that in a general sense the world knows where our arms are.

If there is any question as to tactical dispositions which are about to be made for some special reason for some short term not being made a matter of public record, that information can be included and it can be agreed to keep it secret. We consider treaties in executive session. In any event, any matters of that sort can be dealt with and handled in the Senate by its full processes.

As the Senator from Missouri has so well pointed out, these are matters that should be known to all people, Americans and foreigners alike.

I think it would be a good idea as soon as we can to get away from the idea that the Senate is extremely esoteric about nuclear weapons in their disposition. The only thing esoteric about it is the secrecy.

This is a matter that the public should be fully aware of.

Mr. SYMINGTON. Mr. President, I appreciate the remarks of the distinguished Senator from New Jersey. Obviously there are many aspects concerning the details of the type and character of nuclear weapons and other weapons designed for our protection and the protection of other countries that should not be released.

We are not talking about those details. We are talking about the overall knowledge of installing our nuclear weapons in other countries. When that is done it is certainly known to the people of the country in question. Why should it be kept from the American people?

If there is any real reason why this knowledge should be kept a secret from the American people, I would say to my friend that this in itself would seem to make it clear that the weapons we question should not be placed in the country in question.

Mr. PASTORE. Mr. President, I would really hope that in our enthusiasm this afternoon we do not lose understanding of what we are actually saying and doing here this afternoon.

There is no man in the Senate who loves to speak more informatively than the Senator from Rhode Island. There is no man in the Senate who desires that the American public have information more than the Senator from Rhode Island.

I hope that we do not argue this afternoon that the American public really wants to know what is going on in the war rooms of the Joint Chiefs of Staff. When we begin to tell everyone in the United States and everyone in the world the numbers and locations of our atomic weapons we defeat the very basis of security, we are beginning to cut off our noses to spite our faces.

The Senator from Missouri knows that not until he became a member of the Joint Atomic Energy Committee and went abroad with me did he know where certain weapons were and how many. This is highly secret information and there was good reason for classification. That is the reason why we put it in the Atomic Energy Act. We put classification in that act for the security of this country.

If any Senator wants to know and has a need to know, he can find out very quickly.

What does this provision do here? It says, talking about the storage of nuclear weapons in any country, that the matter has to come up here. That is the question before us. I say that with that information disclosed we could tumble down as well as some of these governments. We had better recognize that in some countries of the world the Communists have the largest sinlge party within the framework of that government.

Do we want to begin to toy with America's security interests? America is interested in any every American is interested in keeping his home safe and in keeping this country free.

If anybody in this Chamber has an idea we are placing these bombs in other parts of the world helter-skelter just because we would like to see them spread all over the world, I tell Senators frankly they should come to our committee some time and listen to some of the information that come before us. I say this afternoon that not one time has there been a leak from that Joint Committee on Atomic Energy. That is a record to be compared with the record of any other committee of Congress.

What I am saying this afternoon is: Do not begin to play loosely with American security. There are many places in the world where rebellion could start if some of the information went out.

They are there for what reason? They are there to make sure we maintain the security of our country. After all, in Europe we have not had a major incident since the end of World War II. Why? Because the Russians knew of the American power. Why did they call off their bombs or their missiles in Cuba in October 1962? They did it when John Kennedy flexed his muscles.

To proceed as in section 14 with respect to establishing a foreign base in another country for the location of American troops is one thing, but when they talk about where atomic bombs should be and how many, when the President is the only man who can order the firing of any bomb—not Congress, but the President—is another matter.

We have a PAL system on our bombs in Europe, which means they cannot be fired unless the President of the United States give the order. That is how careful we are and should be.

When you come before this body and put atomic weapons in the same category as proceeding under section 13, I am telling you you are comparing apples to oranges and it just does not fit. You are as far apart as the North and South Poles.

What I am saying this afternoon is that this is a very sensitive area. This is the zone that has kept us safe from an onslaught of communism in Europe. Do not begin to change it this afternoon.

You tell the Russians how many there are and where they are and I am telling you they can begin to make different plans.

Mr. SYMINGTON. I would say to my good friend from Rhode Island that to the best of my knowledge nobody talked about giving the details of these weapons in the country in question. There is no idea of going into secret rooms of the Pentagon on nuclear details.

I add to what my able friend stated by saying I would hate to see the question of communism per se become dominant in the minds of those responsible for the security of the United States. I salute the President for going to a Communist country, the Peoples Republic of China, and I salute him for going to Moscow. There is surely nothing wrong in attempting to develop policy that will result in fewer young Americans being killed, all over the world. In effect, this change would appear to be one of the major premises in establishment of our new foreign policy, and I support it all the way.

Our religion emphasizes the importance of brotherhood, love of our fellow man and respect for human rights. I do not buy any arbitrary raising of great Communist monolithic danger each and every time we discuss something having to do with our foreign relations and the saving of money for the taxpayers in the field of national defense.

Another point has to do with what the Committee on Foreign Relations knows. We were at one time refused information in this committee on the grounds that under section 202 of the Atomic Energy Act, the only committee of the Congress, in both Senate and House, that should be allowed this information was the Joint Committee on Atomic Energy. We gave the question to respected and able lawyers. They said such a conclusion was ridiculous. But that information was denied the Committee on Foreign Relations until about the time I went on the Joint Committee. Said information is now a matter of knowledge in the Committee on Foreign Relations. Nobody at any time has said or could say that in any way has jeopardized the security of the United States. The Committee on Foreign Relations knows today where these weapons are, and more about their types.

We are talking about two aspects. First, should it be known where we locate nuclear weapons on foreign soil? I

believe it should because the people in that country in question know. The people in the United States also have a right to know.

Second, details of the weapons in question should not be known. I have had some inspection experience in government and also in private industry. After I became a member of the Joint Committee I asked a staff member, as a matter of routine, "Do we do 'this and that' to protect our nuclear position all around the world?" I cannot get into detail on this because it is classified, but was told, "Of course, this is what we do everywhere." I said, "Just check it to be sure."

A few weeks later an able member of the staff of the Joint Committee came to me and said, "How did you know?" I said "Know what?" He said, "You are right." We thought we had these policies over the world, but have not got them all over.

I replied:

I did not know, but do know that when something goes on for a number of years without being checked, you can bet your hat what you thought was going on has not been going on.

I am glad to report that as a result of this investigation on the part of the Joint Committee that matter has been corrected.

Again, the American people have as much right to know about these installations, which they pay heavily for as do the heads of government and people of the countries in question.

Mr. COOPER. Mr. President, I wish to ask a question of the chairman of the Senator from Missouri.

Would the adoption of this amendment have any bearing on the location of our technical and nuclear weapons in Europe, which everybody admits are stationary? The reason I ask that is this: Up to this point and during the SALT talks, of course, the technical weapons there and the airplane bases with the aircraft were able to carry a bomb, if necessary, to eastern Europe and perhaps even to Russia, and that has been a part of the deterrent.

Similarly, as the Russians have, there are intermediate range missiles which are centered in Europe, and our planes can reach Europe.

Would this alter a deterrent if we agreed to the treaty and moved into the second stage? Would this alter the deterrent? The measure states, "You cannot enter into any agreement after this date or extend any agreement."

Mr. FULBRIGHT. I refer the Senator to the committee's report. It is very clear on page 31. It states:

The provision is prospective only. It does not affect current agreements relating to foreign bases or the storage of nuclear weapons. However, it will require submission to the Senate of any agreements to renew or revise existing agreements.

Then, it states that no funds should be obligated and so forth on or after the date of enactment. It is prospective. It is not to affect any existing agreement related to nuclear weapons.

Mr. PASTORE. Mr. President, I would like to make a little comment on the question asked by the Senator from Kentucky. Of course, this would weaken the deterrent. I can give the Senator an example. If the Senator were playing stud poker, would it not mean something to him to know what the other player had as his covered card? Does not the Senator think it is going to make a difference if the Russians know where our weapons are and how many?

The argument made here is that everybody knows. Yet my good friend the Senator from Missouri did not know until a few months ago when he got on the committee. If everybody knows, why did he not know? The idea that everybody knows is nonsense. I dare anyone to stand on the floor and tell me how many bombs are in Germany and where they are this afternoon, if everybody knows. We cannot tell them and we should not tell them. That is one of the most sensitive elements, one of the most classified elements of our deterrent force in Europe—the fact that they do not know how many there are and where they are. The minute they know, the Senator can bet his bottom dollar the reentry missiles will be retargeted to make sure they are going to knock us out in a nuclear attack. Then he will see the Autobahn closed and the Berlin Wall and and Berlin freedom a shambles.

As to the hope that we are promoting a detente with Russia and China—do not let us become kissing cousins too soon, I suggest to the Senator from Missouri. We have not reached that stage yet.

The Senator rises and properly says, "I am a Christian and I have a big heart." I say to the Senator from Missouri that I too am a Christian, and even though I may be smaller in stature, my heart is as big as his.

Mr. SYMINGTON. I am sure the Senator's heart is as big as mine, but do not want excessive fear of communism to continue to add unnecessary additional expense for our defenses. Of course, I have known where these weapons were for many years, as Secretary of the Air Force and later. What I thought was proper was that members of the Foreign Relations Committee should be told in executive session. There has never been a leak out of that committee since I have been on it to the best of my knowledge. Its members should have enough information to determine the right thing to do, in their opinion, from the standpoint of our relations with these other countries.

The Armed Services Committee should take more interest in the number and type and location of nuclear weapons, because it is a subject which bears much on the security of the United States.

From what the Senator said, I gather the impression of a card game, stud poker, and a hole card. I hope we are not going to play a game with these countries and that we put our cards on the table. We have pledged that, on the part of the United States. The President did. Dr. Kissinger did in the White House. They said we were going to lay our cards on the table and believe our possible opponents are laying their cards on the table. But if this is going to be primarily a poker game, then we should not lay our cards on the table.

The only reason we should have an agreement—and a treaty—is that it would be in the interest of both countries to have such an agreement.

The PRESIDING OFFICER. The Chair wishes to know who yielded the half minute to the Senator from Missouri.

Mr. PASTORE. Mr. President, take it out of my time. That shows how much I love the Senator from Missouri.

Mr. SYMINGTON. The Senator knows that affection is reciprocated, along with deep respect.

Does the Senator know of any country outside the borders of the Soviet Union in which the Soviet Union has put nuclear weapons?

Mr. PASTORE. No; because they would not tell me.

Mr. SYMINGTON. Does the Senator believe they have put any in South America, or Cuba?

Mr. PASTORE. I do not know.

Mr. SYMINGTON. Yes.

Mr. PASTORE. But it would be of great help to us if we knew.

Mr. SYMINGTON. Our intelligence says they have not, and we fashion our policies on their combined estimates.

Mr. PASTORE. But does the Senator know?

Mr. SYMINGTON. I think our intelligence is as reliable as theirs. In any case, I do not know what we are trying to prove when we segregate all knowledge about nuclear weapons from all other weapons, just because we have a Joint Atomic Energy Committee and an Atomic Energy Act.

Mr. PASTORE. The Senator himself said nuclear weapons should have special consideration.

Mr. SYMINGTON. Because they are the strongest weapons does not mean they should be treated with unusual and special secrecy.

Mr. PASTORE. The Senator stated this. He said atomic weapons have special significance.

Mr. SYMINGTON. They do.

Mr. PASTORE. For that reason they ought to be considered in a different category.

Mr. SYMINGTON. I did not say they ought to be considered in a different unique and special category—not at all. When a country caught us putting them in that country, we paid millions of dollars, because we had placed them in that country. I hope such activity does not become characteristic of how the United States operates its foreign policy.

Mr. PASTORE. I hope we do not throw out the baby with the bath water. The idea, the cliche, is that the American people should know. The American public does not want to know how many bombs we have in Germany. All the American people want to know is, Are we safe here at home? That is our responsibility. It is the responsibility of the President and the Congress to make sure we are safe at home. The idea that we open up this sensitive area which has been classified is a very dangerous thought. It has been a secret classification. The suggestion that the American people really want to know how many bombs are in Germany and where they are does not make much sense to me. The American wants to know one thing—the

American people want to ask, Are we safe?

Mr. SYMINGTON. The Senator has said there are atomic bombs in Germany. Is that information classified?

Mr. PASTORE. No.

Mr. SYMINGTON. If it is not classified, what is wrong with telling about them being located in other countries?

Mr. PASTORE. How many and where they are?

Mr. SYMINGTON. It has never been publicly stated on the floor that there are atomic bombs in Germany.

Mr. PASTORE. Oh, it has been.

Mr. SYMINGTON. In Europe—but not in Germany, not in any particular country.

Mr. PASTORE. Is the Senator going to be picayune? Is not Germany in Europe?

Mr. SYMINGTON. Are they only in Germany?

Mr. PASTORE. No.

Mr. SYMINGTON. Then they are all over?

Mr. PASTORE. I gave the Senator that as an example. Does the Senator know why? Because they are right on the other side of the Berlin Wall. That is where the Autobahn is. That is where our troops are. That is where our armaments are. When there is storage, then we talk about places and numbers.

Mr. SYMINGTON. Are they on our ships?

Mr. PASTORE. Sure, they are.

Mr. SYMINGTON. Are they on our ships in the Mediterranean?

Mr. PASTORE. Sure, they are.

Mr. SYMINGTON. I thank the Senator. Is this the first time that has been known.

Mr. PASTORE. I do not know about that, Mr. President.

Mr. SYMINGTON. The more information we get out of this character the better for the American people, the better for the security of the United States, because of the importance in a democracy for the people to have all information that will not help a possible enemy.

Mr. PASTORE. Come on, Senator, take it easy. The Senator knows we have bombs in our ships. Do not tell me the Senator thinks they are in closets in the Pentagon; or does he think they take them home as lollypops?

Mr. SYMINGTON. I have been talking here today about continuing to use the fear of communism, along with the fear of nuclear weapons as a means to make the United States spend many billions of dollars for unnecessary weaponry when these billions could be spent for better purposes right here at home. I will say to my friend, however, for whom I have very great respect and affection, that I am just as interested in the security of the United States as is he, anxious therefore for us to have all weapons and military personnel that is really needed.

Mr. PASTORE. I am sure of that.

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. FULBRIGHT. I yield myself 3 minutes.

Mr. PASTORE. Mr. President, I will give the Senator some of my time.

How much time do I have?

The PRESIDING OFFICER. The Senator has 12 minutes remaining.

Mr. PASTORE. I yield the Senator as much time as he needs.

Mr. FULBRIGHT. I agree with the Senator, first, that the American people are not panting to know the details of where the bombs are. What they are interested in is not getting the country in a position to get involved in wars like we have in Vietnam or in commitments such as we have in Spain, which have not been submitted for discussion or consideration by the Congress. It is the effect of these agreements that bothers all of us. By bringing these matters into the open, we hope to avoid adverse effects.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. FULBRIGHT. I would be very much interested. They do not care about that.

Mr. PASTORE. Will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. PASTORE. That is the reason why I agree with the Senator's (1) and (2). I think when the bases were established in Spain, it should have been by a treaty. I go along with that, and also as to any extension of that agreement. But when we begin to store bombs, anywhere and how many of them, after we get such an agreement, I do not think that ought to be the subject of another treaty. That is an intensely military affair at that point. If the Senator wants to stop the political side of it, in the establishment of those bases, I go along with that. I can see that.

Mr. FULBRIGHT. Well, I think maybe we are arguing here about two different things. I did not contemplate, and do not now, that in the discussion of an agreement for the storage of weapons, say, in country X, we would include, as a part of that, all the details of how many, what form, and just exactly where. That might be a matter of classification for the committee alone, in executive session. It certainly should not, I would think, be a part of a treaty. The treaty could be a general agreement in which we make the deliberate decision as to whether to have such a relationship with country X. I think that is a much more responsible way to do it.

While the Senator says it is not generally known, what the Senator from Missouri was saying, I think, is that Americans do not know in any great detail. I do not believe the Senator from Rhode Island believes for a moment that the Russians do not know we have those weapons in Germany or in Turkey.

Mr. PASTORE. That is right.

Mr. FULBRIGHT. They have complained about them being in Turkey.

The PRESIDING OFFICER (Mr. WEICKER). All time of the Senator from Arkansas has expired.

Mr. FULBRIGHT. I see no point in belaboring the matter. It is the general proposition that is involved in these agreements, rather than the precise number, that is important.

Mr. PASTORE. Mr. President, I want to make my position clear, very precisely.

I have no objection to the proposition that the establishment of foreign bases should be by treaty. All I am saying is that when you get into the nuclear weapons business, once that treaty is formulated, you do not need a second treaty. To argue that is to get yourself into serious trouble. My experience on the committee since 1952 tells me that. That is not to deprecate anyone else's opinion; I do not want to be misunderstood on that. But this is a very sensitive business, when we begin to tell everyone in the entire world how many, and where.

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

Mr. PASTORE. I yield the Senator whatever time he would like.

Mr. AIKEN. Mr. President, I hope the time will come when it is not considered advisable to store nuclear bombs in any country, anywhere, any time. But until that time does come, I think the United States would be very unwise to divulge to the world the location of those nuclear bombs. They may be in the mountains of central Europe, they may be somewhere in Asia, they may be in the ports of the eastern Mediterranean. They might be on icebergs in the Arctic, for all I know. But I do not think we should divulge to the world where they are located, unless we are willing that every potential enemy should also know where those weapons are stored.

Even the people of the United States do not know where nuclear weapons are stored in this country. They may know where some of the planes used to deliver those weapons in time of war are stationed, but they do not know where the weapons themselves are stored. I doubt if one on this floor knows how many nuclear weapons are stored in Rhode Island, or Missouri, or Arkansas, or Kentucky. I do not think there are any in Vermont, but I am not sure.

I think it is in the interests of our own security that we should not tell the world where these bombs are stored. If they are stored in a foreign country by agreement with the United States, then that agreement, under this item number (3) of section 14, would have to be submitted to one, two, or probably three committees of Congress, eventually, and it would not take long for it to be made public knowledge, of course, if the agreements had to be approved by this body.

So I think it would be most shortsighted indeed to divulge to the rest of the world the presence of those weapons which we rely on to keep us out of a third world war. I do not know why anyone should advocate that, and I hope that the amendment of the Senator from Rhode Island, which I cosponsored with him, will be approved, in the interests of the security of the United States.

Mr. PASTORE. I am ready to yield back the remainder of my time, Mr. President.

The PRESIDING OFFICER (Mr. WEICKER). All remaining time has been yielded back. The question is on agree-

ing to the amendment of the Senator from Rhode Island (Mr. PASTORE). 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 E. BYRD. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Georgia (Mr. (GAMBRELL), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Michigan (Mr. HART), the Senator from Indiana (Mr. HARTKE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

On this vote, the Senator from Georgia (Mr. GAMBRELL) is paired with the Senator from South Dakota (Mr. MCGOVERN).

If present and voting, the Senator from Georgia would vote "yea" and the Senator from South Dakota would vote "nay."

Mr. GRIFFIN. I announce that the Senator from New Hampshire (Mr. COTTON), the Senator from Arizona (Mr. FANNIN), and the Senator from Alaska (Mr. STEVENS) are necessarily absent.

The Senator from New York (Mr. JAVITS) and the Senator from Vermont (Mr. STAFFORD) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

If present and voting, the Senator from Arizona (Mr. GOLDWATER) would vote "yea."

The result was announced—yeas 65, nays 17, as follows:

[No. 226 Leg.]

YEAS—65

Aiken	Dole	Miller
Allen	Dominick	Montoya
Allott	Eastland	Packwood
Anderson	Ellender	Pastore
Baker	Ervin	Pearson
Beall	Fong	Pell
Bellmon	Griffin	Randolph
Bennett	Gurney	Ribicoff
Bentsen	Hansen	Roth
Bible	Hatfield	Saxbe
Boggs	Hollings	Schweiker
Brock	Hruska	Scott
Brooke	Humphrey	Smith
Buckley	Inouye	Sparkman
Burdick	Jackson	Spong
Byrd, Harry F., Jr.	Jordan, N.C.	Stennis
	Jordan, Idaho	Stevenson
Byrd, Robert C.	Long	Taft
Chiles	Magnuson	Talmadge
Cook	Mathias	Thurmond
Cooper	McClellan	Tower
Curtis	McGee	Young

NAYS—17

Bayh	Hughes	Proxmire
Case	Mansfield	Symington
Church	Mondale	Tunney
Cranston	Moss	Weicker
Eagleton	Nelson	Williams
Fulbright	Percy	

NOT VOTING—18

Cannon	Harris	McIntyre
Cotton	Hart	Metcalf
Fannin	Hartke	Mundt
Gambrell	Javits	Muskie
Goldwater	Kennedy	Stafford
Gravel	McGovern	Stevens

So Mr. PASTORE's amendment was agreed to.

Mr. PASTORE. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. ALLOTT and Mr. BIBLE moved to lay that motion on the table.

The motion to lay on the table was agreed to.

SECTION 12—U.S. WITHDRAWAL FROM VIETNAM BY AUGUST 31

Mr. STENNIS. Mr. President, I have long since learned to discount the many rosy reports that came during many years past regarding the progress of the war in Vietnam. In fact, what I have said regarding the program of the war has been quite conservative indeed and somewhat on the skeptical side.

Now I believe, however, we finally have tangible proof of facts that are definitely on the encouraging side. A great deal has happened since the initial success of the North Vietnamese Army's drive across the DMZ on March 31, and the advances into South Vietnam that they made in early April. For instance, Hue, or Kontum, or both, were supposed to fall to the enemy rather rapidly. But this has not happened, due to a stiffening of the troops of South Vietnam and their counterattacks. There have been South Vietnamese raids against North Vietnamese positions in Quangtri and Kontum Provinces, and An Loc is now held by the South Vietnamese.

This is the way I see it now. The North Vietnamese launched their attack, expecting to capture many of the key spots and meet little effective resistance on the ground. They further expected, as I see it, that we would not retaliate, certainly not by mining the harbors and indepth, effective, extensive bombing in North Vietnam.

To their surprise, the South Vietnamese rallied after the initial setbacks. Many of the South Vietnamese units have shown sustained, hard fighting that demonstrated purpose, skill, determination, and endurance. Ample and skillful American air cover was necessary in this ground fighting and was given and, of course, this was an important factor in these favorable results. However, this was by no means all of the battle. Formidable ground forces of the North Vietnamese were resisted and defeated; ground was retaken by skillful and effective fighting by the South Vietnamese ground troops. These facts are vouched for in many strong statements and reports, including statements by our own American observers and advisors. This shows strength on the ground and it was a surprise to North Vietnam. It is also highly significant that there has been comparatively little activity by any native Vietcong. On the whole, the people of South Vietnam have rallied behind the government and against the invasion.

The North Vietnamese were surprised in another way. President Nixon made the hardest of all decisions, that is, he decided to mine the harbors of North Vietnam and cut off the supplies coming by sea and also to fully and effectively bomb the supply lines and other warmaking capacity in the critical areas of North Vietnam.

These steps have been carried out in a highly effective way, and have brought results already. Critical warmaking capabilities and war materials have been destroyed in North Vietnam. Transportation routes have been greatly affected, it seems, far beyond what has been done by bombing in years past, partly due to the use of so-called smart bombs. If this condition is continued, there is firm cause to believe that within 60 to 90 days the supply lines to South Vietnam will be thin indeed, and the same kind of extensive fighting by the North Vietnamese forces cannot be sustained.

Furthermore, Mr. Podgorny of the ruling hierarchy of the Soviet Union, has made a trip to Hanoi. No one can foretell the effects of this trip, but at least there is encouraging talk by Mr. Podgorny of resumption of the peace talks in Paris. Mr. Kissinger is now on a mission to Peking. No one can foretell the results of his trip, but it is hoped that this trip will have some favorable meaning.

So it seems to me, Mr. President, that the North Vietnamese made a grave error by this invasion. Now they see their manpower having been cut up by heavy casualties in the fighting to the south. Much of their modern ground war machine is also captured or otherwise used up. Some of the territory they took is now retaken and much that they threatened is no longer in grave danger. They find themselves with their harbors mined and sea traffic cut off. They find their railroad bridges destroyed, the lines of transportation otherwise cut, and their warmaking potential, much of it, either destroyed or greatly damaged.

No one can say definitely what all of this means. But certainly, since things have started moving against them, and at least somewhat in our favor at long last, it is no time for us now, in the midst of these facts, to restrict or restrain in any way our own position, much less to cut off funds supporting our own forces in South Vietnam and mandate their withdrawal within less than 70 days from today, June 19, 1972. It would not only weaken, but it will destroy our position in the present situation, and that means it will strengthen our adversaries, although this is not intended by the authors of section 12 of S. 3390, now before the Senate for consideration.

It seems to me, Mr. President, that the contrast is too plain and clear to require further comment. I know that we all want to end this war just as soon as possible, and that is the sole motive that prompts the authors of this provision in section 12. I do not question their motives, I applaud their motives, but the cold logic of the facts themselves shows the contradiction on the face of their amendment with events that are happening now. We are on the way out, I submit, in the manner that we should get out, by effectively insisting on rightful respect for our position of an offer to get out after a ceasefire internationally supervised and the delivery of our POW's.

The President's program guarantees this. As announced, on May 8 he proposed the following peace terms:

First, all American prisoners of war must be returned.

Second, there must be an internationally supervised ceasefire throughout Indochina.

Once prisoners-of-war are released, once the internationally supervised ceasefire has

begun, we will stop all acts of force throughout Indochina. And at that time we will proceed with a complete withdrawal of all American forces from Vietnam within four months.

These are extremely fair proposals, Mr. President. Compared to them section 12 is sadly inadequate. It would require without any conditions whatsoever, the absolute withdrawal of all American forces from South Vietnam by the end of August, less than 2½ months from now. Such withdrawal is forced, absolutely forced, by a congressional cutoff of funds—enacted into hard law. Section 12 further requires the end of American air support and sea support for South Vietnamese forces as soon as there is a "verified" cease-fire between American forces and Communist forces. Others have spoken about the ambiguity of this proposal, Mr. President. It is not at all clear who would do the "verifying" of such a cease-fire or how anyone could tell whether or not continued fighting between the South and North Vietnamese did or did not violate the required cease-fire involving U.S. forces. The President's proposals offer a far better way for us to be assured of obtaining the release of our prisoners of war and an accounting for the missing in action than the vague and inadequate conditions included in section 12 of the bill.

The prospects for any real peace are infinitely greater if we are negotiating from a position of strength rather than a position of weakness. Section 12, which says this country must pull out by August 31, undercuts the efforts which the President has made to place us in a stronger position for negotiating an honorable peace in Indochina.

Section 12 of S. 3390, I submit, should be stricken from the bill. Because of the foregoing fact and for this purpose, I trust that the authors of this section reconsider their position in the light of the existing fact and request that section 12 be stricken from the bill.

COMPREHENSIVE HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES ACT OF 1972

The PRESIDING OFFICER (Mr. WEICKER). Under the previous unanimous-consent agreement, the unfinished business will now be temporarily laid aside until disposition of S. 3617, which the Senate will now proceed to consider.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

S. 3617, to strengthen and expand the Headstart program, with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

UNANIMOUS-CONSENT AGREEMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent, having consulted with the distinguished Senator from Minnesota (Mr. MONDALE), the distinguished Senator from Wisconsin (Mr. NELSON), the distinguished Senator from New York (Mr. BUCKLEY), the distinguished Senator from Colorado (Mr. DOMINICK), and others, that time on S. 3617 be limited to 6 hours, the time to be equally divided between the distinguished Senator from Wisconsin (Mr. NELSON) or his designee, and the distinguished Senator from New York (Mr. JAVITS) or his designee; that time on any amendment be limited to 1 hour, to be equally divided between the mover of such and the distinguished Senator from Wisconsin (Mr. NELSON); that time on any amendment, to an amendment, debatable motion, or appeal, be limited to 30 minutes, to be equally divided between the mover of such and the manager of the bill (Mr. NELSON), except in any case in which the manager of the bill (Mr. NELSON) should favor such, in which instance time in opposition thereto be under the control of the distinguished Republican leader or his designee; provided further, that Senators in control of the time on the bill may yield therefrom to any Senator on any amendment, debatable motion, or appeal; and, ordered further, that no nongermane amendment be in order.

Mr. DOMINICK. Mr. President, reserving the right to object, I just raise this inquiry. I do not see the senior Senator from New York (Mr. JAVITS) here. I wonder whether it would not be proper, as he is the number two Republican on that committee if, in his absence, time could be allocated to me so that I could allocate it, in turn, to others who might be in agreement or in opposition to the bill.

Mr. ROBERT C. BYRD. Mr. President, I so revise my request.

Mr. BAKER. Mr. President, reserving the right to object, did I correctly understand the Senator from West Virginia (Mr. ROBERT C. BYRD) to request as a part of his unanimous consent agreement, that no nongermane amendments might be offered?

Mr. ROBERT C. BYRD. The able Senator from Tennessee is correct.

Mr. BAKER. I shall not object to that in this particular proceeding, but I believe that the Senator from West Virginia (Mr. ROBERT C. BYRD) knows the position of the senior Senator from Tennessee on this particular subject. I will state once more that I hope this will not become a habit that I find it necessary to renew my objection to it. I do not object at this time.

Mr. ROBERT C. BYRD. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from West Virginia (Mr. ROBERT C. BYRD)? The Chair hears none, and it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I yield myself 1 minute on behalf of the Senator from Wisconsin (Mr. NELSON). At the suggestion of the distinguished majority leader, may I say that for the remainder of today the Senate will consider the pending measure S. 3617, and, on tomorrow, the Senate will continue to consider S. 3617 until some point during the afternoon when, hopefully, the Senate will dispose of the measure, at which time the Senate will return to the consideration of the unfinished business, S. 3390.

At that time, it is the understanding of the leadership that the distinguished Senator from Wyoming (Mr. MCGEE) will be ready to offer an amendment to S. 3390. No time agreement on that amendment has yet been ordered, but, hopefully, such a time agreement can be reached.

ORDER FOR RECOGNITION OF SENATOR JAVITS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, following the remarks of the two leaders on tomorrow under the standing order, and the remarks of the distinguished Senator from Delaware (Mr. ROTH), the distinguished Senator from New York (Mr. JAVITS) be recognized for not to exceed 15 minutes.

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

ORDER TO LAY BEFORE THE SENATE S. 3617 TOMORROW

Mr. ROBERT C. BYRD. Mr. President, in view of the fact that the Senate will stand in recess at the close of business today until 9 a.m. tomorrow, I ask unanimous consent that, on tomorrow, following the remarks of the able Senator from New York (Mr. JAVITS) the Chair lay before the Senate what is now the pending business, the Headstart bill, S. 3617, and that the Senate continue its consideration thereof until S. 3617 is disposed of, or until the close of business, whichever is the earlier; at which time the Chair lay before the Senate the unfinished business, S. 3390, and that, at that time, the amendment by the distinguished Senator from Wyoming (Mr. MCGEE) be made the pending question.

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

COMPREHENSIVE HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES ACT OF 1972

The Senate continued with the consideration of the bill (S. 3617) to strengthen and expand the Headstart program, with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes.

Mr. DOMINICK. Mr. President, may I ask a procedural question? I gather that the distinguished Senator from Wisconsin (Mr. NELSON) would like to proceed at this time and explain the purposes of the bill; is that not correct?

Mr. NELSON. I am going to yield to the distinguished Senator from Minnesota (Mr. MONDALE) to open.

Mr. DOMINICK. Fine

Mr. NELSON. Mr. President, I yield to the distinguished Senator from Minnesota (Mr. MONDALE), for whatever time he may desire, for the presentation of his opening statement.

Mr. MONDALE. Mr. President, I thank the Senator from Wisconsin very much.

PRIVILEGE OF THE FLOOR

Mr. MONDALE. Mr. President, I ask unanimous consent for the privilege of the floor for the following staff members during the course of the deliberations: A. Sidney Johnson, William Spring, Richard Johnson, and Bertram Carp.

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

Mr. MONDALE. Mr. President, I am pleased that the Senate begins consideration today of S. 3617, the Comprehensive Headstart, Child Development and Family Services Act of 1972. This measure reflects the efforts of the Committee on Labor and Public Welfare to provide legislation serving the needs of families and their children. It is a substantially modified version of the child development provisions in S. 2007, which the Congress adopted last year, but which was vetoed by the President. As the committee report explains in detail, the bill has been specifically and substantially revised to address the concerns expressed by the President in his veto message.

The committee bill is a broadly bipartisan measure. It represents a compromise between revised child development legislation introduced this year by myself, Senator NELSON and 12 Democratic cosponsors and similar legislation introduced by Senators JAVITS, TAFT, STAFFORD, SCHWEIKER, PACKWOOD and nine Republican cosponsors.

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

Mr. MONDALE. Mr. President, I yield to the distinguished Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, would the Senator add my name as a cosponsor also?

Mr. MONDALE. Mr. President, I thank the Senator from Arkansas (Mr. FULBRIGHT).

I ask unanimous consent that the name of the Senator from Arkansas (Mr. FULBRIGHT) be added as a cosponsor. I thank him for his support.

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

Mr. MONDALE. I would like to commend at this time the junior Senator from Wisconsin (Mr. NELSON) for his leadership on this issue as chairman of the Subcommittee on Employment, Manpower and Poverty; the senior Senator from New York (Mr. JAVITS), ranking minority member of the full Committee on Labor and Public Welfare, for his long-standing and continuing initiatives in this area; and the junior Senator from Ohio (Mr. TAFT), the ranking minority member of the Subcommittee on Children and Youth, who has made a deep commitment and contribution to this compromise measure.

I also thank the other members of the subcommittee and the full committee as well for their work and for their contributions to this measure.

The bill we are considering today seeks to better meet the need for quality, family-oriented preschool programs among millions of young children whose mothers are working or who because of poverty, are denied adequate health care, nutrition or educational opportunity.

It is designed to strengthen and support family life in an era when increasing numbers of mothers are working—when increasing numbers of children are being raised in one-parent families—and when, for reasons of accelerated mobility and changing life patterns, more and more young families are called upon to raise their children in isolation from their parents and other family members who contributed so much to the upbringing of children in previous generations.

It recognizes and specifically provides that child care programs must be totally voluntary, and must build upon and strengthen the role of the family as the primary and fundamental influence on the development of the child.

It assures that parents will have the opportunity to choose among the greatest possible variety of family supporting services—including part-day programs like Headstart, after school or full day developmental day care for children of working mothers, in-the-home tutoring and child development classes for parents and prospective parents.

Finally, by clarifying and modifying the vetoed bill with respect to the President's concerns about the administrative delivery system, the State role, the cost and the relationship of these programs to the family, the measure we propose today is designed to gain not only passage by the Congress, but also the cooperation and support of the administration.

THE NEED

The committee bill is a product of extensive deliberation and study including 13 days of hearings over the past 3 years. These hearings document the need for strengthened and expanded family services and child development programs. They demonstrate how the promising Headstart program, although enormously successful, has reached only 10 percent of the impoverished preschool children and families who are eligible for it and who could benefit from it. And they document the recent increase in the employment of mothers—which has produced a growing and largely unmet need for quality developmental day care in homes, neighborhood community settings and day care centers—and for other services to strengthen and support family life.

Testimony reveals that one-half of all mothers with school age children are working today and that one-third of mothers with preschool children—a total of over 4½ million women—are employed full or part time. As a result, over 5 million preschool children currently need full- or part-time care while their mothers are away from home. Yet there are less than 700,000 spaces in licensed day-care centers to serve them. Some of these children of working mothers are receiving adequate care now—either in the home, in family day care or in a quality day care setting—but many are not.

As the committee report indicates, numerous prestigious commission and conference reports have recommended the kind of preschool and family service programs contained in this bill. They include:

The 1971 Report of the Education Commission of the States;

The 1971 Report of the Committee for Economic Development;

The 1972 Report of the National Council of Jewish Women entitled "Widows on Day Care";

And perhaps most significantly, the President's 1970 White House Conference on Children which voted as its first priority the provision of "comprehensive family-oriented child development programs, including health services, day care and early childhood education."

THE ADMINISTRATIONS CONCERNS

In the veto message, the President listed nine specific concerns about the child development provision in last year's bill. The committee has developed this new legislation in order to address each of these concerns. Since the modifications and revisions are discussed in detail in the committee report, I ask unanimous consent that that portion of the report discussing these changes appear at this point in my remarks.

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

MODIFICATIONS IN RESPONSE TO ADMINISTRATION CONCERNS

In the veto message, the President listed 9 specific concerns about the Child Development bill.

The Committee has developed this new proposal in order to address each of these concerns expressed in regard to the vetoed bill. Our responses and concessions include the following:

1. *Need.*—The President stated that "neither the immediate need nor the desirability of a national Child Development program of this character has been demonstrated."

The Committee considered this concern, reviewed it in light of new studies and new testimony, and concluded that it should not apply to the modified and reduced version of this bill being proposed this year.

The Committee agrees with an earlier statement in the veto message that "there are some needs to be served and served now" and that "one of these needs is for day care to enable mothers, particularly those at the lowest income levels to take full-time jobs." The veto message further suggested that a combination of day care to be provided under the welfare proposal (H.R. 1) and under increased income tax deductions for child care, will meet some of these needs.

The Committee agrees that these new proposals will meet some of the need, but concludes that these new efforts are not sufficient in and of themselves. We found, for example, that a combination of existing Head Start programs and day care under the proposed welfare reform measure would together serve only 1¼ million of the 5½ million poor children who could benefit from preschool education or after school care.

We found, moreover, that the recently adopted child care deductions in the Revenue Act of 1971 will provide no assistance to families living in poverty and very little if any assistance to families with incomes between $4,000 and $8,000.

Treasury Department statistics reveal, for example, that a family of four with an income of $5,000, spending $500 on child care, would realize no tax savings under this Act; and a family of four, with an income of $7,000, which spends $700 on day care would realize a savings of only $77.

As a result, even with these other efforts, there are too few child development and day care opportunities for the children in pov-

erty, and practically none for the 1 million children with working mothers in families with incomes between $4,000 and $7,000—incomes which are just a little too high to qualify for most federally assisted day care programs such as those under Head Start and Title IV of the Social Security Act, and too low to afford quality day care in private programs. Indeed, these working families living in near poverty have perhaps the greatest unmet need for quality day care.

The need for expanded developmental day care opportunities has been documented in other ways as well. The facts about working mothers are one of the indices of this need:

"In 1971, 43% of the Nation's mothers worked outside the home compared to only 18% in 1948.

"One out of every three mothers with preschool children is working today, compared to one out of eight in 1948.

"In 1971, 1.3 million mothers of children under 6 were single parents bringing up children without a husband, and half of these mothers worked.

"Yet, there are fewer than 700,000 spaces in licensed day care centers to serve the over 5 million preschool children whose mothers work."

Although some existing Federal programs help provide day care for these children, they often do not provide the option for developmental care which this bill offers. Dr. Edward Zigler, Director of HEW's Office of Child Development, has estimated, in testimony to our Committee that only about 20% of these day care programs are developmental, or comprehensive—and that in "many instances we are paying for service that is harmful to children."

A recent OEO publication entitled: "Day Care: Resources for Decisions", concluded:

"Over 90% of all full-day centers in the United States are privately operated for profit.

"Most are custodial programs because that's all that most working mothers can afford * * * Day care in America is a scattered phenomenon; largely private, cursorily supervised, growing and shrinking in response to national adult crises, largely unrelated to children's needs * * *"

These findings are supported by the recently released Report of the National Council of Jewish Women, entitled "Windows on Day Care." On the basis of extensive surveys in 90 cities throughout the nation, the Report concludes that most day care facilities lack adequate services for children and their families, and some are downright damaging. It found that:

"Only a very small percentage of the children whose mothers are employed now benefit from developmental day care services. The large majority are cared for in their own homes or in the homes of others and most of them receive only custodial care. Well under ten percent are enrolled in licensed day care centers. Of the centers visited by Council members, only about a quarter provided developmental care including educational, nutritional and health services, the components of quality care. Survey participants found that far too many children of working mothers were grossly neglected latch-key children on their own, children who went with their mothers to their places of work because no other arrangements could be made for them, children in day care centers and homes of such poor quality they may suffer lasting injury. The first five years of a child's life are the period of the most rapid mental, personality and physical growth. Deprivation in the early years can have disastrous effects."

Dr. Harold H. Howe, Vice President of the Ford Foundation and former U.S. Commissioner of Education, described in detail the results of these inadequacies during his recent testimony to a Senate Committee. He said:

"Perhaps the best way to illustrate the idea of an environmental handicap is to describe an actual situation in which working mothers typically return to work some two months after giving birth to a child. During the time that they are working, the child will be placed with another mother whose business is taking in children of working mothers, each of whom might pay a dollar a day or so to have her children cared for during working hours. In such a center will be children from several months of age up to four or five years, and an individual caretaker might look after up to ten or twelve such children in her home.

"For the caretaker who has neither training nor equipment and facilities to provide a stimulating environment the entire emphasis is frequently on the passivity of children. The child who doesn't cry, who doesn't need attention, who doesn't ask questions after he has learned to speak, who doesn't move about—in other words the child who does not seek, demand, and get stimulation and is least troublesome to the person in charge—is the child who gets rewarded. Such an environment discourages the early and very significant development of every aspect of human sensitivity and potential. The qualities fortified in children so treated are the qualities which lead to failure in school. The lack of positive stimulation from human contact, from active exploration of objects, from verbal interchange, and from the kind of play through which a child learns shapes and sizes and colors depresses and inhibits the development of capabilities which are extremely important not only for success in school but for success in life. The development of language as a more important component of any individual's growth often suffers in this sort of environmental handicapping system.

"Contrast this situation with many well-financed day care or preschool arrangements staffed by trained personnel in which stimulation of all kinds is provided. Children get all sorts of attention and praise for their achievements on a regular basis from interested adults, they are encouraged to talk over their ideas and feeling, to handle objects, explore the differences of sound, shapes, color, texture in all kinds of materials, to solve problems—and therewith their early intellectual development is much advanced. Further they are offered choices and a range of independent activities that exercise initiative, allow the child to set his own pace, and develop goals of his own—thereby giving him a sense of power over his environment.

"Add to this the situation in the home for many of the kinds of families which would make use of the type of day care activity described two paragraphs above, homes in which economic handicaps deny proper nutrition and certain aspects of stimulation, even though just as much love and care may be present as in the middle class home, and you get a picture of environmental denial which pyramids in its effect on children as they mature."

These problems and our increasing ability to understand and prevent them, were stated by President Nixon in his 1969 message creating the Office of Child Development in HEW. He said—and additional evidence in the intervening years has added more support to his statement—that:

"We have learned, first of all, that the process of learning how to learn begins very, very early in the life of the infant child. Children begin this process in the very earliest months of life, long before they are anywhere near a first grade class, or even kindergarten, or play school groups. We have also learned that for the children of the poor, this ability to learn can begin to deteriorate very early in life, so that the youth begins school well behind his contemporaries and seemingly rarely catches up. He is handicapped as surely as a child crippled by polio is handicapped; and he bears the burden of that handicap through all his life. It is elemental that, even as in the case of polio, the effects of prevention are far better than the effects of cure.

"Increasingly, we know something about how this can be done. With each passing year—almost with each passing month, such is the pace of new developments in this field of knowledge—research workers in the United States and elsewhere in the world are learning more about the way in which an impoverished environment can develop a "learned helplessness" in children. When there is little stimulus for the mind, and especially when there is little interaction between parent and child, the child suffers lasting disabilities, particularly with respect to the development of a sense of control of this environment. None of this follows from the simple fact of being poor, but it is now fully established that an environment that does not stimulate learning is closely associated in the real world with poverty in its traditional forms. As much as any one thing, it is this factor that leads to the transmission of poverty from one generation to the next. It is no longer possible to deny that the process is all too evidentally at work in the slums of America's cities, and that is a most ominous aspect of the urban crisis.

"It is just as certain that we shall have to invent new social institutions to respond to this new knowledge."

A whole second set of "needs to be served now"—relating to what the veto message called the "protection of children from actual suffering and deprivation"—are also unmet.

Despite expanded nutritional systems, improved medical care for poor children and more effective targeting of maternal and child health services—all of which were cited by the President in his veto message, and all of which we commend and support—many children and families in need of health, nutritional, educational and other social services are still not being served.

Recent findings by the Mississippi Medicaid Commission indicate the magnitude of unmet health needs alone. The extent of undetected and untreated health problems among poor children examined by that commission—and their implications for child development—are frightening. The Commission found 1,301 medical abnormalities in the 1,178 children it examined, including: 305 cases of multiple cavities; 97 cases of faulty vision; 217 cases of enlarged tonsils; 57 cases of hernia; 48 cases of intestinal parasites—mostly hookworm; 53 cases of poor hearing; and 32 other medical conditions requiring immediate treatment.

And Administration estimates of the unmet needs for prenatal care—which are included in detail in the back of this report—indicate that it could cost approximately $380 million to provide prenatal care and hospitalization to the 1.6 million poor and near poor women who deliver children each year without necessary medical attention.

For these reasons, the Committee concludes that the need and the desirability for the wide variety of child development and family services in our new proposal have been demonstrated.

2. *Duplication and redundancy.*—The veto message suggested that "day care centers for poor children are already provided in HR 1 and that child development programs would be a duplication of these efforts", and would be "redundant in that they duplicate many existing and growing federal, state and local efforts to provide social, medical, nutritional and educational services to the very young."

For many of the reasons cited above, the Committee concludes that this bill will supplement and strengthen existing and proposed efforts, not duplicate them or be redundant. Despite the progress being made the task is far from complete. Only one-

fourth of the poor children who could benefit from preschool or after school services are being served. Hundreds of thousands, and in some cases millions, of children are still not being reached with the medical, nutritional, educational services they need.

Thus, our child development program deliberately seeks to build on and improve the successful Head Start program, which is currently reaching fewer than 10% of the poor children who might benefit from it, and provide additional support for prenatal, nutritional and other efforts which—as the President noted—are currently being expanded, but are by no means reaching all those who need them.

Rather than competing with, replacing or duplicating existing or proposed efforts the programs authorized under this bill are designed as a much needed supplement. The Committee believes that they will strengthen the efforts we have begun in these fields.

3. *Costs.*—The veto message suggested that "the expenditure of $2 billion a year in a program whose effectiveness has yet to be demonstrated cannot be justified."

The Committee considered this concern and made the following modifications in the new committee bill with this in mind.

First, the effective date of the bill has been postponed an entire year, so that the planning and training year begins in FY 1973 and the first operational year is delayed until FY 1974.

Second, the authorization for the first operational year has been reduced by 40%—from $2 billion, objected to by the Administration, to $1.2 billion.

Third, the bill has been clarified to indicate that even that $1.2 billion authorization in the first operational year represents only a $700 million authorization increase. That is, the $1.2 billion authorization includes the $500 million authorization for Head Start already contained in the EOA extension bill reported by our Committee.

Thus, although this 3 year child development bill we are proposing has a total authorization of $2.95 billion—$150 million for planning and training in FY 1973, $1.2 billion in FY 1974 and $1.6 billion in FY 1975—this represents less than a $2 billion authorization increase over the next 3 years—a substantially more gradual rate of authorization increase than under the vetoed bill. And since it specifically builds and improves upon the successful and popular Head Start program, the Committee is convinced that it represents a program whose effectiveness has been demonstrated.

4. *Effects on the family.*—The veto message described one of the objectives of welfare reform as an effort "to bring the family together," but suggested that "the child development program appears to move precisely the opposite direction."

The Committee has considered that concern and made specific clarifications in the modified bill to remove any misunderstandings. We intend this to be a family-strengthening bill and we have built in a number of specific safeguards to insure that.

First, child development programs under our bill are totally voluntary. This differs sharply from some other day care proposals before the Congress, including some of the provisions in H.R. 1 as passed by the House of Representatives. Under our bill, no family is required to place their child in a day care program, a Head Start program, a part-day program or a nutrition program. These programs are offered solely and exclusively to families who chose to benefit from them. The bill specifically states in its first paragraph, that "child development programs must build upon the role of the family as the primary and most fundamental influence on children and must be provided only to children whose parents or legal guardian request them." (Section 2(a)(1)).

Second, the bill offers a whole series of services to children and families. It is not restricted to day care generally, or programs in day care centers specifically. Indeed, it doesn't even place a priority on day care. Instead, it assures that parents will have the opportunity to choose among the greatest possible variety of family supporting services—including part-day programs like Head Start, after school or full day developmental day care for children of working mothers, prenatal services, in-the-home tutoring and child development classes for parents and prospective parents.

Third, the bill has increased and clarified the priority on strengthening family life by making full day, day care available only to children whose parents are out of the home all day. Services for children whose mothers are at home are limited generally to part-day programs or in-the-home-tutoring that builds on the mother-child relationship.

This limitation is designed to underscore the Committee's desire to build on existing parent-child relationships. If a parent is in the home the bill would offer nutritional and educational services in a way that keeps the parent and the child together. That child would not, unless he were severely handicapped or had other special needs defined by the Secretary, be eligible for full-day, full-week day care. Instead, the bill would make that child eligible for part-day, or twice a week pre-school programs like Head Start or nursery school, or in-the-home tutoring for him and his parents—for the expressed purpose of building on and strengthening family life.

Only if the parents are working, or are participating in training or education, and the child is one of the 5 million preschool children in this category who needs day care and in many cases is not receiving adequate day care—would a child be eligible for full-day, full-week day care. This provision—like the others cited—reflects the Committee's desire to provide quality day care for the children and families who need it, not encourage day care for all children whether they need it or not.

5. *Parental involvement.*—The veto message emphasized that "good public policy requires that we enhance, rather than diminish both parental authority and parental involvement—particularly in those decisive early years when social attitudes, and conscience are formed and religious and moral principles are first inculcated."

The Committee agrees completely. That is why we have written in the limitations of eligibility described above, and the requirement that programs under this Act shall be available "only to children whose parents or legal guardian requests them." And that is why the bill contains extensive provisions for parental involvement in all aspects of the programs—as volunteers, paraprofessionals and professionals employed in these programs, and as 50% or more of the members of the councils that approve policy, curriculum and other basic elements of these programs.

Specifically, the bill requires that the Child and Family Councils, the Local Program Councils and the Project Policy Councils all be composed of at least 50% parents whose children are served under this program. The Committee believes strongly in this policy and in these provisions—which reflect the policy under the existing Head Start program.

We believe in increasing "parental authority and parental involvement" and we have included these provisions to assure that this very important goal is met.

6. *Staff.*—The veto message stressed concern about "who the qualified people are and where they would come from to staff child development centers."

The Committee responded to this concern by increasing the authorization under the bill for preservice and inservice training of both professional and paraprofessional staff members—at the same time we made substantial reductions in the total authorization for the program. That is, at the same time we reduced total authorizations by 40%, we increased authorizations for staff training by 50%.

In addition, the resources available for staff training during the operational years of this bill were increased from a maximum of 10%, to a maximum of 15% of the total authorization. In addition, the Committee notes that an estimated 40,000 individuals, skilled and trained in education, are graduating from college each year with education degrees but are unable to find employment in education. With appropriate retraining, these highly trained teachers could provide a major source of professional employees for child development programs. Moreover, the Committee finds that one of the most encouraging aspects of the successful Head Start program has been its ability to recruit and train nonprofessionals—especially mothers and other family members—for important staff responsibilities in these programs. The Committee proposal seeks to build on that success.

7. *Administrative workability.*—The veto message expressed concern about administrative workability. It noted that "by making any community of over 5,000 population eligible as a direct grantee for HEW child development funds, the proposal actually invites the participation of as many as 7,000 prime sponsors."

The Committee made several major changes in response to this concern.

First, the revised bill requires, in general, that a community have a population of 25,000—rather than 5,000—in order to become eligible as a direct grantee. This one change reduces the previous administrative and coordinating responsibilities by over two-thirds. Previously, 7,000 localities were eligible for prime sponsorship. Now, under the 25,000 population cut off, only 2,000 communities are eligible.

An amendment was offered in Committee to raise this population cut off to 100,000—which would have limited the number of eligible communities to approximately 500. The Committee considered it and rejected it by a bipartisan vote of 14 to 2.

A similar amendment seeking to raise the population cut off to 50,000—which would have limited eligibility to approximately 1,000 localities—was also considered and defeated by a 12 to 5 bipartisan vote.

The Committee felt that the 25,000 population cut off represented the best way to provide administrative workability in a program designed to encourage local flexibility, responsiveness and parental involvement.

In addition, the Committee considered and rejected by a bipartisan vote of 14–3, an amendment which would have removed the priority on local prime sponsors who qualify under the population and discretion requirements. It would have provided instead complete discretion of the Secretary of HEW to fund competing local and state applicants on the basis of whichever he decided "would be more effective". The Committee felt that this arrangement would: (1) represent a shirking of Congressional responsibility on a central policy issue; (2) encourage expensive, unnecessary and disharmonious competition between States and localities; and (3) place the Secretary of HEW in a difficult political and policy position on judging applicants from competing political jurisdictions without any Congressional guidance or criteria.

Second, the Committee further simplified the administrative arrangement by increasing the Secretary's discretion to determine whether applicants eligible under population criteria actually had the necessary capability to provide comprehensive child development and family service programs. The new language added in the bill states that the Secretary, before designating an applicant as prime sponsor, must determine that

the applicant "has the capability of effectively carrying out comprehensive programs under this act."

Third, in order to further simplify program management responsibilities, the Committee bill reflects the simplified administrative structure in the minority's bill (S. 3228) which makes the public official of a prime sponsor (Mayor, Governor or county executive) responsible for the day-to-day administration of the programs, and responsible for determining policy, selecting the delegate agencies and preparing program statements. Under the vetoed bill, the Child Development Councils had these responsibilities. Under the revised bill, the councils have no day-to-day administrative responsibilities. They are required to approve the decision of the prime sponsor with respect to basic policy, delegate agency selection and program statements. The Committee believes this change substantially strengthens and simplifies the management and administration of this program.

8. *State role.*—The veto message suggested that "the States would be relegated to an insignificant role".

The Committee considered this and made several substantial changes on this point in the new bill.

First, by raising the general population cut off for prime sponsors from 5,000 to 25,000 this bill provides that approximately 5,000 localities which could have administered their own programs in the vetoed bill will now be served under programs administered by the States.

Second, the Committee bill has increased from 5% to 10% the set aside for States for the technical assistance, personnel exchange, dissemination of research and evaluation. Additionally , it has added to this State role a requirement for comprehensive state coordination and planning. In order to qualify for these funds, a State must reach adequate agreement with local prime sponsors in the State on comprehensive and coordinated statewide child development planning. And the State may use any of this additional funding for its own programs or programs operated by local prime sponsors in that State.

The Committee believes that this change—in addition to doubling the funds for States—provides a real incentive for cooperation among state and local prime sponsors.

Third, the Committee adopted an amendment providing the Secretary of HEW with discretion to select, on a demonstration basis, 5 States to serve as a sole prime sponsor for child development programs in these States, even where localities would otherwise qualify.

The provision states that the Secretary shall "designate as state-wide prime sponsors not more than five States which have demonstrated capability and leadership in the field of child development and which are located in various regions of the Nation and have a variety of characteristics, including differing population sizes and urban, metropolitan, and rural area and industrial and work force composition."

It further provides that a State may be designated as a State-wide prime sponsor only if the Secretary determines that: (1) the population of such State does not exceed 5% of the national population; (2) a reasonable opportunity has been provided for each otherwise eligible prime sponsor in that State to submit comments to the State and the Secretary; and (3) the State prime sponsorship plan submitted takes into account the comments submitted by these localities.

The Committee believes this demonstration authority along with the changes described above, provides substantially expanded opportunity for state involvement in this program and represents a major concession on this point.

9. *Communal versus family centered child rearing.*—Finally, the veto message suggested that "child development would commit the vast moral authority of the National Government to the side of communal approaches to child rearing over against the family-centered approach."

For many of the reasons stated above—such as substantially reducing authority; the limitation of eligibility for full-day care; the emphasis on parental involvement and control; and the wide variety of non-day care services offered under this Act such as prenatal services, part-day day care services, in-the-home services, family planning services and others—the Committee believes this concern does not apply to this revised bill.

In the first two years the additional new authority for child development programs under this Act—and day care represents only part of the programs authorized—is smaller than, and supplementary to, the additional new funds for day care under the Administration's proposed welfare reform program.

Moreover, the sliding scale fee basis in the program provides little or no financial incentives for families with incomes in excess of $10,000 to purchase day care for their children. In contrast, the increased child care income tax deductions signed into law last year provide considerable financial incentives to families in these income ranges to purchase day care, if both parents work.

In addition to making these modifications in response to the concerns expressed in the President's veto message, the Committee sought further cooperation and consultation with the Administration.

At the suggestion of minority members of the Subcommittee on Children and Youth, a hearing on the new child development bills was called in order to give the Administration an opportunity to testify.

For various reasons, including scheduling, neither Secretary Richardson nor any of his representatives was able to accept the invitation. And no Administration specifications nor proposed amendments were offered to the Committee during mark-up. Thus we sought to meet what we knew from the veto message to be the Administration's major concerns, and we are hopeful the Committee bill will have Administration support.

At the hearing, however, the Committee did have the opportunity to receive testimony from Senator Buckley, a representative of the Emergency Committee for Children, and Mr. Dale Meers—all of whom had reservations about last year's bill—as well as two supporters of the legislation, Dr. Milton Senn, Sterling Professor Emeritus, Pediatrics and Psychology at Yale University; and Dr. Bettye Caldwell, Director of the Center for Early Development and Education in Little Rock, Arkansas.

This testimony—particularly that offered by Mr. Meers—influenced the Committee and resulted in amendments clarifying the bill's special safeguards for very young children, its insistence on high standards, its provision preventing dilution of staff or other essential program components, and its strong research and evaluation requirements.

In summary, the Committee has sought to address and resolve all of the objections raised to last year's child development bill in the veto message.

FAMILY STRENGTHENING PROVISIONS

Mr. MONDALE. Mr. President, I would like to emphasize in the strongest way possible the family strengthening objectives in this bill, and the specific provisions designed to support and assist families and their children. A great deal of misunderstanding and concern surrounded this point in last year's bill, and I think it is important to spell out the intentions and safeguards in detail.

First, the major objective of this bill, which appears in its first paragraph, states that:

Child development programs must build upon the role of the family as the primary and most fundamental influence on children and must be provided only to children whose parents and legal guardians request it.

That means very simply and very importantly that child development programs authorized under our bill are totally voluntary and that under no circumstances can a family be required or coerced to participate in any program offered under this act. The committee feels very strongly that this program must be absolutely voluntary and has drafted the bill to insure that it will be.

Second, contrary to the impressions of some, this bill is not just a day care bill or a day care center bill. Indeed, it does not even place a priority on day care. Rather it offers a whole series of services to families and their children. And it assures that parents will have the opportunity to select among the greatest variety of family supporting services—including prenatal services, in-the-home tutoring, child development classes for parents and prospective parents, part-day programs like Headstart, twice a week nursery school programs and others.

Third, the bill reflects in specific terms our desire to build on existing parental-child relationships in child development and preschool education efforts. Thus, it makes full-day, full-week day care available only to children whose parents are out of the home—working or participating in education or training. Services for families in which a parent is at home during the day are limited to part-day Headstart programs or in-the-home tutoring efforts that build on the mother-child relationships. Thus we seek to provide development—rather than custodial—day care programs for those families which need them, and alternative preschool programs for families where day care is not necessary, and existing parent-child relationships can be built upon, supplemented, and strengthened.

Fourth, the bill retains extensive provisions for parental involvement in all aspects of the program. It encourages the use of parents as volunteers, the employment of parents and other family members as paraprofessionals and professionals in these programs. And it requires that 50 percent or more of the members of the councils created to approve policy, curriculums, and other basic elements of these programs will be parents of children served.

BROAD-BASED SUPPORT

Mr. President, through the consideration of this legislation over the past 3 years, perhaps one of the most remarkable aspects of the long debate and hearings and legislative process through which we have gone has been the great encouragement and support of a broad-based group of organizations concerned about the needs of families and their children. The support for this measure is growing and broadening as public understanding of the need for this measure has grown.

Last year's bill was developed in conjunction with, and supported by a wide range of organizations interested in children and families, including the Amal-

gamated Clothing Workers; AFL–CIO; Americans for Democratic Action; Americans for Indian Opportunity Action Council; Black Child Development Institute; Committee for Community Affairs; Common Cause; Day Care and Child Development Council of America, Inc.; Friends Committee on National Legislation; Interstate Research Associates; International Ladies' Garment Workers Union; League of Women Voters; Leadership Conference on Civil Rights; National Council of Churches; National Council of Negro Women; National Education Association; National League of Cities and U.S. Conference of Mayors; National Organization for Women, President and Vice President for Legislation; National Welfare Rights Organization; United Auto Workers; U.S. Catholic Conference, Family Life Division; and Washington Research Project Action Council.

The members of this coalition and others adopted a set of principles for any new child development bill this year, which the committee believes are embodied in the bill we propose.

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

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

EXCERPT FROM THE COALITION'S STATEMENT OF PURPOSE

The undersigned organizations are committed to certain principles which were embodied in the legislation which was passed by bipartisan majorities of both houses of Congress last year. We reaffirm those principles as follows:

(1) that programs must be of high quality, comprehensive, and developmental, oriented to the needs of children and available to all children;

(2) that parents must be directly involved in policy decisions affecting their own children;

(3) that programs must be locally controlled and flexible enough to meet individual community needs;

(4) that programs must be designed to include children with a variety of socioeconomic backgrounds;

(5) that adequate protections must be provided to assure that the needs of minority group and economically disadvantaged children are met; and

(6) that this nation must make a substantial commitment of new public funds to begin to meet the compelling and immediate need for these services.

Amalgamated Clothing Workers.
AFL–CIO.
Americans for Democratic Action.
Americans for Indian Opportunity Action Council.
Black Child Development Institute.
Center for Community Change.
Child Welfare League of America.
Children's Foundation.
Common Cause.
Friends Committee on National Legislation.
Health and Welfare Council of the National Capital Area.
International Ladies Garment Workers Union.
Interstate Research Associates.
Leadership Conference on Civil Rights.
League of Women Voters.
National Board of the Young Women's Christian Association of the U.S.A.
National Council of Churches.
National Council of Jewish Women.
National Council of Negro Women.
National Council on Hunger and Malnutrition.
National Education Association.
National Urban Coalition.
National Urban League.
National Welfare Rights Organization.
United Auto Workers.
Thelma C. Adair, Coordination of Education Strategy, United Presbyterian Board of National Missions.
Mary Jane Patterson, United Presbyterian Church of the U.S.A., Washington Office.
Women's International League for Peace and Freedom.
Washington Research Project Action Council.

Mr. MONDALE. In addition, I have received the following specific letters of endorsement from a number of organizations and individuals in this field and I ask unanimous consent that they appear at the end of my remarks.

Mr. President, I believe this bill our committee proposes is similar to the measure the Senate approved overwhelmingly last year; enjoys greater bipartisan support than did last year's measure, and includes substantial revisions designed to address and accommodate the concerns expressed by the administration. I think it is a long overdue and deeply needed initiative, and I urge my colleagues to support it.

There being no objection, the material was ordered to be printed in the RECORD, at the close of the Senator's remarks:

Senator WALTER F. MONDALE,
Chairman, Subcommittee on Children and Youth, U.S. Senate.

AFL–CIO strongly supports S. 3617, the comprehensive headstart child development and family services act. This legislation is badly needed to provide decent day care services for the children of working parents and of the poor. The President's unfortunate veto of prior legislation needlessly has delayed start of this important program. S 3617 meets many of the objections raised in the veto message while maintaining key principles of the comprehensive program.

ANDREW J. BIEMILLER.

BOARD OF CHRISTIAN
SOCIAL CONCERNS OF
THE UNITED METHODIST CHURCH,
June 19, 1972.

Hon. WALTER F. MONDALE,
Chairman, Senate Subcommittee on Children and Youth, U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: On behalf of our Board staff I would like to indicate our support for S. 3617, the Comprehensive Headstart, Child Development and Family Services Act of 1972.

Our 1968 General Conference of The United Methodist Church favored the objective of "supplemental educational and cultural experiences for pre-school children." In addition, the Social Principles of The United Methodist Church, adopted in Atlanta in April, 1972, declared: "We urge social, economic and religious efforts to maintain and strengthen families in order that every member may be assisted toward complete personhood." This document also stated: "We support the development of school systems and innovative methods of education designed to assist each child toward full humanity."

We believe that these objectives will be at least partially achieved through the enactment of S. 3617. This measure should help to strengthen family life by providing the assurance of meaningful day care for those children whose parents, of necessity, must work outside the home. The developmental services for children in terms of education and health should be most advantageous. Also, the after-school and part-day care will help to relieve anxious parents of the burden of otherwise inadequate supervision and training of their children, thus substantially strengthening family life. In addition, the child development classes for parents should greatly enhance the quality of family living for all who are its beneficiaries.

We strongly urge Members of the United States Senate to back this bi-partisan effort to provide adequate child development and family services for the nation's families.

Yours sincerely,

Dr. A. DUDLEY WARD,
General Secretary.

AMERICAN BAPTIST CONVENTION,
DEPARTMENT OF GOVERNMENTAL
RELATIONS, DIVISION OF CHRISTIAN SOCIAL CONCERN,
June 19, 1972.

Hon. WALTER MONDALE,
Chairman, Senate Subcommittee on Children and Youth, U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: Please find enclosed a letter from our Department of Ministry with Children in support of S. 3617, the Comprehensive Headstart, Child Development and Family Services Act of 1972.

Please utilize this letter in whatever way that you think best suited to help bring passage of this legislation.

Thank you for your concern and leadership in this important area of family life and responsibility. If our office can be of any further assistance, please do not hestiate to call upon us.

Sincerely,

JOHN W. THOMAS,
Director, Department of Governmental Relations.

AMERICAN BAPTIST CONVENTION,
Valley Forge, Pa., June 19, 1972.

Hon. WALTER MONDALE,
Chairman, Senate Subcommittee on Children and Youth, U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: On behalf of the American Baptist Convention, Department of Ministry with Children, I would like to indicate our support for S. 3617, the Comprehensive Headstart, Child Development and Family Services Act of 1972.

We realize the crucial importance of the early years in a child's life, not only for physical and intellectual growth but for social and emotional as well. These are the formative years in which permanent foundations are laid for a child's feeling of self-worth and confidence in his ability to achieve.

We believe that the Senate, through S. 3617, has the opportunity to improve the quality of health, nutrition and education services to young children. This measure should help to strengthen family life by providing meaningful day care for children whose parents, of necessity, must work outside the home. In addition, the child development classes for parents, provided for by this bill, would greatly enhance and augment the quality of family living for all; consequently, a whole generation of children and parents would be the beneficiaries of the kind of learning experiences which would enrich both the children's personalities and the parents' understanding.

For these reasons, we strongly urge members of the U.S. Senate to support this bipartisan effort to provide adequate child development and family services for the nation's families.

Sincerely,

LINDA ISHAM,
Director, Department of Ministry with Children.

CHURCH OF THE BRETHREN,
Washington, D.C., June 19, 1972.

Hon. WALTER F. MONDALE,
Chairman, Senate Subcommittee on Children and Youth, U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: The members of the Church of the Brethren have always been concerned about the social welfare of all persons and have consistently supported legislation which furthers social welfare for all persons. As a body, the Church of the Brethren has said that "as some of the deepest concerns of our church, we favor continued and more effective provisions for needy Americans, such as the aged, the poverty-stricken, the unemployed, delinquent or predelinquent youth, and underprivileged children."

We, therefore, wish to lend our support in favor of the Child Development Bill, S3617, since we feel it would not only aid the individual child, but would strengthen the family unit, by helping each member of the family unit feel a sense of personal worth.

Sincerely,

RALPH E. SMELTZER,
Washington Representative and Social Justice Consultant.

UNITED PRESBYTERIAN
WASHINGTON OFFICE,
Washington, D.C., June 19, 1972.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: The Washington Office of the United Presbyterian Church U.S.A. supports the comprehensive head start, Child Development and Family Services Act of 1972, Senate Bill 3617.

A careful reading of this bill leads us to the conclusion that its provisions will help to straighten family life.

The United Presbyterian Church U.S.A. has a long history of concern for the total development of children. We believe this bill is a step in the right direction.

Sincerely,

MARY JANE PATTERSON,
Associate Director for National Affairs.

RELIGIOUS ACTION CENTER, UNION OF AMERICAN HEBREW CONGREGATIONS,
Washington, D.C., June 16, 1972.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: The Union of American Hebrew Congregations and the Central Conference of American Rabbis, which we represent in Washington, strongly support the pending *Comprehensive Head Start, Child Development and Family Services Act of 1972* (S. 3617).

For many years our organizations, which comprise respectively the congregations and rabbis of American Reform Judaism, have advocated legislation that would enhance the lives of and opportunities for children who are reached by your bill. We believe that the pending legislation enhances the quality of family life in America, and would represent a significant legislative aid both with reference to the current deficits of disadvantaged children in education and in terms of social and economic opportunity. We are particularly attracted to the fact that the legislation seeks to deliver services to children, of a comprehensive character, which goes far beyond prior federal programs, and which we believe can have, if adopted, a significant multiplier effect that may dramatically improve the quality of life for poor people generally and poor children in particular.

Last year, we were heartened by Congressional passage of similar legislation and disappointed when the President vetoed it. We hope that this year both Congress and the President will see it through to fruition. To you, we express our admiration and appreciation for the leadership you have furnished in continuing to press for this program.

Kindest regards,

Sincerely,

MARVIN BRAITERMAN.

JOINT WASHINGTON OFFICE FOR SOCIAL CONCERN,
Washington, D.C., June 16, 1972.

Hon. WALTER MONDALE,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: The Joint Washington Office for Social Concern, representing the American Ethical Union, the American Humanist Association and the Unitarian Universalist Association, wishes to record its long-standing support for S. 3617, the child development bill.

We are convinced that the adult society is morally responsible for the prevention of child deprivation and the providing of developmental services for its children. We have been appalled by the high infant mortality rate in this affluent land and by the many recorded (to say nothing of the unreported) instances of child neglect and abuse. All three of our organizations have called for the funding of child care facilities and the creation of child development and family service centers throughout the country (see attached resolutions) because we are convinced that services of this nature will strengthen family life, reduce tensions which lead to family break-up and insure that all children be free of the medical, nutritional, and psychological handicaps which need not mar their lives in a society such as ours.

We further applaud the provision in S. 3617 that these services be provided free to families of four earning less than $4320 and for only modest fees for those earning up to $6960. This guarantees that the poor can raise their children without anxiety for the child's basic welfare, an anxiety which has plagued poor people for too long.

Who doubts anymore that early child deprivation and abuse is linked to later asocial and criminal behaviors? The adoption of a comprehensive child development bill is in the interests not only of children and parents but of all the nation's citizens as well. We urge its early and uncompromised passage.

Sincerely,

ROBERT E. JONES,
Executive Director.

AMERICAN HUMANIST ASSOCIATION

(Resolution on Child Development and Day Care Centers, May 14, 1972)

Specialists in child care agree that the period from two to five years in a child's life is strategic in the development of physical and mental health and good social adjustment. Working mothers, therefore, must have assurance that the day care of their children will be more than a babysitting process. There is urgent need for quality day care and family service centers open to all families.

We urge the prompt enactment of federal legislation to create such centers throughout the country, available free to low-income families and on a sliding scale to all others.

AMERICAN ETHICAL UNION—1972—64TH ANNUAL AEU ASSEMBLY

Approved Resolution on: Child Development Centers—Family and Day Care Centers.

Recognizing, that the nation's children are its most precious asset; and

That, specialists in child care lay great stress on the importance of the period between birth and five years, when children respond most favorably to health and education programs; and

That, parents must have assurance that the day care of their children will be more than a baby-sitting process; and

That, there is need for quality day care and family services centers open to all families.

Therefore, be it resolved, that we urge Congress to pass, and the President to sign, the necessary legislation for the creation of child development and family services centers throughout the country, available to the poor free of charge and on a sliding scale for all others, to be administered locally and with community involvement; and

Be it further resolved, that the Congress appropriate funds immediately so that legislation can take effect as soon as possible during this period of serious economic stress.

CHILD CARE CENTERS

Recognizing that there is widespread need for child care centers, that millions of children in North America are receiving either substandard supervision or no supervision;

Aware that growing numbers of mothers take jobs because of economic necessity, desire for job training, and continuing education; that child care centers are needed for other reasons, such as illness in the family, special problems of handicapped children, or for other compelling causes;

Acknowledging that the needs of children, our best resources for the future, must receive immediate and special attention;

Be it therefore resolved: The 1971 General Assembly of the Unitarian Universalist Association

1. Urges that highest priority be given in the United States and Canada at all levels of government to funding and activating quality, professional child care centers with effective standards, licensing, inspection and enforcement.

2. Urges that funding be accomplished additionally through private grants and fees from parents where feasible.

3. Asks that member UU societies initiate study programs so that they can intelligently participate in the structuring of quality centers.

4. Asks that societies of this denomination consider use of their facilities for weekday child care centers.

Adopted by the Tenth General Assembly of the Unitarian Universalist Association, held in Washington, D.C., June 11, 1971.

THE WASHINGTON OFFICE, NATIONAL COUNCIL OF THE CHURCHES OF CHRIST IN THE U.S.A.,
Washington, D.C., June 16, 1972.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I understand that the Senate will soon consider the "Comprehensive Headstart Child Development and Family Services Act," which would provide for a network of developmental day care programs for children from families with low income and children whose parents are working. I write to express our support for this piece of legislation. The bill is, we think, a realistic and workable compromise.

The need for a national network of day care centers is clear. Mothers who are already working, mothers who want to work but cannot because there is no one to care for their small children, children who need the kinds of services that a developmental day care center can provide—all indicate that this is a public need to which the Congress ought to respond.

Yet fully as important as the need for day care itself is that the day care provided be of high quality. Custodial day care such as that provided in Title IV of H.R. 1 is not enough and ill serves both the child and his family. The day care center must first of all be child centered. It must provide a range and quality of services that serve to develop the capacities of the child both cognitively and noncognitively. So that the day care center is a supplement to and not a substitute for the role of the family, there should be opportunity for significant input from the

parents of the children served. S. 3617, we believe, amply provides both this focus on the child as a person in his own right and a significant role for parents.

For these reasons we hope that the Senate will act favorably upon your bill and express to you our great appreciation for your leadership on this legislation.

Sincerely yours,

DAVID M. ACKERMAN.

NATIONAL COMMITTEE
AGAINST MENTAL ILLNESS,
Washington, D.C., May 26, 1972.

Hon. WALTER MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I have had a chance to study S. 3617, the Comprehensive Child Development bill.

Our organization has been strongly in support of child care legislation during the past two years of hearings. I have made at least twenty-five speeches during that period of time in various parts of the country and have received an enthusiastic response to the concepts of Child Care Development Centers from a number of organizations in the human resources field.

We have a liaison group of mental health organizations which meets monthly in Washington. I append to this letter a list of these organizations. At our last meeting, on May 24th of this year, we again discussed the status of the child care development legislation and agreed informally to give it the highest priority. While I cannot speak formally for the entire liaison group, I do wish to convey to you the feeling of the group that the passage of this legislation would probably be one of the most important—if not the most important—developments in the human resources and mental health field in the current year.

I congratulate you for your efforts on behalf of the legislation.

Sincerely,

MIKE GORMAN.

THE AMERICAN PARENTS
COMMITTEE, INC.,
New York, N.Y., May 8, 1972.

Re. Child Development legislation.

Chairman, Senate Committee of Labor and Public Welfare, New Senate Office Building,
(Attention: Mr. Sidney Johnson).
Washington, D.C.

DEAR MR. CHAIRMAN: As national chairman of the American Parents Committee, and as publisher of Parents' Magazine, I would like to record our strong support for the "Comprehensive Headstart, Child Development, and Family Services Act of 1972", to be reported to the Senate by May 12.

The American Parents Committee, at our annual Board of Directors meeting on January 27, 1972, unanimously recommended support of such a comprehensive bill, and our Washington Report of April 1972 specifically advocated provisions of both S. 3193 and S. 3228. In addition, the May 1972 issue of Parents' Magazine, an issue devoted entirely to the unmet needs of American children, carries a special article on the goals of developmental Day Care, entitled "What Does Our Country Owe Its Children?" Because of the timeliness of this article, I hope it may be placed in the Congressional Record's proceedings of the Senate.

Sincerely,

GEORGE J. HECHT,
Chairman.

RESOLUTION ADOPTED BY THE BOARD OF DIRECTORS OF UNITED NEIGHBORHOOD HOUSES CONCERNING FEDERAL COMPREHENSIVE CHILD CARE LEGISLATION, FOR TRANSMISSION TO ALL MEMBERS OF THE U.S. SENATE

The Board of Directors of United Neighborhood Houses at its meeting on May 25, 1972:

Notes that the Senate Committee on Labor and Public Welfare has reported favorably a new bipartisan Comprehensive Headstart, Child Development and Family Services Bill to the 2nd Session of the 92nd Congress;

Congratulates the authors of the bill for obtaining a bipartisan compromise between the child development provisions introduced in the bill by Senators Mondale, Nelson and 12 co-sponsors, and the bill introduced by Senators Javits, Taft, Stafford, Schweiker, Packwood and 9 Republican co-sponsors;

Calls attention to the fact that this bill (S. 3617) and its accompanying report (No. 92-793) takes account of the criticisms raised in the President's veto on December 10 of the Comprehensive Child Development Act of 1971;

Urges all Senators to vote for the bill and do everything possible to obtain its enactment.

AMERICAN PSYCHOLOGICAL ASSOCIATION,
Washington, D.C., May 8, 1972.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: This is written to indicate the wholehearted support of the American Psychological Association for the principles embodied in the Comprehensive Head Start Child Development and Family Services Act, recently reported out of the Senate Labor and Public Welfare Committee. You are to be congratulated on the revision of the original bill; we believe it retains the provisions essential for the welfare of the nation's children while meeting the objections of the President.

For your information I am enclosing a copy of the resolution passed by this Association in September 1971.

Sincerely yours,

KENNETH B. LITTLE,
Executive Officer.

Be it resolved that the American Psychological Association call upon President Nixon to reaffirm the national commitment to early child development, as stated by him in April 1969, and to implement the resolution of the White House Conference on Children calling for the permanent establishment of the Office of Child Development; and

Be it further resolved that the American Psychological Association call upon the President and members of Congress to support programs of comprehensive child development.

10. At the invitation of President Clark, Council heard a statement from Edward J. Casavantes, representing the Association for La Raza, urging concern and support from APA for Spanish-speaking Americans. Mr. Casavantes was encouraged to submit his proposals to the *Ad Hoc* Committee on Social and Ethical Responsibility.

WASHINGTON RESEARCH
PROJECT ACTION COUNCIL,
Washington, D.C., March 30, 1972.

Senator GAYLORD NELSON,
Chairman, Subcommittee on Employment, Manpower, and Poverty and
Senator WALTER F. MONDALE,
Chairman, Subcommittee on Children and Youth, Senate Committee on Labor and Public Welfare, Senate Office Building Annex, Washington, D.C.

DEAR CHAIRMEN NELSON AND MONDALE: We wish to reiterate our strong and continuing support for a comprehensive child development bill which will provide quality, developmental community-based and parent-controlled child care programs. As we indicated in our testimony before your Subcommittees on May 25, 1971, such legislation is urgently needed by children and families from every economic sector and geographic section of this country. It is particularly needed by economically disadvantaged families who otherwise may be forced to place their children in damaging custodial care in the name of "welfare reform," and by low and middle-income working families who cannot afford the costs of developmental care and for whom adequate facilities simply are not available.

Experience with Headstart has demonstrated the educational, health, and social benefits of quality early childhood programs, not just for children but for their families and communities as well. That experience must now be expanded in a child development program with the firm commitment of resources this national need requires.

The President's rejection of the comprehensive child development bill, which Congress passed last year, was a heartless sacrifice of millions of American children and families for the sake of politics. Contrary to the allegations in the President's veto message, the need for such a program has been clearly and repeatedly demonstrated, and the effectiveness of early childhood programs has been proven. They provide critically needed supports for family life; and the economic resources are there if we are willing to assign the proper national priority to this essential program.

Support for a quality comprehensive child development program has been and continues to be broadly based—in the civil rights community, among women's organizations, among educators and early childhood specialists, church groups, community and parent organizations, labor unions, minority and poverty groups, mayors, and within the Congress. Opposition has been narrowly focused in right-wing organizations and in the White House.

We commend your leadership in the effort last year which led to bipartisan passage of the child development bill. We urge you to resist efforts to "accommodate" such new legislation to the unfounded charges raised by the President's veto message, but to continue to insist instead upon a comprehensive child development bill which assures the highest standards of services, parents in decision-making roles, community-based and locally controlled programs, and a substantial commitment of new public funds. Such legislation is the best investment this Congress and this nation can make in the lives of our children and the future of our society.

We shall appreciate your consideration of our views on this important subject. We request that this communication be included as part of the child development hearing record.

Sincerely,

MARIAN WRIGHT EDELMAN.

AMALGAMATED CLOTHING
WORKERS OF AMERICA—AFL-CIO,
Washington, D.C., April 4, 1972.

Senator GAYLORD NELSON,
Chairman, Subcommittee on Employment, Manpower, and Poverty and
Senator WALTER F. MONDALE,
Chairman, Subcommittee on Children and Youth, Committee on Labor and Public Welfare, U.S. Senate, Senate Office Building Annex, Washington, D.C.

DEAR CHAIRMEN NELSON AND MONDALE: I would like to take this opportunity to express to you and your respective Subcommittees the continuing support of the Amalgamated Clothing Workers of America for comprehensive child development legislation in this session of Congress.

As you know from our testimony before your Subcommittees last year, the Amalgamated Clothing Workers has been providing day care services for the children of our members in several areas of the country. We know from that experience that comprehensive, quality care, supported by parent and community participation can make a difference in the lives of children of working par-

ents. We also know that our efforts cannot begin to meet the pressing national need. We are grateful to you for your leadership in Congress in sponsoring a broadly-conceived Federal program of day care for all the Nation's children.

There can be no doubt that last year's veto of the child development bill was a keen disappointment to the hundreds of thousands of working women in this country who recognize a need for such services for their children even if the President does not. We urgently hope that you and your fellow Senators will pass another child development bill in this session of Congress embracing the concepts of last year's bi-partisan legislation. The Amalgamated Clothing Workers of America will support you in that effort.

Sincerely yours,

JANE O'GRADY,
Legislative Representative.

THE LEAGUE OF WOMEN VOTERS
OF THE UNITED STATES,
Washington, D.C., April 4, 1972.

Hon. GAYLORD NELSON,
Chairman, Senate Subcommittee on Employment, Manpower and Poverty, Old Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: The League of Women Voters of the United States is pleased that the Senate Subcommittees on Employment, Manpower and Poverty and Children and Youth held joint hearings on the major comprehensive child care bills pending: S 3193 and S 3228, and on S 3010, introduced as an amendment to the Economic Opportunity Amendments.

The League does not believe that a significantly expanded Headstart program will meet the nation's needs. Even if adopted, there would still be a need for a comprehensive child care program. We appreciate the fact that you are pushing to create just such meaningful and comprehensive child care programs to serve a broad constituency.

Last year we filed a statement in support of S 2512, the act vetoed by President Nixon. I attach a copy because we still stand behind the principles endorsed at that time. We believe the need for greatly expanded child care facilities and developmental child care has been well documented from many sources. The achievement tests and learning rates in inner city and suburban schools, for example, should be all the evidence the nation needs that children who start out at a great disadvantage wind up being the ones deprived, in the end, of equal opportunity for full education and for full employment potential.

As you have doubtless noticed, the League endorsed the "Statement of Principles" and the eleven "Legislative Recommendations" filed by the Child Development Coalition, and submitted to both Subcommittees. Our primary concerns are that the legislation make available a very comprehensive range of child development and child care services which would at the same time require:

Complete protection to assure that participation would be voluntary;

Mandatory parental participation in determining the quantity and quality of child care services in their communities;

Availability of services to all children, free of charge to those unable to pay and on a scaled ability-to-pay basis;

Assurance of local prime sponsorship, so that small as well as large communities could be eligible for federal assistance under the program;

A substantial commitment of federal funds.

The League recognizes the necessity of educating major presidential candidates, Senators and Congressmen, to the needs for comprehensive child care legislation and of dispelling the fears—however irrational they may be—about "Sovietizing of children's brains." But every year of delay in getting good pre-school programs underway on a national scale is a year lost for thousands of children. The League, therefore, urges that legislation be enacted this year.

Sincerely,

Mrs. BRUCE B. BENSON,
President.

STATEMENT TO THE SENATE LABOR AND PUBLIC WELFARE SUBCOMMITTEE ON CHILDREN AND YOUTH IN SUPPORT OF S. 1512—THE COMPREHENSIVE CHILD DEVELOPMENT ACT OF 1971

LEAGUE OF WOMEN VOTERS
OF THE UNITED STATES,
June 2, 1971.

The League of Women Voters of the U.S. supports S. 1512 which provides a comprehensive approach to day care by initiating federal support for child development programs. We have supported Head Start since its inception, primarily out of concern that disadvantaged children should have early learning experiences to prepare them to take advantage of educational opportunities in the regular school system. In addition, the League has recognized the need for public support of day care facilities and programs to allow low-income parents to take advantage of training, education and work opportunities. It is clear that the early years are crucial to the child's total life development—in fact 50% of his learning takes place during his first six years of life. Thus, we believe that day care must be more than elementary custodial care for children of working parents and more than "Head Start" efforts to compensate when it may be too late. It must be comprehensive attention to the child's growth needs and potential at the earliest possible stage.

We are particularly pleased that S. 1512 gives priority to children from low-income families by providing that 65% of the federal share will be allocated for such children, and that children below the Bureau of Labor Statistics (BLS) lower living standard will be eligible to receive free services. We see an additional value in that S. 1512 provides for the inclusion of children from families above the poverty level with priority given to those from single- or working-parent homes. These stipulations accomplish two essentials: they insure that those with the greatest need are served first, and they create the socioeconomic diversity so crucial to quality learning situations. We believe this is the soundest basis on which to build toward the goal of day care and child development services for all children.

The prime sponsor delivery mechanism by local units of government is sensible and will undoubtedly prove to be very successful. The proposal to establish area-wide Child Development Councils to receive input from Local Policy Councils and to act as conduits for funds is a viable concept. Allowing cities of any size to act as prime sponsors assures local control and thus local flexibility in determining the type of day care needed. The full involvement of parents and community on Local Policy Councils as provided in S. 1512 is crucial to program effectiveness. We think the experience of Community Action under OEO has proved the validity of involving people in programs that directly affect them and their children. By emphasizing the role of parents, comprehensive day care becomes a family program—one in which parents control and are accountable for their children's lives. The provision for hiring low-income persons and for training them in career opportunities is consistent with a comprehensive approach to meeting needs of low-income families.

We believe the level of authorization—$2 billion the first year, $7 billion the second, and $10 billion the third—is the absolute minimum. All the cost figures that we have seen indicate that providing comprehensive day care for preschoolers and after-school programs for latch-key children is expensive. The $2 billion the first year should make a start toward the goal of adequate services to meet the health, social and educational needs of this nation's children.

It is because S. 1512 would provide real progress toward national comprehensive child care programs that we file this statement of support for the official hearing record.

AMERICANS FOR DEMOCRATIC ACTION,
Washington, D.C., April 5, 1972.

Hon. GAYLORD NELSON,
Chairman, Subcommittee on Employment, Manpower and Poverty, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: With his veto of a landmark child development program, President Nixon has broken his own promises to the children of our nation. It is clear from Mr. Nixon's veto message that the only child development program this Administration wants is in H.R. 1 which would set up a system of custodial day care centers to house children of mothers who are forced to register for and accept employment as a condition for receiving welfare assistance.

We must instead provide—for all children—development programs and high quality, integrated education from preschool through post-secondary schools. Americans for Democratic Action therefore urges Congress to enact a program, modeled after last year's vetoed bill, which would include an emphasis on parent participation and control, delivery of health and nutrition services, construction of facilities, and training of personnel. Such a program should be operated on at least a 40-hour week basis, at a cost of no less than $3,000 per child. It should be free for all children of the poor. Families with higher incomes should be charged according to their ability to pay.

We commend you for your inspiring work on behalf of this country's children and hope that progressive legislation in this area will finally become law.

Very truly yours,

LYNN PEARLE,
Legislative Representative.

NATIONAL COUNCIL OF NEGRO WOMEN, INC.,
Washington, D.C., March 27, 1972.

STATEMENT OF DOROTHY I. HEIGHT, NATIONAL PRESIDENT, NATIONAL COUNCIL OF NEGRO WOMEN, INC., FOR THE SENATE SUBCOMMITTEE ON CHILDREN AND YOUTH, AND THE SENATE SUBCOMMITTEE ON EMPLOYMENT, MANPOWER, AND POVERTY

The National Council of Negro Women, Inc., was founded in 1935 by the distinguished educator and Presidential adviser, Mary McLeod Bethune. NCNW is an organization of organizations composed of 25 national affiliate bodies and individual members in 145 local sections in 40 states. In total, we have an outreach to some four million women. We have throughout our history been concerned with all that affects women and girls. This specifically means a commitment to children and to their well being.

Our experience as black Americans, as women, and often as mothers gives a particular urgency to our awareness of the critical need for quality child development programs in communities all across the country. For many of us, the lack of good programs for our children's care (thereby making work and training impossible), has held us captive in the bonds of racism and poverty.

The statistics showing that there are six million preschool children whose mothers work compared with 700,000 licensed day care "slots" amply demonstrate the need for a national commitment expressed by congressional enactment and funding of a quality, comprehensive, developmental child care program available to all children. At the same time, we know this need in a pressing way from our own experience in our families, in our neighborhoods, and wherever we live.

Surely nothing must be allowed to be more important to this country than its children. While the children are the future of the nation, their need is now. We therefore strongly urge that the Congress expedite the enactment of legislation which does no less than the following:

Provide for programs which are of high quality, comprehensive, developmental, oriented to the needs of children and available to all children;

Involve parents directly in policy decisions affecting their own children;

Provide for local control and enough flexibility to meet needs of individual communities;

Design programs to include children with different socio-economic backgrounds;

Assure that needs of minority group and economically disadvantaged children are met, and

Authorize sufficient new public monies to fund adequately the program.

Legislation of the type described is, we believe, long overdue. We hope that this nation's obligation to help its children develop to their full potential as human beings will be delayed no longer.

STATEMENT SUBMITTED TO THE SUBCOMMITTEE ON CHILDREN AND YOUTH, COMMITTEE ON LABOR AND PUBLIC WELFARE, U.S. SENATE, ON THE COMPREHENSIVE CHILD DEVELOPMENT PROGRAM OF THE ECONOMIC OPPORTUNITY AMENDMENTS OF 1972

NATIONAL COUNCIL OF
JEWISH WOMEN, INC.,
New York, N.Y., March 28, 1972.

The National Council of Jewish Women, an organization established in 1893, and with a membership of over 100,000 in local sections throughout the United States, has concerned itself with the welfare of children since its inception.

At the last biennial convention held in April of 1971, in Detroit, Michigan, the delegates adopted the following resolution:

"The National Council of Jewish Women believes that a healthy community, sound family life and individual welfare are interdependent and thrive when barriers of poverty and discrimination are removed. It believes, therefore, that our democratic society must give priority to programs which meet the economic, social and physical needs of all the people, and that the public and the private sector must work together to help individuals function successfully and independently in a changing society.

"It therefore resolves:

"To work for the expansion and development of quality comprehensive child care programs, available to all children, and to work for adequate financing."

The unmet needs of our children constitute one of the most important challenges our nation faces today. It is vital that these needs be met wisely on the basis of the intensive analysis their importance merits. As a society, we have, for all too long given little more than lip service to these needs, meeting only a tiny, fractional part of them. Literally millions of our little children suffer unconscionable harm due to the acute shortage of child development services. Many millions more, while cared for, if mere custodial care can be so described, are denied the opportunity to realize their potentials because they lack the developmental opportunities which should be the birthright of every child.

NATIONAL EDUCATION ASSOCIATION,
Washington, D.C., March 30, 1972.

Hon. GAYLORD NELSON,
Chairman, Subcommittee on Employment, Manpower and Poverty, Committee on Labor and Public Welfare, Old Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: We have reviewed S. 3193, the *"Child Care Centers and Services Act"*, and S 3228, the *"Comprehensive Headstart Act"*, in light of the *Statement of Principles* (attached) which NEA signed on February 8.

While there are many similarities between the bills, we believe S 3193 more nearly conforms to the *Statement of Principles*.

Specifically, we prefer the 25,000 population minimum for prime sponsors in S 3193 to the 50,000 figure in S 3228. We believe that S 3193 safeguards maximum parental involvement, especially of low-income parents. We believe S 3193 zeroes in on the child care centers more specifically than does the broader provision in S. 3228. In light of reduced authorization in both bills, we believe the language of S 3193 is preferable.

We are opposed to authorizing participation of profit making agencies in any child care program. While neither bill is satisfactory in this regard, we believe S 3193 is the least objectionable since Sec. 517 at least provides that special consideration be given to public and non-profit private agencies.

One feature of S 3228 which is commendable is the provision to provide 5% of program funds to educational agencies for cooperation with project applicants in order to provide continuity between child development projects and educational programs, including cooperative use of professional, technical, and administrative personnel. We hope the bill which emerges from the Committee will contain this provision.

We commend the sponsors of S 3193 and of S 3228 for their sincere interest in developing child care and development legislation which may be enacted this session of the Congress.

Sincerely,

STANLEY J. MCFARLAND,
Assistant Executive Secretary for Government Relations.

THE MARYLAND
PSYCHOLOGICAL ASSOCIATION, INC.,
Darnestown, Md., April 26, 1972.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: The Maryland Psychological Association would again like to extend its support to you for your reintroduction of the Comprehensive Child Development Act of 1971 (S. 3193—Economic Opportunity Amendments of 1972). Enclosed is a copy of our newsletter which addresses itself to the issues raised by the veto of President Nixon. Hopefully, you might find this of interest and we would be pleased to be of any additional assistance to you in your continuing efforts on behalf of the nation's families and children. Please keep us informed of your bill's progress.

With best wishes,

Sincerely,

JAMES W. PRESCOTT, Ph.D.,
President.

CHILD CARE IS MAJOR CONCERN OF MPA

Message from MPA President James W. Prescott:

The two themes of this year's annual MPA meeting are: (a) Child Care and Development; and (b) The Management of Aggression. As the members of MPA know, considerable attention has been given to the Comprehensive Child Development Act of 1971 and the issues which that Act were addressed to. On December 9, 1971, the Maryland Psychological Association, the Maryland Psychiatric Society and the Maryland Chapter of the American Academy of Pediatrics cosponsored an evening symposium on the above bill which brought together health professionals, labor leaders and state and county government officials. Minutes before the opening of the symposium, I had the unpleasant task of announcing the veto by President Nixon of the Comprehension Child Development Act of 1971. Insofar as our annual meeting is concerned with child care and development it would appear appropriate and relevant to summarize the reasons given by President Nixon for his veto of that bill.

In his message to Congress which rejected the proposed national child development program, President Nixon stated: "First, neither the immediate *need* nor the desirability of a national child development program of this character has been demonstrated . . . for the Federal Government to plunge headlong financially into supporting child development would commit the vast moral authority of the National Government to the side of communal approaches to child rearing and against the family-centered approach."

Further, Mr. Nixon stated that "for more than two years this administration has been working for the enactment of welfare reform (H.R. 1), one of the objectives of which is to bring the family together. This child development program appears to move in precisely the opposite direction . . . good public policy requires that we enhance rather than diminish both parental authority and parental involvement with children—particularly in those decisive early years when social attitudes and a conscience are formed, and religion and moral principles are first inculcated."

Given the above stated concern and objectives, Mr. Nixon proceeded to outline the provisions in his welfare bill—H.R. 1. He stated: "Further, in returning this legislation to the Congress, I do not for a moment overlook the fact that there are some needs to be served, and served now. One of these needs is for day care, to enable *mothers*, particularly those at the lowest income levels, *to take full time jobs . . .*" (and I will) "provide a significant Federal subsidy for day care in families where *both parents are employed*" (italics mine). (Veto message—economic opportunity Amendments of 1971. Document No. 92–48; December 10, 1971, 92nd Congress. Senate.)

Clearly, the provisions of H.R. 1 to forcibly separate both parents from their children by requiring them to work full time is nothing less than national legislation for parental deprivation and would achieve just the opposite of Mr. Nixon's stated objectives . . . "to bring the family together" and to "enhance rather than diminish both parental authority and parental involvement with children."

These issues transcend partisan political considerations, as Congressman Ogden R. Reid's (R-N.Y.) statement on President Nixon's veto attests: "The Administration has clearly bowed to politics and broken faith with the children of America. This historic bill would have given millions of our children an opportunity for a meaningful start on life. The President's veto now kills that hope.

"As a result of this veto, which undermines the credibility of the President's pledged commitments to social progress, this Administration cannot escape much of the blame for the children who, in the next decade become dropouts, addicts, misfits and costly burdens to society. The program the President killed would have helped many of those children to grow into constructive citizens.

"For the middle income working mother, this is just one further proof that this Administration is insensitive to the tremendous problems that burden her family." (December 9, 1971).

MPA members are probably aware that Rep. Ogden Reid, whose forebears helped found the Republican Party 100 years ago, has quit the Republican Party and joined the Democratic Party. His article *The Day-Care Veto: A Republican Congressman's Challenge to the President* in the current issue of *Redbook* portrays the depths of dissension, alienation, and tragedy associated with the day-care veto.

Given the two themes of our annual meeting; child care and development and the management of aggression, the MPA mem-

bership may be interested in a slide which I presented at our symposium on the Comprehensive Child Development Act of 1971. This portrayed in Figure 1 which relates infant mortality rates to that of homicide. I have suggested that since the U.S. has one of the highest infant mortality rates of advanced industrialized nations and since this nation has all the resources to reduce this figure to minimum but does not, this reflects a national indifference to and neglect of our infants. Many other studies have linked asocial and criminal behaviors to early infant-child neglect and abuse variables. Figure 1 represents a national picture of this relationship for the years 1930–1969. Infant mortality in the thirties and forties significantly predicts 15–30 percent of homicides in future years; infant mortality in the fifties and sixties significantly predicts 30–75 percent of homicides in future years.

Infant mortality has a different meaning in this country today than it had in the 1930's and 1940's. One interpretation of this finding is that violence is intimately linked with those variables associated with our high infant mortality rate. If these variables are human indifference and neglect, as I believe them to be, then the management of aggression must necessarily involve the management and improvement of the quality of human relationships between the adults, infants and children of this nation during the formative periods of development. This cannot be achieved by forcing separation of parents from their children by requiring both parents to work full time, as envisioned by H.R. 1.

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

Mr. MONDALE. I yield.

Mr. FULBRIGHT. Mr. President, I am very pleased to join as a cosponsor of the bill. I compliment the Senator from Minnesota and the Senator from Wisconsin for the fine work they did in bringing back this bill after the veto, which was most unfortunate. I hope this bill is not vetoed.

Does the Senator recall the testimony by Dr. Bettye Caldwell who is the director of the Kramer School in Little Rock?

Mr. MONDALE. I certainly do. Her testimony was one of the most impressive statements I have heard in the years we have worked on this measure because it was based not only on her brilliance but also her work in this area and her entire experience in the Little Rock area. Her testimony was most impressive.

Mr. FULBRIGHT. I call attention to her testimony because not only have I talked with her but also I had one of my representatives in Little Rock to take a personal look at the Kramer School.

This school in Little Rock has been going on now for 3 years. It is an experimental project. It is well financed and it has the support of the Arkansas State Department of Education, the University of Arkansas, the local school district and the Federal Government. The school has been a remarkable success. It has been accepted in one of the poorer areas of Little Rock, which is about evenly divided between blacks and whites. The acceptance by the community has been remarkable.

I submit that it is not only useful for the individuals involved but also it has great implications far beyond in the area of race relations. In time I think it will have a great impact on the very difficult problem of our welfare program. The program that H.R. 1, when it is reported, will present to the people of this country is much bigger than this bill. This bill is not only beneficial to the people involved but it is also a bill that deals with difficult social problems in this country. It is difficult to take care of all those matters in one bill. I think the committee did an excellent job.

It is difficult to draw the attention of the people to a problem of this kind because this type bill is not as glamorous as treaties in Moscow. However, it is far more important in many respects. I am pleased with the work of the Senator from Minnesota and his colleagues.

There is a misunderstanding between the difference in a child development center such as Dr. Caldwell has and merely custodial day care. In many cases custodial day care does not seem to give any affirmative treatment, but rather negative because it encourages characteristics that are not beneficial to the child later on in life.

In the bill H.R. 1, I suggested to the Finance Committee some amount of money be made available for developmental child care, not trying to duplicate or infringe on this bill, but from another source, to make available in every State at least one place where we may see the difference in custodial day care and the kind of developmental program that is in this bill. I think that is very important for the country to understand.

Mr. President, I am pleased to join as a cosponsor of S. 3716, the Comprehensive Headstart, Child Development and Family Services Act of 1972. As the title of this bill suggests, it would commit this Nation's resources to the most worthwhile of causes—that of assisting American families in providing their children a better start in life through local, family oriented, child development programs.

Far from undermining the family as the basic unit of our society or "creating a nation of orphanages" as some have implied, this legislation would provide the kind of sensitive family and child-oriented programs that are unavailable today to millions of American families. In addition, it is specifically designed to meet the need for quality day care created by increasing numbers of mothers who work.

While recognizing that parental participation is essential in the planning and operation of day care programs, this bill is drafted with a knowledge of the weaknesses of purely custodial preschool programs and is designed to avoid these mistakes. Moreover, it is based on an understanding of the risk involved in separating children from their parents and includes standards designed to minimize and overcome that danger.

Perhaps most important, however, the bill's provisions, along with those in H.R. 1 relating to child care, authorize sufficient funds to plan and deliver the comprehensive health, education, nutritional, and developmental components that are necessary to help all children in this country reach their full potential.

In his 1969 message to the Congress, the President indicated his administration's commitment to provide every American child with "an opportunity for healthful and stimulating development during the first 5 years of life." In spite of this pledge, and because of the President's veto of S. 2007, the Economic Opportunity Amendments of 1971—which included a comprehensive child development title—present day care and early childhood programs remain relatively small items in the Federal budget. The $1 billion which the proposed budget allocates to this range of programs in the current fiscal year palls in comparison with the $83.4 billion which has been requested by the Department of Defense. In addition, it has been well documented that most of the $1 billion, which goes into the Headstart and AFDC programs, will reach only a fraction of these programs' potential recipients. In the case of Headstart, the committee report notes that the current program is reaching fewer than 10 percent of the poor children who might benefit from it. It also concludes that a combination of the existing Headstart programs and day care programs provided for in the welfare reform measure would together serve only 1¼ million of the 5½ million children who could benefit from preschool education and afterschool care.

These 5½ million children generally come within either of two groups that various studies have found to be in urgent need of this kind of attention. The first is comprised of children of employed mothers who cannot arrange for satisfactory care for them at home. The second group of children is that whose mothers are economically disadvantaged, who are not now working, and who are unable to provide them the kind of preschool care which would give them an equal start with others.

Although all children have nutritional, educational, medical, and psychological needs, it is clear that chidren from economically disadvantaged families have far less opportunity to receive these services than their more affluent counterparts. It is this lack of opportunity that degrades the lives of many millions of children who live in poverty today and enhances the chance that they will soon become misfits and wards of society requiring repair and rehabilitation in later life.

In recent years, we have increasingly recognized that this poverty, the forces which create it, and the opportunities for development of the poor child are mutually reinforcing. The poverty and Headstart programs were implemented on this rationale, and in approving the Economic Opportunity Amendments of 1971—which included a comprehensive child care and development title—the Congress clearly reaffirmed its realization of this principle.

The child care, family services, and preschool programs envisioned in the pending legislation are designed to help reach children in poverty in this country by assisting their families in providing them with the kind of environment which will stimulate rather than retard their development. The bill authorizes $2 billion over the next 3 fiscal years for the creation of a network of preschool educational services for low income and developmental day care programs for youngsters whose parents are working. Participation in all of these

programs will be voluntary. In addition, $500 million of the funds authorized are reserved for the Headstart program which has proved highly successful.

These programs assure parents that they will have the opportunity to choose among the greatest possible variety of family supporting services—including part-day programs like Headstart, after-school or full-day developmental day care, prenatal services, and in-the-home tutoring and child development classes that strengthen the family relationship.

Also worthy of mention is the fact that S. 3617 focuses on our growing awareness of the importance of early childhood in the mental, physical, and social development of the individual. The committee report states:

The central requirement is that child development programs must, in fact, be developmental—centered on the needs of the children and the family—and not custodial in nature.

Of the many millions of day care arrangements made in this country today, most involve merely custodial care for the child. Today, we know that in numerous instances this can damage a child for life by creating conditions of "environmental denial" and "learned helplessness." Such conditions were set forth and contrasted with the developmental day care anticipated by S. 3617 in the testimony of Dr. Harold H. Howe, former U.S. Commissioner of Education, which is referred to in the committee report:

Perhaps the best way to illustrate the idea of an environmental handicap is to describe an actual situation in which working mothers typically return to work some two months after giving birth to a child. During the time that they are working, the child will be placed with another mother whose business is taking in children of working mothers, each of whom might pay a dollar a day or so to have her children cared for during working hours. In such a center will be children from several months of age up to four or five years, and an individual caretaker might look after up to ten or twelve such children in her home.

For the caretaker who has neither training nor equipment and facilities to provide a stimulating environment the entire emphasis is frequently on the passivity of children. The child who doesn't cry, who doesn't need attention, who doesn't ask questions after he has learned to speak, who doesn't move about—in other words the child who does not seek, demand, and get stimulation and is least troublesome to the person in charge—is the child who gets rewarded. Such an environment discourages the early and very significant development of every aspect of human sensitivity and potential. The qualities fortified in children so treated are the qualities which lead to failure in school. The lack of positive stimulation from human contact, from active exploration of objects, from verbal interchange, and from the kind of play through which a child learns shapes and sizes and colors depresses and inhibits the development of capabilities which are extremely important not only for success in school but for success in life. The development of language as a more important component of any individual's growth often suffers in this sort of environmental handicapping system.

Contrast this situation with many well-financed day care or preschool arrangements staffed by trained personnel in which stimulation of all kinds is provided. Children get all sorts of attention and praise for their achievements on a regular basis from interested adults, they are encouraged to talk over their ideas and feeling, to handle objects, explore the differences of sound, shapes, color, texture in all kinds of materials, to solve problems—and therewith their early intellectual development is much advanced. Further they are offered choices and a range of independent activities that exercise initiative, allow the child to set his own pace, and develop goals of his own—thereby giving him a sense of power over his environment.

Add to this the situation in the home for many of the kinds of families which would make use of the type of day care activity described two paragraphs above, homes in which economic handicaps deny proper nutrition and certain aspects of stimulation, even though just as much love and care may be present as in the middle class home, and you get a picture of environmental denial which pyramids in its effect on children as they mature.

Mr. President, a model for the kind of day care which Dr. Howe compares to "environmental denial" already exists in my State. It is the Center for Early Development in Little Rock, Ark. The center is housed in Little Rock's Kramer School, a renovated structure in a mixed black and white neighborhood. It is dedicated to the principle that it is not only possible but essential to give formal education to very young children whose mothers are separated from them all day.

Dr. Bettye Caldwell, the director of the Kramer School, views this project as "a new kind of educational delivery system in which day care and education are combined." The Office of Child Development has such high regard for this idea that it is investing $2 million in it. The center's participants also include the Arkansas State Department of Education, the Little Rock school system, and the University of Arkansas. I ask unanimous consent to insert in the RECORD at this point an article from the Pine Bluff Commercial of April 6 describing the center and its accomplishments.

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

NEW PROJECT AT LITTLE ROCK ELEMENTARY SCHOOL COULD BE MODEL FOR THE FUTURE

(By Dala McKinsey)

LITTLE ROCK.—The Frederick W. Kramer School is housed in a traditional two-story brick buidling. The education inside is not at all traditional.

When a discipline problem erupted in the fourth grade classroom, the new metal and wood furniture was replaced by boxes and for a week students worked in isolation—separated by cardboard barriers.

The next week the boxes were replaced by old couches and other household furniture to create a more homey atmosphere. The problem disappeared and the original furniture was returned.

When four-letter words began appearing in the boys' bathroom, a teacher decided to turn it into art. She outlined on the wall a sketch of a black boy and a white boy swinging on vines and the boys painted in the figures. The walls have not been written on since.

A little over two years ago, Kramer was a sub-standard school in a decaying neighborhood of transient black and white families, with a few upper-middle class young couples in renovated apartments and a small hippie culture, attracted by MacArthur Park and the Arkansas Art Center, two blocks away.

Under the leadership of Dr. Bettye Caldwell, the Little Rock School District and the University of Arkansas at Little Rock received a federal grant to design a school for the future.

"I think everyone sees this as a model of the future," Mrs. Caldwell said.

The result was a combination day care center and elementary school, with more than 300 pupils, ranging in age from six months through 12 years.

Mrs. Caldwell moved from Syracuse, New York, where she was working on a similar project, when her husband, a surgeon, joined the University of Arkansas Medical Center staff.

She says she thought she was moving to the end of the earth.

"I found there are more true liberals in Little Rock, than where I was," she said.

Children are brought to the school at 7 a.m. They stay until one of their working parents can pick them up. Some stay as late as 7 p.m.

Mrs. Caldwell says the school fulfills several needs, among them child care for the working mother and direction for children from culturally deprived backgrounds

She said the school did not attempt to teach that being a white collar worker is better than being a blue collar worker.

"We teach the children that every kind of work has dignity," she said.

However, she said she believed that the school would open more options for the students than they might otherwise have.

Mrs. Caldwell said she also wanted the children to be able to "fit in perfectly well" in their own neighborhoods.

Mrs. Caldwell said that she did not advocate taking children away from their families but she said the school could offer children advantages some mothers couldn't.

"If the family is so poor that all she (the mother) can do is get the rats and cockroaches out of their apartment: the school has something to offer," she said.

The infants are cared for in a portable metal building behind the school where their older brothers and sisters are enrolled.

Mrs. Faustenia S. Bomar, vice-principal of the school, called to a 15-month-old child playing in a crib, and he smiled.

"When he first came here, he couldn't do that," she said. "He probably never saw anyone smile before."

Mrs. Caldwell tells of the child of a retarded mother who came to the school through the state Social Services Division.

The child, Susan, was "the most forlorn looking child" when she was first brought to the school, said Mrs. Caldwell. "She was so sad, it hurt to look at her." Now Susan is walking, talking and offering cookies to visitors.

The children eat breakfast and lunch at the school. They also get snacks.

Although the school building is ancient, Mrs. Bomar says that the building lends itself to the activities of the school.

Upstairs there are individual booths, where a pupil who earns free time may go to read, or just to be alone. The students have covered the walls of the booths with paper, so that they may draw or write on the walls if they wish.

The window shades are covered with bright flowers made from contact paper and flowers are painted behind the drinking fountains.

The preschoolers have their own second-hand piano, painted bright orange, that they can play.

Mrs. Bomar pointed to the walls, covered with murals and paintings by the children.

"This is their school, they know that it is theirs," she said.

Since the school opened, several persons have visited to view the operation for similar projects in other cities.

Although the 1969 legislature authorized the organization of public school kindergartens, it provided no money for them and, to date, there are only a few university-sponsored and private kindergartens in operation in Arkansas.

Mrs. Caldwell says she hopes that when Arkansas begins organizing kindergartens,

the day care center idea will become the standard.

"I hope that this community and this state won't let this idea go," she said.

Mr. FULBRIGHT. Mr. President, Dr. Caldwell, in her testimony before the Subcommittee on Children and Youth during its hearings on S. 3617 stressed the following conclusions from her experiences in the Kramer School:

Children in day care or child care can develop motivationally and in terms of the skills that are considered adaptive in today's world.

Day care does not weaken the primary family ties nor does the early day care program signify a new invasion of the family domain.

High quality developmental day care settings do not create emotional disturbances, but in the majority of instances create happy and alert children.

Day care and institutionalization are not at all comparable and it verges on the dishonest to imply that they are.

I am pleased that this bill is drawn upon the experiences of model projects such as the Center for Early Development and that its provisions will expand and build upon the achievements of such centers.

I might add that based upon my belief in the pioneering work of the Center for Early Development and its possibilities for alleviating the conditions that ultimately result in many of our social problems, I submitted an amendment in executive session of the Finance Committee—which the committee adopted—to the child care provisions of H.R. 1. This amendment would provide $60 million in grants to States over the next 3 years for model day care centers in each State to develop the potential for better educational achievement in day care.

Mr. President, nothing is more critical to the future of this country than that every child have the opportunity to develop fully his physical, intellectual, and social potential as a human being. As an enlightened society, we must be prepared to commit our resources to help families realize this potential in their children when they seek such support outside the home. Passage of S. 3617 by the Senate will mark the beginning of this commitment, and I am pleased to lend my support to the enactment of this measure.

Mr. MONDALE. I strongly endorse the observations the Senator has made. I think one of the most dangerous things this country could do would be to pursue a maximum strategy of cold custodial day care centers as an alternative for the American family. Even during the depression most of us grew up with strong family unity, and we had the support and stimulation which a family provides.

Mr. FULBRIGHT. And which other children provide.

Mr. MONDALE. Yes, and the security that comes with it. That is the most important thing we receive as human beings.

We are not going to make gains toward a healthy America by creating warehouses in which we stack children and do nothing for them, and provide no emotional support, no sense of security, and none of the things which are needed for child development.

Mr. FULBRIGHT. And no intellectual stimulation.

Mr. MONDALE. And no intellectual stimulation. We are creating a generation of young people that scares me. They will be denied the essential ingredient that a healthy person must have. That is what scares me so much about custodial centers. That is not speculation.

Recently a report was issued by the National Council of Jewish Women, based on the study they made of day-care centers in 90 cities. It is absolutely scary in terms of how emotionally ignored and untended these children are all day long. That is the worst possible thing.

Psychiatrists, psychologists, experts in the field, Bettye Cardwell being one of them, warned about that situation.

We are just concluding 2½ years of work by the Committee on Equal Educational Opportunity, of which I am privileged to be chairman. Every year we pay a tremendous economic bill, which includes a welfare bill of $12.5 billion; a crime bill, and nobody knows how big that is; we pay it in terms of lost life; we pay it in other ways such as lack of political participation. And one generation tends to produce another generation that is consigned to the same tragic condition.

One of the most hopeful things we come up with is that we should provide assistance to strengthen and support family life. In many instances these children come from broken homes where they do not have enough to eat, where the family often is not able to provide intellectual stimulation, where there is no hope, no music, no books, no aspirations for better life. Many times these children are destroyed before they go into the front door of any school. This happens up to the time they are 5 years of age. Because of the explosive development period, the first 5 years of life are the years when the foundation of a child's life is laid.

That can be a period of great development and growth or it can be a period of shocking, emotional, and mental destruction. We are trying to reach down and help these families give their kids a chance before we have another generation of broken young children. That is what this is all about.

Mr. FULBRIGHT. I thank the Senator.

PRIVILEGE OF THE FLOOR

Mr. NELSON. Mr. President, I ask unanimous consent that the following professional staff members of the Labor and Public Welfare Committee be admitted to the floor during the consideration of S. 3617, the Headstart, Child Development, and Family Services Act of 1972: Richard E. Johnson, William J. Spring, Sidney Johnson, Jonathan Steinberg, John Scales, and Richard Siegel.

Mr. NELSON. Mr. President, the Committee on Labor and Public Welfare has reported to the Senate S. 3617, the Comprehensive Headstart, Child Development, and Family Services Act of 1972. As chairman of the Subcommittee on Employment, Manpower, and Poverty, which held some 13 days of hearings in child care legislation over the last 2 years, I hope the Senate will approve this bipartisan compromise measure by an overwhelming vote.

There is no need in America more fully documented nor more pressing than the provision for quality child care opportunities for disadvantaged children. In February 1969—1 month after his inauguration—President Nixon recognized this need in a message to Congress. He said at that time:

So critical is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first five years of life.

The child development legislation contained in the Economic Opportunity Amendments of 1971 (S. 2007) was, as Members of the Senate know, killed by a Presidential veto. The veto message raised objections which bore no resemblance to the legislation actually passed. For anyone who took the words of the veto message at face value, the Congress of the United States stood accused of passing legislation aimed at weakening the American family and "Sovietizing American children." Nothing could have been farther from the truth. Quite obviously whoever wrote the veto message never read the bill.

With over 5 million preschool children of working mothers in the country and only 700,000 places in day care facilities, the need for additional facilities cannot be doubted. For the poor, the Headstart program has provided a magnificent demonstration of what can be done in centers that provide not only warm and adequate day care but also health and education programs crucial to the future of so many of the Nation's children in poverty homes. But the Headstart program now reaches only some 10 percent of the number of poor children who could potentially use its services.

After the veto, members of the Labor and Public Welfare Committee went to work on revised legislation attempting to respond to the criticisms raised by the veto message. Senator MONDALE and I, together with 14 other cosponsors, introduced child-care legislation providing for an enlarged State role (S. 3193), and Senator JAVITS, and 12 other cosponsors introduced new child development legislation separate from the OEO legislation (S. 3228). The Committee on Labor and Public Welfare accepted the suggestion of the minority members that it would be best to separate the child-care bill from the extension of the Economic Opportunity Act of which it was a part in 1971. Furthermore, last year's proposal was changed in a number of ways in efforts to make the legislation more acceptable to the administration. In brief, the changes are as follows:

First, the cost. Rather than authorizing $2 billion a year for the program, S. 3617 authorizes only $150,000,000 for planning in the coming fiscal year—fiscal 1973—and $1.2 billion in fiscal year 1974 and $1.6 billion in fiscal year 1975.

Second, administrative workability. Last year's bill provided that any community of 5,000 population could be a prime sponsor. The new bill provides that local communities of over 25,000 population are entitled to prime sponsorship if

the Secretary determines they have the capability to carry out child development programs. All other geographical areas of the State would be served by the State government as prime sponsor. Whereas there would have been a potential of 7,000 prime sponsor applicants under last year's bill, this year's higher population cut-off figure would reduce the number to 2,000 prime sponsors. That is approximately the number of Head Start grantee and delegate agencies HEW now deals with.

Third, the responsibilities of the child development councils. The committee has rewritten the bill to make it clear that mayors and Governors have full operating responsibility for child development programs. Under the revised bill the councils approve basic policies and guidelines but day-to-day administrative responsibility for carrying out child-care programs rests with the Governor or the mayor.

Fourth, the role of the States is substantially expanded under S. 3617. As previously mentioned, the State serves as prime sponsor in all parts of the State not covered by a local prime sponsor which has a minimum of 25,000 population. In addition, twice as much money—an increase from 5 percent to 10 percent—is set aside for State coordination and comprehensive planning, in cooperation with local officials, for child-care programs. Furthermore, the committee has authorized a major demonstration program for State-administered child development programs. In up to five States, the Secretary would be authorized to designate the State as the prime sponsor for the entire State including those localities of over 25,000 population that would otherwise be eligible to deal directly with Washington as local prime sponsors. These States would have to be selected on the basis of a record of leadership and demonstrated capabilities in the child development area.

The fee schedule negotiated by the committee and the administration last fall has been included in the bill. That schedule provides free services to children whose families earn up to $4,320 per year in the case of a family of four. That figure is the same as the cutoff point for aid to the working poor under the family assistance plan. For families of four earning more than $4,320, the fee schedule limits the cost to 10 percent of income between $4,320 and $5,916 and then limits fees to those with higher income to 15 percent of income between $5,916 and $6,960. That figure of $6,960 is the low adequate budget as calculated by the Department of Labor's Bureau of Labor Statistics for an average urban family of four.

How would the program work? Funds would flow from Washington to cities and States according to a distribution formula based on the number of children eligible for services under the legislation.

At the State and local level, mayors and Governors would set up child development councils. Half of the membership of these councils would be parents of children to be served; the remaining half would be appointed by the Governor or mayor to represent the public, including education agencies, community action agencies, health and welfare organizations. These councils would be responsible for approving program goals, basic policies, and approving arrangements for programs.

Headstart agencies, schools, charitable organizations, or any other local groups that wished to run child development programs would apply to the prime sponsor for funds. Each operating agency would be required to set up project policy committees composed 50 percent of parents of children to be served to oversee the day-to-day operation of child-care programs. Within a community of any size there would be a network of centers serving children, guided by project policy committees. The prime sponsor, the Governor or the mayor or the county executive, would oversee all projects in the prime sponsorship area and allocate funds among the various centers.

As I indicated earlier in these remarks, cities of over 25,000 population would have the right to be designated as prime sponsors to administer child-care programs in their own areas if they had the capability. Where local prime sponsors are so designated, the State would serve as prime sponsor for all the rest of the State. In the balance of the State, the Governor would be the prime sponsor and the State would be responsible for administering the overall program. In a provision new to this particular piece of legislation, the Governor would establish local program councils for regions within the State, serving areas of 50,000 population. In this way, State decisions with respect to a particular area of a State would be subject to review in the appropriate area of the State where programs are being carried out.

The existing Headstart program is one of the most successful of our antipoverty efforts. In order to assure that these programs will not be cut back, the bill insures that the first $500,000,000 available under the legislation would be used to continue ongoing Headstart programs. In addition, the bill provides that 10 percent of the opportunities available in child development programs go to handicapped children. In the past, handicapped children—very often the most in need—have not received the degree of representation among the children served in preschool programs that they should have, considering the proportion of handicapped children in the population.

Let me close by addressing the charge that the provision of child-care services somehow weakens the family. The fact of the matter is that millions of mothers now work based on their own choice or economic necessity. The legislation before the Senate today is merely an attempt to meet our responsibilities to the children who need adequate child care because a parent is not at home during the day. Presently available child-care facilities are often grossly inadequate, as described by witness after witness before the committee. It is more than a little ironic that S. 2007 was vetoed last year at the very time the administration was urging passage of welfare legislation containing provisions that would require mothers of young children to take low-paying jobs or lose welfare benefits.

The legislation now before the Senate is a bipartisan attempt to draft sound and responsible child development legislation. I urge Senators to support its passage.

Mr. President, I ask unanimous consent that a section-by-section analysis of S. 3617 be printed in the RECORD.

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

SECTION-BY-SECTION ANALYSIS

SECTION 1. SHORT TITLE

This section provides that the legislation may be cited as the "Comprehensive Headstart, Child Development, and Family Services Act of 1972".

SECTION 2. STATEMENT OF FINDINGS AND PURPOSE

This section sets forth the congressional findings concerning the need for child development and family services and the purpose to assist parents who request such services in providing their children with an opportunity for a healthful and stimulating development.

SECTION 3. AUTHORIZATION OF APPROPRIATIONS

Subsection (a) authorizes the appropriation of $1.2 billion for fiscal year 1974 and $1.6 billion for fiscal year 1975 for carrying out this Act. Any unobligated amounts at the end of such fiscal year may be obligated in the succeeding fiscal year.

Subsection (b) authorizes the appropriation of $150 million for fiscal year 1973 for the purpose of providing training, technical assistance, planning, and such other activities as the Secretary deems appropriate to prepare for the implementation of this title.

Subsection (c) provides that the amounts appropriated under subsection (a) shall be made available as follows:

The amount of $500 million shall be for the purpose of providing assistance under title I of this Act for child development programs focused upon young children from low-income families, with priority for Headstart projects.

Up to 15 percent of the amounts which remain thereafter may be made available, as the Secretary of Health, Education, and Welfare deems appropriate, for titles II and III of this Act, but not to exceed 5 percent of such remaining amounts shall be used for title III.

The remainder of the appropriation is to be used for carrying out title I.

Subsection (d) sets forth advance funding authority.

SECTION 4. DEFINITIONS

This section defines terms used in the Act.

TITLE I—HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES PROGRAMS

SECTION 101. PROGRAMS ASSISTED

This section provides that the Secretary of Health, Education, and Welfare shall provide financial assistance for carrying out child development and family services programs under this title to prime sponsors and to other public and private nonprofit agencies and organizations pursuant to plans, program statements, and applications approved in accordance with this title. The purposes for which financial assistance may be used are set forth in this section.

SECTION 102. STATE AND LOCAL PRIME SPONSORS

Subsection (a) provides that a State, a unit or combination of units of general local government of at least 25,000 population or, if less, which demonstrates capability and a particular need, an Indian tribal organization, or a public or private nonprofit agency may be designated as a prime sponsor of child development and family service programs in accordance with the provisions of the legis-

lation upon approval by the Secretary of a prime sponsorship plan.

Subsection (b) provides that the plan must provide for a child and family services council, must provide assurances that staff and other administrative expenses of the council and local program councils and project policy committees will not exceed percent of the total cost of child development programs administered by the prime sponsor (unless increased to reflect higher start-up costs or other special needs), and must provide assurances to provide or to enter into arrangements with appropriate State or local or other agencies for linkages to provide services related to child development.

Subsection (b)(8) provides that, in the case of a State applicant for designation as prime sponsor of areas not served by a local prime sponsor, the plan must also provide for designating local family service areas serving the area of one local government or of units of local government serving not more than 50,000 population unless Secretary allows area of up to 100,000 population. For each local family service area, a local program council must be maintained consisting of at least half parents and the remainder public members appointed by the local government official. These local program councils participate in developing and approve the State's program statement for the area and arrangements for projects in the area.

Subsection (c) provides that any local program council may appeal directly to the Secretary when it alleges a failure to comply with the program statement or the provisions of the Act.

Subsection (d)(1) provides that the Secretary shall approve a satisfactory State prime sponsorship plan for areas not served by local prime sponsors.

Subsection (d)(2) authorizes the Secretary to designate five States to carry out demonstration projects as Statewide prime sponsors, even with respect to localities which would otherwise qualify as local prime sponsors. No State with a population of 5 percent of the national population or more could be so designated.

Subsection (e) provides that the Secretary shall approve a prime sponsorship plan submitted by a city or county or other unit of general local government if it meets the requirements of subsection (a) and has a population of 25,000 or more. The Secretary has discretion to choose either a city or a county as prime sponsor for an area which covers a common geographical area.

Subsection (f) provides that the Secretary shall approve a prime sponsorship plan submitted by a combination of localities if the plan meets the requirements of subsection (a) and has a population of 25,000 or more.

Subsection (g) provides that the Secretary shall approve a prime sponsorship plan submitted by an Indian tribal organization if the plan meets the requirements of subsection (a).

Subsection (h) provides that the Secretary may approve a prime sponsorship plan submitted by a unit or combination of units of general local government or a public or private nonprofit agency if he determines that the plan includes provisions setting forth arrangements for serving children in a neighborhood which is not covered by a prime sponsor or in any portion of an area where the prime sponsor is not satisfactorily implementing child development programs, or for making available special services designed to meet the needs of economically disadvantaged or preschool children. He may also approve such a prime sponsorship plan setting forth arrangements for providing comprehensive child development programs on a year-round basis to children of migrant agricultural workers, or arrangements for carrying out model programs, especially projects for economically disadvantaged minority group, or bilingual preschool children.

Subsection (i) provides that the Governor of the State shall be given between thirty and sixty days to review and make recommendations on prime sponsorship plans submitted under this section.

Subsection (j) provides that a prime sponsorship plan may be disapproved or a prior designation of a prime sponsor may be withdrawn only if the Secretary provides written notice, a reasonable time for corrective amendments or action, and an opportunity for a hearing upon which an appeal to the Secretary may be based.

Subsection (k) provides for review by the court of appeals of the Secretary's final action with respect to prime sponsorship under subsection (j).

Subsection (l) provides that the Secretary shall approve the application of an alternate unit of Government or a public or nonprofit agency or organization in the area representing the interests of minority and economically disadvantaged persons where any unit of general government or other prime sponsor is practicing discrimination against minority group or economically disadvantaged children.

Subsection (m) provides that the Secretary may directly fund programs, including those in rural areas without regard to population, where he deems it necessary, in the event that a State, or unit or combination of units of general local government, or Indian tribal organization has not submitted or the Secretary has not approved a program statement under this section, or where a prime sponsorship designation is not in effect or where the needs of migrants, preschool-age children, or the children of working mothers or single parents, minority groups, or the economically disadvantaged are not being served.

SECTION 103. CHILD AND FAMILY SERVICES COUNCILS

Subsection (a) provides that each prime sponsor shall establish and maintain a Child and Family Services Council consisting of not less than 10 members half of whom must be parents of children served in programs under this Act and the remainder of whom are to be appointed by the prime sponsor's chief executive or governing body to represent the public.

(Half of the public representatives must be persons broadly representative of the general public including community agencies and organizations, and the remaining members must be persons who are skilled in child development, child health, child welfare, or other child services.)

Subsection (b) provides that, in accordance with regulations which the Secretary shall establish pursuant to regulations, each prime sponsor shall provide that the parent members of child development councils shall be chosen by the membership of local program councils described in section 102(b)(8), in the case of State prime sponsors, and participants in federally assisted day care programs especially Headstart, in the case of local prime sponsors. Not less than one-third of the total membership of such council shall be persons broadly representative of the economically disadvantaged. The council is entitled to approve program statements, basic goals, policies, actions, and procedures, and the selection or establishment and annual renewal of the administering agency or agencies, for the prime sponsor. The council shall, upon its own initiative or upon request of a project applicant or any other party in interest, conduct public hearings before acting upon applications for financial assistance submitted by project applicants.

SECTION 104. PROGRAM STATEMENTS

Subsection (a) provides that financial assistance to a prime sponsor may be provided for any particular fiscal year only pursuant to a program statement approved by the Secretary. Provisions which such program statement are to include are set forth in this subsection. Among these provisions are the requirements that not less than 65 percent of the financial assistance from apportionments under section 3(c)(3) must be used for programs and services for economically disadvantaged children; and that priority thereafter must be given to other children of single parents and working mothers.

Subsection (b) provides that no program statement shall be approved unless opportunities to submit comments to the prime sponsor and to the Secretary have been provided to each community action agency or single-purpose Headstart agency previously responsible for a Headstart program, to the local educational agency and other appropriate educational and training agencies and institutions, and the Governor of the State.

Subsection (c) provides that a program statement may be disapproved or a prior approval withdrawn only if the Secretary has provided written notice, reasonable time for corrective amendments or action, and an opportunity for a public hearing upon which an appeal may be biased.

Subsection (d) provides that the Secretary shall establish procedures to permit prime sponsors to submit jointly a single program statement for the areas served by such prime sponsors.

SECTION 105. PROJECT APPLICATIONS

Subsection (a) provides that financial assistance may be provided to a project applicant for any particular fiscal year if the project application is submitted by a public or private nonprofit agency and contains other provisions set forth in this subsection. Among these provisions are requirements that funds be provided only to qualified public or private agencies and that project policy committees be established and maintained Such project policy committees must consist of not less than 10 members and half must be parents of children served in such projects and the remaining half shall be comprised of persons who are representative of the community approved by the parent members and one person who is skilled in child development.

Project policy committees must participate directly in the development and preparation of project applications and have responsibility for approving basic goals, policies, actions, and procedures for the project applicant. The bill provides that no charges be made to families with an annual income equal to or less than $4,320, with adjustments in the case of families with more than two children. Charges for other families may be made in accordance with a fee schedule established by the Secretary based on ability to pay. However, such fees may not exceed 10 percent of the difference between the free services level and 85 percent of the lower living standard budget, and then 15 percent of any income between that level of 85 percent of the lower living standard budget and 100 percent of the lower living standard budget.

Subsection (b) requires that the project application otherwise further the objectives and satisfy the requirements of the prime sponsor's program statement.

Subsection (c) provides that a public or private nonprofit agency which is a prime sponsor shall submit a project application directly to the Secretary.

Subsection (d) provides that a prime sponsor may disapprove a project application only if it provides a statement of reasons to the applicant and that the project applicant may appeal to the Secretary for direct approval thereof.

Subsection (e) provides that a project application submitted to the Secretary by a public or private agency may be approved upon the Secretary's determination that it meets the statutory requirements.

SECTION 106. ANNUAL FAMILY SERVICE PLANS

This section provides that, upon submission of an annual family service plan by any State, the Secretary is authorized to provide financial assistance for carrying out activities for the purposes of determining child development and family service goals and needs, assisting in the establishment of Child and Family Service Councils, and strengthening their capabilities, and arrangements under which State agencies assist in providing child development and related services where requested by prime sponsors in the development and implementation of program statements.

SECTION 107. SPECIAL COOPERATIVE PROGRAMS WITH EDUCATIONAL AGENCIES AND OTHER PROJECT SPONSORS

This section provides that the Secretary shall use funds made available under section 108(a)(1)(E) to provide assistance to educational agencies and institutions for cooperative programs designed to provide continuity between preschool, after school, and other educational programs.

SECTION 108. ALLOCATION OF FUNDS

Subsection (a)(1) provides that, of the amounts available for this title, the Secretary shall reserve the following:

For apportioning among programs for children of migrant agricultural workers, not less than that proportion of the total amounts available for this title, as the proportion which the number of such children bears to the number of economically disadvantaged;

For apportioning among programs for children on Federal and State Indian reservations, not less than that proportion of the total amounts available for this title as the proportion which the number of such children bears to the number of economically disadvantaged children:

For special activities for handicapped children, not less than 10 percent of the total amount available for this title; and

For model programs, not to exceed 5 percent of the total amounts available for this title.

For special cooperative programs with educational institutions, not to exceed 5 percent of the local amounts available for this title.

Subsection (a)(2) provides that the amounts remaining after such reservations shall be allocated by the Secretary to the extent practicable so that such funds shall be apportioned among the States and localities within each State as follows: 50 percent in proportion to the relative numbers of economically disadvantaged children, 25 percent in proportion to the relative numbers of children up to age 6, and 25 percent in proportion to the relative numbers of children of working mothers and single parents.

Subsection (a)(3) provides that not to exceed 10 percent of the total funds allotted for use within a State may be made available to the State to carry out its annual family service plan under section 106.

Subsection (b) provides for reapportionment of unused apportionments.

SECTION 109. ADDITIONAL CONDITIONS FOR PROGRAMS INCLUDING CONSTRUCTION OR ACQUISITION

This section provides that applications for financial assistance for projects including construction may be approved only if the Secretary determines that construction of such facilities is essential to the provision of adequate child development services, and that rental, lease or lease-purchase, renovation, or remodeling of adequate facilities is not practicable. Federal assistance for construction may not exceed 50 percent of cost in the case of funds to be paid to other than public or private nonprofit agencies and organizations. A maximum of 15 percent of a prime sponsor's total financial assistance may be used for construction.

SECTION 110. USE OF PUBLIC FACILITIES FOR CHILD DEVELOPMENT PROGRAMS

This section requires reports as to the extent to which facilities owned or leased by Federal agencies and other agencies may be available for child development programs during times when such facilities are not being utilized fully for their usual purposes.

SECTION 111. PAYMENTS

This section sets forth the Federal share provisions. A Federal share of 90 percent is provided for child development programs ordinarily, but the Secretary has discretion to exceed that percentage and he is required to pay 100 percent of programs for migrants and Indians.

TITLE II—TRAINING, TECHNICAL ASSISTANCE, PLANNING, AND EVALUATION

SECTION 201. PRESERVICE AND INSERVICE TRAINING

This section authorizes the Secretary to provide financial assistance for preservice or inservice training for professional and nonprofessional personnel.

SECTION 202. TECHNICAL ASSISTANCE AND PLANNING

This section provides that the Secretary shall make technical assistance available to prime sponsors and project applicants to assist them in planning, developing, and carrying out child development programs.

TITLE III—SUPPORTIVE SERVICES AND SPECIAL ACTIVITIES

SECTION 301. SPECIAL RESPONSIBILITIES OF THE SECRETARY

Subsection (a) provides that the Secretary shall make an evaluation of Federal involvement in child development activities and services. The Secretary must reserve 1 percent, and may reserve up to 2 percent, of the funds under this Act for the evaluations required by this section.

Subsection (b) provides that the Secretary shall carry out research and demonstration projects, including research on the nature of child development processes, research to test alternative methods of providing child development and related services, evaluation of research findings, and the dissemination and application of research and development efforts.

Subsection (c) provides that the Secretary shall give priority in assisting research and demonstration projects to programs carried out by multicounty local development districts under the Appalachian Regional Development Act and the Public Works and Economic Development Act.

Subsection (d) authorizes the Secretary to make grants in contracts with public or private nonprofit agencies to carry out research and demonstration projects under this section.

Subsection (e) authorizes the transfer with the approval of other agency heads, of funds to the Secretary for research purposes under this part, provides that the Secretary shall through the Office of Child Development coordinate all child development research, training, and development efforts conducted within the Department of Health, Education, and Welfare.

Subsection (f) authorizes financial assistance for child development and family service programs for the children of employees of the Federal Government.

Subsection (g) provides that the Secretary of Health, Education, and Welfare shall establish procedures to assure that adequate nutrition services will be provided in child development programs under this Act. Such services shall make use of the special food service program for children as defined in section 13 of the National School Lunch Act of 1946 and the Child Nutrition Act of 1966, to the fullest extent appropriate and consistent with such acts.

SECTION 302. FEDERAL STANDARDS FOR CHILD DEVELOPMENT AND FAMILY SERVICES

This section provides that the Secretary shall promulgate a common set of program standards to be applicable to all programs providing child development services with Federal assistance under this title, to be known as the Federal Standards for Child Development Services. Such standards shall be consistent with the Federal Interagency Day Care Requirements. A special Committee on Federal Standards for Child Development Services, consisting of parents and child development experts, is to be established for the purpose of participating in the development of such standards.

SECTION 303. DEVELOPMENT OF UNIFORM MINIMUM CODE FOR FACILITIES

This section provides for a special committee to develop a uniform minimum code for facilities, to be used in licensing child development facilities dealing principally with matters of health, safety, and physical comfort. Upon approval by the Secretary, standards contained in the code are to be applicable to all projects assisted under this Act.

SECTION 304. MORTGAGE INSURANCE FOR CHILD DEVELOPMENT FACILITIES

This section establishes a program of mortgage insurance for child development facilities, to be administered by the Secretary of Health, Education, and Welfare.

SECTION 305. OFFICE OF CHILD DEVELOPMENT

This section provides for the Office of Child Development to be the principal agency in the Department of Health, Education, and Welfare for the administration of this title and for the coordination of programs and other activities relating to child development and family service research, training, and development efforts.

SECTION 306. SPECIAL COORDINATING COUNCIL

This section establishes by statute the Child Development Research Council.

SECTION 307. SPECIAL PROHIBITIONS

This section contains administrative provisions of the same kind usually set forth in similar legislation.

SECTION 308. WITHHOLDING OF GRANTS

This section provides that the Secretary may withhold funds for failure to comply with requirements of this Act after notice and opportunity for a hearing.

SECTION 309. FEDERAL CONTROL NOT AUTHORIZED

This section sets forth the prohibition against Federal control of education.

SECTION 310. SPECIAL PROHIBITIONS AND PROTECTIONS

This section provides that nothing in this Act shall infringe upon parental rights and directs the Secretary to establish procedures to insure that no child shall be the subject of research or experimentation under this Act unless the child's parent or guardian is informed and has the opportunity to except such child therefrom. This section also provides that the Secretary shall assume that programs providing care outside the home for very young children shall be reviewed periodically and frequently by the Secretary and that no such program shall be approved for assistance unless it is specifically authorized and approved by the Secretary.

SECTION 311. REPEAL OR AMENDMENT OF EXISTING AUTHORITY AND COORDINATION

This section provides for repealing, effective July 1, 1975, the authorization for Headstart and provides that where day care authorized elsewhere in the Economic Opportunity Act shall be provided, wherever feasible, through child care programs under this Act.

SECTION 312. TRANSITIONAL AUTHORITY

This section permits the Director of the Office of Economic Opportunity to waive al-

lotment and Federal share provisions under title II of the Economic Opportunity Act to relieve hardship resulting from the failure to continue the authorization for Headstart under the current section 222(a)(1) when this Act takes effect.

SECTION 313. ACCEPTANCE OF FUNDS

This section authorizes the Secretary to accept, for use under this Act, funds appropriated to carry out other laws if such funds are utilized for the purposes for which they are specifically authorized and appropriated.

Mr. DOMINICK. Mr. President, I yield 5 minutes to the Senator from Ohio (Mr. TAFT).

Mr. TAFT. Mr. President I support the Comprehensive Headstart, Child Development and Family Services Act of 1972. This bill, which was reported from the Labor and Public Welfare Committee, is the result of a bipartisan compromise between S. 3228, which I cosponsored along with 13 of my Republican colleagues, and S. 3193 introduced by the Senator from Wisconsin (Mr. NELSON) and co-sponsored by other Senators.

I believe that this measure represents a substantial improvement in several respects over title V of S. 2007, which the President vetoed last December.

I want to commend all concerned for their tolerance and patience in working out the terms of the compromise. Particularly I would like to say a word for the Senator from Minnesota (Mr. MONDALE), who has taken the leadership in this connection.

I am pleased that this bill is being considered separately, and not attached to the OEO extension, as it was previously the bill which was vetoed. At that time Members of the Senate may recall, I moved to attempt to separate the child development section from that bill, and had that been done, I feel we might have had a better chance of achieving workable legislation at an early date and also given more certainly to the existence and continued life of the OEO.

I have consistently urged that this important measure be debated on its own merit without delaying or hampering the consideration of the OEO extension.

This bill would make it possible for thousands of parents to work or further their education to improve the well-being of their families with the confidence that their children have the opportunity to participate in quality educational day care programs. I believe that this measure would be a desirable complement to the welfare reform legislation which we will soon be considering. While there are guidelines to insure that the various programs are of a high quality, flexibility is provided so that these programs can be designed to meet the needs of the families who choose to participate.

I believe that the administrative workability of the programs in this act has been improved substantially. This bill gives State and local prime sponsors clear responsibility for planning and implementing the programs. The role of the family service and child development councils has been changed from a policy making one to that of approving the plans developed by the prime sponsor. I believe that this arrangement is much sounder than the prior arrangement in which the councils themselves had some really administrative responsibility, and I did not feel they were bodies set up to take advantage of that administrative responsibility. All of the responsibility for proposing the type of programs to be carried out in the entire project is now left to the prime sponsor.

Other improvements in the bill include a more realistic authorization—$150 million for start up in 1973 and $1.2 billion for fiscal 1974, as opposed to $2 billion authorized for fiscal 1974 in S. 2007.

I call to the attention of the Senate that, in using these figures, I include the level of planning and authorization in the Headstart program of approximately $500 million per year. That amount is included in the $1.2 billion figure which I mentioned for fiscal 1974.

The provision for annual family service plans is to be submitted by the States to insure statewide coordination, and there is an increased authorization for training.

Later today, or tomorrow, I hope to introduce a clarifying amendment further extending the wording of the bill as proposed presently with regard to providing opportunity for individuals to receive training for the increased need which already exists, and which will become even more apparent as we go ahead with this program, for trained both professional and nonprofessional personnel to properly carry out this program.

I support also the basic fee schedule provisions in the bill, which were worked out with the administration last year. This represents one of the principal compromises which was arrived at, and erases one of the objections that the President expressed in his veto message. Under the plan as it is presently in this bill, free services would be provided to families with incomes up to $4,320 for a family of four, with modest fees between that level and $7,214, the so-called lower living standard of the Bureau of Labor Statistics. The Secretary of Health, Education, and Welfare would establish the fee schedule for families with incomes above that level.

I support the committee report and the additional views. Significantly, the committee bill includes an additional provision to insure that any schedule established by the Secretary will permit continued participation as income rises, and that prime sponsors may request permission to charge fees below those prescribed in order to meet special local circumstances.

Mr. President, I believe this bill will go a long way in providing a sound basis for profitable and effective day care coverage for many, many young Americans who are not getting it today. The Headstart program has been an important start forward. I think those of us who participated in its inception—back in my first term in Congress I recall we had the hearings and started out to authorize this program—it has certainly done much good. This program has the potential to expand and achieve an additional amount of good over and above present efforts being carried out by Headstart. I believe it deserves the support of the Senate, and I hope we will act favorably upon it.

Mr. DOMINICK. Mr. President, I yield 10 minutes to the distinguished Senator from Tennessee (Mr. BROCK).

Mr. BROCK. Mr. President, at the outset, lest there be any misunderstanding, let me state my categorical opposition to this legislation.

Mr. President, why must we deprive the children of this Nation of parental and kindred care by creating incentives to effectively deposit a bundled baby on the steps of an institution each day

If one accepts the premise that child rearing is best done by parents and families, then why we do not seek programs to encourage the family or neighborhood to take care of their own children?

Why not institute incentives to elderly family members who spend time in child care? Such a program could have any number of salutory effects in sustaining the family unit. What we are being asked to vote on today, while somewhat less bad than the measure vetoed by President Nixon last December, gives impetus to the forces wrenching at today's family.

Mr. President, this bill attempts to inject its plethora of councils and committees, interpositions and bureaucracies, in the lives of children. Such bureaucracies are sterile, infinitely preconditioned and arrogant, serving only to deprive the individual of social skills which would help him to strengthen his family and his community.

In the press of important business in this session, many have not had the opportunity to give this bill the thought it deserves. Many of us who have studied the proposal have come away deeply disturbed about the assumptions upon which it is predicated. Certainly one person who was concerned by the previous child development program, vetoed by the President last December, was William Shannon, editorial writer for the New York Times. In his article in the New York Times Magazine of last April 30, Mr. Shannon, who clearly considers himself a liberal, expressed his nearly complete agreement with the reasoning behind the President's veto. In particular, he pointed out that "much hard-earned human wisdom" lay behind the President's contention, expressed in his veto message, that:

All other factors being equal, good public policy requires that we enhance rather than diminish both parents involvement with children.

Mr. Shannon declares that he can only agree with this principle, and asks rhetorically:

Are child-development centers desirable for any children other than the most damaged and deprived? The unpopular truth is that any community facility—call it a day-care center or a child-development center—is at best an inadequate, unsatisfactory substitute, and at worst a dangerous, destructive substitute for a child's own mother.

If the scope of this bill were reduced to this central issue, the overwhelming

majority of American citizens would agree with its position. Perhaps, even the great majority of my distinguished colleagues would agree with it too. I certainly do.

How do we develop the premise that effective means should be found to strengthen the family rather than weaken it? By forcing the Federal Government to interfere in family structure? Hardly. Mr. Shannon suggests that if we really wish to strengthen the family—and the bill's proponents claim that this is in fact what they wish to do—then it would be preferable to make direct money grants to mothers to take care of their own children. This would reduce their incentive to take outside employment, to leave their sons and daughters in the care of people who have no direct interest in them. By such an action, Mr. Shannon states the Government would make it clear that it considers child rearing an important task, too important, one might add, to be left to impersonal experts.

Mr. Shannon remarks:

It is a rare and exceptionally gifted woman who does something more important in the outside world than she does during those critical first six years when she is helping to form the personality and character of a child.

He is right.

President Nixon, Mr. Shannon, and a number of other people who have written on this subject are pointing us in the right direction, whereas the proposed legislation would take us very much in the opposite direction.

I cannot state that Mr. Shannon's idea of direct money grants to mothers is the best way of approaching the matter, but it is infinitely preferable to the arrogance underlying this proposed legislation. Should we not test his and other suggestions before being stampeded? Cries that opponents of this bill are "antichild" are ridiculous. There are many preferable alternative approaches to child development, and only a fool would refuse to seek new and better ideas.

One avenue which strikes me as meriting more thorough investigation than it has received up to now is the voucher system. It could be aimed more precisely at the economically disadvantaged. It would give them infinitely more "control" over the programs in which their children are enrolled than membership on any number of the child and family service councils, local program councils, and project policy committees, envisioned by the drafters of the current bill.

A parent armed with voucher will have an effective "economic vote," for those who run child development centers will be aware that they must tailor their programs to meet the wishes of parents and the needs of children or else go out of business. In fact this was said by the National Urban League in its written statement of June 3, 1971, to the Subcommittee on Children and Youth and the Subcommittee on Employment, Manpower, and Poverty:

We recommend some type of direct appeals process for parents who can demonstrate that a center does not serve the best interests of their children and themselves. One alternative might be to provide temporary vouchers to allow them to seek services on the "open market" in order to provide needed services until they are able to obtain either the changes deemed necessary in the center in which they enrolled or until they no longer require the service.

The idea of an appeals process in the proposed programs seems extraordinarily clumsy, but the notion of vouchers here is very much in order.

Moreover, Mr. President, it would be desirable, and probably possible, for a voucher system to be devised in such a way that a premium could be placed upon child care in the family—preferably the child's own family, as in the instance of Mr. Shannon's proposed direct money grants. The problem of designing a system based upon either direct money grants or vouchers for improving the raising of children is a very complex one.

Of course, it is difficult at best to devise a procedure to insure with reasonable certainty that the funds allotted are used for the purpose allotted, to see to it that funds are not diverted for other uses or misspent. It will be impossible to guarantee that all vouchers, say, will be used wisely by parents in the lower income groups. But then, even high-income individuals do not always spend their money well, nor does this Congress. The Government must not put itself in the business of supervising the decisions of every individual.

Mr. President, by rejecting the bill before us today and going on to work along the lines I have sketched—those of either a direct money grant or voucher system—the Congress of the United States will affirm its belief in the family as the fundamental building block of any society. It would, at the same time reject the view that each child, viewed atomistically as only one component of the mass, should become the ward of the State.

By leaving the ultimate responsibility for decisions relating to a child's welfare in the hands of parents rather than government bureaucrats, we by no means ensure that these decisions will always be wise ones, but we will affirm our belief that decisions as to the welfare of a child are best made by those closest to him.

The tie of "flesh and blood" is still basic. We should seek to strengthen it, rather than replace it with that desiccated link which we usually find between social worker and client. We should make it clear by our actions here today that we have faith in the ability of the individual to make decisions about his own future, in the ability of the family to resolve its own problems. We should limit our assistance only to those instances in which the individual or the family has so clearly failed that they recognize their plight themselves and feel they have nowhere else to turn.

In sum, the Federal Government should be the court of last resort rather than that of first resort. The proponents of this child development legislation would now encourage us, and later perhaps compel us, to look first to the State for the resolution of purely personal problems. This is an approach which I reject, Mr. President, and I urge my colleagues to join me in rejecting it.

The PRESIDING OFFICER. Who yields time?

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

Mr. DOMINICK. I yield the Senator from Tennessee an additional 3 minutes.

Mr. BROCK. I yield.

Mr. TAFT. Mr. President, I know that the Senator is a fiscal conservative and that he would seek a solution to these problems which would be consistent with the overall economic well-being of the Nation. I am interested in his apparent espousal, or almost espousal, of the concept of a direct payment to the mothers involved. I think the figures in connection with the proposal merit some attention.

The figure we have as to the number of families in which there is family income of $7,000 or less is 6,806,000. If we take a family allowance and start throwing around the kind of allowance it seems to me the Senator is talking about, and if we are asking a working mother—there are approximately 1 million of them with family incomes at those levels—to leave the job market, I think we are talking about an amount that might be estimated at $2,000 per family.

Is the Senator suggesting that we ought to be talking about a direct grant program running in the neighborhood of $14 billion, just on the arithmetic of 7 million such families and children involved? It seems to me that the cost involved about which the Senator is talking is enormous.

It does point out what I have attempted to point out and what I think the Senator from Minnesota has attempted to point out—that this program goes hand in hand, really, with H.R. 1 and a family allowance type of approach to the problem. It is not anything more than a mere extension of the Headstart program, which I do not believe the Senator opposes, into a slightly broader realm, broader scope, in an attempt to handle problems that apparently are not being handled.

I hope the day will come when all children can be taken care of in their own homes, and adequately so, and we will not have the problem of working mothers that we have today.

I should like to get the Senator's figures pinned down as to how he feels the problem could be handled from a fiscal point of view, if we take the view suggested by the New York Times editorial.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOMINICK. I yield 3 additional minutes to the Senator from Tennessee.

Mr. BROCK. That was an extensive question. I will try to answer it briefly.

I really think that the fundamental premise we have here is what the cost is for the child who is, by incentive or otherwise, taken from its family. This bill would motivate the dissolution of family care, family sharing, family concern. To me, there is no possible way to calculate the cost of that to the child.

The studies I have seen are from really good child care centers—some in Chicago and Israel. They still reflect an enormous psychological impact upon the child.

For the life of me, I cannot see how the Government could create an incentive program to encourage a woman to

choose the work market over her responsibility of trying to provide her child with every ounce of love available to it, so that it can grow up with dignity and love for other people. I do not think that can be found in a child development center.

The pressure is going to come on Congress and the Government to provide the centers in every community. No one can stand before this body and say there are enough people with Ph. D.'s in psychology and all the rest to staff those centers. The result is that you are going to have wards, you are going to have warehouses, in which you take the responsibility of these babies from their mothers.

So that the question is not employment. I think there is a better way to do it. I think the mother, when she has that child, accepts the responsibility. I see no reason not to recognize that. We do it in the family assistance program. We do take cognizance of that. We are not requiring them to work until the child has reached the age of six. Why create an additional system of motivation which puts economic pressure on that family to dissolve itself and to abdicate the most fundamental principles a family has, which is the rearing and loving of their children?

The PRESIDING OFFICER. Who yields time?

Mr. DOMINICK. I yield myself 15 minutes.

Mr. President, I congratulate the Senator from Ohio, who is the ranking minority member of the subcommittee, the Senator from Minnesota, and the Senator from Wisconsin for the work they did on the bill when it was considered in subcommittee and in committee. It is an enormously complex problem, and the further one gets into the bill the more complicated it becomes.

We had some executive hearings on the bill in the markup. A considerable number of changes were made to it. I believe there was some study and some consideration of the philosophical points involved. But I am not a bit certain that, under the pressure of work within which the Committee on Labor and Public Welfare operates, sufficient attention was given to the mechanics of this bill in order to avoid the pitfalls that the previous bill contained or in order to avoid what I think is the fundamental pitfall; namely, promising more than we can produce. Over and over again in the past few years Congress has, through legislation, with high ideals, promised to the American public great, flaming new programs which will solve all the social evils of the country. This is one more of that kind of idealistic approach. I have nothing against ideals. I am for them myself, but I wish Congress would not go on spending the taxpayers' money thinking it will be a panacea for all our country's social ills and then not be able to solve most of the ills to which the legislation addresses itself.

I made some individual comments on the bill in the report, some of which I think are worthwhile repeating here. I voted to report the bill so that we could get it out on the floor and consider more fully many of the problems which I felt were inadequately dealt with in committee. I hope, in the process of consideration of this bill, in the limited time we have, through consideration of the amendments which I will propose and other amendments which other Senators will propose, that we can correct some of the defects in the delivery system.

But, frankly, even if we do correct them, even if we are able to make this one of the more efficient bureaucratic systems, I doubt that we will get to solve the basic problem the Senator from Minnesota is trying to address himself to.

First, I would say that last year's veto talked about fiscal irresponsibility, pointing out that there was $2.1 billion authorized for the program over 2 years. Now that is not $2.1 million, that is $2.1 bill.

What we have done in this bill?

We have authorized $2.9 billion over a 3-year period, the first year's authorization to be devoted to planning and mechanics and then the major proportion of the authorized amount will be spent in following 2 years.

In fiscal years 1974 and 1975, 2 years, we will authorize for appropriation $2.8 billion, when a lesser amount in the previous bill was categorized as being fiscally irresponsible.

So it seems apparent that this has not been cured. As a matter of fact, we have put a little additional custard on top of the pie.

One other point that came up was a series of extended discussions, arguments, and votes, in connection with the size of the prime sponsorship. Last year's vetoed bill contained a prime sponsorship population requirement of 5,000.

In the process of the veto measure, it was pointed out that this would create so many operating units that it would be totally impossible to find personnel to staff the centers.

This year, the bill contains a prime sponsorship population requirement of 25,000 people or more.

Now, every person who has a knowledge of the presently available number of trained personnel, everyone I have heard of, including HEW, and Jules Sugarman and a significant number of others, have said that we should have a population requirement of 100,000—not 25,000, but 100,000.

If we had 100,000, we would reduce the eligible sponsors to 484 which would bring this program within the realm of administrative workability.

With 25,000, there would be 2,100 eligible applicants which is about 900 more than the present Headstart program with which they have had grave difficulty geting the program into operation.

So I would say to you, Mr. President, that, mechanically speaking, 25,000 simply does not make any sense.

Furthermore, the 25,000 is put in without any doubt whatsoever—as can be determined from the members of the committee who took part in the debate—to try to get the prime sponsorships to be within a State instead of being "a" State, in order to have the local areas within the State competing against each other for funds, instead of letting the State be the sponsor and thereby working out within the State what the necessary areas are for the centers, and how they can be best coordinated with existing programs.

I argued this point before the committee. I got nowhere with it there. But I bring it up again because I prophesy that if this bill gets through and does not get vetoed—and I think that is somewhat unlikely if it is still in its present form—then when we get into the actual operation and get into the number of applicants called for under the 25,000, we will be in serious administrative trouble.

We then have an absolute bureaucratic monstrosity, if I may say so with all due deference to the distinguished Senator from Minnesota (Mr. MONDALE), of committees, councils, and subcommittees—not advisory committees, but actual operating committees. I drew a diagram of this, which appears on page 58 of the report. Reference to that diagram clearly demonstrates that we have so many overlapping local councils, State councils, program committees, that the prime sponsor, in fact, does nothing. The Secretary has very little discretion left to try to decide which will work and which will not. In fact, there is no requirement that any councils or committees ever reach a decision. Nevertheless, that decision has to be reached and made before any program can go forward, so that any one of the councils could sit on its hands as long as it wants to. No matter how many other people want a program to start, it could not even operate. I would say that that is another very vexing problem.

It is interesting to me that on the calendar the bill is listed as the Headstart bill. The bill itself is said to strengthen and expand the Headstart program. The fact is, there is about as little relationship between this program and Headstart as it is now operating as there is between a monkey and an elephant. There is no relationship.

Let me indicate some of the things which are supposed to be carried out under the program.

Child development and family services program. That means programs—this is found on page 5 of the bill—as follows:

"Child development and family service programs" means programs on a full-day or part-day basis which provide the educational, nutritional, health, and other services needed to provide the opportunity for children to attain their full potential, including services to other family members related to the full educational and other development of children;

Now, Mr. President, I submit that there is a built-in determination already made that someone knows what the educational, nutritional, health, and other services are which are needed in order to raise a child to his full potential. Well, with all due deference, I do not even know that with respect to my own children.

But I do not know how we are going to find experts who can do this with regard to children who will go into the day centers so that the mothers can go to work. I do not understand where we will find the expertise in order to provide an answer as to what services are needed in order to allow children to obtain their full potential.

Mr. President, I have seen many children, and I am sure the Presiding Officer has, that have been well cared for, who have been well educated and who have come to the determination that they did not want to do anything, and they have not. They have either dropped out or have not realized their full potential. They have been taken to psychiatrists and psychologists, and they have not proven very much to themselves or to anyone else. However, they have had the benefit of all the services that are supposed to be the very best from the very beginning.

I would say once again and try to emphasize as I have ever since I have been in Congress that there are differences between people, and we cannot get some kind of predetermined standard set up by an expert in Washington and determine that this is the mechanism by which a child will reach his potential. It takes far more than that.

There are other items dealing with the same thing, whether this is Headstart or not. Home services and consultation must be provided for the families of preschool age in providing for the healthy growth and development of each child's full potential. Once again we will send people in and say, "Your kid isn't reaching his potential, friend." And you will have to do something to correct this.

This is what this bill is about. Already some programs provide for day services and activities for children when there are no parents to provide any. There is a list on pages 8 and 9, and we can go back to the definition on page 5.

I referred to the size of the sponsorship once before, saying that it was 25,000. And it is true that on page 13 it says that a prime sponsor may be any State or any unit of local government or any combination of such units having a total population of 25,000 or more persons.

Then it goes on to another one. Then it goes on to No. 3. That says "any unit of local government or any combination of such units, without regard to population, subject to a demonstration by the applicant that it has the capability to carry out adequately a comprehensive child development and family service programs, and that is a particular demand for services and availability of resources within the area to be served."

Presumably, 10 people could be eligible under this bill. Certainly we could have any local educational institution or any local governmental institution which thought it had the eligibility, make the application, and it would be eligible, whether it had 25,000 or not.

So when I said in my original views 2,100, I am only talking about 2,100 eligible applicants. If we talk about 25,000 or more, if we include paragraph 3 on page 13, we could have as many prime sponsors as there are organizations in the country.

Any Indian tribal organization, regardless of size could be a prime sponsor. Then it goes on in (5) to any other public or private nonprofit agency meeting the requirements of subsection (h) of this section.

All I can say with respect to this is that it is wide open, that 25,000 really does not limit the applications at all. We will have far more applicants than the 2,100 that I referred to in my individual views, or at least there is an opportunity for them to apply.

I would say that we have not met the veto objection on this point.

Then we go on to the question of bureaucracy. And this is a honey. I am not sure I can explain it. I am not sure I can stand here, having been all the way through the hearings and all the way through the markup by the committee and having read the bill and having looked at the wording of the language, and try to explain it to the Senate.

I certainly cannot, at least not without the chart on page 58, showing what the various areas of responsibility of the committees and councils are. In any event, we have to set up a child and family service council. And usually when we set up committees and councils in addition to a prime sponsor, we set them up in an advisory capacity. However, we do not do that here.

This is what we do with the child and family service council in this case. They will be entitled to approve annual program statements, basic goals, policies and procedures, and the selection, establishment, or other renewal of any agency or agencies under paragraph 3 of this section, and will be responsible for annual and ongoing child development and family service programs contained in the prime sponsor area.

This is what the child and family service council does. It is an operating group. Then we come to local program councils and project policy committees. The project policy committee is found on page 37. It has responsibility for approving basic goals, policies, actions and procedures for the project applicant and for planning, overall conduct, personnel, budgeting, location of centers and facilities, and direction and evaluation of projects.

So, we have one child and family service council doing one thing. We have the local program council, not the project policy committee, doing more than that. And on page 30 of the bill we have the provision that all project applications shall be approved by the prime sponsor only if previously approved by the local program council for the appropriate local family service area.

So, we have three separate groups depending upon who the prime sponsor is; and either one or any one of them, as far as I can determine, has a veto power over whether or not the prime sponsor is making any sense in its application or in fact can operate this as a prime sponsor; and in fact in each case reviewing, what the other has done.

It is so complicated that I doubt very much whether any area is really going to be able to get off the ground insofar as this maze of bureaucracy is concerned.

Now we have something else that is interesting—the formula as to how this money, $2.8 billion in 2 years, is going to be spent.

I did not bring this up in my individual views at all.

Page 46 of the bill says that 50 percent will be apportioned among the States and then within each State among the local areas in proportion to the relative number of economically disadvantaged children in each State.

That means that for a change, at least, we are giving one-half of the money in the area where needed. In other words, it would be where the economically disadvantaged kids are. I think that is good.

Then, it states:

(B) 25 per centum thereof shall be apportioned among the States, and within each State among local areas, in proportion to the relative number of children through age five in each State and local area, respectively; and

That means that any child, even if his father is a multimillionaire, is included in the formula.

The next section reads:

(C) 25 per centum thereof shall be apportioned among the States, and within each State among local areas, in proportion to the relative number of children of working mothers and single parents in each State and local area, respectively.

This is an incentive to go to work and an incentive to be a single parent, then you get more money in the State for the purpose of developing these programs.

But there is something very interesting about this. I have not gotten to the bottom of it yet. I may make further comment on it tomorrow. I turn now to page 78 in connection with the formula and I find there are charges in the formula grants for other programs which have been developed very carefully within the bill, so that the method by which people have determined what allocation of funds they will get under OEO or under other pieces of legislation which bear on child development or economic development have been changed by this bill. I have not yet been able to make an analysis to find out what the changes are and to what extent they will bear on the formula allocation given on page 46 of the bill.

Then, we have Federal control of individual citizens. It is not actually as strenuous as it was in the previous bill which was vetoed. Some of the saving provisions may take it out of a condition which would let people say, as they did before, that this was some kind of youth camp, similar to the ones Germany had, but we have some interesting provisions here.

On page 57 of the bill we have the Secretary with power to conduct demonstration and experimental model programs "subject to the fullest extent practicable to each of the requirements with respect to project applications under section 105." In other words, the Secretary can run his own program with respect to nutrition, health, and developing the full potentials of a child.

There is nothing wrong with trying to do research in these programs but I have some doubt as to whether or not we should have the Secretary of Health, Education, and Welfare running one of the centers, and still saying that we can do this, because you have to get consent of the parent.

This is clear on page 74 under section 310(a)(2).

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

Mr. DOMINICK. I yield myself 2 additional minutes.

Then, you have to go a long way to find it and you have to go through the bill item by item before you can find a number of things.

I shall not take any more time of the Senate tonight. I send to the desk several amendments and ask that they be printed.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

Mr. DOMINICK. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. MONDALE. Mr. President, I do not plan to use much further time this evening. I tried to make the points which I think needed to be made in my opening remarks.

This is a measure with which the Senate is quite familiar. We had a long debate and several votes on essentially the same amendments which I think will come before us in the next day or so. I think the Senate is quite familiar with the issues with which we are here concerned.

One of the key arguments used by some opponents of this measure and one which is frequently seen in right-wing journals is that this measure is designed to undermine and weaken the family. This is a charge which I dismiss categorically as being unfounded. In fact, the reverse is true. This measure recognizes that the best place for a child is at home with a healthy, stable, united family. The trouble is, however, that we have millions of families which are either tragically impoverished, deeply divided, or in which, for economic reasons, both parents find it necessary to seek employment. This is not an opinion; it is a fact which I think cannot be denied.

One-third of all mothers with preschool children are working today. One-half of all mothers with school-age children are working today. This trend was not caused by this measure. This trend was caused by the economic predicament in which families now find themselves.

There is an alternative we could take which has been suggested by some, and that is a massive, multibillion dollar subsidy program for families of limited income to make it possible for one of the parents to remain home and not to work. I have not heard any of the opponents of this measure remotely suggest they would support anything near that kind of proposal. So the children of poor families are left with advice but no help. And particularly the tragically cheated children from many broken homes and tragically impoverished homes are left with insufficient food, no health care, no emotional support, no educational stimulation, and no hope. The question is whether they are going to be caught in the crossfire of political debate or whether Congress is going to act upon the almost unanimous advice of people in this field, and practically all organizations that represent experience and understanding in this field. The question is whether we will respond to the top recommendation of the President's White House Conference on Children, and begin a program along that line embodied in the measure before the Senate today.

I have seen, as have many of my colleagues, the predicament which many of these children face and confront in those highly vulnerable first years of life.

This proposal seeks to strengthen the family, assist the family where it needs help in fulfilling those fundamental obligations and responsibilities of a family to its young. It seeks to help families where, because of enormous poverty or because of the need to work, it becomes necessary for both parents to be working during the day. In those cases it seeks to provide an alternative which is helpful, supportive, and developmental during the hours when that becomes necessary.

We tried to establish a system of help which assures that these programs will be under the control of the parents whose children are involved. We have a program which is totally voluntary. There is no compulsion whatsoever in this proposal.

One of the key disputes in the development of this measure has been between those of us who favor heavy parental control on the one hand and those, on the other, who want it run by remote State welfare bureaucracy far distant from the home and usually operated under a system of incentives which I think would be destructive of family life and destructive of the best interests of these children.

So I am hopeful that some of the scare rhetoric that we hear from time to time and exaggerated talk about warehousing of children, and expressions of that kind, would be rejected and that we could have a responsible, balanced discussion of what this measure involves.

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

Mr. MONDALE. I yield.

Mr. TAFT. I want to commend the Senator particularly because of certain remarks that were made earlier by some of our colleagues who used the word "warehousing." This implied something that is directly contrary to my understanding of the purposes of this legislation. In fact, if there is a major purpose of the legislation, I think it is to prevent the warehousing of children that is growing with the growth of day-care centers without adequate controls and without adequate leadership and without adequate research or study of exactly what is being done.

In the committee hearings, as I listened to what is the problem, it is that we have an increase really in what amounts to warehousing of children today with the growth of working mothers. We are trying, as I felt, to go in the opposite direction, to provide meaningful hope for those who want to remain in their homes rather than mere custodial function performed by the day-care center.

Mr. MONDALE. I think the Senator from Ohio is inarguably correct. A recent survey of the National Council of Jewish Women reported on their survey of day-care centers around the country, and they concluded regrettably that most are in the custodial rather than in the developmental category; and that many of them provide such few services to the children as to pose a very serious danger of psychological damage. The child should be at home with his parents, if it is possible. If, for the reasons we have cited, an alternative becomes necessary, we ought to be sure that that child gets the emotional support, educational help, health care, and stimulation that are needed. Regrettably, some people are trying to find a way out through these custodial kinds of warehousing which, in order to save a few dollars more, lose a generation of children who have just been denied what is needed. So the whole thrust of this measure is, No. 1, to help parents and families in the home.

People call this a day care bill. It is not a day care bill. Its first purpose is not that of day care. Its first purpose is to help the family and it is to furnish the child developmental help, which is distinct from the custodial warehousing of children. That is a distinct element of this proposal.

If I might impose on the Senator from Ohio for a moment, I would like to report what kind of organizations support the measure which the Senator from Ohio helped to write.

I have a letter here from the Board of Christian Social Concerns of the United Methodist Church, signed by its general secretary, strongly supporting the pending legislation.

I ask unanimous consent that the letter appear in the RECORD at this point.

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

BOARD OF CHRISTIAN
SOCIAL CONCERNS OF THE
UNITED METHODIST CHURCH,
Washington, D.C., June 1972.

Hon. WALTER F. MONDALE,
Chairman, Senate Subcommittee on Children and Youth, U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: On behalf of our Board staff I would like to indicate our support for S. 3617, the Comprehensive Headstart, Child Development and Family Services Act of 1972.

Our 1968 General Conference of The United Methodist Church favored the objective of "supplemental educational and cultural experiences for pre-school children." In addition, the Social Principles of The United Methodist Church, adopted in Atlanta in April, 1972, declared: "We urge social, economic and religious efforts to maintain and strengthen families in order that every member may be assisted toward complete personhood." This document also stated: "We support the development of school systems and innovative methods of education designed to assist each child toward full humanity."

We believe that these objectives will be at least partially achieved through the enactment of S. 3617. This measure should help to strengthen family life by providing the assurance of meaningful day care for those children whose parents, of necessity, must work outside the home. The developmental services for children in terms of education and health should be most advantageous. Also, the after-school and part-day care will help to relieve anxious parents of the burden of otherwise inadequate supervision and training of their children, thus substantially strengthening family life. In addition, the

child development classes for parents should greatly enhance the quality of family living for all who are its beneficiaries.

We strongly urge Members of the United States Senate to back this bi-partisan effort to provide adequate child development and family services for the nation's families.

Yours sincerely,

Dr. A. DUDLEY WARD,
General Secretary.

Mr. MONDALE. I have a letter from the American Baptist Convention, signed by John W. Thomas, director of the Department of Governmental Relations, supporting the measure now before the Senate.

I ask unanimous consent that it appear at this point in the RECORD.

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

AMERICAN BAPTIST CONVENTION,
Washington, D.C., June 19, 1972.

Hon. WALTER MONDALE,
Chairman, Senate Subcommittee on Children and Youth, U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: Please find enclosed a letter from our Department of Ministry with Children in support of S. 3617, the Comprehensive Headstart, Child Development and Family Services Act of 1972.

Please utilize this letter in whatever way that you think best suited to help bring passage of this legislation.

Thank you for your concern and leadership in this important area of family life and responsibility. If our office can be of any further assistance, please do not hesitate to call upon us.

Sincerely,

JOHN W. THOMAS,
Director, Department of Governmental Relations.

AMERICAN BAPTIST CONVENTION,
Valley Forge, Pa., June 19, 1972.

Hon. WALTER MONDALE,
Chairman, Senate Subcommittee on Children and Youth, U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: On behalf of the American Baptist Convention, Department of Ministry with Children, I would like to indicate our support for S. 3617, the Comprehensive Headstart, Child Development and Family Services Act of 1972.

We realize the crucial importance of the early years in a child's life, not only for physical and intellectual growth but for social and emotional as well. These are the formative years in which permanent foundations are laid for a child's feeling of self worth and confidence in his ability to achieve.

We believe that the Senate, through S. 3617, has the opportunity to improve the quality of health, nutrition and education services to young children. This measure should help to strengthen family life by providing meaningful day care for children whose parents, of necessity, must work outside the home. In addition, the child development classes for parents, provided for by this bill, would greatly enhance and augment the quality of family living for all; consequently, a whole generation of children and parents would be the beneficiaries of the kind of learning experiences which would enrich both the children's personalities and the parent's understanding.

For these reasons, we strongly urge members of the U.S. Senate to support this bi-partisan effort to provide adequate child development and family services for the nation's families.

Sincerely,

LINDA ISHAM,
Director, Department of Ministry with Children.

Mr. MONDALE. Mr. President, I have a letter from Ralph E. Smeltzer, representing the Washington office of the Church of the Brethren, strongly supporting the measure as embodied in S. 3617. They say:

Since we feel it would not only aid the individual child, but would strengthen the family unit, by helping each member of the family unit feel a sense of personal worth.

I ask unanimous consent that that letter be printed in the RECORD.

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

CHURCH OF THE BRETHREN,
Washington, D.C., June 19, 1972.

Hon. WALTER F. MONDALE,
Chairman, Senate Subcommittee on Children and Youth, U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: The members of the Church of the Brethren have always been concerned about the social welfare of all persons and have consistently supported legislation which furthers social welfare for all persons. As a body, the Church of the Brethren has said that "as some of the deepest concerns of our church, we favor continued and more effective provision for needy Americans, such as the aged, the poverty-stricken, the unemployed, delinquent or predelinquent youth, and underprivileged children."

We, therefore, wish to lend our support in favor of the Child Development Bill, S. 3617, since we feel it would not only aid the individual child, but would strengthen the family unit, by helping each member of the family unit feel a sense of personal worth.

Sincerely,

RALPH E. SMELTZER,
Washington Representative and Social Justice Consultant.

Mr. MONDALE. Mr. President, I have a letter from the United Presbyterian Church of the United States, signed by Mary Jane Patterson, its associate director for national affairs, strongly supporting this proposal, which I ask unanimous consent to have printed at this point in the RECORD.

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

THE UNITED PRESBYTERIAN
CHURCH IN THE U.S.A.,
Washington, D.C., June 19, 1972.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: The Washington Office of the United Presbyterian Church U.S.A. supports the comprehensive Head Start, Child Development and Family Services Act of 1972, Senate Bill-3617.

A careful reading of this bill leads us to the conclusion that its provisions will help to straighten family life.

The United Presbyterian Church U.S.A. has a long history of concern for the total development of children. We believe this bill is a step in the right direction.

Sincerely,

MARY JANE PATTERSON,
Associate Director for National Affairs.

Mr. MONDALE. Mr. President, I have the following letters, which I ask unanimous consent to have printed at this point in the RECORD:

A letter from the Religious Action Center, Union of American Hebrew Congregations, signed by Marvin Braiterman, strongly supporting this bill; a letter from the National Council of the Churches of Christ in the United States, signed by David M. Ackerman, strongly supporting this proposal; a letter from the National Committee Against Mental Illness, signed by Mike Gorman, strongly supporting this proposal; a letter from the American Parents Committee, Inc., signed by George J. Hecht, strongly supporting this legislation; a telegram signed by Stanley J. McFarland, director of government relations, National Education Association, strongly supporting this proposal; a resolution adopted by the resolutions committee of U.S. Conference of Mayors; a letter signed by the Joint Washington Office for Social Concern, representing the American Ethical Union, American Humanist Association, and a Unitarian Universalist Association; a letter signed by the American Psychological Association; a letter signed by the Maryland Psychological Association; a letter signed by the AFL–CIO.

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

RELIGIOUS ACTION CENTER,
Washington, D.C., June 16, 1972.

HON. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: The Union of American Hebrew Congregations and the Central Conference of American Rabbis, which we represent in Washington, strongly support the pending Comprehensive Head Start, Child Development and Family Services Act of 1972 (S. 3617).

For many years our organizations, which comprise respectively the congregations and rabbis of American Reform Judaism, have advocated legislation that would enhance the lives of and opportunities for children who are reached by your bill. We believe that the pending legislation enhances the quality of family life in America, and would represent a significant legislative aid both with reference to the current deficits of disadvantaged children in education and in terms of social and economic opportunity. We are particularly attracted to the fact that the legislation seeks to deliver services to children, of a comprehensive character, which goes far beyond prior federal programs, and which we believe can have, if adopted, a significant multiplier effect that may dramatically improve the quality of life for poor people generally and poor children in particular.

Last year, we were heartened by Congressional passage of similar legislation and disappointed when the President vetoed it. We hope that this year both Congress and the President will see it through to fruition. To you, we express our admiration and appreciation for the leadership that you have furnished in continuing to press for this program.

Kindest regards.

Sincerely,

MARVIN BRAITERMAN.

NATIONAL COUNCIL OF THE
CHURCHES OF CHRIST,
Washington, D.C. June 16, 1972.

HON. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I understand that the Senate will soon consider the "Comprehensive Headstart Child Development and Family Services Act," which would provide for a network of developmental day care programs for children from families with low income and children whose parents are working. I write to express our support for this piece of legislation. The bill is, we think, a realistic and workable compromise.

The need for a national network of day care centers is clear. Mothers who are already working, mothers who want to work but cannot because there is no one to care for their small children, children who need the kinds of services that a developmental day care center can provide—all indicate that this is a public need to which the Congress ought to respond.

Yet fully as important as the need for day care itself is that the day care provided be of high quality, custodial day care such as that provided in Title IV of H.R. 1 is not enough and ill serves both the child and his family. The day care center must first of all be child centered. It must provide a range and quality of services that serve to develop the capacities of the child both cognitively and noncognitively. So that the day care center is a supplement to and not a substitute for the role of the family, there should be opportunity for significant input from the parents of the children served. S. 3617, we believe, amply provides both this focus on the child as a person in his own right and a significant role for parents.

For these reasons we hope that the Senate will act favorably upon your bill and express to you our great appreciation for your leadership on this legislation.

Sincerely yours,

DAVID M. ACKERMAN.

NATIONAL COMMITTEE
AGAINST MENTAL ILLNESS,
Washington, D.C., May 26, 1972.

Hon. WALTER MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I have had a chance to study S. 3617, the Comprehensive Child Development bill.

Our organization has been strongly in support of child care legislation during the past two years of hearings. I have made at least twenty-five speeches during that period of time in various parts of the country and have received an enthusiastic response to the concept of Child Care Development Centers from a number of organizations in the human resources field.

We have a liaison group of mental health organizations which meets monthly in Washington. I append to this letter a list of these organizations. At our last meeting, on May 24th of this year, we again discussed the status of the child care development legislation and agreed informally to give it the highest priority. While I cannot speak formally for the entire liaison group, I do wish to convey to you the feeling of the group that the passage of this legislation would probably be one of the most important—if not the most important—developments in the human resources and mental health field in the current year.

I congratulate you for your efforts on behalf of the legislation.

Sincerely,

MIKE GORMAN.

THE AMERICAN PARENTS
COMMITTEE, INC.,
New York, N.Y., May 8, 1972.

Att: Mr. Sidney Johnson.
Re: Child development legislation.

CHAIRMAN,
Senate Committee on Labor and Public Welfare, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: As national chairman of the American Parents Committee, and as publisher of Parents' Magazine, I would like to record our strong support for the "Comprehensive Headstart, Child Development, and Family Services Act of 1972", to be reported to the Senate by May 12.

The American Parents Committee, at our annual Board of Directors meeting on January 27, 1972, unanimously recommended support of such a comprehensive bill, and our Washington Report of April 1972 specifically advocated provisions of both S. 3193 and S. 3228. In addition, the May 1972 issue of Parents' Magazine, an issue devoted entirely to the unmet needs of American children, carries a special article on the goals of developmental Day Care, entitled "What Does Our Country Owe Its Children?" Because of the timeliness of this article, I hope it may be placed in the Congressional Record's proceedings of the Senate.

Sincerely,

GEORGE J. HECHT,
Chairman.

Senator WALTER MONDALE,
U.S. Senate,
Washington, D.C.:

The National Education Association Supports S. 3617, the comprehensive Headstart, Child Development and Family Services Act of 1972 as major step toward strengthening family involvement in early childhood programs, providing local control, and establishing proper relationship of education agencies to total program.

STANLEY J. MCFARLAND,
Director of Government Relations, NEA.

RESOLUTION ADOPTED BY THE RESOLUTIONS COMMITTEE OF THE U.S. CONFERENCE OF MAYORS REGARDING CHILD DEVELOPMENT:

Now therefore be it resolved that the U.S. Conference of Mayors urges the enactment of legislation which will provide for a comprehensive range of quality family centered child care services in order to assist parents if they so choose to provide their children with an opportuity for healthy and stimulating development. Be it further resolved that cities be given the opportunity to plan and coordinate such comprehensive programs at the local level. Be it further resolved that such programs be made available to families and children with economic or other special needs in direct proportion to that need.

JOINT WASHINGTON OFFICE
FOR SOCIAL CONCERN,
Washington, D.C., June 16, 1972.

Hon. WALTER MONDALE,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: The Joint Washington Office for Social Concern, representing the American Ethical Union, the American Humanist Association and the Unitarian Universalist Association, wishes to record its long-standing support for S. 3617, the child development bill.

We are convinced that the adult society is morally responsible for the prevention of child deprivation and the providing of developmental services for its children. We have been appalled by the high infant mortality rate in this affluent land and by the many recorded (to say nothing of the unreported) instances of child neglect and abuse. All three of our organizations have called for the funding of child care facilities and the creation of child development and familiy service centers throughout the country (see attached resolutions) because we are convinced that services of this nature will strengthen family life, reduce tensions which lead to family break-up and insure that all children be free of the medical, nutritional, and psychological handicaps which need not mar their lives in a society such as ours.

We further applaud the provision in S. 3617 that these services be provided free to families of four earning less than $4320 and for only modest fees for those earning up to $6960. This guarantees that the poor can raise their children without anxiety for the child's basic welfare, an anxiety which has plagued poor people for too long.

Who doubts anymore that early child deprivation and abuse is linked to later asocial and criminal behaviors? The adoption of a comprehensive child development bill is in the interests not only of children and parents but of all the nation's citizens as well. We urge its early and uncompromised passage.

Sincerely,

ROBERT E. JONES,
Executive Director.

AMERICAN HUMANIST ASSOCIATION

Resolution on Child Development and Day Care Centers (May 14, 1972)

Specialists in child care agree that the period from two to five years in a child's life is strategic in the development of physical and mental health and good social adjustment. Working mothers, therefore, must have assurance that the day care of their children will be more than a babysitting process. There is urgent need for quality day care and family service centers open to all families.

We urge the prompt enactment of federal legislation to create such centers throughout the country, available free to low-income families and on a sliding scale to all others.

AMERICAN ETHICAL UNION

1972—64th Annual AEU Assembly

Approved Resolution on: Child Development Centers—Family and Day Care Centers.

Recognizing, that the nation's children are its most precious asset; and

That, specialists in child care lay great stress on the importance of the period between birth and five years, when children respond most favorably to health and education programs; and

That, parents must have assurance that the day care of their children will be more than a baby-sitting process; and

That, there is need for quality day care and family services centers open to all families.

Therefore, be it resolved, that we urge Congress to pass, and the President to sign, the necessary legislation for the creation of child development and family services centers throughout the country, available to the poor free of charge and on a sliding scale for all others, to be administered locally and with community involvement; and

Be it further resolved, that the Congress appropriate funds immediately so that legislation can take effect as soon as possible during this period of serious economic stress.

CHILD CARE CENTERS

Recognizing that there is widespread need for child care centers, that millions of children in North America are receiving either substandard supervision or no supervision;

Aware that growing numbers of mothers take jobs because of economic necessity, desire for job training, and continuing education; that child care centers are needed for other reasons, such as illness in the family, special problems of handicapped children, or for other compelling causes;

Acknowledging that the needs of children, our best resources for the future, must receive immediate and special attention;

Be it therefore resolved: The 1971 General Assembly of the Unitarian Universalist Association

1. Urges that highest priority be given in the United States and Canada at all levels of government to funding and activating quality, professional child care centers with effective standards, licensing, inspection and enforcement.

2. Urges that funding be accomplished additionally through private grants and fees from parents where feasible.

3. Asks that member UU societies initiate study programs so that they can intelligently participate in the structuring of quality centers.

4. Asks that societies of this denomination consider use of their facilities for weekday child care centers.

Adopted by the Tenth General Assembly

of the Unitarian Universalist Association, held in Washington, D.C., June 11, 1971.

AMERICAN PSYCHOLOGICAL ASSOCIATION,
Washington, D.C., May 8, 1972.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: This is written to indicate the wholehearted support of the American Psychological Association for the principles embodied in the Comprehensive Head Start Child Development and Family Services Act, recently reported out of the Senate Labor and Public Welfare Committee. You are to be congratulated on the revision of the original bill; we believe it retains the provisions essential for the welfare of the nation's children while meeting the objections of the President.

For your information I am enclosing a copy of the resolution passed by this Association in September 1971.

Sincerely yours,

KENNETH B. LITTLE,
Executive Officer.

Be it resolved that the American Psychological Association call upon President Nixon to reaffirm the national commitment to early child development, as stated by him in April 1969, and to implement the resolution of the White House Conference on Children calling for the permanent establishment of the Office of Child Development; and

Be it further resolved that the American Psychological Association call upon the President and members of Congress to support programs of comprehensive child development.

10. At the invitation of President Clark, Council heard a statement from Edward J. Casavantes, representing the Association for La Raza, urging concern and support from APA for Spanish-speaking Americans. Mr. Casavantes was encouraged to submit his proposals to the *Ad Hoc* Committee on Social and Ethical Responsibility.

THE MARYLAND PSYCHOLOGICAL ASSOCIATION, INC.,
April 26, 1972.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: The Maryland Psychological Association would again like to extend its support to you for your reintroduction of the Comprehensive Child Development Act of 1971 (S. 3193—Economic Opportunity Amendments of 1972). Enclosed is a copy of our newsletter which addresses itself to the issues raised by the veto of President Nixon. Hopefully, you might find this of interest and we would be pleased to be of any additional assistance to you in your continuing efforts on behalf of the nation's families and children. Please keep us informed of your bill's progress.

With best wishes,

Sincerely,

JAMES W. PRESCOTT, Ph. D.,
President.

AFL–CIO

AFL–CIO strongly supports S. 3617, the comprehensive headstart child development and family services act. This legislation is badly needed to provide decent day care services for the children of working parents and of the poor. The President's unfortunate veto of prior legislation needlessly has delayed start of this important program. S. 3617 meets many of the objections raised in the veto message while maintaining key principles of the comprehensive program.

ANDREW J. BIEMILLER.

Mr. MONDALE. Mr. President, it is hard to believe that these organizations, representing almost the full spectrum of religious leadership in this country, would support this measure if they thought it was designed to undermine family life. Practically every letter that we have read states they are supporting it because it strengthens family life and deals with the profound issue of social justice that has been ignored for so long when it comes to the area of the formative and development years.

I yield further to the Senator from Ohio.

Mr. TAFT. Mr. President, I would like to comment further that the criticism we heard just a few minutes ago of the participation of the various councils and policy committees seems to me to be a safeguard and assurance that we will have participation of the parents, of the family units, and of the institutions of the various communities involved in the program, and assure us that this will not be Government-dominated, Government-run program. This will come from a prime sponsor which will give the political responsibility and financial backing for it, but in addition to that, carrying this program we will have the deep involvement of the community to prevent the warehousing of children from becoming the sole result.

Mr. MONDALE. The Senator is absolutely correct.

There has been some discussion about the system of delivery we have designed here. It is patterned closely after the existing regulations which govern Headstart.

It does two things, basically. First of all, it requires the approval of local governments, local mayors, local town boards, before there can be a program in one of the local communities. Second, it requires that the programs that are proposed be approved by boards, the child and family services council, the local program council, and the project policy committee, which have strong representation of the parents whose children are in the program. We do not want outside bureaucrats deciding what is best for somebody else's children. We want the community, right there, their own parents and those in the local communities where the children live.

We want it so there will be flexibility What might make sense in Harlem may not make sense in a smaller community in Ohio. There may be some communities which do not want day care at all, which want simply to provide services in the home or provide parental care. There may be other areas where day-care centers make eminent good sense. It is our desire to leave those decisions, not in the hands of a national bureaucrat or a State welfare bureaucrat, but in the local communities, and above all, in the hands of the parents of the children in the program; once again, because we do not think we should be tampering with family life through the divine guidance of outsiders.

I yield to the Senator from Ohio.

Mr. TAFT. Mr. President, if the Senator is prepared to yield the floor, I have an amendment which I might offer at this time.

Mr. MONDALE. Mr. President, I yield the floor.

Mr. TAFT. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 53, beginning with line 8, strike out through line 18 and insert in lieu thereof the following:

CHILD DEVELOPMENT AND FAMILY SERVICES PERSONNEL TRAINING PROGRAMS

SEC. 201. (a) The Secretary is authorized to provide financial assistance to enable individuals employed or preparing for employment in child development and family services programs assisted under this Act, including volunteers, to participate in programs of preservice or inservice training for professional and nonprofessional personnel, to be conducted by institutions of higher education, State and local child development and family service agencies, State and local educational agencies, agencies carrying out child development and family service programs, private companies and organizations engaged in teacher training, teacher training institutions, national child development and family service organizations, and producers of television programing. The Secretary is authorized to make grants or enter into contracts under this section for the purpose of establishing, developing, or upgrading child development and family services personnel training programs which shall include, but shall not be limited to, the development of programs to—

(1) provide postgraduate level training for teachers of professional and paraprofessional child development and family services personnel and for teachers of teachers of such personnel;

(2) attract and recruit personnel, both male and female, including parents, students, and older persons, to training for and subsequent employment in child development and family services programs;

(3) retrain personnel prepared for or experienced in education at levels other than childhood so as to enable them to function effectively in child development and family services programs;

(4) provide preservice and inservice training of professional and paraprofessional personnel for teaching, management and supervisory, and administrative positions in child development and family services programs, including the training and certification of Child Development Associates;

(5) help parents and high school students understand and practice sound child development and family techniques; and

(6) develop educational television programs and accompanying materials for training child development and family services personnel, parents, and high school students in the principles of child development and family services.

(b) The Secretary shall take whatever steps he deems appropriate to achieve the coordination of all federally sponsored child development and family services personnel training programs already in operation with the programs to be established under this Act and to assure the coordination of training programs with employment opportunities for such personnel.

Mr. TAFT. Mr. President, this amendment is offered on behalf of myself, the Senator from Maryland (Mr. BEALL), the Senator from Vermont (Mr. STAFFORD), and the Senator from New York (Mr. JAVITS).

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

Mr. TAFT. I yield.

Mr. MONDALE. I would like, if possible, to be added as a cosponsor.

Mr. TAFT. And the Senator from Minnesota (Mr. MONDALE).

Mr. President, I have introduced today an amendment to the Comprehensive Headstart, Child Development, and Family Services Act of 1972, which would provide for the training of high caliber professional and nonprofessional personnel. I believe that the success of these programs depends in large part upon the quality of the trained staff who will be working with these participating children.

The shortage of trained personnel was well documented during the subcommittee hearings by Dr. Jule Sugarman, former director of Headstart and John Niemeyer, president of Bank Street College of Education in New York. In his testimony, Dr. Sugarman estimated that a total of 7,500,000 children are currently in need of some type of child-care services on a paid or nonpaid basis. One million of these would be children of working mothers in families with incomes between $4,000 and $7,000. Several hundred thousand additional professionals and nonprofessionals would be required if the program grew to meet this current need, according to Dr. Sugarman.

This amendment authorizes the Secretary to provide financial assistance to make it possible for individuals to participate in training programs conducted by colleges, universities, teacher training institutions, State and local child development agencies, States and local educational agencies, national child development organizations, private training organizations, and producers of educational television programing.

These programs will be geared to the recruitment and training of nonprofessional as well as professional staff. To require each staff member to have a college or masters degree would be too costly both in terms of financial resources and human resources. With professional supervision, nonprofessional personnel, including parents, volunteers, students, and the elderly, can be very effective in working with children.

The Office of Child Development in HEW has developed a midlevel profession of child development associates. These qualified personnel are nonprofessionals who will be certified in all States. These CDA training programs are included in this amendment.

The amendment also provides for the retraining of already certified elementary and secondary school teachers. This will provide additional employment opportunities for these people and will effectively utilize their talents and prior training.

This amendment makes a change in the more limiting provisions of section 201 of the bill as it is presently before the Senate, and I believe it provides an additional opportunity for the training of the trained people who are needed that is absolutely vital to the success of this program and, therefore, ought to be included in the bill.

Mr. MONDALE. Mr. President, if the Senator will yield, I think this is an important amendment, which improves the bill. It makes it much clearer in terms of its personnel training aspects, and on behalf of the majority, I would be very glad to accept it if the Senator will move its acceptance.

Mr. DOMINICK. Mr. President, on my own behalf, I would say that I think this is going to be very helpful, and I am happy that the Senator from Ohio has introduced it.

The PRESIDING OFFICER. Is all time on the amendment yielded back?

Mr. TAFT. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio.

The amendment was agreed to.

Mr. CURTIS. Mr. President, I must begin by expressing my agreement with those of my distinguished colleagues opposed to the legislation before us, the "Comprehensive Headstart, Child Development and Family Services Act of 1972." I supported the President in his veto, and heartily agree with that portion of his veto message in which he argued that the weight of Federal authority ought not to be lent to communal approaches to child rearing without broad public debate on the subject and general acceptance of its principles. Some of my colleagues who support the bill dwell upon the necessity for corrective action to help the severely disadvantaged children of our Nation; the good which these new programs may do, and so forth. Some of my colleagues opposed to this legislation have treated the question of possible burgeoning costs, potential damage to the children in these programs, and so forth. All these are legitimate concerns. At the same time, with the unceasing press of business in the Congress, we too often concern ourselves with very immediate problems and consequences, without pausing to take a longer view of the direction in which we are headed. With the Senate's indulgence, I should like to occupy a few minutes in doing just that: considering some general propositions relevant to this legislation.

As a rough generalization it may be said that in modern political life there exists two great competing theories of the state. One of these begins with the individual and views the state as made up of individuals possessing independently sovereign rights and deriving its legitimacy from the consent of the governed. The other begins with the social collective and sees the individual as a component of the mass who derives what rights and privileges he has from the state. The United States of America was founded upon the assumptions of the first of these theories; the second theory leads to the establishment of the social systems now existing in the Soviet Union and the People's Republic of China.

The first theory, that starting from the primacy of the individual and individual responsibility, views the state as simply one of several social entities. It may be a very important one—in our day it has become increasingly so—but still it is only one. Many other groupings exist independently of the state, since our citizens enjoy freedom of association: such organizations as churches, private schools and universities, businesses, fraternal organizations, labor unions, and so forth, have an independent right to existence and, as a matter of principle, should operate in areas where the government does not and should not function. It is certainly the better part of wisdom that we should be exceedingly careful about permitting the state to encroach upon and limit the powers, and consequently the responsibilities, of such social organisms as these. When the power of the state becomes all pervasive, a society is no longer free in our sense of the word.

The second theory of political organization, that which derives from the primacy of the state, holds that there can be no social organisms independent of the state. In countries adhering to this approach many of the same sorts of organizations as those just mentioned do exist, but they have their being in order to advance the political objectives of the state, and to serve it. Such organizations may take no initiatives on their own; all initiative must flow from the state. The sole employer of labor is the state, and that means that all citizens are directly dependent upon it and, therefore, upon the government. What right the individual possesses are grants from the state, subject to revocation by the same state. This conception of the state is one which obviously the overwhelming majority of Americans would reject.

It is astonishing, Mr. President, given the relatively simplicity of these two opposing political theories, how few people understand what they lead to in their logical development. Let me cite a recent example from the Soviet Union. Not long ago there was published in the United States a book entitled, "A Question of Madness," by Zhorés and Roy Medvédev, two heroic dissenters who have fought against the abuses of the Soviet system, and especially the misuse of psychiatry to repress political disagreement there. Their personal courage is worthy of the greatest admiration. Now Zhorés Medvédev is an educated man and a scientist, one who has thought deeply about political and social matters. Nevertheless, he still considers himself a supporter of the premises upon which the Soviet system is based, and fails to graps its fundamental essence. When in 1970 three secret police agents and two psychiatrists burst into his apartment to seize evidence against him, the following exchange took place:

> "Stop," (Zhorés Medvédev) shouted, "this is a private apartment."
>
> "It belongs to the state," a hulking sergeant at once answered back, "And the police have the right to enter any apartment."

The "hulking sergeant" spoken of here was not intended to be a sympathetic figure, but the truth is that in his dull way he knew his political theory much better than Medvédev: in a State based upon the abolition of private property and derivation of rights from the consent of the state, the individual has no right to privacy. The rights, privileges, and powers of the state are paramount, as are its responsibilities.

Mr. President, I hope you will forgive my digression, but it does have a point. The drafters of the child development bill

now before us were actuated, I am sure, by the best of motives. They were particularly moved by the plight of extremely disadvantaged children. But in seeking to alleviate it they have proceeded to expand the responsibility—and also the powers and privileges—of the State into very large areas which have always been rightly closed to Government in this country. If this bill is enacted, the State will take over greater and greater responsibilities for the entire process of the rearing of young children which has always been the family's private preserve. In doing so, it will drastically reduce the area of activity left to private organizations and institutions—and of all our private institutions the family is certainly one of the most important. The responsibility of the state would be extended not just to the child from 3 to 6, not just to the infant, but even to prenatal care for expectant mothers, and beyond that to the counseling of adolescents before they have thought of marriage as a serious proposition. If the family has not done so well as it might have in some of these areas, this is no excuse for undermining it even more fundamentally. If we look at child development from the perspective which I have outlined above, we see that its introduction would be equivalent to a drastic circumscription of the areas left in the care of private organizations, and a large step toward a system which can fairly be called "totalitarian," a system in which every important function within a country is directed and controlled by the central authority. We need not argue over whether that control is exercised well or badly: In a fundamental sense that is beside the point. Some child development centers already existing do a good job, others a poor one; some families are excellent at raising children, others are not. On balance, however, it seems to me that the family still does a very creditable job of raising children, at least when its authority is not undermined by the schools. It is in our interest to reaffirm our faith in the institution of the family by rejecting this legislation and seeking to deal with the real problem of disadvantaged children in a way which will strengthen our free institutions. And it is in our interest to affirm that there are many areas—and the family is certainly one of them—where the State on principle should not tread. For if we forget this principle, we shall move steadily closer to the structure of the totalitarian state. We shall have done so with the best of motives, undoubtedly, but we shall have done so, nonetheless.

Mr. President, I can only agree with the editorial writer of the Wall Street Journal, who said on March 23 of this year:

> All in all, though, the day care proposal strikes us as being flawed from just about every perspective: Financially, philosophically and practically. It is a splendid example of the mentality that whenever a problem arises Washington must do something, even if it means taking over responsibilities the bulk of the individuals concerned are already handling pretty well themselves.

I urge my colleagues to join with me in opposing this legislation because it will place the Federal Government in the form of a vast new bureaucracy in another large area where it should not be, to the further detriment of our free institutions.

AMENDMENT NO. 1251

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOMINICK. Mr. President, in accordance with my understanding with the Senator from Minnesota and the Senator from West Virginia, I send an amendment to the desk and ask that it be made the pending business, but that we do not go forward with any debate on it until tomorrow.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 16, lines 5 and 6, beginning with the word "which" strike all through the word "sponsor" in line 6.

On page 18, line 8, beginning with the word "except" strike out through line 10.

On page 20, between lines 3 and 4, insert the following new paragraph:

"(2) In the event that a state has submitted a prime sponsorship plan under subsection (a) of this section to serve a geographical area covered by the plan of an applicant under paragraphs (2), (3), or (4) of subsection (a), the Secretary shall designate to serve such area the applicant which he determines has the capability of more effectively carrying out the purposes of this title with respect to such area."

On page 20, line 4, strike out "(2)" and insert in lieu thereof "(3)".

The PRESIDING OFFICER. Does the Senator from Colorado request that these amendments be considered en bloc?

Mr. DOMINICK. Yes, I ask unanimous consent that the amendments be considered en bloc. They all relate to the same subject.

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

Who yields time?

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that during the remainder of the day, no time be charged against either side.

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

ORDER FOR RECOGNITION OF SENATOR ROTH ON TOMORROW VACATED; REINSTITUTED FOR WEDNESDAY NEXT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the recognition of the distinguished Senator from Delaware (Mr. ROTH) on tomorrow be vacated and that the order be reinstituted for Wednesday next, immediately following the recognition of the two leaders under the standing order.

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

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.

AUTHORIZATION OF APPROPRIATIONS RELATING TO PROCUREMENT OF VESSELS AND AIRCRAFT FOR THE COAST GUARD

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 13188.

The PRESIDING OFFICER (Mr. SPONG) laid before the Senate a message from the House of Representatives announcing its disagreement 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, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ROBERT C. BYRD. I move that the Senate insist upon its amendments and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Messrs. LONG, HART, HOLLINGS, GRIFFIN, and STEVENS conferees on the part of the Senate.

WATER RESOURCES PLANNING ACT

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 14106.

The PRESIDING OFFICER laid before the Senate H.R. 14106, a bill to amend the Water Resources Planning Act to authorize increased appropriations, which was read twice by its title.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. ROBERT C. BYRD. Mr. President, this measure (H.R. 14106) was passed by the House of Representatives on June 5, and later on the same date the Senate passed S. 3384, a companion bill having the same purpose. Both of these measures are based upon an administration recommendation of the Water Resources Council. They would provide authority for additional appropriations to the Council amounting to $3,500,000 annually to carry out functions which were assigned to the Council by the Water Resources Planning Act of 1965 but which have been financed thus far through appropriations to the agencies which are Council members rather than through the Council's own appropriations.

The Senate, in passing S. 3384, amended the bill to limit this additional au-

thority to fiscal year 1973 only, pending a review of the Council's activities which the Interior Committee expects to make in the near future. The House version does not include that limitation.

Mr. President, I ask unanimous consent that the Senate amend H.R. 14106 by striking all after the enacting clause and inserting in lieu thereof the language of S. 3384 as it was reported by the Committee on Interior and Insular Affairs and passed by the Senate.

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

The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and was passed.

U.S. MEMBERSHIP IN THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 11350.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 11350) to increase the limit on dues for U.S. membership in the International Criminal Police Organization, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ROBERT C. BYRD. I move that the Senate insist upon its amendments and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Messrs. McCLELLAN, ERVIN, and HRUSKA conferees on the part of the Senate.

THE COMPREHENSIVE HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES ACT OF 1972

The Senate continued with the consideration of the bill (S. 3617) to strengthen and expand the Headstart program, with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes.

DEPRIVED CHILDREN: THE SHAME OF AMERICA

Mr. HUMPHREY. Mr. President, as a joint sponsor of original legislation, I rise in strong support of the Comprehensive Headstart, Child Development, and Family Services Act of 1972, S. 3617.

I found it incredible that the President could veto legislation last December to authorize the establishment of child care and development programs critically needed in communities across the Nation. That veto was a cruel, heartless blow to hundreds of thousands of American families. In his veto message, the President saw no need for these programs. But the harsh fact is that well over 5 million preschool children need full- or part-time day care services while their mothers are away from home, and there are less than 700,000 spaces in licensed day care programs to serve them.

Moreover, I have been deeply concerned, as an author and legislative leader in the fight to establish the Headstart program, that this program now serves only 263,000 children on a full-year basis and 208,000 children during the summer. Even under the proposed welfare reform legislation, Headstart programs and day care centers would be able to serve less than one-fifth of the children who desperately need adequate care and services to overcome profound educational and social handicaps.

Meanwhile, there are practically no day care opportunities at all for some 1 million children with working mothers in families with incomes between $4,000 and $7,000—too high to qualify for services under Federal antipoverty programs, but too low to afford the fees for private day care programs. This unmet need for quality day care has been almost totally ignored.

I find it unconscionable that it is the children who must pay a heavy price for the inequities that exist in our society. It is they who must enter the first-grade classroom severely handicapped by their environment and the lack of early childhood learning experiences, because of administration complaints about administrative and cost provisions in vitally needed legislation to correct these abuses. It is time for the President to live up to his early commitment to providing all American children an opportunity for healthful and stimulating development during the first 5 years of life.

I believe the present legislation as reported by the Senate Labor and Public Welfare Committee represents a genuine bipartisan effort to meet the President's initial objections and to fulfill our national commitment to families and their children. This bill carries through the first priority voted by the President's 1970 White House Conference on Children to provide "comprehensive family-oriented child development programs including health services, day care, and early childhood education."

The programs provided for in this legislation are to be on an entirely voluntary basis for parents, recognizing, at the same time, that parental participation is essential in the planning and operation of these programs.

Cost problems raised by the President are met in this legislation both through delaying the first operational year until 1974, to enable effective planning and staff training, and through reducing the authorization for the first operational year to $1.2 billion, which would include $500 million already authorized for Headstart under separate pending legislation.

Building on the strengths of the Headstart program, the present legislation calls for a variety of family-supporting services—including part-day programs, after school or full day developmental care for children of working mothers, prenatal services, and in-the-home tutoring and child development classes for parents and prospective parents. It properly stresses medical services and adequate daily child nutrition—key elements of the legislative program I have presented on behalf of America's children. The present bill also places a higher priority on authorizations for preservice and inservice training of both professional and paraprofessional staff members in these programs.

In response to objections voiced by the President on the administrative workability of the child development program enacted by Congress last year, the present bill makes several substantial changes. Governmental entities are designated as prime sponsors, and with day-to-day administrative oversight, with direct grantees limited to communities with a population of at least 25,000. And a sponsor must determine that a program applicant has the capability of carrying out comprehensive programs under this act. States will play a vital role under this legislation, administering programs serving small localities, being responsible for comprehensive State coordination and planning—with 10 percent of authorized funds set aside for States for technical assistance, and the dissemination of research and evaluation—and being eligible for a special demonstration program on State prime sponsorship.

I applaud the approach taken in this legislation to extend participation eligibility to children from all income levels. Priority is placed on the provision of free services to children from families with incomes below the Department of Labor's—BLS—lower living standard, adjusted for regional, and metropolitan, urban, and rural differences—an important recognition of varying cost-of-living requirements. Up to one-third of the authorized funds are made available to serve children from families with incomes above the BLS lower living standard on a sliding scale fee basis established by the Secretary of Health, Education, and Welfare.

I also welcome the recognition taken in this legislation of the critical need of mentally and physically handicapped children for quality day care opportunities and special educational services, for which 10 percent of authorized funds will be reserved. This specific emphasis is in line with the intent of legislation I have introduced to prohibit discrimination on the basis of a mental or physical handicap in programs receiving Federal assistance. American society dare no longer isolate and ignore these children.

The 3-year authorization of $3.95 billion, a significant portion of which constitutes continued funding for the Headstart program, is a modest step toward meeting the critical need of millions of children for developmental opportunities. I strongly urge the adoption of the Comprehensive Headstart, Child Development, and Family Services Act.

THE AMERICAN ECONOMY

Mr. HUMPHREY. Mr. President, I call to the attention of the Senate a critical situation which continues to exist in the American economy.

The economy of the United States is in serious trouble, and every American knows it. But it did not used to be that way. At one time, inflation was under control. At one time, plant utilization was booming at more that 90-percent capacity. At one time unemployment was minimal. At one time interest charges were low.

Mr. President, the current administation has a record which can be summarized in these words: the highest unemployment in a decade; the highest inflation in two decades; the highest balance of trade deficit in eight decades; the highest interest rates in 100 years; and the highest budget deficits in four decades.

That is a record that will require a considerable amount of explanation of any explanation can be made at all.

Yes, the Nixon administration stands guilty of forcing millions from the work force onto the unemployment rolls.

The Nixon administration stands guilty of allowing family paychecks to be devoured by skyrocketing living costs.

The Nixon administration stands guilty of mismanaging the economy—resulting in abnormal budget deficits, the first trade deficit in 80 years, a devalued dollar, and billions upon billions of lost production.

The Nixon administration stands guilty of a Government-corporate coziness typified by the ITT affair and characterized by big business tax breaks that have shifted more of the taxpaying burden from the giant companies to the individual taxpayer.

The Nixon administration stands guilty of inflation controls that are unfair, inequitable, and not evenhanded—controls that mean profits for big business and peanuts for the workingman.

THE END OF PROSPERITY

What ever happened to prosperity—jobs and prosperity? The answer is—Republicans were elected. Richard Nixon took over the White House. And, big business took over the economy.

When Richard Nixon ran for President 4 years ago, he said:

> If I am elected, I pledge that I will adopt this approach of redressing the present imbalance without increasing unemployment or controls.

But what has happened?

Unemployment in January 1969 stood at 2.7 million, or 3.4 percent of the labor force. By May 1972 unemployment was 5.1 million persons, or 5.9 percent of the labor force. In fact, during the Nixon administration, the unemployment rate was as high as 6.2 percent. Over 700,000 more persons are classified as the "hidden" unemployed. And more than 17 million people each year have felt the pains of unemployment.

In January of 1969, only six areas in the United States were classified as areas of substantial unemployment. By March 1972 there were 55 such areas. In January of 1969, less than 335,000 persons were unemployed 15 weeks or more. By March of 1972, that figure stood at 1.22 million. In January of 1969, the number of part-time employees stood at 1.6 million. By March of 1972, that figure had increased to 2.4 million persons.

Youth unemployment continues at catastrophic high levels. Black teenagers living in the city have an unemployment rate of more than 30 percent. Black females have an unemployment rate of better than 45 percent. Teenagers totally have unemployment rates ranging anywhere from 17 to 19 percent.

There simply were no jobs for the youth. And, the American young would be forced to spend the summer of 1972 on a street corner.

For blacks, for Vietnam veterans, for construction workers, for women—the results were the same. The Nixon administration by its policy of inflation control through forced unemployment has put this Nation in the employment doldrums. People want to work. But there are not enough jobs. People want to be productive. People are looking for work, but there are no jobs.

NIXON VETOES JOBS

And, when Democrats in Congress attempted to meet the problem through legislation designed to create jobs, Richard Nixon exercised his veto—he vetoed employment and possibilities for job-searching Americans.

Richard Nixon vetoed construction funds for our hospitals. He vetoed public service employment for our jobless. He vetoed accelerated public works—to build the badly needed public facilities for our communities. He minimally expanded youth jobs.

He proposed a policy of tight money and high interest that made consumer savings zoom and caused American industrial capacity—once the greatest in the world—to operate at less than 75 percent of its potential.

This is not how the economic might of our Nation should be used. We should not be trying to increase the welfare rolls as they have been in the last 3 years—from 9.9 million to 14.7 million—or to reverse the uninterrupted trend since 1960 of reducing the number of Americans living in poverty.

The Nixon economic performance is a bleak record. This is a shameful record. This is a record that should bring forth sobering thoughts—not rosy predictions, or pledges of "good years" or "very good years."

On jobs—the Nixon administration has failed.

HUMPHREY—POLICIES FOR NEW JOBS

First. I have sponsored legislation to create 1 million jobs. I disagree with those who say public jobs are meaningless or dead end. My Employment Opportunities Act of 1972 makes Government the employer of first opportunity as well as last resort.

There are things to be done in this country. Our Nation has massive unmet public needs. And jobs that put people to work, that place consumer spending power in their hands, that take men and women off the unemployment rolls and put them on payrolls—these jobs are well worth the expenditure of funds required. The return in tax dollars, the stimulation of consumer demand, the expansion that will come about in industrial production—all of these would be a direct result of the Employment Opportunity Act of 1972.

Second. I have proposed a program of 250,000 additional jobs for youth. This job program—in addition to job slots already slated in the Neighborhood Youth Corps, will make a frontal attack on high teenage unemployment in our cities and suburbs.

The young of America do not want to waste away their summers. They want to work, to be doing, to be contributing.

A program of youth jobs will meet this need.

Third. For the working poor and those in job training, we need expanded training opportunities that lead to actual job slots, not more and extended training. And this means job slot training in the service sector as well as in the manufacturing sector of the economy.

Fourth. We must have an expanded job program and adequate day care centers in welfare reform legislation.

Fifth. I have proposed a top-to-bottom reform in unemployment compensation—to extend benefits, increase minimum and weekly benefits, provide Federal standards, and secure coverage to first time workers, agricultural workers, domestics, and other workers presently not eligible for unemployment compensation.

Sixth. Increased funding and other governmental assistance into technological development programs—programs that will provide benefits in expanded job opportunities.

Seventh. Special emphasis job programs for Vietnam veterans, defense-related skilled personnel presently unemployed through community conversion corporations and special programs for elderly forced out of jobs through early retirement programs.

Eighth. Expansionary Federal monetary and fiscal practices continued support for the Investment Tax Credit, to improve the overall economic climate, increase demand for consumer goods, and assure an available money supply for private expansion. An expansionary fiscal and monetary policy must be coupled with judicious Federal spending on public works, and metropolitan affairs programs such as water and sewer facilities, housing, and neighborhood renewal.

Ninth. A tax reform program that will close the door shut on loopholes, place spending power in the hands of those who will utilize it, and provide a fair incentive for American enterprise to expand.

INFLATION CONTROL

The history of the Nixon administration's efforts to control inflation is little more than a comic opera—marked by many players, all shouting good things, but in the end throwing up their hands in failure.

This administration has said of its program time and time again: "effects will be felt in 2 or 3 months," or "the worst of inflation is behind us."

But, what the Nixon administration never learned is that press releases are no substitute for action. And, news conferences are no substitute for inflation control programs.

THE NIXON RECORD

While the Nixon administration talked inflation control, inflation was skyrocketing. The year before Mr. Nixon took

office, the cost of living rose 4.7 percent. In his first year in office, living cost rose 6.1 percent. During the second year, living cost increased 5.5 percent. During the third year, living cost had increased more than 4.9 percent. In short, during the 3 years of the Nixon administration, inflation had increased more than 14.3 percent.

Overall inflation figures tell only part of the story. Medical and health costs have increased some 6.6 percent. Homeownership costs have increased 4.8 percent. Transportation costs increased 6.6 percent, food costs up more than 3.5 percent. Utility rates are up 7.7 percent, and clothing costs are up 3.1 percent, and lumber costs are up some 29.3 percent.

What it means is that if a workingman earns $10,000 a year, then just 1 year later, he has lost about $600—vanished into sky-high prices.

And, all the while, the Nixon administration refused to examine its own policies. It chose instead to blame inflation on the workingman. "It was the workingman's fault," claimed the Nixon administration, "for his wages are too high."

The Nixon administration claimed that worker productivity was low—that American workers were not producing. Yet, the administration's own statistical figures show conclusively that American productivity has seldom been higher. American workers are productive, creative workers. And the blame for inflation ought not be placed on their shoulders.

The administration refused for almost 3 years to change its game plan. It refused to use the credit and interest control bill passed by a Democratic Congress in December 1969. It abandoned the encouragement of voluntary wage restraint. It refused to begin an incomes policy. It chose instead to issue inflation alerts—calling public attention to increases in prices but doing little about those increases.

THE NIXON RESPONSE TO SKYROCKETING INFLATION

The Nixon administration announced a freeze—on wages and prices. And the "beginning of a new economic policy."

But, it was not a new economic policy, just window dressing for the same trickle-down theory held dear by Republicans—put the money in the top, in large amounts of corporate largess, executive compensation, and profits, and sooner or later, some effect will get to the people at the bottom of the economic ladder.

The new economic policy was accompanied by one of the largest big business tax giveaways ever proposed.

Under the Nixon plans the giant corporations through an increase in the asset depreciation range, the investment tax credit, and the Domestic International Sales Corporation would get a first-year total benefit of about $6.3 billion. Individuals would get first-year tax cuts of about $1 billion. Over the years, from 1971 to 1980, the total tax cuts for big business would be $69.1 billion. The total tax cuts for individuals would be $2.3 billion.

The Nixon administration opposed putting money where it would be spent. The administration opposed legislation to increase the personal deduction, to eliminate the asset depreciation range, to give poor people a break on their taxes, and to give families with children in college a tax credit for tuition costs.

The "trickle-down" theory is bankrupt.

And the freeze was bankrupt also. There were attempts to abrogate legitimately negotiated contracts. There was mass confusion. There was inflexibility in the interpretation of the rules which led to suspicion and chaos over retroactive pay. The freeze placed an inequitable burden on the workingman while there was little policing of prices.

In short, there was a freeze for some and a frolic in profits for others. During the freeze period, profits for automobile industry increased over 999 percent. Profits for savings and loan industry went up 131 percent in the fourth quarter. Conglomerates such as AVCO, Gulf & Western, Litton, and others had a 266-percent increase in profits.

But the wages of the average American working family were held down.

PHASE II—MORE UNFAIRNESS

In November, the administration launched the next part of its inflation control program—called phase II. A Pay Board, a Price Commission, and a Cost-of-Living Council were established. These agencies have the responsibility to formulate prices and wage control regulations.

NIXON'S "NEW NEW" PROGRAM

These agencies began a program that can only be termed unfair.

Control regulations are weakest where control needs are the greatest.

The Nixon administration has systematically decontrolled large segments of the economy: 75 percent of all retail stores; 28 percent of total national sales form business firms; 45 percent of all rental units; no controls on interest rates, credit, utilities, used goods or home buying;

And prices in clothing stores and in food chains soared.

The Price Commission, with its lenient policy of automatic price approval and the administration, with its refusal to prosecute quickly and firmly have made price and pay controls nothing more than a rubber stamp for big business desires.

The system is unfair. It has a built-in business bias. It robs the workers while providing huge profits for the giant corporations.

Few Americans have confidence in it. All Americans know it will not control prices but it will control wages.

HHH ALTERNATIVES—INFLATION CONTROL PROGRAM

First. The administration of price and wage controls must be fair and even-handed. Public officials responsible for price and wage decisions must never forget that they are exercising power for the public interest. Fairness, equity, and justice are values that simply must be guiding all price and wage decisions.

A Humphrey administration will assure fairness. A Humphrey administration will guarantee equity. Both labor and business have stated that they will participate and cooperate completely if the system is evenhanded.

Under a Humphrey administration, it will be so.

Second. Tough, strict enforcement is a prerequisite to a fair and efficient control system. Violators must be prosecuted. Fines must be levied. The American consumer must be protected.

Enforcement cannot simply be a reaction phenomenon. There must be an active program of price monitoring—in the neighborhoods, in the shopping centers, and in large super markets. Agents must search out infractions.

The American working family must feel that the price stabilization program is working for them rather than against them.

Third. Price controls must be as effective and as stringent in the service area as in the manufacturing area. Services are much more difficult to control than manufacturing; but because of the nature of family spending, it is critical that service costs be effectively stabilized.

Special attention needs to be focused on medical, transportation, and housing services. Limits must be set. Enforcement activities must be likewise concentrated.

Forth. Price control decisions must be made in the open—with open hearings and open decisionmaking. All supporting documents for or against price increases for individual companies must be made publicly available, except in these few cases where such information would reveal trade secrets.

Fifth. The present test of company profit margins as the main guide for price increase decisions must be supplemented by a second test—the additional cost impact of individual product line increases on consumers. Requests from subsidiaries of large holding companies must be examined for the individual increases in revenue and profit that the increase would mean to that company and not calculated into the profit margin of the parent conglomerate.

Companies simply must absorb more of the cost increases rather than automatically passing through such increases to consumers.

Sixth. The Price Commission and Justice Department working together must initiate activities for immediate price rollbacks in those areas where prices have shown marked increases. Food costs, for example, must be rolled back, with the processors, the large grocery chains, and handlers limiting their cost increases. Rollbacks in other areas such as automobile industry and other high-profit manufacturing enterprises are imperative—if the system is to be even-handed and fair.

Seventh. Profits that are in excess must be taxes—either through a higher corporate rate or an excess profits tax.

Eighth. The Price Commission must become the people's advocate.

MISMANAGED ECONOMY: BUDGET DEFICITS, TRADE DEFICITS, A DEVALUED DOLLAR, AND BILLIONS IN LOST PRODUCTION

In fiscal year 1971, Mr. Nixon projected a budget surplus of some $1.5 billion. The year ended with a $23-billion deficit. A year later, he projected an $11

billion deficit and ended with a $38.8 billion deficit. And, in 1973 budget projected a $25.5 billion deficit. In short, in the 3 years of the Nixon administration, the deficits mounted to almost $90 billion.

What did the American people get for this huge deficit? Little or nothing. They did not get more jobs. They did not get decreased prices. They did not get better public facilities of a streamlined government.

Almost all the deficit was incurred to make up for a tax collection shortfall because the economy was not producing.

On top of huge deficits, under the Nixon administration, this Nation suffered its first trade deficit in over 80 years.

Our traditional trading posture of consultation with our partners has become one of surprises and confusion that can only lead us down the path to an action-reaction trade war. And, because of our weak trade position, the dollar was devalued.

The costs of the Nixon recession in terms of lost production is great.

In the middle of 1969, within 6 months after Nixon took office, the gross national product fell below potential production. We were producing less than we had the capacity to produce. From mid-1969 through the first quarter of 1972, the loss in production in present dollars has been over $150 billion. This waste can never be recovered. It is totally inexcusable in the face of the tremendous needs for housing, slum clearance, mass transit, improved schools, fresh water supplies, pollution control and endless other needs for public facilities and public services.

This year things are not different. Economists are now projecting a gap of at least $60 billion between actual and potential production.

The Nixon management of our economy is totally inept.

SPECIAL INTEREST COZINESS

Hardly anywhere in this Republican administration's public policy is the blatant special interest bias so obvious as in the relationship between the Nixon administration and giant companies.

There is a kind of coziness that translates itself into tax breaks and profits for giant business, peanuts for the working man, and allegations about the propriety of Government antitrust relations with large conglomerates such as ITT.

The administration's fiscal policy is ample evidence of its onesided, big business orientation. When the Nixon administration has a chance to propose tax changes, it gives the companies a 6-to-1 advantage over the individual—asset depreciation range, domestic international sales corporation, investment tax credit—while the administration fights against an $800 deduction for the working family.

The Nixon administration has embarked on a calculated policy of decreasing the corporate tax burden and increasing the burden on individuals. In 1969, corporations paid 20 percent of the taxes. Now, in 1972, corporation tax load has decreased to 16 percent. At the same time, payroll taxes on workers increased from 21 percent to 29 percent.

On top of this, the administration floated a trial balloon on the value-added tax, nothing more than a giant-sized national sales tax—a tax on individuals, a regressive tax that will force up the cost of goods and eat further into the workers' paychecks.

NEW ECONOMIC AGENDA

The fundamental problem with the economic analysis of the Nixon administration is that they have forgotten that the economy of a Nation should serve its people.

The people of this country are demanding a new kind of economy. They want an economy with purpose—an economy that has as its focus the fulfillment of mankind's aspirations for a life of quality as well as quantity.

They want an economy that is growing, that allows the Nation to attack some of its massive problems in the cities, in rural America, in our air, and in our waterways.

And, they expect Government to act differently toward the economy than it did 10, 20, or 30 years ago. The American people expect their Government to protect them against economic catastrophy. They expect Government to pursue policies that will eliminate gross dislocations in their economic condition. They expect Government to be the breakwater against economic disaster. They want a government that will see to it that forced unemployment does not become a possibility or a reality. They want a government that will utilize all the tools at its command to make the people part of the economy—rather than isolated from it.

It is not enough anymore for business to be concerned completely about profits. It is not enough anymore for Government merely to act as an observer of the market place. It is not enough anymore for citizens to be left to the mercy of unseen forces.

A Humphrey administration pledges the kind of programs, policies, and leadership committed to this new economic agenda.

QUORUM CALL

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

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

COMPLETION OF WORK IN MISSOURI RIVER BASIN

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3284.

The PRESIDING OFFICER (Mr. HUMPHREY) laid before the Senate the amendment of the House of Representatives to the bill (S. 3284) to increase the authorization for appropriation for completing work in the Missouri River Basin by the Secretary of the Interior which was to strike out all after the enacting clause, and insert:

That there is hereby authorized to be appropriated for fiscal years 1973 through 1977 the sum of $94,000,000 for continuation of work in the Missouri River Basin to be undertaken by the Secretary of the Interior pursuant to the comprehensive plan adopted by section 9(a) of the Act approved December 22, 1944 (Public Law 534, Seventy-eighth Congress), as amended and supplemented by subsequent Acts of Congress, plus or minus such amounts, if any, as may be required by reason of changes in construction costs, as indicated by engineering cost indices applicable to the type of construction involved. No part of the funds hereby authorized to be appropriated shall be available to initiate construction of any unit of the Pick-Sloan Missouri Basin program, whether or not included in said comprehensive plans; nor for prosecution of the Garrison diversion unit, reauthorized by the Act of August 5, 1965 (79 Stat. 433).

And amend the title so as to read: "An Act to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior."

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate disagree to the amendments of the House and request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. HUMPHREY) appointed Mr. JACKSON, Mr. ANDERSON, Mr. MOSS, Mr. BURDICK, Mr. METCALF, Mr. ALLOTT, Mr. JORDAN of Idaho, and Mr. HANSEN conferees on the part of the Senate.

FOREIGN ASSISTANCE ACT OF 1972—LIMITATION OF TIME ON McGEE AMENDMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at such time as the distinguished Senator from Wyoming (Mr. MCGEE) should call up his amendment to S. 3390, there be a time limitation on that amendment of 3 hours, to be equally divided between the distinguished Senator from Wyoming (Mr. MCGEE) and the distinguished manager of the bill, the Senator from Alabama (Mr. SPARKMAN) or his designee; with time on any amendment to the amendment, debatable motion, or appeal in relation thereto to be limited to 30 minutes, to be equally divided between the mover of such and the Senator from Wyoming (Mr. MCGEE), unless the Senator from Wyoming (Mr. MCGEE) should favor such, in which case the time in opposition thereto to be under the control of the distinguished Republican leader or his designee.

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 9 a.m., following a recess. After the two leaders have been recognized, the distinguished Senator from New York (Mr. JAVITS) will be recognized for 15 minutes, the order for the recognition of the distinguished Senator from Delaware (Mr. ROTH) having been vacated at his own request.

The Senate will then resume its consideration of S. 3617, the Headstart bill. The pending question at that time will be on adoption of the amendment by the Senator from Colorado (Mr. DOMINICK), No. 1251.

Consideration of the bill will be under a time limitation of 6 hours—part of which has already been consumed, of course—with 1 hour on any amendment, and one-half hour on any amendment to an amendment, debatable motion or appeal.

There will be several rollcall votes during the day on amendments to the Headstart bill, S. 3617.

It is anticipated that the first rollcall vote will not—will not—occur before 10:30 a.m.

After the Headstart bill is disposed of—hopefully, on tomorrow—the Senate will return to the consideration of the unfinished business, S. 3390. The first amendment to the Foreign Assistance Act which would be considered tomorrow afternoon would be the amendment by the Senator from Wyoming (Mr. MCGEE), which deals with Cambodia.

It is my understanding that a sizable number of amendments are in the offing and are proposed to be called up and offered to S. 3617, the Headstart bill.

It is the intention of the leadership to complete action on the Headstart bill, S. 3617, on tomorrow, which then, hopefully, will permit the Senate to resume consideration of the unfinished business tomorrow early enough for progress to be made thereon.

RECESS TO 9 A.M. TOMORROW

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 recess until 9 a.m. tomorrow morning.

The motion was agreed to; and, at 6:09 p.m., the Senate recessed until tomorrow, Tuesday, June 20, 1972, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate June 19, 1972:

INTERSTATE COMMERCE COMMISSION

Chester M. Wiggin, Jr., of New Hampshire, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1973, vice Donald L. Jackson, resigned.

NATIONAL MEDIATION BOARD

George S. Ives, of Maryland, to be a member of the National Mediation Board for the term expiring July 1, 1975. Reappointment.

HOUSE OF REPRESENTATIVES—*Monday, June 19, 1972*

The House met at 12 o'clock noon.

Rev. Charles D. Beatty, Lovely Lane United Methodist Church, Baltimore, Md., offered the following prayer:

Almighty and Eternal God, we invoke Thy blessing upon this company of our Nation's legislators, that Thou wilt inspire and strengthen them to lead us in the way of truth and justice, in the achievement of sound manners and pure laws.

Bless our people, that we may never forget where we have come from, nor lose sight of what has brought us along.

Let not the hard beginnings be forgotten, nor the struggles farther along.

Restore the unity and common understanding that has been our strength.

Help us to gainsay the mockers and deniers: And let vision and hope never fade.

May we, whose forefathers would go anywhere, holding nothing impossible in the genius of man, follow in their train: To be a nation of people, free and brave. 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 had passed without amendment a bill of the House of the following title:

H.R. 12143. An act to provide for the establishment of the San Francisco Bay National Wildlife Refuge.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 3808. An act to amend title 39, United States Code, as enacted by the Postal Reorganization Act, to provide additional free letter mail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes;

H.R. 9092. An act to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes;

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;

H.R. 14989. An act 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; and

H.R. 15097. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1973, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 14989) entitled "An act 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," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCLELLAN, Mr. ELLENDER, Mr. PASTORE, Mr. HOLLINGS, Mr. FULBRIGHT, Mrs. SMITH, Mr. HRUSKA, Mr. FONG, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15097) entitled "An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1973, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ROBERT C. BYRD, Mr. STENNIS, Mr. MAGNUSON, Mr. PASTORE, Mr. BIBLE, Mr. PROXMIRE, Mr. ELLENDER, Mr. CASE, Mrs. SMITH, Mr. ALLOTT, Mr. COTTON, Mr. STEVENS, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 916. An act to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations;

S. 2699. An act 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;

S. 3105. An act 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 nonindustrial private and non-Federal public forest landowners, and for other purposes;

S. 3414. An act for the relief of Alexandria Nicholson; and

S. 3645. An act to further amend the United States Information and Educational Exchange Act of 1948.

THE REVEREND CHARLES DAVID BEATTY

(Mr. SARBANES asked and was given permission to address the House for 1 minute.)

Mr. SARBANES. Mr. Speaker, it is a pleasure to welcome today to the House of Representatives the Reverend Charles David Beatty.

Reverend Beatty has been since June of 1965 the pastor of the Lovely Lane United Methodist Church in Baltimore. This church is the lineal successor to the Lovely Lane Meeting House in which the Methodist Episcopal Church was organized at the famous Christmas Conference in 1784 and it is widely known as "the Mother Church of American Methodism." This pulpit has over the years been occupied by outstanding leaders of