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SENATE—Tuesday, August 15, 1972

The Senate met at 9:15 a.m. and was called to order by the President pro tempore (Mr. EASTLAND).

PRAYER

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

Eternal Father, we thank Thee for the quietness of the morning hour when the day is new, the mind is clear, and the soul receptive to Thy presence. Move among us, O Divine Spirit, to lighten our burdens, lift our spirits, warm our hearts, and direct our actions. When hours grow tedious or tension is high, still give us Thy quickening power and Thy refining and steadying grace. When perplexity or bewilderment overtakes us and we are unsure of the course to follow, guide us through the difficulties to a victorious conclusion in accord with Thy will. So may we "serve the present age our calling to fulfill." And when the day is ended may we have Thy benediction and hearts at peace with Thee. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, August 14, 1972, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Urban Affairs of the Committee on Banking, Housing and Urban Affairs; the Committee on the District of Columbia; the Committee on Commerce; the Committee on Armed Services; the Committee on Government Operations; the Committee on Finance; the Committee on Labor and Public Welfare; and the Committee on Public Works may be authorized to meet during the session of the Senate today.

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

LAND ACQUISITION APPROPRIATIONS FOR THE NATIONAL PARK SYSTEM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 981.

The PRESIDENT pro tempore. The clerk will report the bill.

The legislative clerk read as follows: Calendar No. 981 (S. 2806) a bill to authorize appropriations for additional costs of land acquisition for the national park system.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears no objection, and it is so ordered.

The Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with an amendment beginning on page 1, line 11, after "P.L. 91-646; 84 Stat. 1894.", insert "There are also authorized to be appropriated such sums as may be necessary in addition to those authorized in Public Law 92-272 (86 Stat. 120) to provide for such costs, benefits, and expenses in connection with the acquisition of lands authorized therein.

SEC. 2. Whenever an owner of property elects to retain a right of use and occupancy pursuant to any statute authorizing the acquisition of property for purposes of a unit of the National Park System, such owner shall be deemed to have waived any benefits under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all instances where authorizations of appropriations for the acquisition of lands for the National Park System enacted prior to January 9, 1971, do not include provisions therefor, there are authorized to be appropriated such additional sums as may be necessary to provide for moving costs, relocation benefits, and other expenses incurred pursuant to the applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646; 84 Stat. 1894). There are also authorized to be appropriated such sums as may be necessary in addition to those authorized in Public Law 92-272 (86 Stat. 120) to provide for such costs, benefits, and expenses in connection with the acquisition of lands authorized therein.

SEC. 2. Whenever an owner of property elects to retain a right of use and occupancy pursuant to any statute authorizing the acquisition of property for purposes of a unit of the National Park System, such owner shall be deemed to have waived any benefits under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2806) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-1032), explaining the purposes of the measure.

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

BACKGROUND

Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, was enacted on January 2, 1971. The purpose of this legislation was to provide for uniform and equitable treatment of persons displaced from their homes, businesses, on farms by Federal and federally assisted programs and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs. The application of the provisions for Public Law 91-646 is mandatory.

Briefly, the benefits which agencies are required to pay under Public Law 91-646 are as follows: A landowner being displaced from a dwelling that he occupies is entitled to (1) actual moving and related expenses, or an in-lieu payment not to exceed \$500; and (2) replacement housing cost (the amount required to pay the difference between the dwelling sold to the Government and the dwelling purchased, including increased interest payments and closing costs), not to exceed \$15,000.

A tenant being displaced from a dwelling is entitled to the following benefits: (1) actual moving and related expenses, or an in-lieu payment not to exceed \$500; and (2) rental not to exceed \$4,000 over a 4-year period or, in lieu thereof, the amount necessary to enable such a person to make a down payment on the purchase of a decent, safe, and sanitary dwelling, up to \$2,000. An additional payment up to \$2,000 can be made on a matching basis with money provided by the tenant. Such total Federal contribution, however, in no event will exceed \$4,000 or the maximum amount of the rental differential payment. This is done in order to encourage home ownership. In other words, payment by the Government of any amount up to a second \$2,000 of the \$4,000 maximum payment must be matched by an equal amount provided by the tenant.

Displaced owners or tenants occupying and operating farms or commercial units are entitled to actual moving and related expenses, or an in-lieu payment not to exceed \$10,000. They are also entitled to actual costs of moving personal property and to replacement housing not to exceed \$4,000 for tenants or \$15,000 for owners.

An occupant of a seasonal cottage is en-

titled to actual moving and related expenses, or an in-lieu payment not to exceed \$500.

In addition to the above, the property owner is entitled to incidental expenses resulting from the transfer to title to the United States, including recording fees, transfer taxes, prepayment penalty costs, and prorata portion of real property taxes which are the United States. An owner of unimproved land which is acquired by the Federal Government is entitled to these same benefits.

NEED

In creating the foregoing statutory benefits over and above just compensation, Public Law 91-646 has increased the cost of land acquisition. For the National Park Service, where authorizations are limited by individual area laws, this means that the acquisition program cannot be completed within the statutory ceilings set by the Congress.

At the time of the enactment of Public Law 91-646, the National Park Service was engaged in land acquisition in some 54 areas where Congress had previously established a statutory ceiling on appropriations for land acquisition. Therefore, in order for the Service to comply with Public Law 91-646 in these areas, it is necessary that legislation be enacted to authorize the service to exceed those ceilings by the amounts necessary to pay additional costs and expenses incurred by reasons of the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The bill specifically makes increases applicable only to those areas in which a congressionally imposed land acquisition ceiling does not include estimated amounts, or other provisions, for moving costs and other relocation benefits, and the related administrative expenses arising from payment of such benefits.

COST

Enactment of S. 2806, of itself, carries no cost, since the costs of relocation and other benefits are already required to be paid under existing law. The Department of the Interior estimates that the additional land acquisition costs attributable to Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, in the areas of the National Park System where Congress has imposed land acquisition ceilings, is \$15,343,595. However, elections and options are available to the landowner and actual costs will not be known until the landowner is displaced; therefore, it was necessary to rely on averages to arrive at the estimated cost.

AMENDMENTS

The Interior Department recommended that S. 2806 be amended to apply to the new authorizations in the omnibus park legislation (Public Law 92-272) recently approved by the Congress. Accordingly, the recommended amendment would enable the National Park Service to request funds needed to pay relocation costs in connection with the recent omnibus park legislation. The amendment is as follows:

On line 11 after the period insert:

There are also authorized to be appropriated such sums as may be necessary in addition to those authorized in Public Law 92-272 to provide for such costs, benefits, and expenses in connection with the acquisition of lands authorized therein.

The committee is concerned, in this connection, about the applicability of this general statute, which was intended primarily to ease the impact of major ongoing acquisition programs such as the Federal-Aid Highway and Urban Renewal programs, to the acquisition of land for units of the National Park System, areas that are individually authorized and considered on a case-by-case basis by the Congress.

As a consequence of individual consideration of park area legislation certain benefits have been inserted into park authoriza-

tion statutes that do not appear in legislation authorizing the ongoing Federal programs referred to above. For example, most recent recreational area legislation considered by this committee permits owners to retain a right of use and occupancy for their lifetimes or for a specific term of not to exceed 25 years. Yet, as the Department of the Interior's Office of the Solicitor has ruled, such owners are entitled to receive relocation benefits at the end of their retained term. Clearly, the costs of relocation benefits—and thus the full cost of land acquisition—cannot be ascertained with certainty at the time Congress authorizes the park if this situation prevails. Moreover, the committee believes there is a question as to whether such owners should be entitled to benefits if they elect to retain a right of use and occupancy.

It is the committee's belief that areas of the national park system where owners are permitted to retain the use of their dwelling and not—as would be the case under the highway program, for example—required to be displaced immediately ought to be treated differently. These general relocation benefits must be tailored, in the case of park land acquisition, to fit other rights and privileges written into park legislation by this committee. Accordingly, the committee recommends an amendment in the form of a new section to provide that an owner who elects to retain a right of use and occupancy, wherever authorized in a park law, thereby elects not to avail himself of the additional relocation assistance benefits of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

The committee does not object to providing such owners with actual moving expenses at such time as they are displaced. Rather, the amendment seeks only to avoid the situation where an owner elects to retain a right of use and occupancy in his dwelling for a term of years after which he is entitled to assistance in obtaining replacement housing. In the committee's view, such an owner should be given the choice, on the date of acquisition, whether he wishes to stay in his house or move with the Government's help. Without the amendment he could do both.

Requiring the owner to make such a choice is, the committee believes, consistent with the purposes of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Relocation assistance and replacement housing benefits were intended to promote continuity of home ownership, in order that the social and economic impact of Federal acquisition would be lessened. However, a person who is displaced 25 years after he is paid for his property will likely have dissipated the fund with which to acquire comparable housing by the time of displacement. The chances of his being able to acquire comparable housing after 25 years, even with Government assistance, would also be very slim in many cases.

The amendment is as follows: On page 1 add the following new section:

SEC. 2. Whenever an owner of property elects to retain a right of use and occupancy pursuant to any statute authorizing the acquisition of property for purposes of a unit of the national park system, such owner shall be deemed to have waived any benefits under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101 (6) of that Act.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider

nominations on the Executive Calendar.

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

INTERNATIONAL ATOMIC ENERGY COMMISSION

The second assistant legislative clerk proceeded to read sundry nominations in the International Atomic Energy Commission.

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

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

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

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

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

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

STATEMENT BY RAMSEY CLARK ON PRISONERS OF WAR

Mr. SCOTT. Mr. President, I think it is most unfortunate that upon his return from Hanoi Mr. Ramsey Clark made the statement that after talking to a cabinet officer of Hanoi and a journalist he believed that Hanoi would not return the prisoners of war until the candidate of the opposing party is elected President. This has the effect of saying that he believes Hanoi is holding our prisoners of war hostage for the election of Senator McGovern. That kind of reports injects Hanoi into the American political campaign.

Aside from the unwisdom of having joined a commission examining U.S. war crimes, which itself is a prejudgment, and then having made a statement while visiting with that commission—which would strongly imply that he believes the United States has committed war crimes—and to include in that the comment that he believes Hanoi will only release the prisoners subject to an outcome of the election which they regard as favorable to them is, in my mind, an extremely unfortunate position for Mr. Clark to take.

I make this statement regretfully because I know Mr. Clark, I have worked with him on various occasions and I like him very much, but when somebody goes foolish it seems to me it has to be noted, if going foolish involves the security of a foreign policy of the United States. So I regret Mr. Clark allowed himself to be used by Hanoi. I regret this kind of intervention of Hanoi into the American political campaign. I hope that Americans generally will reject this kind of campaigning from over the enemy's borders.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the previous order the Senator from Virginia (Mr. HARRY F. BYRD, JR.) is recognized for not to exceed 15 minutes.

Mr. HARRY F. BYRD, JR. Will the Chair inform the Senator from Virginia when there is 3 minutes remaining?

The PRESIDENT pro tempore. Yes.

RHODESIA

Mr. HARRY F. BYRD, JR. Mr. President, the House of Representatives last Thursday, August 10, again—again—struck a blow against those who would subordinate the American Congress to the Security Council of the United Nations.

By an almost 2-to-1 vote the House struck from the foreign assistance legislation a proposal which, in effect, would have repealed the Byrd amendment to the military authorization bill which was passed by the Senate, by the House, and signed by the President last year.

Mr. President, I think a little history is in order. About 5 years ago, the President, by unilateral action, at the request of the United Nations Security Council, declared an embargo on trade with Rhodesia.

Rhodesia is the world's richest source of chrome ore, a material vital to defense, and the embargo made the United States dependent on Russia for this commodity.

Last fall legislation was presented in the Senate to set aside this embargo insofar as the importation of a strategic material, namely chrome ore, is concerned.

In the Senate the legislation to set aside the embargo was presented by the Senator from Virginia, the Senator from North Carolina (Mr. ERVIN), the Senator from Florida (Mr. GURNEY), the senior Senator from Arizona (Mr. FANNIN), and the junior Senator from Arizona (Mr. GOLDWATER).

A bill to the same effect was presented in the House by the Honorable JAMES M. COLLINS of Texas.

Between last fall and the present time, on three separate occasions, the Senate voted to set aside the embargo of the United Nations—an embargo placed on the United States unilaterally by President Johnson—insofar as importation of a strategic material from Rhodesia is concerned.

The House by a vote of 251 to 100 last fall sustained the Senate's action. So the vote last Thursday again sustained the action of the Senate and the action which the House took last fall.

In the meantime, a group of House Members brought a suit in the Federal Court of the District of Columbia, requesting that the court throw out the legislation setting aside the United Nations embargo. The Federal judge ruled in favor of Congress.

So now we have a clear-cut situation

in which the Senate on three separate occasions, the House on two separate occasions, and a U.S. District Court all have stated loud and clear that the Congress of the United States has the power and the right to set aside any embargo that might be placed on the American people by the United Nations or by the unilateral action of the President of the United States.

That is highly significant, Mr. President.

It goes beyond the question of Rhodesia; it goes beyond the question of chrome, it goes beyond the question of a strategic material; and it goes beyond the question of national defense.

If the courts or Congress had acted otherwise, it would have meant that the Congress of the United States would be subordinate to the Security Council of the United Nations, and that would be an intolerable situation.

I am glad that those who opposed my proposal, those who have been demanding that Congress subordinate itself to the United Nations, have continued to press the issue. Every time they have lost—and in losing they have built a stronger case for those of us who feel that the embargo unilaterally decreed by President Johnson was wrong—they have strengthened the position of those of us who feel that the U.S. Congress must not be subordinated to the United Nations, and this Nation must not be dependent on Communist Russia for a strategic defense material.

Mr. President, today I want to mention those who participated so effectively in the debate in the House of Representatives last Thursday. Ten Members of the House took part in that debate, in sustaining the position previously taken by the Senate and previously taken by the House.

The fight was led by that fiery and able Representative from Pennsylvania, JOHN H. DENT, a Democrat, and by JAMES M. COLLINS, of Texas, a Republican. Joined with them were Representatives J. HERBERT BURKE, of Florida, Republican; WAYNE L. HAYS, of Ohio, Democrat; FRANK M. CLARK, of Pennsylvania, Democrat; WILLIAM L. DICKINSON, Alabama, Republican; JOE D. WAGGONER, Louisiana, Democrat; JOHN BUCHANAN, Alabama, Republican; ROBERT SIKES, Florida, Democrat, and JOHN ASHBROOK, Ohio, Republican.

It was a bipartisan effort of five Democrats and five Republicans.

When one analyzes the rollcall vote, one finds that Representatives from 42 of the 50 States supported the position that the U.S. Congress must not be subordinate to the United Nations and that this country must not be dependent on Communist Russia for a strategic material; namely, chrome.

So the issue that the Senate has been fighting, the position on which the Congress of the United States has made its voice felt several times now, is not a sectional issue or a regional issue. It is a national issue. Representatives from 42 of the 50 States last Thursday cast their

vote in support of the Byrd amendment dealing with the importation of chrome.

When one adds the Senate votes to that, one finds that representatives from 46 of the 50 States at one time or another—and we have had a series of votes—have voted to set aside the United Nations embargo; have voted to permit the importation of chrome; and have voted that the U.S. Congress shall not be dependent on or subordinated to the United Nations Security Council.

I think that the vote of last week struck yet another blow for a very important principle. It struck yet another blow against those who would say, as so many Senators have said on this floor, and as some Representatives have said on the floor of the House of Representatives, "Oh, we cannot do anything the United Nations does not want us to do. We cannot go against the United Nations. They want us to have an embargo, and the Security Council voted for the embargo, so the American Government then must knuckle down and do what they say and we must have an embargo." I am very pleased that the Congress of the United States stood up against that.

The PRESIDENT pro tempore. The Senator has 3 more minutes.

Mr. HARRY F. BYRD, JR. I thank the Chair.

I want to pay tribute to my distinguished colleagues in the House of Representatives who fought such a difficult battle last week to sustain once again the position which has been sustained three times in the Senate and once by a Federal court.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the previous order the Senator from Wisconsin (Mr. PROXMIER) is recognized for not to exceed 15 minutes.

BUDGET CEILING SHOULD BE ESTABLISHED AT \$240 BILLION

Mr. PROXMIER. Mr. President, I intend to offer an amendment which would set a budget ceiling for fiscal year 1973 at \$240 billion. This is \$10 billion below the \$250 billion ceiling proposed by the Nixon administration but it is still \$8.5 billion higher than budget outlays for fiscal year 1972—\$231.6.

\$250 BILLION CEILING MEANINGLESS

The \$250 billion ceiling proposed by the administration is too high. Since that is what the administration expects to spend in any case, it is really meaningless as far as a ceiling for the administration is concerned. It is particularly meaningless because it is the President—the executive branch—which has control over spending or "outlays." By a stroke of the pen, by a verbal order to the Budget Director, or by a letter to the Defense Department, the President of the United States has the power and the authority to limit or cut or reduce "outlays."

We in Congress have no such power. We control "new obligational authority." We appropriate funds. Some of the funds are spent this year—in fact, the bulk of them are spent in the year appropriated. But billions are not spent this year. The Pentagon alone has a \$40 billion backlog of money—a huge honey jar—which they continue to draw down year in and year out even as the Congress cuts the new appropriations. We control appropriations. We do not control spending.

NEED CEILING ON OUTLAYS

It is, therefore, necessary to have a "ceiling" on expenditures or "outlays." I commend the Senator from Delaware (Mr. ROTH) for his amendment. But the problem with his amendment is that he sets the ceiling at the amount the President intends to spend in any case. It establishes no new "control" or "discipline" over the executive branch.

\$240 BILLION CEILING WOULD FORCE DISCIPLINE

What my amendment would do is to require that the President cut "outlays" and "cut them by \$10 billion." This is some whopping \$8.5 billion over last year, and a very modest ceiling indeed when the Government is telling private business and labor to cut back with price and wage controls.

We can do this and we should do this.

ROTH AMENDMENT LETS PENTAGON OUT FROM UNDER CEILING

A second problem with the ceiling amendment proposed by the administration is that it does not require a cut in the Defense Department. The additional outlays of \$1.2 billion which the President requested for Vietnam is outside this ceiling. The President intends to increase defense spending by that amount, but he intends to take it out of the other agencies and departments of the Government.

Further proof of that fact is seen in the way the President and his supporters in the Senate worked against the McGovern ceiling amendment on defense funds. When the Senator from South Dakota proposed that the new obligational authority for the Pentagon be established this year at last year's level, or a savings of \$4 billion, the Pentagon and the administration worked against it and every Republican in the Senate save one, voted against it.

What we have now in the administration \$250 billion is a ceiling amendment which exempts the Pentagon from the discipline of the budget ceiling. They are outside the rules. They are not only going to spend every dime that was asked for in the 1973 budget but \$1.2 billion in addition.

But if we pass my amendment, they too will have to come under the discipline of the budget ceiling. They too will have to make choices and establish priorities.

CHOICES FOR THE PENTAGON

If they want to continue bombing North Vietnam into the stone ages, let

them at least take the funds out of their existing budget. We should not give them more money to do that.

If they continue, as they are continuing, to have overruns on their major weapons systems of \$35 billion, let us cut their money and force them to establish some fiscal discipline in their procurement.

If they continue with procurement contracts which are almost 90 percent negotiated—and only 10 percent let by competitive advertised bids—the lowest percent in years—let us cut their budget to enforce some discipline over their excesses.

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

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. I rise only for the purpose of raising the question and asking the distinguished Senator to furnish some information. Is my understanding correct that there were \$400 million left in the budget of the Navy which was disposed of in the last day or so, or the last week or so, of the last fiscal year?

Mr. PROXMIRE. The Senator is absolutely correct. As a matter of fact, the Chief of Naval Operations, Admiral Zumwalt, sent out a memorandum urging the Navy to get rid of that money, saying if necessary to require overtime, or anything they could do to use up that \$400 million.

Mr. MANSFIELD. I raise the question because I think the Senator himself raised the question in the first place, and I was seeking clarification.

The second question has to do with another statement made by the Senator to the effect that something like \$38 billion has been lost in contracts let for the development of exotic weapons. Could the Senator furnish a list, so that we could have that material in the Record?

Mr. PROXMIRE. I shall be very happy to do that. I do not have it with me now, but I have it at my office, and will be happy to have it incorporated into the Record as a part of my remarks this morning. I ask unanimous consent that I may do that at the end of my remarks.

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

(See exhibit 1.)

Mr. MANSFIELD. Does the Senator recall the approximate figure?

Mr. PROXMIRE. The approximate figure, as I recall, was about \$36 billion in overruns over the cost of the original contracts. This was something provided for us by the General Accounting Office, and we recalculated it to adjust for the fact that there had been changes in quantities, and so forth, in particular weapons orders.

Mr. MANSFIELD. Was that prior to the cancellation of the Cheyenne helicopter contract a few days ago?

Mr. PROXMIRE. It was.

Mr. MANSFIELD. I thank the Senator. Mr. PROXMIRE. I thank the majority leader very much.

Mr. President, the Pentagon now has some 400 major and nearly 3,000 minor bases scattered in 30 countries around the world. Let them cut back on many of these which are hold-overs from World War II.

They now spend some \$6 billion a year in all forms of foreign military aid to over 46 countries in the world. Let us put a ceiling on expenditures which would force the military to make some tough hard choices about military foreign aid.

We now have more high-ranking officers of some grades—than we had at the peak of World War II. Excesses could be cut there.

The Pentagon is building massive new weapons systems while continuing to build the older systems. With more firepower, far more costly planes and ships, and huge overruns, they should be required to pick and choose and make choices as every one else must do.

NONDEFENSE SPENDING COULD BE CUT

But it is not only in the Pentagon that Government waste and Government spending can be cut.

SUBSIDIES, SUBSIDIES, SUBSIDIES

The Joint Economic Committee, in a landmark study issued last January, established at least \$63 billion a year which is paid out in one form of subsidy or another. Not all of these are bad, but much of it is either wasteful, or goes to wealthy recipients, or is unneeded. A \$240 billion ceiling would require a reexamination of these subsidies.

PUBLIC WORKS WASTE

We all know the extent of waste in public works projects. We know that investment of private capital in the country brings in at least 12-percent return. But the discount rate or cost of public funds invested in public works projects is calculated at less than 6 percent. That means we take money from taxpayers to pump into projects that return less than they would return if invested in private business. That is inefficient. A \$240 billion ceiling would force the Budget Bureau and the President to toughen up on wasteful public works projects.

MANNED SPACE FLIGHT WASTEFUL

Manned space flights are excessive. The most competent scientists tell us we can do everything with machines and do it for about half the cost of manned flights. A \$240 billion ceiling would force a review of this problem.

PAYMENTS TO WEALTHY FARMERS

We have excessive spending for farm program payments which go to very wealthy farmers. A \$20,000 ceiling on payments to any one farm or farmers, which the administration has fought against, could save tens of millions of dollars in the farm program and help those who really need help the worst. A \$240 billion ceiling would force action in this area.

EXCESSIVE HIGHWAY SPENDING

Spending for highways is out of hand. Some \$120 million alone is being spent for the Shirley Highway mixing bowl

here in Washington. That is outrageous. But the highway lobby has its funds protected by the trust fund, so they can spend and spend and spend while other vital needs like mass transit are deprived. A \$240 billion ceiling on spending could force a review of the highway trust fund. And that is long overdue.

WASTE IN HEALTH AND EDUCATION PROGRAMS

While I am a strong supporter of health programs and education programs, everyone knows that the National Institutes of Health have been stuffed with funds which they have used very poorly. And we know that Health, Education, and Welfare spends education money in some very bad ways. Impacted aid is a primary target. A \$240 billion ceiling could force a ground up review of these expenditures.

And in passing I should point out that not even a majority of Republicans and administration supporters voted for the ceiling on the HEW appropriations when that proposal was before us a few days ago.

There are excesses in urban renewal, model cities, and sections 235 and 236 housing programs.

The so-called uncontrollables should also be reviewed. Medicare costs have gone through the roof. But a review of medicare practices can save tens of millions without harming the needy elderly.

REVIEW NEEDED FROM BOTTOM UP

I assert that the budget of the United States can be cut by \$10 billion without harming the people of the United States. In fact, by cutting back on military fat and waste, by applying priorities to domestic spending, by reviewing every program from the bottom up and by cutting back on huge subsidies—sugar subsidies, housing subsidies, interest rate subsidies, subsidies to big farmers, subsidies to big shipbuilders, subsidies to the banks and highway and earth moving industries who benefit from foreign aid, subsidies to defense contractors through Government provision of their plants and working capital—we could save billions of dollars which could better be spent in the private sector and which now cost the American taxpayers billions of dollars in excessive taxation.

\$240 BILLION CEILING NECESSARY

For all of these reasons, I say that a \$250 billion ceiling—a ceiling with little or no warning for that is exactly what the President intends to spend in any case—is not enough and that if we are to establish a working, meaningful ceiling it should be established at \$240 billion. That is \$8.5 billion more than we spent last year.

It is only \$6 billion less than the President originally asked for.

It would make the Pentagon eat its excesses.

It would establish some discipline over Government spending.

I urge its acceptance.

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

Mr. PROXMIRE. I am happy to yield to the distinguished Senator from Florida.

Mr. GURNEY. I have been listening carefully to the Senator's statement, and I must say I agree with his general thesis that we have been spending too much money and we should start cutting back rather severely and carefully.

I would like to question the Senator, however, about defense spending. He mentioned defense manpower. Is it not true that manpower in the Defense Department, both in uniform and out of uniform on the civilian side, has been cut back rather severely in the last year or two?

Mr. PROXMIRE. It is true that there have been some cutbacks, but the cutbacks have been less than could be justified on the basis of the cutback in Vietnam. Also, there has not been as great a cutback on the civilian side in the military establishment in relationship to those in uniform. I believe a limited, modest reduction could be achieved. Certainly not the 1.7 million in 3 years that has been suggested—that is too much, but I think there could be some reduction below what the President has proposed.

Mr. GURNEY. Is it not also true that although our defense budget is the largest single budget in the history of Federal budgeting, actually the percentage of defense spending compared to the gross national product has decreased continually over the last few years, while the social spending has increased considerably?

Mr. PROXMIRE. The Senator is correct, and of course this is because there has been a wind down, and I think all of us should be happy and grateful that there has been, of the war in Vietnam. But, once again, the war in Vietnam has been cut back by about \$20 billion a year in expenditures, and it seems to me that reduction has not been reflected in a corresponding cutback, even allowing for pay increases and inflation and corresponding reductions in military expenditures.

Mr. President, I yield the floor.

EXHIBIT 1

COSTS OF 45 SELECTED MAJOR WEAPONS SYSTEMS INCREASED BY \$36.5 BILLION

Mr. PROXMIRE. Mr. President, the costs of 45 selected major weapons systems have increased by \$36.5 billion over the original planning estimates for those weapons.

This is the largest accumulative overrun reported so far.

Last November I reported a \$35.2 billion cost overrun on the same 45 programs. The November figures were based on data compiled by the Department of Defense as of June 30, 1971. The figures I am making available today are based on data compiled by the Department of Defense as of March 31, 1972.

In the 9 months separating the two sets of figures, the costs of the same 45 programs increased by \$1.3 billion.

Despite the countless congressional investigations, reports, exposes, and blue ribbon panel studies, the message that billions

of dollars are being lost through mismanagement and waste in military procurement has either gotten lost or been ignored.

The picture would have looked even worse except for the fact that seven of the 45 weapons programs were removed from the Pentagon's reporting system and figures for these programs can no longer be updated. Most of the programs in this category were dropped from the reporting system because they were either canceled or completed. Three are among the most mismanaged in recent years. They are the Main Battle Tank, which was canceled after a dismal performance; the Gamma Goat, which received a scathing report from the House Armed Services Committee just a few days ago; and the FB-111, a program whose technical performance is as poor as its cost record.

Several other factors tend to understate the size of the cost overrun problem. Among these is the fact that the data supplied by the Pentagon is often seriously outdated and is sometimes inaccurate.

The Pentagon shows a cost overrun of \$222.1 million on the F-14 aircraft program. The Navy has distorted the F-14 picture by supplying a current estimate of \$5.3 billion to complete the program when in fact the Navy estimates that it will cost \$6.5 billion to complete the program. Instead of a \$222.1 million cost overrun, the Pentagon ought to be reporting a \$1.5 billion cost overrun.

In the case of the LHA ship program, the Navy reports that it will cost \$970 million to complete when, in fact, the Navy now estimates that it will cost \$1.4 billion to complete. The LHA cost overrun has been understated by approximately \$471 million.

The Air Force has managed to minimize the F-15 aircraft cost overrun by changing the cost base. The original planning estimate for this program was \$5.1 billion, as shown in Development Concept Paper No. 19, dated September 28, 1968. But the Air Force now reports a planning estimate of \$6 billion, thereby shrinking the difference between the planning estimate and what it will cost to finish the program. Instead of a \$1.8 billion cost overrun in this program, there is really an overrun of \$2.7 billion.

The omissions in the Pentagon's reporting system in these three programs alone understate the cumulative cost overrun by \$2.6 billion.

Other programs showing extremely large increases include Safeguard ABM, \$2.1 billion; the B-1 bomber, \$2.2 billion; the C5-A aircraft, \$1.8 billion; the F-111 aircraft, \$4.9 billion; and the SRAM missile, \$1 billion.

Another shortcoming in the Pentagon's reporting system is the practice of omitting the costs of large subsystems and associated costs of major weapons. The Safeguard ABM report, for example, ignores the costs of warheads, family housing construction and operation, missile test range support, hospitalization, training, and other Armywide support activities. The most recent estimate of these costs was in excess of \$1 billion, and that estimate was made in 1970. The Army has refused to revise this figure.

A March 1972 GAO report on Safeguard strongly suggests that the Army is concealing the full costs of the program. The Army would not make available to GAO documentation showing the basis and source of its planning estimate for Safeguard. GAO concluded that the Safeguard estimate did not contain the provisions for certain known or anticipated costs and were significantly lower than estimates prepared by the weapon system contractor. In my experience, when the military estimate of the cost of a program is lower than the contractor's estimate for that

program, the contractor almost always turns out to be right.

In the case of the DD-963 destroyer, all signs point to another large cost increase on top of the already large overrun that has been acknowledged. The DD-963 is supposed to be built in the same shipyard as the LHA and the delays on the LHA have already had a detrimental impact on the DD-963, although the Navy has so far refused to admit it.

Finally, the cumulative nature of the data on costs often obscures the reasons for the overruns. Admittedly, some overruns are excusable. When the cost of a weapon rises because more weapons are being purchased than was originally planned, the rise may be justified if the decision to buy more weapons was a wise one and was not concealed from Congress at the time the planning estimate was made. Changes in a weapon as it undergoes development and production may also increase costs, and this increase may be warranted. There are other factors, such as general economic inflation, which affect the costs of weapons.

In stating the overruns for the 45 selected weapons in this report, I have taken into account as much of the dollar costs of the quantity changes as is possible. Where the quantity to be purchased was increased, I

have revised the planning estimate upward by the appropriate amount in order to arrive at the net overrun. Where the quantity was reduced, I have revised the planning estimates downward.

Too often the causes of cost-overruns are gross mismanagement on the part of the Pentagon and inefficiency on the part of the defense contractors. Most of the cost overruns I have studied fall into this category. Unnecessary cost overruns have contributed to general inflation.

Another problem is the intentional underestimate of the cost of a weapon program. A relatively low price tag combined with the rest of the Pentagon's sales pitch has succeeded in winning support for weapons which may otherwise have not been approved by Congress. A number of major weapons fall into this category.

The Pentagon has obviously been unable to cope with the cost overrun problem. The situation seems to me to be growing worse instead of improving. In addition, Congress and the public are still not being told the truth about cost overruns on major weapons.

I request unanimous consent to have printed in the RECORD a report of the costs of 45 selected weapons systems provided to me at my request by the General Accounting Office.

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

COMPTROLLER GENERAL OF

THE UNITED STATES,

Washington, D.C., July 24, 1972.

The Honorable WILLIAM PROXMIRE,
Chairman, Subcommittee on Priorities and
Economy in Government, Joint Economic
Committee, Congress of the United
States.

B-163058

DEAR MR. CHAIRMAN: Enclosed is the updated summary of estimated cost data, on the status of 45 selected major weapon systems. Since our last report to you 7 of the 45 systems have been dropped from the Selected Acquisition Reporting System.

Attachments I and II presents the estimated cost data for 38 major weapon systems as presented in the March 31, 1972, Selected Acquisition Reports (SARs) as released by the Department of Defense. Attachment III presents the estimated cost data on the 7 major weapon systems at the time they were dropped from Selected Acquisition Reporting. We have made no audit or verification of the reported data.

Sincerely yours,

ELMER B. STAATS,

Comptroller General of the United States.

Enclosures—3.

ATTACHMENT I

COMPARISON OF THE ESTIMATED COST DATA AS OF MAR. 31, 1972, WITH THE ESTIMATED COST DATA OF JUNE 30, 1971, FOR 38 WEAPON SYSTEMS

[Dollars in millions]

Number of systems	Planning estimate	Development estimate	Cost change		Current estimate
			Quantity	Other	
Army (8)	\$10,892.7	\$11,701.9	\$1,234.6	\$3,130.8	\$16,067.3
Navy (20)	29,731.3	37,490.6	(576.2)	5,280.6	42,195.0
Air Force (10)	33,273.6	41,082.1	(3,762.5)	9,859.8	47,179.4
Total (38) as of Mar. 31, 1972	73,897.6	90,274.6	(3,104.1)	18,271.2	105,441.7
Total (38) as of June 30, 1971	73,897.6	89,083.5	(5,871.8)	18,124.6	101,336.3
Difference between June 30, 1971, and Mar. 31, 1972	0	1,191.1	2,767.7	146.6	4,105.4

Note: The amounts indicated above for current estimate show a net increase of \$4,105,400,000 as compared to the similar total as of June 30, 1971. This net increase consists of an increase of \$3,324,800,000 for the Army, a decrease of \$301,300,000 for the Navy (\$68,600,000 related to Navy actions and \$232,700,000 due to elimination of the Air Force portion of Sparrow E from SAR), and an increase of \$1,081,900,000 for the Air Force.

The systems accounting for the major changes are as follows:

ARMY

Safeguard: Increase—\$1,791.0 million.

This increase includes \$856 million for adding a fourth site to the program, \$417 million due to stretchout of equipment readiness date of the third site, \$225 million support change primarily for adding a Safeguard Missile Integrated Reliability Test (SMIRT) Plan, and \$199 million for incorporation of OSD projected price indices.

SAM-D: Increase—\$1,318.7 million.

This increase is due to \$49 million for additional testing equipment, \$54 million for anti-missile/nuclear option, \$91 million for management reserve, \$600 million for reconfiguration and quantity change, and \$530 million for revised estimate and economic escalation.

TOW: Decrease—\$62.7 million.

This decrease is attributable to \$25 million for a reduction in quantity to reflect current inventory objectives and a \$39 million decrease due to revising cost estimates based on existing multi-year missile contracts and changes in support requirements. These decreases were offset by about \$1 million increase for economic escalation.

Dragon: Increase—\$214.8 million.

This increase is attributable to \$101 million quality change as a result of a revision

in combat and training consumption rates and forces to be equipped, \$67 million due to change in learning curve computations, labor rates, overhead rates and estimating error, \$12 million for stretchout of procurement, \$24 million to update future economic escalation, and \$11 million for support costs. Cheyenne: Increase—\$38.2 million.

This increase is primarily a result of the request for fiscal year 1973 funds for the fabrication of an additional prototype utilizing parts and tools available from the original production program, and for the renovation of two existing development prototypes.

NAVY

SSN—688: Increase—\$250.2 million.

This increase is primarily due to an increase in the quantity of ships at a cost of about \$182 million and \$69 million for update of escalation.

Posidon: Decrease—\$303.6 million.

This decrease is primarily due to net reductions associated with lower negotiated missile and other equipment costs of about \$245 million, and a decrease in the estimated cost for escalation of \$14 million.

Mark 48: Decrease—\$306.0 million.

The current SAR reflects the Mark 48 Mod 1 torpedo program for which a production contract was awarded in July 1971. The decrease shown above is primarily attributed to the elimination of \$281 million in costs

related to the Mark 48 Mod 0/2 programs which have been cancelled.

AIR FORCE

F-15: Increase—\$493.0 million.

This increase reflects a \$26 million increase in development program based on contractor cost data submitted for renegotiation of engine contract after deletion of engines for F-14B aircraft, \$2 million for added program scope requirements for missile test hardware and a decrease of \$4 million for deletion of test center service funding. In addition, the air vehicle price increased \$412 million based on contractor data submitted for renegotiation of engine contract after deletion of F-14B aircraft which was offset by a decrease of \$8 million for refinement of previous estimates. Initial spares estimates increased \$94 million due to deletion of engines for the F-14B aircraft which was offset by \$44 million as a result of computing spare engines on a modular support concept.

F-111: Increase \$326.7 million.

This increase is attributable to \$293 million for an increase in quantity of aircraft to be procured and \$33 million for initial spares cost increase.

Minuteman II: Increase—\$161.8 million.

This increase is primarily due to force modernization costs.

Minuteman III: Increase—\$128.8 million.

This increase is primarily due to force modernization costs.

ATTACHMENT II

SCHEDULE OF PROGRAM COST DATA APPEARING ON THE MAR. 31, 1972, SARs

[In millions of dollars]

System	Planning estimate	Development estimate	Cost change		Current estimate
			Quantity	Other	
Army (8):					
Cheyenne ¹	125.9	129.9	15.4	189.9	331.2
Safeguard ²	4,185.0	4,185.0	1,686.0	2,104.0	7,975.0
Dragon	382.2	404.2	(131.9)	212.8	485.1
Sam-D ³	4,916.8	5,240.5			5,240.5
Lance	586.7	652.9	5.9	115.4	774.2
Tow	410.4	727.3	(307.4)	232.0	651.9
M-60A2	162.1	205.6	(45.3)	243.2	403.5
Tacfire	123.6	160.5	11.9	33.5	205.9
Total	0,892.7	11,701.9	1,234.6	3,130.8	16,067.3
Navy (20):					
SSN-688	1,658.0	5,747.5	1,084.0	243.6	7,075.1
DLGN-38 ⁴	769.2	820.4			820.4
S-3A	1,763.8	2,891.1		260.7	3,151.8
F-14	6,166.0	6,166.0	(1,116.6)	222.1	5,271.6
EA-6B	689.7	817.7	(50.8)	452.3	1,219.2
P-3C	1,294.2	1,294.2	949.0	46.3	2,289.5
A-7E	1,465.6	1,465.6	(70.5)	755.3	2,150.4
Vast 247	241.1	312.0	(180.7)	312.3	443.6
Phoenix	370.8	536.4	185.5	529.5	1,251.4
Condor	356.3	441.0	(146.0)	85.5	380.5
Poseidon ⁵	4,568.7	4,568.7	(243.6)	425.9	4,751.0
Sparrow E ⁶	1,215.8	740.7	(529.7)	120.6	331.6
Air Force (10):					
B-1	8,954.5	11,218.8	(33.8)	(72.4)	11,112.6
F-15	6,039.1	7,355.2		446.5	7,810.7
C-5A	3,423.0	3,413.2	(710.3)	1,823.5	4,526.4
F-111	4,686.6	5,505.5	(2,628.0)	4,117.1	6,994.6
A-7D	1,379.1	1,379.1	(282.6)	252.2	1,348.7
AWACS	2,656.7	2,661.6		(.3)	2,661.3
Maverick	257.9	383.4	(82.1)	84.0	385.3
SRAM	167.1	236.6	125.6	969.7	1,331.9
Minuteman II	3,014.1	4,254.9	4.0	647.5	4,906.4
Minuteman III	2,695.5	4,673.8	(155.3)	1,592.0	6,110.5
Total	33,273.6	41,082.1	(3,762.5)	9,859.8	47,179.4

¹ The Cheyenne costs represent research and development costs only. These estimates do not include termination costs related to the cancelled production contract.

² For the programs where the SAR's have shown only a development or a planning estimate, we have made both estimates the same to prevent distortion between the totals of these columns.

³ The development estimate of \$4,031,000,000 formerly reported, dated March 1967, was changed to \$5,240,500,000 in March 1972, to reflect the entry into engineering development.

⁴ Although no development estimate was shown on the June 30, 1971, SAR, our last report included the same cost for the planning and development estimates in order to prevent distortion

between the totals of these 2 estimates. With the award of the production contract, the Navy established a development estimate in the Dec. 31, 1971, SAR and is reflected in this schedule.

⁵ Cost estimates for the Air Force portion of this program were deleted from the SAR in December 1971.

⁶ Cost estimates include Air Force estimates for its portion of the Sparrow F program.

⁷ The development estimate was revised based on the award of the production contract in July 1971.

ATTACHMENT III

WEAPON SYSTEMS REMOVED FROM THE SAR

[Dollar amounts in millions]

System	Planning estimate	Development estimate	Cost change		Current estimate	Date of final SAR
			Quantity	Other		
MBT-70 ¹	2,126.5	2,100.9	(602.4)	721.2	2,219.7	Sept. 30, 1971
Gama goat ²	69.1	163.9	(5.5)	22.7	181.1	June 30, 1971
SQS-23 ³	157.1	170.5	(82.7)	94.6	182.4	Do.
SSN-685 ⁴	100.8	151.7		26.2	177.9	Do.
DLG Conv. ⁵	698.8	698.8		307.8	1,006.6	Do.
Total						
Amtrac ⁶	324.4	328.5	(126.9)	0.4	202.0	June 30, 1971
FB-111 ⁷	1,781.5	1,781.5	(1,043.3)	546.6	1,284.8	Sept. 30, 1971
Total	5,258.2	5,395.8	(1,860.8)	1,719.5	5,254.5	

¹ Dropped from the SAR because program was canceled.

² Dropped from the SAR because production was completed or substantially completed, or the program costs are below the revised OSD thresholds.

³ Dropped from the SAR because visibility required by the SAR is no longer necessary and an internal monthly status report will be substituted in its place.

THE INTERIM OFFENSIVE WEAPONS AGREEMENT

The PRESIDING OFFICER (Mr. HARRY F. BYRD, JR.). Under the previous order, the Senator from Mississippi (Mr. STENNIS) is recognized for not to exceed 15 minutes.

Mr. STENNIS. I thank the Chair.

Mr. President, I shall speak at this hour on the Interim Offensive Weapons Agreement, and say that I do this under the pressure of other demanding assignments for today. I shall return to the floor and undertake to debate any point I make that might be challenged or commented on.

I want to say, at the outset, that I support the SALT agreements, both the ABM treaty—now approved—and the pending 5-year limitation on offensive weapons. I certainly hope—and expect—that, having approved the treaty, the Senate will quickly approve the interim agreement.

Occasionally, we in this Chamber have an opportunity to cast our votes on an issue which vitally and basically affects man's state—the status of mankind—not only in the United States and what we call the "free world," but the state of

man everywhere. I believe this is such an issue, approval of these agreements.

I do not mean to say that these agreements, if approved by the appropriate actions here and in Moscow, will put us unfailingly on the straight and narrow path to lasting peace. I do not say that. No single action, in this Chamber or elsewhere can do that.

I believe strongly, however, that these agreements can be a beginning—a start—toward better relations between the United States and the Soviet Union. That would be a start, a significant start toward a more tranquil world.

These agreements are just a start, a first step, but President Nixon has made it clear that he wants to begin negotiations at once on a second-step strategic arms agreement. That is why we have moved rapidly to consider—and, I believe, to approve both these agreements.

CAREFULLY REVIEWED

Despite this priority action here, these agreements have been considered by two Senate committees. Other speakers will, I am sure, discuss the policy findings of the Senate Foreign Relations Committee. I want to state for the record that the Senate Armed Services Committee has

carefully considered military implications of the agreements.

Actually, the Armed Services Committee, through a Subcommittee headed by the Senator from Washington (Mr. JACKSON) kept itself informed on the progress of the 3 years of SALT negotiations in Helsinki and Vienna. Since those talks were completed at the Moscow Summit, the full committee has held hearings on the resulting agreements.

As chairman of the committee, I took part in those hearings and heard all the witnesses except two, and I have reviewed their testimony.

Public and executive sessions were held before and after the July congressional recess. Witnesses heard included the Secretary of Defense, Mr. Laird; the chairman, Admiral Moorer, and members of the Joint Chiefs of Staff, and Ambassador Smith and members of his SALT delegation.

As I have said, these hearings focused on the military implications of the agreements. The committee did not ask that the agreements be formally referred to us; we held our hearings to bring out information and assure ourselves with

respect to military implications of these agreements.

Under these circumstances, the Senate Armed Services did not and will not issue a formal report on the agreements. We asked the Printing Office for a rush job, however, and our printed hearings are now available.

SOUND AND SAFE

I will not attempt to summarize our testimony in detail, Mr. President, but I would like to tell the Senate of the questions with which I entered our committee review and the answers which emerged from it.

I began our hearings with the conviction that we now have a strategic force which is clearly strong enough to deter any challenge. But I wanted to be quite sure about that point.

I also wanted to inquire whether we would have the authority, under this interim agreement, to maintain and update a fully credible deterrent so that it would be available at the end of the 5-year period covered by the agreement. I wanted an answer to that question in case it should develop that the 5-year interim agreement could not be renewed or extended.

Finally, there was a question in my mind about verification. I wanted to be quite sure that we will know what the other side is doing under these agreements. Would we know that the terms of the agreement were being observed?

Our SALT hearings strengthened my conviction that we now have a credible deterrent—that we have a force so strong, so diverse, that potential enemies would not risk attacking us.

Thus, it leaves the matter up to us solely, while making judgments on this question. I will leave the floor shortly to go to a meeting of the Committee on Armed Services, which is passing on the identical point, as to how far we should go with reference to these weapons.

Our hearings also persuaded me that our deterrent will still be strong and wholly credible 5 years hence if we continue to modernize our weapons and improve our technology—as we are permitted to do under the agreements.

Our hearings convinced me that we do have the means to know what the other side is doing while the treaty is in force.

In short, I concluded that the treaty and the interim agreement are sound and that we can safely approve them as the basis for new negotiations aimed at tighter limitations on offensive strategic arms.

Looking toward those SALT II negotiations, I am pleased to be a cosponsor of the amended approval language proposed by the Senator from Washington (Mr. JACKSON). Over the years, no Member of the Senate has given closer attention than he to the strategic posture of the United States as against that of the Soviet Union.

I share some of the concerns he expressed during his exhaustive questioning of witnesses at the committee's SALT hearings. I agree, for example, that this agreement is only an interim agreement. If no permanent agree-

ment—no treaty—has been negotiated by 1977, the United States will certainly have to look down the road—and look down that road before then—and assure the survivability of its deterrent in future years. That is, I believe, the concept expressed in the first part of Senator JACKSON's amendment.

Further, the present 5-year agreement gives certain numerical advantages to the Soviet Union based, in part at least, on technological advantages which we now enjoy. Those technological advantages cannot be assumed to continue for all time. A permanent treaty, therefore, must take this into account and balance the level of strategic forces on both sides by considering numbers of launchers, numbers of warheads, destructive power of weapons, and potential growth within the terms of the treaty. This, as I understand it, is the main aim of the second portion of the Jackson amendment.

The third portion of the Jackson amendment pledges us to a vigorous program of weapons research and weapons modernization. To my mind, this is just commonsense.

As I have said, I wholeheartedly support this interim agreement. I also support the Jackson amendment because I do not believe it places any reservation or limitation on the basic offensive weapons agreement. I do not, and would not, support any limitation or reservation, or anything I judged to be a limitation or reservation.

I believe, however, that the Jackson amendment, as it stands, as he offered it on August 7, constitutes a wise expression of views by Congress as it approves the agreement.

JOINT CHIEFS APPROVE

I am confident that my conclusions about the agreements were solidly based on the facts presented and the best military judgments available.

We questioned Admiral Moorer, Chairman of the Joint Chiefs, and Admiral Zumwalt, General Ryan, and General Palmer very closely. I believe their view is quite clear.

The Joint Chiefs of Staff, who followed the negotiations closely, favor approval of the treaty and the interim agreement, provided we continue to go forward with modernization of strategic weapons and improvement of weapons technology.

Here is the position of the Joint Chiefs of Staff as presented to the Armed Services Committee on June 20 by Admiral Moorer:

The Joint Chiefs of Staff were officially represented on the SALT delegation and were consulted prior to signature. If we press forward vigorously with our programs designed to protect against a degradation in national security posture, the Joint Chiefs of Staff believe that the deterrent capability of our strategic forces will not be impaired, that peace of the world may be enhanced, and that the undertakings will be in the best interests of the United States.

I am confident, based in part on decisions of the past and in particular on our recent procurement debate here and the decisions then made, that the Senate will continue to back the SALT agreements with adequate funds for improved

weapons and technology within the terms of the agreements.

SALT SAVINGS

One final word about these agreements. As chairman of the Senate Armed Services Committee, I want to take issue with those critics who complain that savings anticipated under SALT, have proven illusory and that the money saved has been engulfed in funds for new weapons spending. That is not true if we look ahead a few years—as we must look ahead.

Before the SALT agreements, Congress was committed, in some degree, to four ABM sites. The Defense Department had set its sights on 12 of them. Under the treaty we will buy no more than two.

Before the SALT agreements, the Russians were rapidly expanding their land and sea-based strategic missile forces, and there was no apparent end to it. Well before the 5-year term of the proposed offensive agreement, we would have to take aggressive—and expensive—steps to counter the expanding threat.

I believe that we would have to move, in the strategic weapons area—and move soon—if the agreements were not approved and the Russians were to continue their open-ended expansion of their missile programs.

Looking down the road, there are savings, very great savings, implicit for the future in these SALT agreements. Of course, it will require some hard decisions by Congress and the executive branch as to whether or not we really make these savings.

A START

We will save money in the long run under these SALT agreements, but, as I have said, the agreements promise much more than a measure of relief for the American taxpayer. They promise a start towards arms control—I do not say disarmament—in the nuclear age. It is a start which I believe we should make, first, in our own best interests, but also in the interests of others.

Mr. President, I do not want to get excited about it, but I have been very close to these problems for the last several years; and I say on my responsibility—every ounce of it—that there is no complete defense to a nuclear attack; that if these arms are ever turned loose by one party or another and we have a nuclear war, great parts of the world will be destroyed and a great percentage of the population of the world will be destroyed.

Senators should face the fact that, while we debate this bilateral first step, the nuclear arms race is accelerating among other powers. The ban on nuclear testing does not apply to underground tests, and some nuclear powers do not abide by the 1963 treaty. Several nations already have nuclear weapons and limited delivery systems. These are just—well known facts. They are not often mentioned because they are so unpleasant but it is a part of the world in which we live. In fact, the Atomic Energy Commission lists 23 nations capable of developing nuclear weapons and sophisticated delivery systems within 5 to 20 years.

Picture that—if anyone can—a world 5 to 20 years from now in which 23 nations will be capable of having nuclear weapons with modern delivery systems, that is, the ability to deliver a nuclear weapon on target. It is unthinkable that we should not try, now, to go as far as possible in preparing against that day.

It is high time that the major powers took steps toward curbing their nuclear arms so that other nations with a menacing potential can be drawn into an arms control network.

I urge approval of the interim agreement which is limited but is a start.

Let me emphasize, in concluding, that we do now have, beyond doubt, in being, sophisticated weapons that are entirely capable of providing the necessary deterrent that we need to deter any nation from risking the consequences of an attack upon us.

Further, for emphasis, under the terms of the agreement to which I have addressed myself, we will have sufficient deterrent force and we can provide, for the intervening period, and the period beyond the 5-year period, should there be no extension of this agreement, or should it be violated in the meantime.

We have an opportunity, and the time, to provide the benefits of research and development and technology that would update the weapons we have, or even bring forth new weapons that would add to our deterrent capability.

Further, I am satisfied—and this is something new, it was not true a few years ago—that we now have the capability to detect and to be able to tell on a week-to-week and a month-to-month basis what is going on on the other side, what they are doing, and what their activities are. I do not mean looking into their minds as to what they are planning, but finding out what they are doing toward improving their own position and thus avoiding, through this marvelous technology, getting caught by surprise.

No system is perfect, but I have been here a good many years and I am satisfied that we are not taking too much of a chance. We are not taking an unreasonable chance in making this modest start, because I realize that something has got to be done. I believe this will prove to be the germ—the beginning—of what will finally develop, I hope, into a worldwide limitation of some kind with reference to nuclear weapons. I am not off on a rosy path of thinking about disarmament or unilateral action, but thinking totally within the terms of this agreement as I have outlined it.

Mr. President, I yield the floor.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. ROBERT C. BYRD). Under the previous order, the senior Senator from Kentucky (Mr. COOPER) is now recognized for not to exceed 10 minutes.

INDIA'S 25TH ANNIVERSARY AS AN INDEPENDENT, DEMOCRATIC NATION

Mr. COOPER. Mr. President, I send to the desk for myself and on behalf of

Senators CHURCH, TUNNEY, JAVITS, SAXBE, KENNEDY, STEVENS, PERCY, CASE, BAYH, HOLLINGS, CRANSTON, BROOKE, MATHIAS, TAFT, HATFIELD, and ROTH, a resolution expressing the congratulations of the Senate to the Republic of India on its 25th anniversary as an independent, democratic nation.

Mr. President, as I have just said, I have submitted today on behalf of myself and the Senators I have named, a Senate resolution extending to the Republic of India and to Prime Minister Indira Gandhi, to its Parliament and people, the congratulations and good wishes of the Senate of the United States on the 25th anniversary of India's establishment as an independent, sovereign and democratic nation. I know that we are joined by millions of the people of the United States in this expression of good will.

It was 25 years ago that the partition of the subcontinent of India was completed. To one who has spent any time in India, I think it would be clear that there never was any question in its long history that India would be independent. The strength and continuity of its ancient culture and its history made independence inescapable. The part that Ghandiji, the late Prime Minister Jawaharlal Nehru and other great leaders played in hastening independence were in a larger sense an expression of Indian thought and purpose and determination. I think it worthwhile also to remember that Great Britain and her statesmen played an enlightened role at the time of her independence. But, above all, it was the unwavering spirit of the Indian people and their leaders growing out of its long history and culture that assured independence.

It has been 25 years since that historic day of independence and in the years that have passed, India's progress and work have been marked by the spirit and activity which only independence and complete freedom can give.

It was my opportunity to serve in 1955 and 1956 as Ambassador of the United States to the Republic of India and I have revisited India on three occasions since that time. Each time I have seen the continuous growth and success of its economy in the field of agriculture and industry. But of equal importance, this economic growth has been accompanied by a concern for the social and humane needs of its people in health and education and social justice.

India's life has stayed firmly bound to democratic values in its parliamentary institutions, the rule of the law, its free courts and the holding of free elections, larger in point of participation by its people than any other country in the history of the world.

India has had its trials but it has held true to its course of independence and democratic and human values.

The United States, throughout the years, has been of assistance to the people of India. I hope that the spirit and the values of the peoples of the two countries will be increasingly close and bound together to friendship.

We extend to the Republic of India, to Prime Minister Indira Gandhi, a great leader of her people, to our sister par-

liament, and to India's people our congratulations on its success and our best wishes for the future.

I ask unanimous consent to have printed in the Record an excerpt of Gandhi's writings which tells much about the spirit of the Republic of India.

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

Recall the face of the poorest and the most helpless man whom you may have seen and ask yourself, if the step you contemplate is going to be of any use to him. Will he be able to gain anything by it? Will it restore him to a control over his own life and destiny? In other words, will it lead to swaraj or self-rule for the hungry and also spiritually starved millions of our countrymen? Then you will find your doubts and yourself melting away.

The PRESIDING OFFICER. Under the previous order the distinguished Senator from Idaho (Mr. CHURCH) is now recognized for not to exceed 10 minutes.

TO THE NEW INDIA—HAPPY 25TH BIRTHDAY

Mr. CHURCH. Mr. President, today, the Republic of India is celebrating its 25th independence anniversary. I am delighted to submit a sense of the Senate resolution, along with Senators COOPER and TUNNEY and others, expressing this body's congratulations to the Parliament of India on such a significant occasion.

Through this resolution, we in the U.S. Senate want to express to our legislative counterparts halfway around the world our good will and best wishes, and pay our compliments to the people of India for their impressive economic and social achievements over the past quarter of a century, and for their steadfast support of parliamentary government.

The world's most populous democracy and the foremost power in South Asia, India is a free and secular society based on a written constitution that seeks social, economic, and political justice for all its citizens. Its judicial system is devoted to the rule of law. From the time that Prime Minister Jawaharlal Nehru spoke on behalf of India's freedom 25 years ago, the United States has supported and encouraged India's efforts to develop its economy and strengthen its democracy.

I first saw India during World War II; I returned for the second time at the end of November 1971. During my brief visit last year, I caught a glimpse of India's energetic program of economic development to raise up 550 million people from the depths of poverty and to make the transition from a traditional society to one of just distribution of the benefits of wealth, science, and technology. I saw the infrastructure, which Prime Minister Indira Gandhi has said "will enable us to become a modern economy." I saw the modernization of India's agriculture, known universally as the green revolution, whereby the country has reached self-sufficiency in rice production.

In the industrial sector, after major diversification, India today ranks as the world's eighth industrial nation, able to supply to its people consumer and capital goods as well as to export sophisticated products.

The Government has worked hard to raise the living standards of the Indian people by providing extensive health services, raising life expectancy from a grim 29 years at independence to 55 years today, by increasing the literacy rate from 14 percent in 1947 to over 30 percent in 1972, and by promoting effective family planning programs nationwide.

Since India's political system, like that of the United States, is a test and a proof of the democratic path to achieve social justice and economic well-being, what happens in India, especially over the next 25 years, will help to determine the future of other nations in Asia that look to this democratic power for guidance and leadership. The significance of India's economic well-being then, realized in the open air of democracy, extends not only to the country's 500,000 villages and cities, but far beyond India's borders.

The diverse cultures of India and the United States are naturally bound by the bridge of democracy by which both societies guarantee free debate, free worship, and free elections, India having had six national elections since independence. Both countries share values that are set forth in the American Declaration of Independence, and both nations have demonstrated a deep sense of responsibility toward mankind by offering refuge to the oppressed. The 10 million East Bengalis who fled to India during Bangladesh's war of independence last year have returned home, but India still hosts the Dalai Lama and close to 100,000 of his Tibetan followers.

India and the United States have chosen to follow the path of progress for the many rather than the few. Thomas Jefferson said:

Men are naturally divided into two parties, (1) those who fear and distrust the people, and wish to draw all powers from them into the hands of the higher classes; and (2) those who identify themselves with the people, [and] have confidence in them.

On its silver independence anniversary, India can look back with satisfaction on 25 years of building, of exemplifying that the state does exist to serve the people, not that the people exist to serve the state. As in the case of Jefferson's America, India can look forward to expanded horizons for growth with a society firmly based on democratic institutions.

As a friend of India, I offer my heartfelt congratulations on its 25th birthday. May this be the opening of an era of increasing prosperity and opportunity, domestic tranquility, and peace for the Indian people.

The words of the poet, Shelley, apply: "The world's great age begins anew."

I ask unanimous consent that an interview with Prime Minister Gandhi in Sunday's Parade magazine and a dispatch from Delhi in today's Washington Post be printed in the RECORD.

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

[From the Parade magazine, Aug. 13, 1972]

A TALK WITH INDIRA GANDHI

(By Michael Gorkin)

NEW DELHI.—"We are quite willing to forget what has happened, and to make a new start

with the United States. We want your friendship. But the Nixon Administration has shown no real desire to improve its relations with India. The American people—that's another story. They have consistently been sympathetic. I, personally, get such a vast number of letters from Americans—in every state, and every age—all expressing their friendship for India. We are grateful for this support. And we sincerely hope that the U.S. Administration, too, will try to understand our point of view and our problems. It is never too late or too early to be friends."

Thus did Prime Minister Indira Gandhi, leader of India's 560 million people, express to Parade her hopes for future U.S.-Indian relations. Coming as they do, on the eve of India's 25th anniversary of Independence from Britain (on Tuesday), her words are a reminder that there still may be some common ground between the world's most powerful democracy, the United States, and the world's largest democracy, India. They are also a reminder that never in the past 25 years have relations between our two countries been worse.

THORNY PATH OF INDIA-UNITED STATES RELATIONS

To some observers, the surprising thing is that Indian-American relations didn't fall apart a long time ago. For, ever since 1954, the U.S. has been allied to India's arch-enemy, Moslem Pakistan. We have spent billions of dollars in military aid, propping up various dictatorships in Pakistan, which borders on the Soviet Union and agreed to be our ally. And while we have also invested some \$10 billion in "non-aligned" India (almost all of it economic aid) we have consistently been more critical of India, and we have usually looked the other way when Pakistan pointed its American-supplied guns in India's direction.

NEW NATION OF BANGLADESH

This was perhaps never more evident than last December, when India and Pakistan got embroiled in their fourth war in 25 years—a war that saw East Pakistan emerge, with India's assistance, as the independent country of Bangladesh. During the 14-day conflict, and for several months preceding it, the U.S. gave moral support to Pakistan, even though we claimed publicly to be neutral. (The "Anderson Papers," it will be recalled, made this embarrassingly clear.) As a result, Indian-American relations plummeted to a new low—in fact, to the point where the newly retired American Ambassador here, Kenneth Keating, had to be accompanied by a 24-hour armed guard.

As might be expected, the main beneficiary of all this bad feeling between the U.S. and India is the Soviet Union, which, for the past few years has steadily increased its strength on the subcontinent. At this point they are now India's main arms supplier, having pumped in some \$1.8 billion since 1965. ("We pay for all of our arms from the Soviet Union, and this in no way affects our status of 'non-alignment,'" counters Mrs. Gandhi.) Moreover, in August, 1971, India and the Soviet Union signed a 20-year Treaty of Peace, Friendship and Cooperation—which, though not a mutual-defense pact, nonetheless has sent the shivers up some American spines. As Kenneth Keating expressed it, with diplomatic calm: "Mrs. Gandhi will perhaps tell you that the Treaty in no way affects India's status of 'non-alignment' [she did] but for the American mind, at least, it is difficult to imagine the Treaty having no effect, or making no changes, isn't it?"

MRS. GANDHI GAINS POWER

Such worries notwithstanding, it is probably too soon to say whether the Soviet Union has won a permanent place for itself in India, or whether the U.S. has lost the world's second most populous country as a friend. But what is certain is that much will depend on India's popular and powerful Mrs.

Gandhi. At 54, she has been India's Prime Minister for six years; yet, it wasn't until her overwhelming success in last year's elections, followed by the victory over Pakistan in December, that she became India's undisputed leader. Today, in fact, many observers feel that no leader in India's recent history—not even her father, Jawaharlal Nehru, who was Prime Minister from 1947 until he died in 1964—has had as much power as the strong-willed, brilliant, attractive Mrs. Gandhi.

In a way, Indira Priyadarshini ("dearly beloved") Gandhi has been grooming for this position ever since she was a child living in her grandfather's mansion in northern India. Both her grandfather and father were leaders in India's struggle for independence, and Indira was often present when British officers came to cart them off for interrogation and prison—or, as her father called it, his "other home." During his long stays in prison, Nehru sent letters to Indira—his only child—often confiding to her his deepest hopes for India's future. It wasn't long before Indira, too, joined in the "freedom struggle," nor was it long before she emerged as one of its young leaders, and was tossed, along with her father, into that "other home."

This close working relationship with her father continued even after India won its independence in 1947 and Nehru became its first Prime Minister. Nehru's wife having died, he asked Indira—who by then had married a childhood friend and was a mother—to move, along with her family, into the Prime Minister's residence and to serve as his official hostess. Indira thought about it, argued about it—with her husband Feroze (he died in 1960)—and then agreed. Thus, for the next 17 years she was constant witness to the comings and goings of world leaders (she has met, for example, all the American Presidents since Truman); and she was constant "ear" to her father, who continued to discuss with her his problems and plans. Not surprisingly, by the time he died, Indira knew as much about politics and leadership as anyone in India. And just two years later, she got a chance to prove it when she was elected Prime Minister.

UNITED STATES WAS SOURCE OF INSPIRATION

Today, at the pinnacle of her power, Mrs. Gandhi is attempting to finish the job that her father barely started—namely, that of bringing a peaceful, democratic revolution to poverty-wracked India. To do this, she obviously needs all the help she can get, and what has been disappointing is that the U.S. has not come down firmly on India's side. As Mrs. Gandhi expressed it, somewhat philosophically: "For many of us who were in the freedom struggle in India, the U.S. was a source of inspiration. The speeches and sayings of Thomas Jefferson and Abraham Lincoln—we looked to these with great admiration. But look what has happened: the U.S. has taken to supporting regimes that are alienated from their own people—in Pakistan, in Vietnam, throughout the world. In fact, if we look at this recent history, we must ask whether America, with all its talk of democracy, is really supporting democracy anywhere."

"Yet, even though I say this, it is also true that there has been friendship in the past. As I've said, the American people have always shown a sympathy and understanding for us. But what is also necessary is for America's present leaders to understand the problems of our area. For instance, you simply cannot overlook the spirit of nationalism in Asia. Almost all our countries have only recently won their independence: so, when we hear America's leaders talk about how they have gone into Vietnam to defend and develop the Vietnamese, it just sounds like an old version of 'the white man's burden' to us. Therefore, what we in India say is that it would be better for American troops to get out of Asia altogether. On the other hand, if

America genuinely wants to help us, and be friends with us—we welcome it."

The kind of "help" Mrs. Gandhi is referring to, quite obviously is American dollars. And no doubt, one of the first steps the U.S. must take to patch up relations with India is to resume—if not increase—our foreign aid to them (since December we have cut off aid to Mrs. Gandhi's government). But, as one American official pointed out, "she is hardly going to come begging for it. And besides, as much as Mrs. Gandhi would like our assistance, she knows that in the end it is up to India to solve its problems mostly by itself."

And staggering problems they are. For India today is a terribly poor country (per capita annual income is less than \$100), and there is barely enough food to go around. Moreover, the population is increasing by some 13 million per year—which means that, at the present rate of growth, by the year 2000 there will be a billion mouths to feed. And, how does one change this trend—how does one modernize agriculture and cut down the birthrate—when most of the people are tradition-bound and uneducated (70 percent are illiterate)?

LEGACY OF COLONIAL RULE

"Obviously it will take some time to completely conquer these problems," explains Mrs. Gandhi. "Centuries of British colonial rule left us in a state of terrible stagnation, and we have had only a few years to get over it. But the point is, we are getting over it. We have a sense of self-confidence that we never had before, and already we have begun to make important inroads into these problems."

No doubt, the most crucial inroad made in recent years is what Indians call the "green revolution." By introducing into some regions the newly developed varieties of wheat and rice (which increase yields some 200-300 percent), and by applying large amounts of fertilizer, India has in just five years become self-sufficient in these vital foods—which means, incidentally, the Indian's leaders no longer have to go pleading, as they did in 1966, to the wealthy countries to rescue their people from starvation.

"And now what we have to do is spread our 'revolution' to all regions, and all farms in the country," says J. Katarya, an agricultural technician in north India. "You see, once we convince farmers that fertilizer won't—as some of them say—rob the soil of its strength, and once we get them to see that even though the new wheat and rice taste different they are still good, then these farmers are happy to go along with us. And once we have all farmers using new methods, there will be enough wheat and rice for everyone to eat as much as he likes."

Maybe so. But undoubtedly much will depend on just how successful India is in limiting the number of mouths it will have to feed. Thus, in the last few years the government has tried almost every method possible to encourage birth control: a "standing army of 90,000 workers" has been organized to tour the countryside and spread the message of family-planning; sterilization centers have been set up to perform vasectomies, for which the sterilized man is paid some \$15, or about two months' wages; and contraceptives are now being sold—at government-subsidized rates—in almost every nook and cranny of the country.

PROGRESS MADE, BUT CHANGES TAKE TIME

"We still haven't made as much progress as we would like in some of the poorer areas," concedes Uma Dixit, Minister of Health and Family Planning. "Many parents still have the old ideas about needing a lot of children to support them in old age, or needing many sons to protect them against their neighbors. And, of course, in many of these areas there isn't much else to do for entertainment at night. But, even so, we have

made some progress, and I am optimistic that we can keep India's population down to manageable proportions. It's just that we can't expect to see these changes take place overnight; it's going to take some time."

But, how long does India have? And what if India cannot keep her population from growing by leaps and bounds? And what if the green revolution then cannot produce enough food to go around?

These are the troublesome questions that hang over India on this, the 25th anniversary of her Independence. And these are the problems that Mrs. Gandhi—who has promised her people "Out With Poverty!"—is now trying to solve. But, while everyone here knows that India alone is ultimately responsible for their solution, there is still a disappointed feeling that 10,000 miles away, the world's wealthiest country doesn't much care.

[From the Washington Post, Aug. 15, 1972]

INDIA, FREE 25 YEARS, ENJOYS STABILITY AND POVERTY

(By Lewis M. Simons)

NEW DELHI.—In the 25 years since Jawaharlal Nehru kept his country's "tryst with destiny," the government of independent India has made remarkable progress toward modern statehood.

But the people of India have not kept pace.

As a government, India has advanced far toward the recognition its leaders dearly crave from the world beyond the Subcontinent. Political stability is so much a fact of life that opposition is almost nonexistent and critics are beginning to raise cries of "dictator" against Nehru's daughter, Prime Minister Indira Gandhi.

As a people, the great Indian masses are as impoverished today as they were on this day in 1947, the day Britain set them free.

To the outsider, witnessing this phenomenon of advancing government and lagging populace can be like watching a lumbering bullock cart. But on this cart, sometimes one wheel rolls forward and one stands still, and the cart turns in a circle.

ECONOMIC EVALUATION

Consider this evaluation of the Indian economy 25 years after independence by Finance Minister Y. B. Chavan:

"All-round economic progress since independence has radically altered the character of our economy and brought about a significant increase in real incomes generally.

"But, the absolute number of those living in abject poverty has scarcely diminished; economic disparities appear to have widened; unemployment has become a seemingly intractable problem."

Or again, in an analysis of land reform by State Minister of Agriculture Sher Singh, the wheels seem to spin in two directions:

"One of the spectacular results of the spread of modern technology has been a widening of the disparities in wealth and income in rural areas.

"On top of this, the unplanned spread of mechanization threatens not only to accentuate the inequalities but also to reduce employment opportunities. In the result, new social tensions are developing in the countryside."

DEFICIT ELIMINATED

On occasion, the wheel of the government and the wheel of the people seem to roll smoothly alongside each other, and the results can be startling. The "Green Revolution" of Indian agriculture is one of these rare achievements.

Spurred by the disastrous droughts and famine of 1965-67, government leaders, scientists, technicians and peasants pulled together. Within five years, they eliminated the great food deficit which had plagued this country from antiquity and built a re-

serve now claimed to be adequate to ward off starvation for more than a year.

While this is an achievement that would doubtless stun the founders of independent India, Gandhi and Nehru, once more it is beginning to look as through the accomplishment will be that of the government more than of the people.

FOOD EXPORTED

After its resounding defeat of Pakistan last December, the government delivered a reported 750,000 tons of rice to its newly liberated neighbor, Bangladesh. The word went out: For the first time in history, India can export food grains.

A deal with a Japanese company was reported in which India was bartering 100,000 tons of corn. The government offered "miracle rice" seeds to North Vietnam.

The government also claims its storehouses hold 9.5 million tons of food grains. Some politicians in opposition to Prime Minister Gandhi have disputed the figure, but this can probably be dismissed as sniping and most diplomatic observers accept the official statistics.

Yet, when the current monsoon was late in developing and summer crops were burning in the parched ground, it was only a matter of weeks before peasants began dying. Government officials, anxious that green revolution not appear to be a fragile shell, insisted they were dying of malnutrition, not starvation.

Now, although the monsoon has come, great damage has been done to crops, and no more is to be heard about grain exports. The Japanese deal is back "under negotiation." The U.S. mining of North Vietnam's ports eliminated the seed offer.

There is no doubt that India is capable of feeding itself and even of exporting grain. The point has been made. What has not been proven is that the diverse elements of the government and the people can be made to haul together in good times as well as bad to overcome dependence on the capricious monsoon and to make agriculture a manageable science.

INDUSTRY'S ROLE

Industrial growth since independence does not approach agricultural gains. In 1950, three years after the Union Jack was lowered in New Delhi, industry contributed about 5 per cent to India's national income. By 1968, this contribution had doubled.

Since then, however, with the government moving increasingly into the industrial picture, growth has fallen off sharply. In the last four years, the government has granted only 125 out of 1,000 applications by large private industrial organizations seeking expansion.

This shackling of the private sector has caused the government to dip deeper and deeper into bank credits to help develop public sector growth. In the last fiscal year, the government borrowed a record \$1.1 billion.

The handful of indigenous industrial giants has grown frustrated. In an annual report to one of his companies last month, the country's leading business figure, J. R. D. Tata, complained bitterly:

"... Modern and mature countries which, whether calling themselves socialist or not, have provided their people with the highest standards of living and the most complete welfare services in the world, have resolutely turned their back on outdated Marxist theories and shibboleths still blindly accepted by so many in our country who think the prosperity and welfare of the people can only come from the destruction of all private ownership and enterprise."

Most observers in New Delhi are not as convinced as Tata, who is frequently described as an "enlightened capitalist," that Mrs. Gandhi intends to destroy private enter-

prise. What she does seem intent on doing, however, is developing something she calls the "joint sector," an ill-defined melding of government and private management.

POLITICAL MOTIVATION

The effort to eat into private control of industry appears to be politically motivated. Long-time observers note that dramatic moves, such as nationalizing a huge private factory, can pay dividends in impressing a large number of poor people, even though the benefits to them may be nil.

To those of India's supper class—a class which forms an eggshell-like veneer over the depths of grinding poverty—Mrs. Gandhi has become an object of scorn for her steps in nationalization and her efforts to place restrictions on both rural and urban land-holdings.

To this class, from which Mrs. Gandhi and her aristocratic father themselves came, she is "that woman," just as Franklin Roosevelt was "that man in the White House" to critics of his New Deal.

The argument over nationalization is a constant one here. But, while critics can cite convincing figures as evidence that nationalized industries such as banking, insurance, and some steel plants, are doing very poorly, proponents can point only to future hopes.

As to what this furiously spinning government wheel is churning out for the people of India, Times of India columnist Prem Shankar Jha wrote recently: "What difference does it make to the 200 million people who live below the bread line whether industry is controlled by 100 or 1,000 families or, for that matter, by the state?"

GREATEST FAILURES

At this "below the headline" level of society lie India's greatest failures in its first quarter century: Failure to provide housing for more than 10.5 million families; failure to provide education for the children of these families; and failure to provide basic medical attention.

Clinging to the lowest rung on India's social ladder are some 80 million Untouchables, or as Gandhi called them with heart-rending affection, Harijans—Children of God.

(The Untouchables were members of certain Indian castes which, though considered Hindus, were excluded from the ordinary social and religious privileges of Hinduism. India outlawed "untouchability" in 1949 and made persecution of untouchables punishable by law.)

(How this caste came to be ostracized is obscure. According to one definition, Untouchables are best described as Hindus who were not allowed to enter ordinary Hindu temples and who supposedly caused pollution to ordinary Hindus either by touch or by proximity.)

Untouchability, in effect relegated an entire community to the dregs of society. And, as American Blacks have learned, prejudice cannot be legislated out of existence. Untouchability is still very much a fact of Indian life, not only in the villages but in the big cities as well.

Even in New Delhi, where a handful of Harijans have become Cabinet ministers and public figures, the men and women who sweep the streets and empty latrines are always Untouchables.

In the villages, their lot is far more degrading—and dangerous. In the first six months of this year alone, 20 cases have been reported of Untouchables being made human sacrifices to satisfy obscure religious rites. Those cases not reported, according to one authority, "must be legion."

Officially, prejudice against Untouchables is exercised in diverse ways. For instance, when electric power is installed in rural villages, the adjacent slum areas occupied by the Untouchables of the village are inevi-

tably ignored. There is now a program to provide electrification for one Harijan settlement a day in each state in the country.

But, according to one official source, government measures have no significant effect on improving the overall status of Untouchables since 1947.

The Untouchables and the lower, or "scheduled," castes and tribal groups make up the breeding ground for India's exploding population. According to the official 1971 census, the population now stands at 548 million, an increase of 24.8 per cent in the last decade—the highest growth rate for any decade to date.

RATE OF BIRTHS

According to informed observers, the total population is nearer 500 million and the rate of births may be even higher than the one officially reported.

The goal of the national family planning program is to reduce the growth rate from 39 per thousand to 32 by the end of the current five-year plan in mid-1974. "The achievements so far do not indicate that, except in a few states, this goal will be reached," Health and Family Planning Minister Uma Shankar Dixit said recently.

All these are social problems and very serious. Some of Prime Minister Gandhi's harshest critics say India's social ills continue unabated because she has concentrated her efforts on making a place for herself—and India—in the world instead of making India a better place to live.

Whether this criticism is valid or not, there is no question that the daughter of Nehru has far surpassed her predecessors in gaining international position and respect for both herself and her country.

By shrewdly accepting the courtship of the Soviet Union at a time when war with Pakistan over Bengali nationalism was growing imminent, she cleared the way for her generals to fight the battle without having to worry about super-power intervention.

RINGING VICTORY

The ringing victory over Pakistan has also swept aside that lingering aura of nonalignment, so carefully nurtured by Nehru. And though Mrs. Gandhi and her ministers would be loath to admit that nonalignment is a thing of the past, leading Indian political scientists are not only open about it, but proud.

"Nonalignment answered our needs for security and our urges for prestige," said a top government defense analyst in an interview. "By being friendly in varying degrees with Washington, Moscow and Peking, Mr. Nehru hoped to make the Subcontinent free from excessively hostile interference by any major power. Indo-Pak strains were there for anyone to exploit."

For a number of years, India consoled itself by saying it was an area of agreement between the Soviet Union and the United States. But as ambitious a figure as Mrs. Gandhi could not be content with this self-deception forever.

Then, in December, 1970, Sheikh Mujibur Rahman won an impressive victory in the east Pakistani elections, and Mrs. Gandhi saw that the unity of Pakistan was in serious trouble.

Here at last was a hope for India to reconstruct the Subcontinent to its liking.

Victory gave India the position it has carved since Britain partitioned the Subcontinent preceding independence.

WANTS RECOGNITION

What Mrs. Gandhi wants now from the United States and China, and already enjoys from the Soviet Union, is the recognition that India reigns supreme in South Asia.

There can be no doubt that much of the indigenous criticism levelled at Mrs. Gandhi is political carping. She has achieved in her tenure progress and stability beyond the

dreams of the former British rulers and the Indians who initially inherited leadership.

In some ways, progress has been so significant as to cause some criticism to become quite fine-grained, in itself a tribute to India's first 25 years.

But there can also be no doubt that the next 25 years must be a period of advance for the Indian people themselves. While they may no longer be the starving masses that once haunted the conscience of the world, their suffering is still overwhelming.

Until this suffering is alleviated, India's progress will continue to be irregular, like the two-wheeled bullock cart, sometimes lurching forward and sometimes lumbering in a circle.

The PRESIDING OFFICER. Under the previous order, the distinguished Senator from California (Mr. TUNNEY) will be recognized for not to exceed 10 minutes.

INDIA: 25 YEARS OF INDEPENDENCE

Mr. TUNNEY. I am pleased to join today with my distinguished colleagues from Kentucky, Idaho, and others in submitting this resolution to extend warmest congratulations to the Parliament and all other citizens of India on the 25th anniversary of India's independence.

This date, August 15, marks not only a beginning of a new era in the long history of India, but also the Renaissance of earlier times when Indians governed themselves. Some 5,000 years ago, when the rest of the world still wandered through the mists of precivilization, a remarkable civilization developed on the shores of the Indus River. Spreading from the river valley, the Indus Valley civilization developed a rich and varied culture which modified and transformed its many conquerors for centuries to come.

Various peoples and cultures followed the Indus Valley civilization. These included the Indo-Aryans, Greeks, Mauryas, Hindus, and finally the Europeans. Vasco Da Gama's success in reaching India sailing around Africa in 1498 inaugurated a 200-year struggle by the Europeans for control of the fabulous jewel of the "Indies." Finally, through the efforts of the East India Co. the British achieved complete control of the river valleys and coastal plains, the sources of most of the colonial wealth Britain sought. After the great Sepoy revolt of 1857-58, the company ceded the government to the British crown.

Interior and less-accessible areas were left under the control of the local hereditary rulers, but with British supervision.

In 1947, following years of protest, consultation, and careful planning, India finally achieved her rightful independence under the leadership of the immortal Mohandas K. Gandhi, the Mahatma. Gandhi's greatest contribution to his country may have been his work and influence toward peaceful independence. Many, however, prefer to regard as his greatest gift to India the legacy of spiritual truth and love that he so impressed in his people; it has become inseparable from their national character.

Certainly he and his works must be considered with Siddhartha Gautama, the Buddha, as one of the greatest of India's contributions to the spiritual well-being of mankind. He is symbolic

of the India of peace and moderation, of contemplation and mercy, of understanding and cooperation for peace.

Yet attaining independence did not ease India's long-term economic and social problems. A country of approximately 550 million people, India supports an average population density of more than 400 per square mile. Approximately 20 million Indians are unemployed, and per capita income measures \$8 per month. The literacy rate hovers at 30 percent.

Linguistic and religious fragmentation remain even more troublesome. Fifteen different languages and 800 dialects are spoken in India, usually on a regional basis. Approximately 15 percent of India's population is non-Hindu, and strong tensions between some Hindus and some Moslems still exist.

India is steadily confronting those aspects which hindered economic growth in the first decade after independence: The lack of development capital, low level of consumer income, inadequate transport facilities, limited power supplies, and the lack of skilled technicians and experienced management. India has faced these difficult challenges with spirit and imagination. With time, all of these problems are being surmounted as the entire economy matures and continues to grow at a rate that is envied by developed and underdeveloped nations alike.

Although agriculture continues to be the predominant component of the Indian economy, comprising about half of the national income, the contribution of the other sectors to the economy has increased steadily since independence. The annual industrial expansion has averaged 10 percent, aggregating 150 percent during the period 1951 to 1965. Large modern steel mills, fertilizer plants, heavy machinery plants, oil refineries, and locomotive works have been constructed at an amazingly rapid rate. New plants turn out a wide variety of consumer and producer goods, many never before manufactured in India.

Despite her economic accomplishments, India's greatest achievement in the last 25 years has probably been her system of government. Although technically establishing a parliamentary form of government, India's constitution of 1950 adopted several features of our own system of government. By sharing power with the numerous states, the Indian National Government has embraced federalism in hopes of channeling regional pride for the national good. Consequently, the Indian Parliament consists of two chambers, one representing the individual states and the other representing the general population.

As the largest democratic nation in the world, India has faced political obstacles which would amaze most Americans. The country remained united largely through the efforts of one of the world's most effective political organizations—the Congress Party. Yet after the deaths of its great leaders, Mohandas Gandhi, Jawaharlal Nehru, and Lal Bahadur Shastri, the power of the Congress Party waned in 1966 and 1967.

Under Mrs. Indira Gandhi's leader-

ship, however, the new Congress Party has gained new-found support. Recently, the economy showed new resiliency as the production of food grains rose sharply at a 6 percent annual rate for 3 consecutive years. Then Mrs. Gandhi, with great political acumen, called for elections 1 year ahead of schedule and campaigned energetically on her pledge to "remove poverty." The result was a landslide victory at the polls as the new Congress Party elected 351 of the 517 members in the Lok Sabha, the lower House of Parliament.

The attempts of this democracy to alleviate some of the world's most acute poverty explains the tremendous interest of developing nations and the superpowers in India's future. In its approach to the problems of development, India has adopted an approach so different from that of mainland China that a significant rivalry has developed. Will India and the democratic path to development that it pursues produce the results necessary to maintain a viable economic and political community? The stakes could not be higher.

India has very great problems indeed, but it has been blessed with the spirit and determination to make remarkable progress.

As a person who has traveled in India extensively on two occasions, I think that the achievements of the Indian form of government, enabling it to maintain a democracy with as many diverse linguistic and ethnic cultures as exist in India, is proof that democracy can work in the underdeveloped world if there is the kind of political leadership India has enjoyed for the past 25 years. I have every reason to believe that India has become symbolic to underdeveloped nations of the world, as a country which does not have to depend upon totalitarian methods of rule to elicit the cooperation of its citizens and to achieve economic progress.

Therefore, I am most pleased to join so many of my colleagues in the Senate in wishing India success in the next several centuries of her existence.

Mr. President, I ask for immediate consideration of the resolution which has been submitted by the Senator from Kentucky (Mr. COOPER).

The PRESIDING OFFICER. The Chair would inquire whether or not the Senator has cleared the matter with the leadership on both sides.

Mr. TUNNEY. Mr. President, I believe that it has been cleared with the leadership on both sides.

The PRESIDING OFFICER. The leadership on both sides?

Mr. TUNNEY. I yield to the Senator from Idaho for a statement as to whether it has been cleared.

Mr. CHURCH. I spoke with the majority leader just a few moments ago. With respect to the minority leader, I ask that the Senator from Kentucky speak on that point.

Mr. COOPER. Has it been cleared on both sides of the aisle?

Mr. CHURCH. I have only spoken with the majority leader. I would have to defer to the Senator from Kentucky to speak for the minority leader.

Mr. COOPER. I see no reason that it should not be considered, but the question has been raised, and I want to be fair about it.

The PRESIDING OFFICER. Does the Senator from Kentucky (Mr. COOPER) feel that the matter would be agreeable to the distinguished minority leader?

Mr. COOPER. We have time available until 10:30 a.m. If the Senator will allow me, I will check it with the minority leader.

Mr. GURNEY. If the Senator will yield, this Senator is the acting minority whip at the moment. I will check with the minority leader and report back to the Senator.

Mr. COOPER. I thank the Senator.

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

Mr. TUNNEY. I yield.

Mr. BUCKLEY. Mr. President, I ask the senior Senator from Kentucky to add my name as a cosponsor of the resolution.

Mr. COOPER. I am glad to. I ask unanimous consent that the name of the junior Senator from New York be added as a cosponsor of the resolution.

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

Mr. COOPER. Mr. President, we still have 3 or 4 minutes remaining. I can get the assurance of the minority leader in that time.

In the meantime, I would like to say I am grateful to the Senator from Idaho (Mr. CHURCH), the Senator from California (Mr. TUNNEY), the Senator from New York (Mr. BUCKLEY), and all others who have joined in this resolution. The Senator from California called this to my attention several days ago and he was very anxious that such a resolution and statements be made on this matter. I hope very much there will be no objection to the immediate consideration of the resolution.

We have had our difficulties in the past between the two countries but there are so many ideas which may be expressed in different ways and which are common between the two countries that I think it is of great importance that the Senator make an expression of feeling on behalf of people throughout the United States, and to give this expression to the Government of the people of India.

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. CHURCH. Mr. President, I understand clearance has been obtained from both sides for the immediate consideration of a resolution.

Mr. GURNEY. Mr. President, I have checked with the Republican leader. He has no objection to the immediate consideration of the resolution.

Mr. CHURCH. Mr. President, I ask the Chair to lay before the Senate, for immediate consideration, the resolution recognizing India's 25th anniversary as an independent, democratic nation.

The PRESIDING OFFICER. The clerk will state the resolution by title.

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

Senate resolution 354 recognizing India's 25th Anniversary as an independent, democratic nation.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and unanimously agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 354

Whereas 25 years ago, on August 15, 1947, India's achieved its independence, becoming the world's most populous democracy; and

Whereas the United States from 1947 has supported and encouraged India's impressive efforts to develop its economy and strengthen its democracy; and

Whereas India's free and secular society is based on a Constitution that seeks social, economic, and political justice for all its citizens; and

Whereas India's judicial system is devoted to the rule of law and justice; and

Whereas over the last 25 years, India has embarked on an energetic program of economic development to raise up 550 million people from the depths of poverty and to make the transition from a traditional society to one providing a just distribution of the benefits of wealth, science, and technology; and

Whereas, with the modernization of agriculture known as the "Green Revolution", India is approaching self-sufficiency in wheat and rice production, and after major diversification of its industrial base, it presently ranks as the world's eighth industrial nation, able to supply to its people consumer and capital goods as well as export products; and

Whereas, by raising the living standards of its people, India is providing extensive health services, consequently raising life expectancy from a grim 29 years at the time of its independence to 55 years today; has increased the literacy rate from 14 percent in 1947 to over 30 percent in 1972; and is waging effective family planning programs nation-wide;

Whereas what happens in India, especially over the next 25 years will help to determine the future of other nations in Asia that look to this democratic power for guidance and leadership; that India's political system, like that of the United States' is a test and a proof of the democratic path to achieve social justice and economic well being; and that the significance of India's economic well-being and social justice, wrought in the open air of democracy, extends not only to the country's 500,000 villages and cities, but far beyond India's borders; and

Whereas the diverse cultures of India and the United States are naturally bound by the bridge of democracy by which both societies guarantee free debate, free elections, and free worship; and both countries share the values set forth in the American Declaration of Independence, and demonstrate a deep sense of responsibility toward mankind, by offering a refuge for the oppressed: Now, therefore, be it

Resolved by the Senate, That the Congress of the United States hereby extend its cordial

congratulations and wholehearted best wishes to the Parliament and the people of India, upon the occasion of the twenty-fifth anniversary of India's establishment as an independent, democratic nation.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution, through the Department of State, to the President of India.

Mr. ROBERT C. BYRD subsequently said: Mr. President, I ask unanimous consent, with respect to the resolution that was adopted earlier today by the Senate (S. Res. 354), recognizing India's 25th anniversary as an independent, democratic nation, that in the resolving clause, the word "Congress" be deleted and the word "Senate" be substituted in lieu thereof.

I know that this will meet with the approval of the sponsors of the resolution because the Senate can only resolve an action on the part of the Senate and not on the part of the Congress.

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

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order there will now be a period for the transaction of routine morning business for not to exceed 15 minutes, with statements limited therein to 3 minutes.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

APPROVAL OF LOAN TO BRAZOS ELECTRIC POWER COOPERATIVE, INC., WACO, TEX.

A letter from the Administrator, Rural Electrification Administration, Department of Agriculture, reporting, pursuant to law, on the approval of a loan to Brazos Electric Power Cooperative, Inc. of Waco, Tex., in the amount of \$21,819,000 (with an accompanying paper); to the Committee on Appropriations.

REPORT ON EXPERIMENTAL, DEVELOPMENTAL, TEST, AND RESEARCH PROCUREMENT ACTION

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on experimental, developmental, test and research procurement action, for the 6-month period ended June 30, 1972 (with an accompanying report); to the Committee on Armed Service.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Federal Efforts to Combat Drug Abuse", dated August 14, 1972 (with an accompanying report); to the Committee on Government Operations.

PROPOSED AMENDMENT OF WILD AND SCENIC RIVERS ACT

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Wild and Scenic Rivers Act (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT OF ARCHITECT OF THE CAPITOL

A letter from the Architect of the Capitol, transmitting pursuant to law, a report of all expenditures from moneys appropriated to the Architect of the Capitol, during the period January 1, 1972 through June 30, 1972 (with an accompanying report); ordered to lie on the table and to be printed.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Commerce:

"ASSEMBLY JOINT RESOLUTION No. 22

"Relative to noise pollution

"Whereas, The California Legislature has long recognized the problems of noise pollution; and

"Whereas, The California Legislature has actively sought to control noise pollution for over 20 years; and

"Whereas, California has pioneered as a laboratory for the development of pollution control technology; and

"Whereas, The California Legislature fought successfully, with the support of California's congressional delegation, to retain the right to set air pollution control standards more stringent than those adopted by the federal government; and

"Whereas, The magnitude of California's population, size, resources, industrialization and urbanization intensify the problems of noise suppression; and

"Whereas, The people of this nation already have serious reservations about the ability of government to deal effectively with environmental problems; and

"Whereas, Federal preemption of noise standards would destroy California's innovative efforts to control vehicle and aircraft noise long before the effects of such controls can be evaluated; now, therefore, be it

Resolved, by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorialize the people of the United States, and the President and the Congress of the United States, to reaffirm the fundamental right and obligation of the states to defend the health, welfare, and safety of their citizens; and be it further

Resolved, That this Legislature respectfully memorializes the Congress of the United States to reject any plan or noise regulation which would prohibit states from adopting standards more stringent than those adopted by the federal government; and be it further

Resolved, That this Legislature respectfully memorializes the Congress of the United States to support California's efforts to adopt more stringent noise standards, in order that the technology of noise suppression may be advanced as rapidly as economically feasible; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator, and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of

the State of California; to the Committee on Commerce:

"SENATE JOINT RESOLUTION No. 16

"Relative to television blackouts of sports events

"Whereas, Millions of sports fans who are unable to attend sports events in their locality due to health, advanced age, lack of adequate transportation, or inability to purchase tickets, either because of a sellout, or the cost, should be able to watch these events on television; and

"Whereas, Sports events are, however, not shown on television while they are occurring in the locality in which they take place, thus depriving these millions of sports fans of the opportunity to watch these sports events on T.V.; and

"Whereas, Many sports fans have installed fringe area T.V. antennas to receive sports events from stations located outside the blackout area, thus contravening the effects of the blackout; and

"Whereas, The rationale for the blackout, which is to secure the largest possible attendance at the sports events, is no longer valid after all the tickets have been sold and attendance at the game is no longer possible; and

"Whereas, The rationale has never been, and should not be, to prevent the poor, sick, aged, and disadvantaged from watching the game, yet this is the effect; 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 and the Congress of the United States, and the Federal Communications Commission, to take such action as may be necessary to prevent blackouts of nationally televised sports events whenever the event is sold out at least two weeks in advance; and be it further

"Resolved, That the Secretary of the Senate transmit a copy 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 Federal Communications Commission."

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"SENATE JOINT RESOLUTION No. 12

"Relative to the preservation and protection of an archaeological site

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully requests the Department of the Interior, through the Bureau of Land Management, to enter into negotiations with the State Lands Commission for an exchange of the north one-half, or all, of Section 22 of Township 10 North, Range 2 East, San Bernardino Meridian, upon the United States having clear fee title to such lands, for state lands in the vicinity, or for the purchase of such federal lands by the state, or for such other alternative as the Bureau of Land Management may find is suitable, in order to insure the preservation and protection of an archaeological site located on the lands, and to permit the state to take the necessary steps to construct buildings and other facilities essential to such preservation and protection; and be it further

"Resolved, That the Legislature respectfully requests the Bureau of Land Management to take whatever steps are necessary to preserve and protect such archaeological site pending the outcome of negotiations; 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 the Interior, to

the Director of the Bureau of Land Management, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

Two joint resolutions of the Legislature of the State of California; to the Committee on Labor and Public Welfare:

"SENATE JOINT RESOLUTION No. 18

"Relative to mine safety

"Resolved by the Senate and the 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 to support and enact legislation which would provide up to 50 percent funding for mine safety programs in states which have chosen to retain jurisdiction over mine safety; 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, and to each Senator and Representative from California in the Congress of the United States."

"SENATE JOINT RESOLUTION No. 23

"Relative to emergency food for farm workers

"Whereas, Many thousands of farmworkers and other allied agricultural workers will be underemployed or unemployed in the Central Valley area during the 1972-73 fiscal year as a result of the frost damage to crops; and

"Whereas, In order to sustain these farmworkers and other allied agricultural workers and their dependents, it is necessary to provide a minimum of 1.8 million dollars in emergency food in such area; and

"Whereas, The Governor of this state has declared an emergency and has requested the President of the United States to declare part of California, including the Fresno County area, a disaster area; and

"Whereas, Actions by various agencies have already gone into effect regarding emergency loans to the farmowners; however, no action has been taken to alleviate the plight of the farmworker and other allied agricultural workers who will be unable to purchase the basic necessity of food as a result of the loss or decrease in earning capability due to the frost disaster; 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 Congress of the United States and the Director of the Office of Economic Opportunity to approve the application of the Fresno County Economic Opportunities Commission, and applications of any and all counties which apply, for funds to purchase and distribute emergency food to farmworkers and other allied agricultural workers during the 1972-1973 fiscal year; 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 Director of the Office of Economic Opportunity, to Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Veterans' Affairs:

"SENATE JOINT RESOLUTION No. 25

"Relative to adequate educational benefits for Vietnam veterans

"Whereas, More than two million American veterans of the Vietnam war face adjustment to civilian life; and

"Whereas, That adjustment has been made more difficult by persistent inflation and chronic unemployment in our economy; and

"Whereas, Generally, education benefits have declined for veterans, since for military service in World War II, returning servicemen received full tuition fees and the cost of books and were given a minimum of \$75 monthly for living expenses, while single servicemen returning from Vietnam receive only \$175 a month for all expenses including tuition, or up to \$230 if they have two dependents; 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 Congress of the United States to give full consideration to higher educational benefits for Vietnam veterans; 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 and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"ASSEMBLY JOINT RESOLUTION No. 34

"Relative to strip and open-pit mining in the Los Padres National Forest

"Whereas, A proposed phosphate pit mine operation under federal lease in the Los Padres National Forest in Ventura County about 25 miles north of the City of Ventura would cause serious and irreparable harm to the environment; and

"Whereas, The operation would be located adjacent to State Highway Route 33, a proposed scenic highway, would be expected to last at least 50 years, would use a million gallons of water per day, and would emit more sulfur dioxide into the air than all existing sources in Ventura County combined; and

"Whereas, To allow such a strip or open-pit mining operation to be conducted on federal lands in this area would be inconsistent with the National Environmental Policy Act of 1969; now, therefore, be it

"Resolved by the Assembly and Senate 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 to take all steps necessary to prevent strip and open-pit mining in the Los Padres National Forest; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the Interior, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Labor and Public Welfare:

"ASSEMBLY JOINT RESOLUTION No. 15

"Relative to immigrant children

"Whereas, The Immigration Act of 1965 drastically altered the flow of new immigrants to the United States of America; and

"Whereas, The United States of America has always attempted to provide the same opportunity to immigrants as we have to our native-born citizens; and

"Whereas, Large numbers of the children of new immigrants need special educational services to allow them to participate in regular school programs; and

"Whereas, The majority of such students need special training in the English language in order to receive the full benefits of public education; and

"Whereas, Local school districts in California and throughout the nation wish to

provide such children with such necessary services; and

"Whereas, Current financial constraints make it impossible for districts always to provide such services; and

"Whereas, the federal government of the United States has a special responsibility to ensure that such children receive equal educational opportunities; now, therefore, be it

"Resolved by the Assembly and Senate 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 to provide local school districts in California and throughout the nation with the financial resources necessary to meet the special educational needs of children of immigrants; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, 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 of the Legislature of the State of California; to the Committee on Veterans' Affairs:

"HOUSE RESOLUTION No. 115

"Relative to veterans' pensions

"Whereas, The Hartke-Thurmond amendment to HR 15495, now pending before the Congress of the United States would increase the retirement pay of all pensioned veterans of all branches of services so as to equalize the pensions of older retirees with the pensions of more recent retirees of equivalent rank or grade and length of service; and

"Whereas, Present inequities in the retirement laws for veterans are unfair in that older retirees do not presently receive such equivalent benefits; now, therefore, be it

"Resolved by the Assembly of the State of California, That the President and Congress of the United States are respectfully memorialized to support and enact the Hartke-Thurmond amendment to HR 15495 to equalize the pensions of veterans; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. Res. 329. A resolution to refer the bill (S. 1594) for the relief of John J. Yarnell to the Chief Commissioner of the United States Court of Claims for a report thereon (Rept. No. 92-1046).

EXECUTIVE REPORTS OF COMMITTEES

Mr. THURMOND. Mr. President, as in executive session, from the Committee on Armed Services I report favorably the nominations of three general officers in the Army, one rear admiral in the Navy, 12 general officers in the Marine Corps and two general officers in the Air Force.

I ask that these 18 nominations be placed on the Executive Calendar.

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

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Lt. Gen. Donald Vivian Bennett, Army of the United States (major general, U.S. Army), to be assigned to a position of importance and responsibility designated by the President, to be General;

Rear Adm. Damon W. Cooper, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Gen. Jack G. Merrell (major general, Regular Air Force) U.S. Air Force, to be placed on the retired list in the grade of general;

Lt. Gen. George B. Simler (major general, Regular Air Force) U.S. Air Force, to be assigned to a position of importance and responsibility, requiring the rank of general;

Lt. Gen. Alexander Day Surles, Jr., Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general;

Samuel Jaskilka, and sundry other officers, for temporary promotion in the Marine Corps;

Clarence H. Schmid, and sundry other officers, for temporary promotion in the Marine Corps; and

Brig. Gen. George Joseph Hayes, Army of the United States (colonel, Medical Corps, U.S. Army), for temporary appointment in the Army of the United States, to the grade of major general.

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. BENTSEN:

S. 3918. A bill for the relief of Guillermo Teodoro Ardid-Borraz. Referred to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 3919. A bill for the relief of Chung-Tung Yue;

S. 3920. A bill for the relief of Albien L. Taylor; and

S. 3921. A bill for the relief of George W. Wright. Referred to the Committee on the Judiciary.

By Mr. PERCY (for himself, Mr. BROCK, Mr. COOPER, Mr. PASTORE, Mr. TAFT, and Mr. BENTSEN):

S. 3922. A bill relating to employment of inmates in Federal and D.C. penal and correctional institutions. Referred to the Committee on the Judiciary.

By Mr. ERVIN:

S.J. Res. 258. A joint resolution designating October 8-14, 1972, as "Newspaper Week" and October 14, 1972, as "Newspaper Carrier Day." Referred to the Committee on the Judiciary.

By Mr. PERCY:

S.J. Res. 259. A joint resolution to authorize the President to designate the period from March 4, 1973, through March 10, 1973, as "National Nutrition Week." Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PERCY (for himself, Mr. BROCK, Mr. COOPER, Mr. PASTORE, Mr. TAFT, and Mr. BENTSEN):

S. 3922. A bill relating to employment of inmates in Federal and District of Columbia penal and correctional institutions. Referred to the Committee on the Judiciary.

WORK YOUR WAY OUT OF PRISON

Mr. PERCY. Mr. President, a principal reason ex-offenders return to crime, and to prison, is the inability to get a job. They cannot find jobs because they lack work skills. They lack work skills because they have never received adequate vocational training. The unemployed person often turns to crime to obtain the money he needs. But, once sentenced to prison, the inmate rarely develops a marketable skill he can use to get a legitimate job when he is again on the outside. His time in prison is too often occupied with useless tasks in an environment of indolence and lethargy. There are two reasons for this: It has long been thought that it would cost the Government too much money to become really involved in effective vocational training for each inmate; and, in addition, a plethora of laws stand in the way of innovative projects that could increase the inmate's job potential.

The costs of keeping people in prison without preparing them to make their way on the outside are high. The inmate becomes a greater burden to society. The Government spends an average of \$11.55 per day to keep an inmate locked up in a cell that may have cost up to \$30,000 to construct. Once released, 7 of 10 prisoners will return to prison within a few years, having learned nothing in prison except to continue as a criminal.

There are other, less obvious costs. Some 55,000 families receive AFDC payments because the family wage earner is in prison and unable to support them. This increases government welfare costs and encourages the breakup of the family unit. Too often, the ties of a prisoner with his family are strained, if not severed. And the result of this high cost? The typical prisoner comes out from behind prison walls with no money, no job skill, and probably no family.

The cost—to society and the individual—is devastating.

Mr. President, I have been active in the field of criminal justice reform because many crimes are a direct result of the failure of the criminal justice system. When 80 percent of all crimes are committed by people who have previously been in prison, the entire system should be revamped. New programs and organizational changes are necessary. I am not an expert in the field of criminal justice, but a great many experts have contributed ideas for change. Since 1967, four presidential commissions, dozens of legislative reports and more than 500 books and articles have recommended reform in our correctional system. It is about time that some of these reforms are implemented.

The President's Commission on Law Enforcement and Administration of Justice pointed out that work skills are badly needed by many offenders. The Commission said:

These skills are best developed under realistic conditions of production.

It recommended that:

States should work together with the Federal Government to institute modern correctional industries programs aimed at rehabilitation of offenders through instilling good work habits and methods. State and Federal

laws restricting the sale of prison-made products should be modified or repealed. (*The Challenge of Crime in a Free Society*, 1967, page 176.)

President Nixon reiterated this thought when, on November 13, 1969, he stated:

Private industry can help rehabilitate criminals in many ways, such as retraining and hiring those who have served time.

Mr. President, the legislation that I am introducing today provides for a program that would flesh out many of the ideas put forth on this matter.

Specifically, the legislation would authorize the Federal Government, along with the District of Columbia, to implement pilot projects involving the private sector which would provide vocational training opportunities within the prison to prisoners while they are serving their terms. This "work your way out of prison plan" calls for private industry to lease prison property on a long-term basis, and to provide work facilities within the prisons. In these facilities, the employer would hire prison inmates at union-scale wages to produce regularly marketable items, just as if they were employed at a plant or factory on the outside. Participation in this program by a prisoner would be completely voluntary. The employer would also be expected to provide such supportive services for the inmates of the prison, as training, education, counseling, and so forth.

By earning a union-scale wage, the prisoner could pay the Government for his room, board, and maintenance. He could also help support his family, pay taxes and make social security payments. In addition, he would be required to contribute up to 10 percent of his wages to a fund to compensate victims of crime.

These demonstration projects would run for at least 2 years, at which time the Attorney General would report to the Congress on the progress of the programs. Assuming the programs will have proven their viability, they could be extended and expanded to include all Federal correctional institutions.

This legislation is designed to enable someone to emerge from prison with a marketable skill, work habits, a stake in the community, and a family that relies on him and not on welfare. Instead of a financial and criminal liability, the ex-offender hopefully would be a positive contributor to society, a person who can pay his own way.

I have worked closely with the Federal Bureau of Prisons in the development of this bill, and the Bureau has given its full support.

Mr. President, I ask unanimous consent that a letter from Norman Carlson, Director of the Federal Bureau of Prisons, be printed at this point in the RECORD.

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

U.S. DEPARTMENT OF JUSTICE,
BUREAU OF PRISONS,
Washington, D.C., August 1, 1972.

HON. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

Attention: William B. Lytton, Staff Assistant.

DEAR SENATOR PERCY: At your request, I have had my staff review your draft for a

bill relating to the employment of inmates in Federal and District of Columbia penal and correctional institutions.

Upon review we can say that we are able to support this proposal, as it is consistent with our program of developing in each offender skills consistent with modern industry demands. If the industry can locate on or near an institution, if it can employ offenders at reasonable market wages and if it can absorb some of these new employees into its operation after their release, we believe that chance of the participating offender returning to crime is greatly decreased.

Sincerely,

NORMAN A. CARLSON,
Director.

Mr. PERCY. Mr. President, this bill would also apply to the District of Columbia, and officials there also have given it their support. I ask unanimous consent that a letter from Kenneth Hardy, Director of the District of Columbia Department of Corrections, be printed at this point in the RECORD.

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

DEPARTMENT OF CORRECTIONS,
Washington, D.C., August 8, 1972.

HON. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PERCY: This is in response to your request for comment on your proposed legislation relating to the employment of inmates in Federal and District of Columbia penal institutions, the D.C. Department of Corrections intends to implement Project W.E.A.R. (Work Experience in Automotive Repair) as our demonstration project.

Project W.E.A.R. aims to establish a training program for inmates in the field of automotive body repair and spray painting. Your bill will enable us to expand this program by developing an auto body shop that will be owned by one or several of the area automobile agencies who in turn may hire the residents of Lorton at prevailing wages. The Automobile Manufacturers Association is expected to cooperate in this endeavor by establishing guidelines for the training program and may provide further employment opportunities for releasees.

Employment and adequate income are among the most important needs of offenders and the involvement of private industries towards meeting these needs is urgent. The Department of Corrections anxiously looks forward to the passage of your bill.

Sincerely,

KENNETH L. HARDY, Director.

Mr. PERCY. Mr. President, this concept should not be limited to the Federal and District of Columbia systems. States could have a great deal of success with such a program. For example, in Illinois, a new unified Code of Corrections was recently signed by Governor Ogilvie. This new law provides that prison-made products can be sold to nonprofit organizations, such as church groups and universities. The opening up of potential markets provides an avenue for similar programs to be instituted. I have discussed this project with the director of the Illinois Department of Corrections, Peter Bensinger, and he will be working actively to promote such a demonstration project in the State of Illinois. I ask unanimous consent that a letter from Peter Bensinger be printed in the RECORD at this point.

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

DEPARTMENT OF CORRECTIONS,
Springfield, Ill., July 20, 1972.

HON. CHARLES H. PERCY,
U.S. Senator, Committee on Government Operations, Washington, D.C.

DEAR SENATOR PERCY: Thank you for sharing your most recent draft of legislation relating to the employment of inmates in Federal and District of Columbia penal and correctional institutions.

The Bill appears to be an admirable piece of legislation, practicable for the Director of the Federal Bureau of Prisons and the Commissioner of Washington, D.C., and a model for progressive state correctional systems.

I have two specific comments to make, both of which may be served as well by being passed on to the involved correctional administrators as by being written into the program's enabling legislation.

It may be advantageous to contract for labor services directly between the inmates and the employers, rather than have the inmates subcontracted to private industry. The reasoning here is that in Illinois at least, prison laborers are not considered employees of the State, and so are not eligible for Workmen's Compensation benefits and rights. In the case of injuries, their remedy is limited to a tort recovery.

However, in my opinion, private industry-employed, union wage inmate workers should be eligible for Workmen's Compensation. To avoid this possible inequity, inmates should not be made available through the correctional agency involved contractually.

Also, in case of theft, vandalism or accidental destruction of private property, the incoming industry must be made aware that the correctional institution is in no way responsible, unless conclusively shown to have been done by a member of the correctional institution's staff action or inaction. Although the institutional administrators are still going to be responsible for security, industry must be alerted that the correctional system is not automatically responsible for the inmates' total conduct.

With these caveats, neither of which is necessarily legislative in nature, the legislation has my complete endorsement. As always, my staff and I are at your service to review proposed legislation related to the field of corrections.

I am sure you have discussed this with Norm Carlson of the Federal Bureau of Prisons, and I think he and I would both be interested in this pilot project.

Sincerely yours,

PETER B. BENSINGER, Director.

Mr. PERCY. Mr. President, apart from the support of those in Government, this legislation needs and deserves the support of both business and labor. I have been in contact with leaders from both areas and each person I have consulted supports the idea behind this bill.

Mr. President, I do not believe that this will be a controversial piece of legislation. The net savings, in dollars, to the Government will be dramatic but, more importantly the savings to society in terms of reduced crime and recidivism will be substantial. This legislation merits close scrutiny and quick action by the Congress. We cannot afford to wait any longer to undertake the vital task of reforming our correctional process, thereby serving society by helping to reduce the rates of crime and recidivism.

I think employment is an important key to the problem of reducing crime and I feel that implementation of a program such as this one would be a step in the right direction.

Mr. President, I ask unanimous con-

sent that the text of the bill be printed at the conclusion of my remarks.

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

S. 3922

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Federal Prison Industries is authorized to establish and carry out, within the exterior boundary of any Federal penal or correctional institution, demonstration type projects involving the employment of inmates of such institutions. Such projects may also provide for the provision of supportive services to inmates of the demonstration institutions, such as training, education, counseling, and the like. In establishing such projects, the Federal Prison Industries is authorized to enter into agreements (by contract or otherwise) with any private person pursuant to which such person shall be authorized to establish (by construction, lease, or otherwise) facilities within the exterior boundaries of such penal or correctional institutions for the purpose of carrying out industrial or other operations herein authorized, notwithstanding the provisions of section 436 of title 18, United States Code. *Provided, however,* That the employment within such institutions of inmates shall be on a voluntary basis.

(b) Any such agreement shall contain provisions assuring that the wages paid to such inmates shall not be less than those paid as union wages for work of similar nature in the locality in which the work is to be performed.

(c) Any inmate of any such institution so employed shall be entitled to receive, after deductions authorized in subsection (d) of this section or under any other law, wages earned by him in performing such work, except that, such wages shall be made available to such inmate at such time or times as the Attorney General may by regulation prescribe, but in no event later than at the time of his release by parole or otherwise, from confinement in a Federal penal or correctional institution.

(d) Any inmate so employed shall be required, pursuant to regulations promulgated by the Attorney General, to pay from the wages received for work in accordance with this section, and the Attorney General is authorized to deduct therefrom—

(1) such costs incident to the inmate's confinement as the Attorney General deems appropriate and reasonable;

(2) such amounts to the dependents of such inmate as the Attorney General deems appropriate and reasonable; and

(3) such amount to any Federal fund established by law to compensate victims of crime, as the Attorney General deems appropriate and reasonable, but in no event in an amount in excess of 10 per centum of such wages earned during any calendar month.

(e) Any amounts deducted by the Attorney General pursuant to paragraph (1) of subsection (d), shall be deposited in the Treasury of the United States as miscellaneous receipts. Any amounts so deducted pursuant to paragraph (2) or (3) of such subsection, shall be payable in such manner as the Attorney General may by regulation prescribe. The provisions of section 4126 of title 18, United States Code, shall not be applicable with respect to any such amounts so deducted pursuant to this Act.

(f) In administering the provisions of this section, the Federal Prison Industries, with the approval of the Director of the Bureau of Prisons, is authorized, as a part of, or in connection with, any agreement pursuant to subsection (a) of this section, to make available, by lease or otherwise, land (together with improvements thereon) located within the exterior boundary of any Federal penal or

correctional institution for use by the private party to such agreement for providing employment in accordance with this section. Such lands (including improvements) shall be made available pursuant to such terms and conditions as the Director of the Bureau of Prisons may prescribe.

(g) Nothing in this section shall be construed to prohibit the sale to the public of any products produced by inmates of Federal penal or correctional institutions in accordance with the provisions of this section, and the provisions of section 4122 of title 18, United States Code, relating to competition with private enterprise, the provisions of the first paragraph of section 4123 of such title, and the provisions of the first paragraph of section 4123 of such title, and the provisions of section 1 of the Act of January 19, 1929 (45 Stat. 1084), shall not be applicable with respect to industrial operations under this section. The provisions of section 1761 of title 18, United States Code, shall not be applicable with respect to any such products shipped in interstate or foreign commerce.

(h) As used in this section, the term "person" means any individual, corporation, partnership, association or other entity.

(i) On or before the expiration of the twenty-four calendar month period following the date of the enactment of this section, the Attorney General shall submit a report to the Congress concerning the administration of the provisions of this section, together with his views and recommendations with respect thereto.

Sec. 2. (a) The Commissioner of the District of Columbia is authorized to establish and carry out, within the exterior boundary of any one penal or correctional institution under the direction of the Commissioner of the District of Columbia, a demonstration type project involving the employment of inmates of that institution. Such projects may also provide for the provision of supportive services to inmates of the demonstration institutions, such as training, education, counseling, and the like. In establishing such project, the Commissioner is authorized to enter into an agreement (by contract or otherwise) with any private person pursuant to which such person shall be authorized to establish (by construction, lease, or otherwise) facilities within the exterior boundaries of such penal or correctional institution for the purpose of carrying out industrial or other operations herein authorized, notwithstanding the provisions of section 436 of title 18, United States Code. *Provided, however,* That the employment within such institutions of inmates shall be on a voluntary basis within such institution.

(b) Any such agreement shall contain provisions assuring that the wages paid to such inmates shall not be less than those paid as union wages for work of similar nature in the locality in which the work is to be performed.

(c) Any inmate of any such institution so employed shall be entitled to receive, after deductions authorized in subsection (d) of this section or under any other law, wages earned by him in performing such work, except that, such wages shall be made available to such inmate at such time or times as the Commissioner of the District of Columbia may by regulation prescribe, but in no event later than at the time of his release by parole or otherwise, from confinement in a District of Columbia penal or correctional institution.

(d) Any inmate so employed shall be required, pursuant to regulations promulgated by the Commissioner, to pay from the wages received for work in accordance with this section, and the Commissioner is authorized to deduct therefrom—

(1) such costs incident to the inmate's confinement as the Commissioner deems appropriate and reasonable;

(2) such amounts to the dependents of such inmate as the Commissioner deems appropriate and reasonable; and

(3) such amount to any Federal fund established by law to compensate victims of crime, as the Commissioner deems appropriate and reasonable, but in no event in an amount in excess of 10 per centum of such wages earned during any calendar month.

(e) Any amounts deducted by the Commissioner pursuant to paragraph (1) of subsection (d), shall be deposited in the correctional industries fund in the Treasury of the United States, established pursuant to the first section of the Act of October 3, 1964 (D.C. Code, sec. 24-451). Any amount so deducted pursuant to paragraph (2) or (3) of such subsection, shall be payable in such manner as the Commissioner may by regulation prescribe.

(f) In administering the provisions of this section, the Commissioner is authorized, as a part of, or in connection with, any agreement pursuant to subsection (a) of this section, to make available, by lease or otherwise, land (together with improvements thereon) located within the exterior boundary of any District of Columbia penal or correctional institution for use by the private party to such agreement for providing employment in accordance with this section. Such lands (including improvements) shall be made available pursuant to such terms and conditions as the Commissioner may prescribe.

(g) Nothing in this section shall be construed to prohibit the sale to the public of any products produced by inmates of any such penal or correctional institution in accordance with the provisions of this section, and the provisions of section 4122 of title 18, United States Code, relating to competition with private enterprise, the provisions of the first paragraph of section 4123 of such title, and the provisions of section 1 of the Act of January 19, 1929 (45 Stat. 1084), shall not be applicable with respect to industrial operations under this section. The provisions of section 1761 of title 18, United States Code, shall not be applicable with respect to any such products shipped in interstate or foreign commerce.

(h) As used in this section, the term "person" means any individual, corporation, partnership, association or other entity.

(i) On or before the expiration of the twenty-four calendar month period following the date of the enactment of this Act, the Commissioner shall submit a report to the Congress concerning the administration of the provisions of this section, together with his views and recommendations with respect thereto.

Sec. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

By Mr. ERVIN:

S.J. Res. 258. A joint resolution designating October 8-14, 1972, as "Newspaper Week" and October 14, 1972, as "Newspaper Carrier Day." Referred to the Committee on the Judiciary.

HONORING THE NATION'S NEWSPAPERS

Mr. ERVIN. Mr. President, Thomas Jefferson once remarked:

The basis of our government being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.

Most Americans would agree with Thomas Jefferson's view that a free press is essential to any free society. Newspapers and other forms of communication have enabled the American people to de-

termine for themselves whether government is serving the best interests of the country. They have added greatly to the social, intellectual, and spiritual horizons of us all. Despite some attempts by government over the years to quiet or intimidate the press, our Nation continues to be enriched by an active, independent, and robust free press.

In recognition of the vital role which a free press has in our society, I am introducing a joint resolution entitled "Designating October 8 to 14, 1972, as 'Newspaper Week' and October 14, 1972, as 'Newspaper Carrier Day.'" Congressman CLARENCE J. BROWN, of Ohio, has introduced the same resolution in the House of Representatives.

It is my understanding that the first National Newspaper Week was held in October 1940. Since that time, professional news associations have joined in an effort once a year to emphasize the importance of newspapers to America. In the past, the President of the United States has designated the week during which recognition is given to newspapers. In my opinion it is appropriate for the Congress to join the President in honoring this Nation's newspapers.

I ask unanimous consent that the text of this proposed joint resolution be printed in full at this point in the CONGRESSIONAL RECORD.

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

S.J. RES. 258

Whereas it is an important part of freedom and democracy for people to be well informed about current events and matters that affect their lives, and

Whereas newspapers historically and traditionally have been the basic news medium for informing citizens of the United States in greatest detail, and

Whereas the Nation's more than nine thousand weekly and daily newspapers provide vital information of economic, educational, social, and political value to the citizens of the Nation, and

Whereas more than five million public and parochial school students annually receive instruction through newspaper-in-the-classroom programs using newspapers as text material for many different subjects, and

Whereas the newspapers of the Nation have donated much space for community and national service campaigns without charge, and

Whereas newspapers have always contributed to the cause of protecting consumers and improving consumer education and information, including rejection of much unacceptable and unreliable advertising, and

Whereas over six hundred thousand young men and women serve more than seventy million newspaper subscribers of the United States as independent, responsible junior business executives in delivering newspapers to homes and families, and

Whereas improved people-to-people communications and understanding through newspapers are keys to a better future for all citizens, and

Whereas newspapers are continuing to prove themselves to be the full information medium needed for a free and open society: Therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 8-14, 1972, be observed as Newspaper Week '72 and October 14, 1972, as Newspaper Carrier Day by the Congress of the United States of America on this — day of 1972.

By Mr. PERCY:

S.J. Res. 259. A joint resolution to authorize the President to designate the period from March 4, 1973, through March 10, 1973, as "National Nutrition Week." Referred to the Committee on the Judiciary.

SENATOR PERCY REQUESTS PROCLAMATION OF NATIONAL NUTRITION WEEK

Mr. PERCY. Mr. President, recent years have witnessed a tremendous increase of public interest in the subject of the nutritional adequacy of the foods we eat. Americans have come to realize that it is not only the quantity of food we eat that determines our health and well-being, but also the quality of what we eat. We are learning that it is possible for our bodies to be starving for essential proteins, vitamins, and minerals even though we eat three meals each day.

Studies have shown that many of the most popular food products on the market are entirely lacking in nutritional value. Fortunately, the public is gradually coming to realize that the most widely advertised products and the foods that are marketed in the brightest, boldest packages are not necessarily the foods that are most supportive of good health.

Despite the gains that have been made, however, much effort still needs to be devoted to providing the American public with an adequate education in the field of personal and family nutrition. Many Americans still do not realize how vitally necessary good nutrition is to basic good health. And only a minority among us fully understand that a balanced diet not only helps to prevent illness but is conducive to vitality of mind and spirit as well.

Furthermore, among those Americans who understand the benefits that good nutrition can bring, far too few are cognizant of the necessary ingredients of a balanced and nutritious diet. Not only is it important to select foods with a sufficient amount and variety of nutrients each day, but proper food preparation is also essential to good nutrition. While a person may conscientiously try to provide himself with a balanced and varied diet, he may unwittingly be ignoring some essential nutrients as well as unknowingly depleting the nutritional value of his meal by the common practice of overcooking.

It is my hope that with the encouragement of Congress and the administration, concerned groups and organizations will pursue activities especially intended to make known to all Americans the importance and the necessary components of good nutrition. Further, it is my hope that with this encouragement, individual Americans will take the opportunity to educate themselves and their families regarding good nutrition.

Therefore, Mr. President, I am pleased to introduce today a joint resolution calling for the designation of National Nutrition Week. I urge the support of my colleagues for this resolution in this further effort to end malnutrition in America. The proclamation of National Nutrition Week will also serve to honor the expanding field of professional nutritionists and dieticians. I hope that my fellow Senators will join me in taking this fur-

ther step toward eradicating nutritional ignorance and naivete in this country.

Mr. President, I ask unanimous consent that the text of my joint resolution be printed in the RECORD.

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

S.J. RES. 259

Whereas good nutrition is of vital importance to the health and well-being of this Nation's citizens; and

Whereas many Americans are not yet aware of the importance of good nutrition; and

Whereas most Americans are not entirely familiar with the necessary composition of a nutritious diet: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the period from March 4, 1973, through March 10, 1973, as "National Nutrition Week," and calling upon the people of the United States and interested groups and organizations to observe that week with appropriate ceremonies and activities.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 325

Mr. BEALL. Mr. President, I am very pleased to hear that the Senate Armed Services Committee has ordered reported to the full Senate the survivors benefits legislation.

As the author of S. 325, the survivors benefits measure, which has 45 cosponsors, and as one who appeared before the Senate Armed Services Committee recently urging expeditious action on this "must" legislation, I naturally am pleased with this development. I certainly hope that the leadership will schedule this bill for Senate floor action as soon as possible so that this measure might be signed into law by the President.

I am pleased to announce that both Senators STAFFORD and BAKER have agreed to cosponsor S. 325. I ask unanimous consent that their names be added as cosponsors of this measure.

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

S. 3156

At the request of Mr. McCLELLAN, the Senator from Florida (Mr. GURNEY) was added as a cosponsor of S. 3156, a bill to amend the Federal Property and Administrative Services Act to establish Federal policy concerning selection of firms and individuals to perform architect and engineering and related services for the Federal Government.

S. 3741

At the request of Mr. MATHIAS, the Senator from Illinois (Mr. STEVENSON) was added as a cosponsor of S. 3741, a bill to amend title 18 of the United States Code to promote public confidence in the legislative branch of the Government by requiring full financial disclosure by Members of Congress and certain employees of the Congress.

S. 3785

At the request of Mr. MATHIAS, the Senator from West Virginia (Mr. ROBERT

C. BYRD), the Senator from Florida (Mr. CHILES), the Senator from Hawaii (Mr. FONG), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Vermont (Mr. STAFFORD), and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 3785, a bill to promote the sale and development of American arts and handicrafts.

S. 3872

At the request of Mr. JAVITS, the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 3872, the Japanese-American Friendship Act.

S. 3880

At the request of Mr. SCHWEIKER, the Senator from West Virginia (Mr. RANDOLPH) was added as a cosponsor of S. 3880, the National Diabetes Education and Detection Act.

SENATE JOINT RESOLUTION 243

At the request of Mr. MATHIAS, the Senator from New York (Mr. JAVITS) and the Senator from New Jersey (Mr. WILLIAMS) were added as cosponsors of Senate Joint Resolution 243, providing U.S. support for the United Nations Office of Disaster Relief.

LAND USE POLICY AND PLANNING ASSISTANCE ACT OF 1972—AMENDMENT

AMENDMENT NO. 1440

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

Mr. BOGGS. Mr. President, I send to the desk an amendment that I intend to call up during the Senate's consideration of S. 632, the proposed "Land Use Policy and Planning Assistance Act of 1972." I submit the amendment on behalf of myself, as well as Senators COOPER, MUSKIE, and TUNNEY.

I ask unanimous consent that the brief text of the amendment be printed at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. BOGGS. Mr. President, the purpose and content of this amendment is very simple and direct. It is intended to assure States that they can and should establish a portion of their lands for the purpose of preserving and conserving natural resources for the future.

Title III of S. 632 authorizes the Federal Government to make annual grants to assist the States in developing and administering a State land-use program.

Section 301 lays out the basis for determining if a State is in a position to initiate such a program.

Section 302 establishes conditions for evaluating the process under which a State develops its land-use plan.

If a State is to receive continued Federal support for land-use planning after 3 full fiscal years following enactment, the conditions of section 302 must be met.

The Federal Government's determination on the adequacy of the State's planning process is made on a number of points, the third of which, beginning on page 73, line 22, reads:

(3) projections of the nature and quantity of land needed and suitable for recreation and esthetic appreciation; agriculture, mineral development, and forestry; industry and commerce, including the development, generation, and transmission of energy; transportation; urban development, including the revitalization of existing communities, the development of new towns, and the economic diversification of existing communities which possess a narrow economic base; rural development, taking into consideration future demands for and limitations upon products of the land; and health, educational, and other State and local governmental services;

The amendment I am offering on behalf of myself and several colleagues would insert another phrase in that list. After the word "appreciation," which ends on page 72, line 24, the amendment would insert the phrase "conservation and preservation of natural resources."

This subsection requires that the statewide land-use process must include projections on the nature and quantity of land needed and suitable for a variety of purposes. We believe it is necessary to add language that will assure the consideration of "conservation and preservation of natural resources" in making these projections.

As reported, paragraph (3) of Section 302(a) relating to preparation of statewide projections of the nature and quality of land is limited to present or future developmental uses of land such as recreation, transportation, or urbanization. An inventory which does not include consideration of conservation and preservation—land set aside for no use at all—is inadequate.

It is our view that the conservation and preservation of natural resources must be weighed in any such evaluation of land use policy.

I believe this option is vital to preserve a proper balance in order to protect our environment for future generations. As paragraph 3 of section 302(a) is now proposed, it appears to me that a restrictive, or nonuse, classification could not be considered as an alternative. This amendment would make clear that States may establish such restrictive or "nonuse" classifications.

The intent of the bill should be a balancing one. The language we offer will assure such a balancing test and criteria.

EXHIBIT 1

AMENDMENT No. 1440

On page 72, line 24, insert the following: before the word "agriculture," insert "conservation and preservation of natural resources";

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. ROBERT C. BYRD. Mr. President, on behalf of the distinguished Senator from Mississippi (Mr. EASTLAND), I announce the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Frank D. McCown of Texas, to be U.S. attorney for the northern district of Texas, for the term of 4 years, vice Eldon B. Mahon, resigned.

On behalf of the Committee on the

Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Tuesday, August 22, 1972, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING ON INDIAN BILL

Mr. BURDICK. Mr. President, on behalf of the Senator from Washington (Mr. JACKSON), I wish to announce for the information of the Senate and all other interested parties that the Subcommittee on Indian Affairs has scheduled an open public hearing for September 12, 1972, on S. 3377, a bill to extend the time for commencing actions on behalf of an Indian tribe, band, or group.

The hearing will be held in room 3110, New Senate Office Building, and begin at 10 a.m.

NOTICE OF HEARINGS BY THE DISTRICT OF COLUMBIA COMMITTEE

Mr. EAGLETON. Mr. President, I wish to announce hearings on Thursday, August 17, 1972, at 9:30 a.m. in room 6226, New Senate Office Building, by the District of Columbia Committee on the following:

Nomination of H. Carl Moultrie, of the District of Columbia, to be an associate judge, Superior Court of the District of Columbia;

Nomination of Stanley S. Harris, of Maryland, to be associate judge of the District of Columbia Court of Appeals; and

S. 3861, to convey to the city of Alexandria, Va., certain lands of the United States, and for other purposes.

Persons interested in testifying on these matters should contact Mr. Gene E. Godley, General Counsel, in room 6222, New Senate Office Building.

NOTICE OF HEARING ON NEW JERSEY AND NEW YORK COMPACT

Mr. ROBERT C. BYRD. Mr. President, on behalf of the distinguished Senator from Mississippi (Mr. EASTLAND), I announce that a special subcommittee of the Committee on the Judiciary has scheduled public hearings for Tuesday, September 19, 1972, at 9:30 a.m., in room 2228 New Senate Office Building, on the resolution, Senate Joint Resolution 54, granting the consent of Congress to the States of New Jersey and New York for certain amendments to the waterfront commission compact and for entering into the airport commission compact, and for other purposes.

Notice is hereby given to all persons interested in this resolution of this public hearing.

The subcommittee consists of the Senator from Mississippi (Mr. EASTLAND), chairman; the Senator from Arkansas (Mr. McCLELLAN) and the Senator from Nebraska (Mr. HRUSKA).

ADDITIONAL STATEMENTS

SALUTE TO A GREAT AMERICAN

Mr. MCINTYRE. Mr. President, I wish to pay personal tribute to a man in my hometown of Laconia, N.H., who epitomizes loyalty, devotion, dedication, and service to his country.

I speak of Dr. Richard H. Whitehead, the man who helped to build the Panama Canal; a man who has given nearly three-score years of his life to serving the best interests of the United States of America.

Dr. Whitehead, who is 85, has been ill in recent weeks, but is now recuperating at home. I take this occasion to pay him homage and to thank him, in behalf of his fellow countrymen, for all that he has done for us.

On July 26, Mr. President, an interview with Dr. Whitehead was published in the Manchester, N.H., Union Leader. That interview attested, once again, to the professional competence of a man who was once described by the builder of the Panama Canal, Gen. George W. Goethals, as "the greatest living engineer." Of equal importance, the interview also attests to Dr. Whitehead's unceasing concern for the canal and its most effective use.

Specifically, the interview reports Dr. Whitehead's assessment of a just-published book, "The Panama Canal, 'Heart' of America's Security." Dr. Whitehead takes issue with author Jon P. Speller's advocacy of the modernization of the waterway.

Mr. President, I am not an engineer, so I would not presume to comment on the substance of Dr. Whitehead's views. My purpose today is simply to make just recognition of his many contributions and his devotion to his country, and to express my personal respect for him and my appreciation of his friendship.

I ask unanimous consent that the Manchester Union Leader's interview with Dr. Whitehead be printed in the RECORD.

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

LACONIA MAN WHO HELPED BUILD FAMED CANAL TAKES ISSUE WITH AUTHOR'S VIEWS—NEW BOOK ON PANAMA CANAL REVIEWED

(By Earl O. Anderson)

LACONIA.—"The American public has been misled to believe that the (Panama) Canal is obsolete, and only a sea-level canal would suffice . . . the best course to take with our unsettled economy is to leave the canal alone, keep intact our rights, and give consideration to increased tolls."

That is the reply of a man distinguished in many fields, who helped to build the canal some six decades ago, to a just-published book by Jon P. Speller which advocates the modernization of the waterway.

Dr. Richard H. Whitehead of this city, now 85, was once described by Gen. George W. Goethals, the man responsible for building this vital artery to world commerce, as "the greatest living engineer."

Whitehead, in an exclusive interview with this newspaper, claims that the real purpose of the book is "to eliminate the locks on the Pacific side, replacing them further south with a combined set of locks, then to build additional new and larger locks, and an 85-foot dam on the outskirts of Panama, to form a new, terminal lake, at unnecessary

expense, to replace the present small Miraflores Lake."

The elevation is 54 feet, it was explained, between the Miraflores and Pedro Miguel locks, fed largely through the (Gaillard) cut.

This book, it was contended, serves to promote the so-called "Terminal Lake Plan," backed by U.S. Sen. Strom Thurmond (R) and U.S. Rep. Daniel J. Flood (D), in a bill now before Congress, for canal modernization.

These men are, however, commended as "able, capable, congressional leaders" by the book's critic.

Its author is also described as "rightly opposing" the proposed treaties that would give the Canal Zone to Panama and operate it under dual authority.

SEES NO MERIT

"As the engineer who organized the Pedro Miguel and Miraflores lakes and operating forces and tested out and put into service the lock-operating equipment, and was initially in charge of the Pacific Locks," Dr. Whitehead asserted flatly, "I regard the Terminal Locks plan without merit."

"Incorrect and misleading" were terms used by him regarding the book's statement that the bottleneck of the canal is the Pedro Miguel locks.

"Pedro Miguel, located at southern entrance to the Gaillard Cut," explained Whitehead, "with its emergency dams, safeguards the Pacific side of the canal from the waters of the Great Gatun lake, has the capacity of the other locks, and a good safety operating record."

"CHOKEPOINT"

The "real chokepoint", he maintains, was Gaillard Cut, which he points out has been widened from 300 feet to 500 over a period of years, permitting former "clear cut" ships to pass each other.

"The former 'able' Governor Leber, who completed this work," noted Whitehead, "has plans for further reasonable expenditure that will greatly increase canal capacity without new locks."

"Larger locks will never be large enough to handle 'super' ships being built," the canal engineer firmly believes, "and the cost would be exorbitant, and borne by regular traffic, under present legislation requiring the canal to be self-sufficient."

Such additional costs would greatly increase tolls on present shipping, it is maintained, "probably to an amount that would decrease present traffic."

An increase of 25 per cent would, however, in Dr. Whitehead's opinion, probably have small effect on the traffic.

"We have had no increase in tolls since opening of the canal in 1914," recalled the man who helped to construct it, "with the recent devaluation of the dollar, an increase should be made, to also provide larger payments to Panama, because of this devaluation."

GREATLY IMPROVED

It is now evident that during its many years of heavy transits, the canal has not only been greatly improved, but it is today an "ideal, cheap and efficient" waterway," Whitehead asserted.

"It is a main artery vital to our national defense and economy," he emphasized.

"No consideration has been given . . . to a like waterway across Lake Nicaragua," pointed out this man of many accomplishments.

"It would cost no more than the just-completed Arkansas River Development," he contends, "and would likewise create wealth exceeding its costs, besides bringing New Orleans (La.) 560 miles closer to San Francisco."

The best course to take, with the nation's unsettled economy, the canal engineer said

he is convinced, "is to leave it alone, and keep our rights intact."

Dr. Whitehead said that he regards the Speller book, entitled, "The Panama Canal, 'Heart of America's Security,'" as of "no contribution" to present works, and says that it fails to give valuable references.

"It does not even mention George W. Goethals, the builder of the canal, recognized as such by Congress," Whitehead noted.

(It does however, dedicate the book "to the builders, operators and defenders of the Panama Canal.")

CITES PURPOSE

Author Speller says in his foreword that purpose of the 164-page volume is to "simplify the issues" revolving around the Panama Canal.

"No great issue has been subject to such confusion as has this one," asserts Speller.

Much-needed modernization of the canal, he claims, has been delayed, due to attempts to cloud the issues. Speller voices the hope that his book "will cut through the fog of confusion" and help passage of those bills related to the canal's improvement, which he says have been "thoroughly studied and prepared."

"If it can serve to remove the current 'impediments' to their passage," concludes Speller, "it can represent, in my belief, a contribution to the future security of ourselves, our children and future generations of Americans."

Dr. Whitehead cited a visit by him only last year to the Panama Canal, and what he observed.

"I spent several weeks on the canal," he stated, "and discussed future plans with top echelon officials and engineers in charge."

"I was much impressed with the handling of 300,000 ton ships through the Pedro Miguel locks by the new towing locomotives," he added.

"After over 50 years of service," Whitehead observed, "we have a fine, modern canal," with a capable organization and greatly-increased capacity.

"We should hang on to it, and give up no measure of control," he made clear. "We have served well all of the nations using it, and traffic has developed beyond anticipation by the capable builders."

The prosperity and capability of Panama, by the same means, has been helped by the canal, he said, together with "our benevolent attitude" toward their well-being, and the fact that they are on the cross roads of the continent in a "dollar economy."

"We and Panama need each other," emphasized this canal builder, who has achieved prominence in so many fields. "So every effort should be made to 'keep alive' the policies that have brought such prosperity to Panama, and made the canal a vital artery to world trade."

RETIREMENT OF GORDON F. HARRISON, STAFF DIRECTOR, COMMITTEE ON RULES AND ADMINISTRATION

Mr. CASE. Mr. President, early in my service in the Senate, I became a member of the Committee on Rules and Administration. Gordon F. Harrison was then its staff director, and I remember well his courtesy and helpfulness in making me feel at home with the committee and its work. Always affable and a mine of information about the committee, Gordon served five committee chairmen with dedication and loyalty. As the present chairman of the Rules Committee already noted, if Gordon has any weakness at all, it is his inability to turn any fellow away from his door.

He will be greatly missed, not only by the committee and its staff, but also by the host of friends he has throughout the Senate.

THE GENOCIDE CONVENTION AND AMERICAN PRISONERS OF WAR

Mr. PROXMIRE. Mr. President, the day for Senate debate and action on the Genocide Treaty is finally in view. Unfortunately, an old but persistent argument against the treaty is again surfacing in the press. It is being charged that if we ratify the Genocide Treaty, we will be opening up an avenue for the conviction of American prisoners of war on charges of genocide.

This contention is a fear not founded on the facts. Mr. Eberhard P. Deutsch, a prominent member of the American Bar Association, appearing before a subcommittee of the Committee on Foreign Relations, has provided us with strong words to the contrary. He has stated:

I do not believe that the United States of America will ever be charged truthfully, properly or justifiably with the commission of genocide as such.

Ratification of the Genocide Convention will not subject our fighting men to any new hazards. An enemy power can charge an American prisoner of war with any crime that it dreams up. Acceptance of the Genocide Convention does not change that situation.

Mr. Nicholas Katzenbach, who as a former Attorney General is well qualified to give an opinion on this matter, has clearly stated that agreement to the treaty will present no new dangers for our American troops.

Mr. President, it is quite clear that our ratification of the genocide will not endanger the American prisoners of war. Therefore, I strongly urge that we ratify the Genocide Convention.

DISTRIBUTION OF INCOME AND WEALTH

Mr. HARRIS. Mr. President, for more than 30 years both Republicans and Democrats have agreed on how the country should be run. To correct gross inequities caused by our economic system, the Federal Government should provide subsidies to citizens aggrieved. And for the past 30 years political debate has centered in the size of the subsidy with the Democrats tending to be more generous and the Republicans more conservative.

The problem, however, is that the subsidy system does not work. I am the first to admit that so long as our economy remains unreformed, the system is necessary. We cannot ignore poverty or unemployment. We have to do something about these problems and until we have better tools, we must make use of those we have. Even so, can anyone contend that existing policies have been very successful?

Increasingly, a few far-sighted men are attempting to get at the deeper issues. They are pointing out that if our economy had a more equitable distribution of wealth and income, as well as

more real competition, then there would be far less need for the Federal Government intervention which so alarms many in our society. They note that if we are dissatisfied with the results of government intervention, the answer is not to end that intervention when we do not have anything to put in its place but to study and implement proposals to alter and improve the distribution of wealth and income in the country and to establish real competition.

With these points in mind, I invite the attention of Senators to two remarkable documents. The first is an article published in the July 2, 1972, Minneapolis Tribune about the attempts of the wealthy and famous Pillsbury family to carry out real and meaningful change in America. The second is the commencement address by the Honorable Luis A. Ferre, Governor of Puerto Rico at the Graduate School of Business at the University of Pittsburgh on August 4, 1972.

The article on the Pillsbury family is remarkable because young Charles Pillsbury is a fervent McGovern supporter, while his father George Pillsbury supports President Nixon. Yet despite these political disagreements, they both agree that the fundamental problem facing America is the maldistribution of wealth and income.

The turning point in the father's point of view came when he retired from the business world and decided to manage his family investments while devoting most of his time to charitable works. To his astonishment, he accumulated more wealth at a faster rate than while he was employed. It made him understand why a Harris poll showed 68 percent of Americans now subscribe to the notion that the "rich get richer and the poor, poorer." In the words of wealthy George Pillsbury, "the fact of the matter is it's true." George Pillsbury now believes we must find ways to diffuse wealth-holding patterns in our society, so that a majority of Americans and not just a few gain access to "income producing property."

This is also the revolutionary concept behind Governor Ferre's Proprietary Fund in Puerto Rico. The idea is to make every worker the private owner of the wealth of the country. Like George Pillsbury, Governor Ferre would consider himself a political conservative, but I believe both have understood something about human nature. Over the long run, no system is viable which steadily concentrates more and more wealth in the hands of a few. It is possible that the wealthy can be persuaded to distribute some of their wealth to working people through progressive taxes. But even this system is unstable over the long run because it asks the majority of the people to become the charitable wards of a handful of rich people. The only real answer is a more democratic distribution of real property in the country. By this we do not mean naive leveling but institutional pressures which guarantee that the present trends towards increased concentration can be halted and a new trend toward wider distribution of ownership established.

I urge all Senators to read the Tribune article and Governor Ferre's commence-

ment address with care. Both documents raise questions which should now be before Congress. Instead we must commend a progressive businessman and an imaginative Governor for their willingness to experiment with new ideas.

Mr. President, I ask unanimous consent that the two documents be printed in the RECORD.

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

TWO PILLSBURYS GET TOGETHER ON A POLITICAL THEORY: FATHER, SON BELIEVE WORKERS MUST BECOME CAPITALISTS ALSO

(By Bernie Shellum)

A funny thing happened to George Pillsbury after he let go of his big executive's paycheck and dropped out of the big business world to tinker with his family's investments and do good works for the 99 percent who have to make do with less.

What happened? He accumulated more wealth at a faster rate than he had before.

That just proved to him that his 24-year-old son Charles had been right all along, while he was only half-right; it is ownership, not just production, that must be expanded if the gap between the rich and the poor is to be narrowed.

Until the 50-year-old Pillsbury altered his thinking, there had been, in his son's words, "heated debates."

Like the typical businessman, George Pillsbury had argued that the proper task of industry is to "make a larger pie," that is, to produce more goods which would find their way into more and more hands.

"A lot of good that does," Charles Pillsbury was wont to reply, "for people who don't own a piece of the pie." He viewed the mere expansion of production as a formula whereby: "the rich get even richer and the poor get the crumbs."

But now the father—a Republican for Richard Nixon—and the son—a Democrat for George McGovern—see eye to eye.

Together they espouse "universal capitalism," which involves a fundamental restructuring of the economy. It's so far-reaching it makes McGovern's so-called radical program to redistribute wealth look like a welfare dole.

In his presidential campaign, McGovern advocates an annual federal payment—something like \$1,000—to every man, woman and child, regardless of income or assets, to increase the purchasing power of the poor and the tax liability of the well-to-do.

To Charles Pillsbury, whose support for McGovern rests on his criticism of the defense budget, the candidate's economic program "is for the birds."

"McGovern's only talking about redistribution of income," he said last week in a joint interview with his father.

"McGovern is no threat to a Bruce Dayton (board chairman of Dayton Hudson Corp.) or a J. Paul Getty (billionaire oil man). He's a threat to the professional—the doctor, the lawyer—who has a high income. He cuts into that, but he's not touching the very rich."

Both George and Charles Pillsbury, heirs of one of Minnesota's oldest families, count themselves among the very rich, defined as the 1 percent who derive more than half their income from investments.

Being political realists, they have no intention to pool their holdings, or to propose that the government confiscate those of other wealthy owners as part of some altruistic scheme.

"If you divide up what everyone has now," said the younger Pillsbury, "there wouldn't be enough to go around."

He asserts, and his father vehemently agrees, that it is essential to "slow this irrational accumulation of wealth by the

wealthy, and to allow those who have nothing—who have no property at all—to gain access to capital, to income-producing property."

In Charles's dictum, "If capitalism is good for a few, then it's good for everyone."

It is the objective of his father, a Conservative state senator from Orono, to make "universal capitalism" the policy of Minnesota's government.

Then corporations no longer would raise almost all of their new investment capital by the orthodox issuance of new stock or borrowing from large institutions, the system that now serves to enrich further those few who have the most wealth.

Rather, in George Pillsbury's words, something like this would take place:

"When a company, such as the Pillsbury Co., needs additional capital, instead of going to the market place, instead of going to the present owners, you set up an employee stock ownership plan and you give the employees a chance to own the additional equity."

"They and the company would set up an employee stock ownership trust. The company would issue the new shares of stock that it needed. Say it needed \$10 million; it would issue \$10 million of Pillsbury stock, at market value, to the trust."

"In turn, the company and the trust would go to a lending institution and borrow the \$10 million. It would be given to the trust and the company would guarantee the repayment of the loan. The trust, in turn, would give the \$10 million to the Pillsbury Co. in payment for the stock that was issued."

"Now the company has \$10 million, the trust has \$10 million worth of Pillsbury stock and it has a note. It owes the lending institution \$10 million. Over the ensuing years, the company would pay into the trust dividends on the stock and up to 15 percent of its payroll."

Janitors, clerks and top executives would share the ownership of the stock in relation to the size of their paychecks. Once the \$10 million debt was paid off, the dividends would pass through to the employee-owners, who would have become capitalists the same way most rich people do—on borrowed money.

During a visit to Minnesota about two weeks ago, the original architect of "universal capitalism," Louis Kelso, informed George Pillsbury and the other members of the Legislature's Reconversion Study Commission that there is no end to its applicability. With variations, it can be used, Kelso said, in corporate farming, even on behalf of government bureaucracies.

Corporations are turning more and more to stock ownership, he said, "to motivate their labor force, to raise low-cost capital, to prevent labor union pressure demanding more and more pay for less and less work, to eliminate the alienation that reflects itself in our society in dope-taking, hijacking, bombings, sabotage, wasting materials, lousy craftsmanship and a thousand other ways."

Some of these maladies were on George Pillsbury's mind, too, last week. The Harris Survey had just reported that 68 percent of Americans now subscribe to the notion that "the rich get richer and the poor get poorer," compared with 48 percent who did so in 1966.

"The fact of the matter," Pillsbury said, "is it's true."

It has been two years and eight months now since George Pillsbury left the Pillsbury Co., founded by his grandfather in 1869, "to do my own thing and to work in the public sector." Before retiring, he had observed that "the blue-collar worker who owned Pillsbury stock thought differently from the union member who didn't," however small his holdings. But Pillsbury failed to persuade the other directors to broaden employee ownership of the company.

Eighteen months ago Charles Pillsbury, a Yale student who attained notoriety as a

critic of corporations that supply arms for Vietnam, received in the mail a copy of Kelso's "Two Factor Theory: the Economics of Reality."

Initially, he said, "I thought it was from a nut." But eventually he showed it to his father. "It reconciled to some extent the heated debates that we would have over the division of wealth in the world," Charles said.

Now George Pillsbury describes the Kelso doctrine as "very sound," and he is trying to persuade the Reconversion Study Commission to recommend it.

Through "universal capitalism" he sees the prospect of "a more stable country."

"How can a man be politically independent," Pillsbury asks, "if he has no security? And what gives a man or woman security but ownership of property?"

In that outlook, too, he has an ally in his son Charles, a conscientious objector and the founder and leading force of the Council for Corporate Review, a Minneapolis organization striving to make corporations more alert to social concerns.

"I see my own political independence, my own outspokenness as based on my total economic security," Charles said. "There's not much that anybody can do."

COMMENCEMENT ADDRESS BY THE HONORABLE LUIS A. FERRE, AT THE GRADUATION EXERCISES OF THE GRADUATE SCHOOL OF BUSINESS OF THE UNIVERSITY OF PITTSBURGH, AUGUST 4, 1972

Chancellor Posvar, Dean Zoffer, distinguished members of the faculty, members of the graduating class of the Graduate School of Business, ladies and gentlemen:

It is for me a very special honor to be able to address you today. I say that, because the invitation to speak to you was issued to me on the recommendation of the student executive board. I have given a few commencement addresses before, but never had I been asked to do so by the students themselves. It is a tribute of which I shall always be particularly proud and I thank the members of the student body very sincerely for asking me to be here today.

For the past twenty years we have witnessed a revolution in our means of communications. The tremendous improvements in television broadcasting coupled with the use of satellites, make it possible for three or four hundred million people throughout the world to watch a particular event simultaneously. Such was the case of the first lunar landing and the world championship soccer game played in 1970. But the improvements in our means of communications have also brought about a wave of rising expectations and, unfortunately, our socio-economic systems have not been able to keep abreast of this increase in the expectations of our people. The result has been the mounting unrest which we see in all of the world today.

Finding the way to effectively meet these rising expectations will be the greatest challenge that you will face when you enter the business world. It is a challenge which you will have to meet quickly because the improvements in communications are bringing about an instant consciousness not just of lunar landings, but also of hunger and of great disparities in wealth, not only within every country, but also between the different countries all over the world.

The communist solution to this problem has been to put all wealth in the hands of the state. But in so doing, socialist countries have found that they have destroyed the incentives that move men to produce greater wealth and at the same time they have destroyed individual liberty. Under such societies, regimented under a tyrannical order, the outcome has been a distribution of scarcity.

To meet this challenge of rising expecta-

tions we need a virtual revolution in our socio-economic structures, a revolutionary change which, while keeping the advantages of our system of free enterprise and private property and without destroying individual freedom, will enable all our citizens to achieve equality in their opportunity to fulfill their aspirations. Speaking to the national Press Club in 1969, I described my political philosophy as being "revolutionary in ideas, liberal in objectives, and conservative in methods". The institution about which I will speak today fits this phrase pretty well; the objective of making every worker the private owner of the wealth of the country is sufficiently new and untried so as to call it liberal, if not revolutionary. But the method of achieving this objective, namely, through existing financial institutions, and while maintaining our system of private enterprise, is traditional enough to be called conservative.

In spite of all its defects, capitalism is still the most effective economic system yet devised by man for creating wealth. This is amply demonstrated by the recent announcements that an American oil company has entered into a large contract with the Russian government for the exploration and development of an oil field in Siberia and the subsequent announcement that one of our aircraft companies will be selling airplanes and spare parts to the Chinese Government—nevertheless, the wealth that our capitalistic system has created is still concentrated in the hands of a relatively small portion of our citizens. In a world of increasingly rising expectations this can only be a source of friction unless we do something about it.

This proprietary fund for the progress of Puerto Rico, is our way of doing something to correct the uneven distribution of wealth in our system. It is based on the idea of changing our present utilitarian capitalism to what I call altruistic capitalism. The mere production of wealth should not be the ultimate goal of capitalism, though it is very important to maintain its incentives to do so. The production of wealth should be a means to a higher goal. In our constitution we have stated the three natural rights of man: life, liberty and the pursuit of happiness. Through our capitalistic system and our scientific and technological progress, we have guaranteed the right to life to the vast majority of our citizens; through our democratic institutions we have guaranteed our liberties—but the pursuit of happiness has been sadly forgotten. And today, we find ourselves surrounded with material goods, but with our lives spiritually frustrated and with our world on the verge of an ecological collapse.

It is the young people who have sensed the great danger; it is they who are forcing us to re-examine our goals and it is their refusal to continue accepting our established patterns as unchangeable that has started a reappraisal of the goals of our society.

There is nothing wrong with capitalism per se. But its present goal of merely increasing production, without any consideration of its social impact, is wrong.

Unfortunately, the rejection of strictly utilitarian capitalism, has produced a backlash against our technological progress which again is wrong. Technology and science are neither good nor bad. They are not value bearing activities. It is the use that man puts them to, which makes them good or bad. We must evaluate their uses from the point of view of their social significance and their ecological impact. We cannot forget that the population of the world today is 3.7 billion people, which is three times the population of the year 1850, and that it will be 6.5 billion people by the year 2000. Certainly such an increase in world population needs the help of our present technology to assure its survival, for without present technology,

industry could not provide enough food, clothing, housing and other essentials to satisfy its needs.

Thus, the world you are entering upon graduation is a world which needs basic changes in its structures, viewpoints and goals. It has excellent tools to work with: creative capitalism, democracy, science and technology. It also has rich values: compassion, love and respect for human life and dignity. The latter must become the goals of the former if humanity is to survive. This is the challenge to the young people of today. They must probe new ways to obtain this purpose, amongst which is the turning of valueless utilitarian capitalism into value-rich altruistic capitalism. Capitalism should become a means and not an end. Its goal, within our free society, should be the efficient production of wealth to satisfy the material needs of man, distributed with a deep sense of social justice, in order to give life spiritual richness. The old dictum, the greatest good for the greatest number, should become the greatest good for everybody.

The proprietary fund is a step in this direction. It proposes to correct the shortcomings of the present economic order and to substitute instead a more equitable economic order in which all of the people participate in the production and enjoyment of goods and services not through employment alone but also through their individual ownership of productive capital. In this respect, the proprietary fund is perhaps more of a social measure than an economic one, though it has a great potential for stimulating our economy.

Let's take a look now at how the fund works. First of all, it will have a board of directors consisting of twelve members, initially, they will be appointed by the Governor of Puerto Rico, but a mechanism is provided so that after three years the shareholders of the proprietary fund will be electing six of the twelve directors. All directors will serve a two-year term.

The actual management of the fund will be in the hands of a president, to be selected by the board of directors. It is our intention to go into the ranks of the financial community and obtain the best possible professional talent for the position of president and for his staff. It will be their job to operate the fund in a strictly professional, business-like way, so as to obtain the best possible benefits for the stockholders.

The proprietary fund will have two classes of stock: Common stock, without par value, and convertible preferred stock of a par value of one dollar per share. The preferred shares shall be entitled to a cumulative preferred dividend of seven cents per share per year. The shares will be available only to residents of Puerto Rico which meet certain requirements spelled out in the law.

The preferred shares are, in effect, a means of financing a person's participation in the proprietary fund. They will be available only to workers who earned not less than \$800 nor more than \$7,800 the preceding year and whose income from other sources did not exceed \$1,000 for the previous year (unemployed persons may not purchase these shares). The common shares will be available to any worker resident of Puerto Rico whose income the previous year did not exceed \$18,000. The reason for so limiting the number of persons who may participate in the fund is that the fund is designed to help only those workers who cannot acquire capital by ordinary means. It is felt that any one with an income of over \$18,000 should acquire capital through the available market mechanisms, without any special help from the government.

Once an eligible worker has indicated, in a special form that the fund will provide, his desire to purchase preferred shares, and his eligibility has been ascertained, he will be

issued fifty dollars in preferred shares which will in turn be matched with fifty dollars of common shares that the government of Puerto Rico, through the fund, will purchase for this person. The purchase of the preferred shares will be financed, at the election of the purchaser, through loans from banks, which loans will be arranged by the fund. The common shares will be issued free to the purchaser of the preferred shares but will serve as collateral for the loan that the purchaser made in order to buy the preferred shares. The dividends from both the preferred and the common shares will be applied to repay the principal and interest on each loan. If a loan is not repaid within five years, the government undertakes to pay its outstanding balance and all dividends on the corresponding shares will be applied to repay the amounts advanced by the government.

This plan, which we have called the commonwealth co-investment plan, is the heart of the proprietary fund. It is the motor that drives what I call our vehicle for achieving a better distribution of wealth in Puerto Rico. Quite frankly, although the proposal has been the subject of some criticism, we are very confident that it will be a great success.

Through the co-investment plan, the worker will be able to purchase one hundred dollars of stock without using even one penny of his pay or his savings. We expect that the shares will increase in value so that after a period of eight or ten years he should have acquired, without using any of his own funds, a relatively significant participation in the wealth of his economy, and a participation which, if he continues to elect through the years, could become a substantial one for him.

Obviously, the success of the fund will depend on the success of the institutions in which it invests. We have quite a number of both small and large corporations in Puerto Rico which have been very successful, and which have produced extremely favorable returns. We have actually approached some of the more successful ones and they have indicated their willingness to make large blocks of their stock available to the fund. Furthermore, the fund itself will be exempt of all taxes, and gains realized in selling to the fund equity in business enterprises will be exempt from income tax. Through these means we expect the fund to earn enough money to pay out dividends to both its preferred and common stockholders.

Dividends paid on the shares of the fund shall not be subject to income tax for the stockholder. Similarly, the acquisition by the fund of common shares for a qualified worker under the co-investment plan shall not be treated as income received by the worker. Once a worker's shares pay out the loan he made to purchase those shares, they will begin to provide the worker a tax-free annual return which can grow into a substantial source of additional income for that worker.

The proprietary fund should be such an attractive proposition to the persons eligible to participate in it that we expect that all eligible workers will want to participate. Unfortunately, Puerto Rico does not have enough resources at this time to allocate to the fund enough money to allow every qualified worker to participate. Therefore, the bill creating the fund provides an order of priority of participation. The order of priority will be in inverse relation to the workers' income; that is, the first ones chosen to participate will be workers who earned \$800 the previous year, and so forth, until the Government appropriation for such year is used up. For the first year we propose an appropriation of \$10,000,000 which we estimate will cover about twenty to twenty-five percent of the eligible workers. Hopefully, the Government will be able to increase its

appropriation as time goes on. In addition, as the fund grows, its own funds should become available for the co-investment plan.

As far as the mechanics of operating the fund are concerned, we realized early that banks would be very reluctant to undertake the financing of thousands of small, fifty dollar loans. In order to cut down the paperwork and make it as simple as possible, the bill creates a statutory short form which, in a single document, will constitute an application for a loan, an agreement to subscribe to shares of the fund, a power of attorney to the fund to apply to a bank for a five-year loan and to execute and deliver to the bank, on behalf of the applicant, the necessary promissory note and other legal documents. It will also constitute the broadest authorization to the fund to take whatever measures are deemed necessary or convenient to properly implement the financing plan. We envision that the fund will process several thousands of these forms and then take them, in a single large block, to a bank and, in effect apply for one single large loan, rather than thousands of small loans. In our preliminary discussions, representatives of Puerto Rico's banks have indicated their belief that this procedure will make it feasible for them to finance the purchase of shares under the co-investment plan.

Time does not allow me to go into more of the details of our vehicle for achieving a better distribution of wealth. However, as I said before, there has been some criticism of the plan and I will like to discuss some of it. I must emphasize here that the proprietary fund is a dynamic concept, a new approach, which can and will certainly be the object of improvements. We do not pretend that it will instantly bring about a new economic order but we certainly believe that it can lead us to a more equitable distribution of wealth within our framework of private property.

First of all, the fund is not meant to tempt workers into venture equity investment. Its officers will invest only in proven enterprises and the bill provides limits to the fund's participation in any one company so that if one company should fail, only a small portion of the fund's investment will be jeopardized. Secondly, we feel that it is quite sound and proper to use a small (just over one percent) portion of our revenues as an incentive for the workers to save. I use the term save because the worker will not be able to touch his shares during the first five year period when they are not paid for; the proceeds of the loan he made will be invested for him by the fund, in the capital of our economy. In other words, the Government appropriation will increase capital investment.

It is true that low income classes have a lower propensity to save and that in such cases, a rapid redistribution of income results in more spending without any increase in savings. This has been pointed out by Professor Rosenstein-Rodan, formerly of M.I.T. and now with Boston University. It was after discussions with Professor Rosenstein that I began to conceive the details of the proprietary fund. In order to avoid the inflationary effect that a rapid redistribution of income would have, we have provided special mechanisms in the fund which will "freeze" the worker's investment for a period of time. In addition, a worker who sells his shares and pulls out of the program will be penalized for so doing, the penalty being that he will not be able to participate again for three years.

This will be another incentive to keep his investment in the fund.

We are also concerned with the possibility that a small group of persons might try to acquire a majority or a substantial number of shares of the fund. To avoid that, the bill will provide that no person may own at any time a number of shares greater than the

maximum number of shares that could have been acquired by a qualified worker in all the years since the initial offering of shares by the fund. The only exception to this is with respect to shares acquired by inheritance. You can see that we have tried to keep it as "safe" as possible from speculators. Like I said before, we do not pretend that our proposal is perfect; we will welcome any changes that improve upon it. What we do claim is that it is a bold, new first step into what I already suggested should be your own goal: To re-orient our capitalistic system towards the solution of the inequities that exist in our present economic order and to maximize the income of every family and individual not only through opportunities for better employment, but also through feasible opportunities for acquiring ownership of productive capital.

Let me stress that I do not hold that this is the only solution to the problem of how to keep the creative power of capitalism, while giving it a social goal, and protecting the freedom of the individual. But as a practical business-man, a practicing politician and a person with an inquisitive mind that is not afraid to tread new paths, I think it is a step in the right direction. It may sound like a dream. But in Shakespeare's words: "Dreams are the stuff our lives are made of", and I add, only young hearts that have not lost their ability to dream, will find the ways to progress.

GOP PLATFORM SUGGESTIONS

Mr. GURNEY. Mr. President, to read the newspapers or to watch television, one would think that the GOP platform hearings now going on in Miami Beach are in the nature of a rubberstamp session—window dressing for a pretailored White House policy statement. The implication that this might be so, or that there is little or no room for alternative proposals and constructive debate, frankly concerns me.

I know that there are many, many Republicans like myself who are deeply concerned about what goes into their party platform. Given the importance of this election to the country and given the evidence that far too many Americans do not understand where the parties, or the candidates, stand on the issues, this concern is fully justified. The future of the country is too important a subject for there not to be the fullest possible discussion of the issues by all interested parties.

Because I am concerned about where we are headed and because I have some specific ideas as to the direction we should take, I have made a number of recommendations—10 in all—to the platform committee. These suggestions were submitted Sunday, however, the press of Senate business made it impossible for me to deliver them in person today. Therefore, for the benefit of Senators, I ask unanimous consent that they be printed in the RECORD.

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

REMARKS OF SENATOR EDWARD J. GURNEY,
REPUBLICAN RESOLUTION COMMITTEE, MIAMI
BEACH, FLA.

I. INTRODUCTION

Mr. Chairman, when looking back over the course of history, certain dates stick out as being decisive. When 21st century historians write about 20th century America, they may

well look back at November 7, 1972 as being one of those dates.

Judging from the positions taken by the Democratic Nominee and the posture adopted by the Democratic Party in its platform, Americans will have a real choice to make this November. Issues like isolationism versus internationalism, national security, the economy, welfare and tax reform, preservation of the environment, and domestic tranquility are of the utmost importance. There is a big difference between the promises of the Democrats and the record of the Republicans on these issues, the choice we make now will determine direction of this Nation for years to come.

A recent Harris Poll has indicated that a great many Americans do not understand the positions of Richard Nixon and George McGovern on the issues. Given the importance of the electoral decision to be made, this is a circumstance that needs to be rectified. Records are important, for in judging the qualifications of a candidate or of a political party, one must take into account what has been accomplished as well as what has been promised. As Roscoe Drummond, in his recent column entitled "Upside Down Politics" pointed out, the campaign theme of the party out of power invariably is "Throw the Rascals Out." Certainly that is the case this year. But, as Mr. Drummond notes, Democrats have controlled the White House for 28 of the last 40 years and Congress for 36 of the last 40 years. Yet, we have the Democrats condemning a war they got us into, attacking attempts to control an inflationary spiral they were responsible for, lashing out at tax loopholes they wrote into law, criticizing a crazy-quilt welfare system they have designed and promoted, and assailing Congress for not exercising its prerogatives when they were the leadership in Congress.

On the other hand the Republicans have a record of both consistency and accomplishment. The GOP platform in 1969 called for an honorable end to the war in Vietnam. Since then, Richard Nixon has withdrawn over 500,000 men from South Vietnam without compromising that nation's right to defend itself from Communist aggression. The GOP platform in 1964 called for an end to the draft. Since then, Richard Nixon has proposed a volunteer Army, a lottery system has been established, draft calls have been reduced and the end of conscription is in sight.

In 1964 and 1968, we Republicans called for a restoration of law and order in this country. Yet from 1964 through 1968, urban riots, campus disturbances and crime in the streets all increased. However, since 1969, under a Republican administration; the incidence of urban riots has dropped to practically zero, campus unrest has dwindled sharply, and an all out effort has been launched against crime in the streets. In Washington, D.C. for instance, the crime rate has dropped to its lowest point in five years.

Another hallmark of the Republican administration has been its commitment to reducing inflation and getting the economy going again.

From 1965 to 1969 inflation increased dramatically reaching a high of 6.1% the year President Nixon took office. Now, the latest economic reports show that it is down to 2.7%. In addition, real output jumped an incredible 8.9% last quarter. Employment has increased 2¼ million in the past year and the unemployment rate has declined from 6.1% just before the freeze to 5.5% in June. And, finally, real purchasing power—the true indicator of how much progress the workingman is making—has risen 4.5% since last August.

These figures are just one more example of the old adage about actions speaking louder than words. When the facts are presented to the people, I have every confi-

dence they will recognize who got us into economic difficulty and who is getting us out, who makes promises and who delivers.

And what about the foreign policy initiatives undertaken by the present administration? For the first time since the days of the Eisenhower administration, the United States has gone on the offensive diplomatically. Instead of simply reacting to the initiatives of other nations, we have taken some major steps which could lead to a lasting world peace.

Of course, when dealing with the Communists, nothing is certain and, as the administration has so often stated, we have to keep up our guard, not only to protect ourselves, but also to give the Soviets the incentive to negotiate further. And what does the Democratic candidate offer—a 40% cut in our defense budget. If that were to happen, how would we live up to our commitments in Europe, in Asia, in the Middle East?

In foreign policy, the Republican position has been one of peace through strength. It has worked for us in the past, and there is no reason to think that it will not work well for us in the future. We have honored our commitments and have lived up to our responsibilities as a leader in the free world. To now turn our back on these responsibilities, to venture down the path of isolationism, would be a terrible mistake just as it was in the years before the outbreak of World War II.

Ours must be a positive policy for peace, but at the same time it must be realistic. In the last 4 years, it has been both.

What about the future? Well, as far as this Senator is concerned, we cannot afford to rest on the past. We must push ahead—in foreign policy, in space, in the field of transportation, and in dealing with the problems of senior citizens. We must assure all our citizens that they won't be discriminated against because of sex or color. We must provide for quality education while at the same time ending the senseless business of forced busing. We must tackle the task of bringing our court system up-to-date so that it can provide a fair and effective system of justice in today's modern world.

For the benefit of the Committee on Resolutions, I would like to go into these problems I have just mentioned in greater detail and make some suggestions as to what provisions the GOP platform should contain.

II. THE OLDER AMERICAN

The point has often been made, but it certainly bears repeating, that we Republicans are extremely interested in, and concerned about, the problems facing the older American. Certainly, the administration record over the last four years reflects not only that concern, but also a determination to do something about it. Now it is our job to suggest what should be added to what has already been done.

As a Senator from Florida, I am particularly aware of the problems of senior citizens. Florida's pleasant climate has attracted many retirement families. As of 1970, almost 18% of the people of Florida were sixty-two or over. I am talking to these people all the time and I tell you that a greater effort than ever is needed to resolve their problems.

In the last sixty years, the number of older Americans in the United States has increased dramatically. In 1910, they comprised only 4.1% of the total population; now, they account for 9.9%. If you add in the nearly ten million people between sixty and sixty-five, the percentage rises considerably. Moreover, many of these senior citizens live on very limited incomes—social security and perhaps a small pension—and they have been hurt badly by an inflation inherited from the previous Democratic administration.

To emphasize the point, a few statistics are perhaps in order. In 1970, about 3.6 million families have a person sixty-five or over as

head of the household had incomes of less than \$6,000 and almost half of these made less than \$3,000. In addition, another 2.9 million senior citizens living alone or with nonrelatives had incomes of less than \$1,500. No wonder some 20% of the Nation's 25 million poor are elderly.

In the field of elderly housing, it has been estimated that there is a need for between a million and a quarter and a million and a half new units. We also need to make it possible for the large number of senior citizens who own their own homes—some 70%—to go on living in those homes.

Medical costs and the cost of prescription drugs have also risen sharply. In the last five years, expenses for an average three month illness have risen 42%. Considering that 86% of all Americans over sixty-five have at least one chronic disease, the effect of such increases on limited budgets is painfully obvious.

What does the senior citizen on a fixed income do when faced by rising costs for food, drugs, clothes, housing and transportation? The answer, all too often, is to do without. This, despite the fact that when this nation adopted the social security program, it committed itself to providing a reasonable means of support for senior citizens in their retirement years. Older Americans have held up their end of the bargain. We cannot let inflation and changing patterns of family living deprive them of the dignity that is the cornerstone of a meaningful retirement.

Fortunately, President Nixon is fully aware of the income problem and its sweeping ramifications. As he so aptly put it, "If we fail to move here, the other battles will be impossible." And, he has acted. During this administration, social security benefits have been increased 46%, increases which I personally supported. Perhaps even more important for the future is the fact that the recent 20% social security increase also included a clause making future benefit increases automatic every time the cost of living rises more than 3% in one year. This will end, once and for all, the political football syndrome that has occurred in the past. Time after time, benefit increases have either been timed for political considerations or attached to other, unpopular legislation in the hopes that this attachment would insure passage. Given this cost of living provision, we should have no repetition of this kind of situation.

Public housing units for the elderly have been increased by almost 60% since 1968; a bill to provide for better nutrition has been signed into law; social security and medicare reform measures have been pushed; programs to enlist the energies of elderly Americans have been implemented; the first White House Conference on Aging in ten years has been held, and, perhaps most importantly, meeting the needs of our senior citizens has been made a top level national priority.

Where do we go from here? Well, first of all, the remaining sections of H.R. 1 dealing with social security and medicare need to be acted upon. This bill was proposed by the President three years ago, yet it still has to be voted on by the Senate. The Republican Party should go on record in support of those provisions which:

- (1) Increase the earnings limitation for social security recipients to \$3,000.
- (2) Increase widow's social security benefits by 17.5%.
- (3) Eliminate the existing medicare part B fee and
- (4) Make individual members of retirement families over sixty, who are not now covered by medicare, eligible for it.

Just passing a long overdue social security benefit increase is not the answer to all senior citizen problems. Other things have to be considered.

For instance, another area of concern should be the provision of free prescription drugs to senior citizens. Reduced hospital costs won't do much good if the necessary follow-up medication is beyond the means of the recently hospitalized senior citizen.

Then there is the quality of health care. Demonstration projects and professional standards review organizations are needed to improve the quality of medical attention under medicare and, as the President has pointed out, stricter regulations are needed for nursing homes.

Housing, as I have indicated, is a problem, with rising property taxes a major difficulty. Expansion of Federal assistance to senior citizens who want to buy their own homes will no doubt help, but since 70% of our senior citizens already own their own homes, the President's actions in sponsoring revenue sharing and his promise to develop other property tax substitute proposals in the not too distant future are likely to have a far greater impact.

Another alternative that should be examined is the possibility of developing local senior citizens co-ops that could contract for home maintenance and repair services at lower cost. This would cut down on the physical and financial problems facing a senior citizen living in his or her own home.

Transportation, of course, is another major problem facing the elderly. In this regard, physical handicaps as well as income limitations must be considered. Programs such as the one being tried in Washington, which provides for reduced bus fares for senior citizens, will reduce costs, will encourage municipalities to provide transit vehicles that are safe for and accessible to older people and will help overcome the physical limitations of age—a combination that should promote the sense of self-sufficiency that is so essential if our senior citizens are to maintain their dignity.

To those who would argue that retirement communities offer a better solution, it should also be pointed out that senior citizens want to be an active part of society, not segregated from it. Many senior citizens look upon retirement as a time to contribute more to the community rather than less; to cast aside their talents and experience would be unfortunate not only for them but also for all those that they might otherwise be able to help. Senior citizens may have special problems, but that does not make them different people.

One could go on almost indefinitely about various senior citizen problems. The party platform should discuss such things as home health care, tax problems, employment opportunities, legal services, consumer protection, and the necessity for controlling inflation. But, we might also consider these problems—and our response to them—in a broader context, with an overall theme, if you will, and that theme, I might suggest, should be dignity.

Older Americans have worked hard for their retirement and have unselfishly contributed a great deal to this Nation. They are not welfare cases and they are not looking for a handout. What they want, and it is certainly a reasonable request, is to get a return on their investment in this country. In drawing up this platform plank, the party should redeem that promise and ease the plight of those who have done so much to help make America the great Nation it is today.

III. COURT REFORM

For too long, the United States has lagged behind other nations of the world in its judicial system. For too long, justice in this country has been neither swift nor certain. Among the greatest crises facing the United States as a nation today is the desperate need for reform in this area; the tragedy lies

in that this need continues to go unanswered.

When the situation gets so desperate that there is danger the legal system will simply cease to function, as has occurred recently in New York and Philadelphia—the response has been swift, but uncertain, un-coordinated and piecemeal. For true reform, an organized, well funded and well coordinated effort at all levels is not only crucial, but is absolutely essential, if our legal system is to even survive.

Basically, reform must cover all areas of our judicial system—civil as well as criminal, and it may involve actual elimination of some court activities, as well as the updating and streamlining of others.

It would be possible to speed up justice if we could actually remove certain procedures from their traditional place in the judicial system. There are certain matters which are, in effect, not really serious enough to be considered crimes at all, and these could be removed from our over-burdened courts, and handled more expeditiously by social welfare agencies and/or the various police departments.

Most traffic offenses—such as speeding—could be expedited by the arresting police department. For example, in the various State district courts in Rhode Island, one day a week is set aside simply for the "trying" of traffic "cases." Considering the fact that most individuals so charged pleaded "guilty" and paid the required fine, it is ludicrous in these days of legal turmoil to see a sitting judge, his clerk and bailiff, spending an entire day dealing with such offenses. All except the most major traffic offenses, those involving damage to persons or property, should be dealt with by the police, thus freeing these judges to deal with more important matters.

Similarly, "crimes" of drunkenness and vagrancy could be channelled through social welfare agencies which are far better equipped to handle these matters than an already overworked judge.

Much the same can be said of domestic relations matters, which originally entered the realm of the courts because of clashes between royal and ecclesiastical courts in England. In several states, "chancellors"—practicing attorneys appointed for that purpose—make decisions and grant decrees regarding divorces and other family law matters, thus freeing the courts from lengthy and often time-consuming litigation.

While delay in a civil suit, such as a traffic accident case, may be several years and may involve economic loss to all those involved, particularly the injured plaintiff, delay in a criminal action is far more serious, and often involves the loss of freedom for the accused. In criminal matters, "justice delayed" is truly "justice denied." A person ineligible for or unable to produce bail, may languish in jail for weeks or months, awaiting trial. Indeed, in cases of crimes whose penalties are relatively short periods of incarceration where the courts may subtract the time spent awaiting trial from the actual sentence, it is not unusual for the defendant to have spent more time before his trial, than his sentence would call for.

A number of diverse reforms are needed to effect a true speedup of the criminal justice system, from arrest through trial and sentencing.

In the United Kingdom, most individuals charged with criminal offenses, are brought to trial within sixty days of their arrest. Unfortunately, this is far from the case in this country, where an individual may wait a year before being brought to trial.

One reform in this area would require the court with jurisdiction over the defendant to drop all charges against any prisoner who—through no fault of his own—has not

been brought to trial within a reasonable time of the date of his arrest. An exception to this rule would be made where the individual had been charged with homicide.

This reform has been working in New York, California, Illinois, the District of Columbia, and the courts of the 2d Federal Circuit, composed of the States of New York, Connecticut, and Vermont. Basically it puts pressure on the prosecution to move as expeditiously as possible. Conversely, it is possible to put similar pressure on defense lawyers, requiring them to be ready and to avoid delaying tactics, by having them operate under a penalty of fine should they fail to be ready when the prosecution is.

In the criminal courts themselves, the abolition of the traditional "central calendar system" would speed up the operation of the system considerably, and hand down justice in a fairer manner. Under the central calendar, used in most large cities, one charged with a crime may appear before a different judge at each stage of his case, from initial hearing, through trial and final sentencing. Under this, the case is shifted from one judge's own calendar to another's, thus preventing any one jurist from acquiring a "feel" for the case and from rendering a truly fair judgment. Also, it is a time-consuming, paper-generating antiquated process which has no place in a modern judicial system.

The central calendar system, should be replaced by an "individual assignment" system under which each criminal case would be assigned to an individual judge at the outset, and this judge would be responsible for the case all the way through.

The reasonable time limitation coupled with the individual assignment system would greatly speed up the judicial process, particularly in the courts of our huge cities, where the crisis has been greatest and most serious.

In many areas, there is a severe shortage of manpower in the legal system. Judges, particularly at the local levels, are often over-worked and the courts themselves are poorly-managed, if it can be said that they are managed at all. Often, there are insufficient numbers of prosecutors to handle the work load. All courts are buried beneath a never-ending sea of self-generating paper, the location of the individual droplets of which is left to an antiquated system of file drawers and clerks.

While a large input of personnel at all levels is not the sole answer, more judges, prosecutors and supporting individuals in well-chosen areas is definitely one answer. The channeling of "victimless" crimes out of court would release large numbers of capable jurists for service in other, much more crucial matters.

The need for competent, capable court administrators is essential. Men, lawyers or not, trained specifically to deal with a complex system of opposing forces and ideas, tenuously held together by tradition and rules, and to make this system run, are a major part of the solution. The Republican Party must go on record in support of full-funding of regional facilities for the training and placement of skilled court administrators.

In areas where the crisis is not so great, the appointment and training of an administrative judge to oversee the courts is recommended.

Where prosecutors are at a premium, it is possible to invite former assistant district attorneys back to work on a per diem basis to assist in the disposal of cases. A number of young lawyers, particularly in our large metropolitan areas, began their careers in these positions, and their experience is invaluable and should not be allowed to go to waste in attempting to solve the current crisis.

The computer has proven successful in industry and government, and its value to

the court system should not be overlooked. Whole case files can be reduced to microfilm or computer tape and can be located at the push of a button, instead of at the whim of a file clerk.

The Republican Party must go on record in full support of the funding of reform and upgrading of State courts. An office, similar to the law enforcement assistant administration, in the Department of Justice should be established for this purpose.

All these reforms should be pursued in a coordinated, well-financed manner. The crisis is so awesome at all levels that the time for scattered, poorly-funded attempts at reform must be over. The Republican Party and the Nation must recognize this fact, and we as a party and we as a Nation must not be afraid to take what some would see as radical action, and to spend what some would see as great sums of money in order to achieve true "equal justice under law."

The Republican Party should recommend a well-financed, coordinated, nationwide program to upgrade the administration of justice in the United States. Specifically, the Republican Party should go on record in support of the establishment and funding of a national office to fund and coordinate court reform programs at all levels of government, including the following:

A restructuring of lower-court jurisdiction to relieve judges of needless litigation in automobile, vagrancy and domestic relations matters.

A re-ordering of the criminal justice system so as to require that a criminally-charged defendant must be brought to trial within two months of his arrest, further requiring that if this is not done, that all charges against him will be dropped.

An increase in manpower, where needed, at all levels of the judicial system, including clerks, bailiffs and secretaries, as well as well-trained, competent jurists.

The employment of skilled, highly-trained professional court administrators in order to increase the efficiency of courts at all levels.

The use of part-time prosecutors in areas of heavy criminal litigation coupled with severe, present or potential, backlogs.

The maximum use of computerized and microfilm data retrieval systems in order to speed the processing of records and to eliminate the needless mounds of paperwork.

IV. BUSING

Ever since 1647, when Massachusetts adopted the first rudimentary public school law, Americans have recognized, ever more fully, that the twin objectives of education—increasing knowledge while transmitting culture—were essential to the development of a strong nation. Out of this realization emerged public school systems, compulsory school attendance requirements, and, starting in 1869, free pupil transportation laws—all implemented in the hope that better education would promote better citizenship.

Over the years, our system of public education has expanded and improved. Some of the biggest steps have been taken during Republican administrations. For instance, during the Eisenhower administration, the first big steps were taken to end the system of de jure segregation that deprived many black Americans of the chance to get a quality education at the school of their choice. During the Nixon administration more money than ever before has gone to improving the quality of education for all Americans; in 1973 we will be spending \$12 billion more than in 1963. The Republican record, therefore, is clear; we take a back seat to no one in our commitment to provide every child access to a quality education.

However, when the Supreme Court ruled, in 1954, that "separate but equal" schools were unconstitutional, it was the intention of the Court to eliminate race as a factor in determining pupil assignment. In the

Court's view, the practice of busing black children away from their neighborhoods to maintain segregation was to end, and no child was to be legally prevented from attending the school of his or her choice on the basis of color. That was a landmark decision, long overdue, one that overturned a long-time injustice being done to one group of our citizens and one that opened the way for all Americans to have access to a quality education.

Now, however, we have come full circle. Instead of having school boards that are colorblind with regard to pupil assignments, we have courts ordering school systems to assign and bus students in order to achieve a certain racial balance. Not surprisingly, we see that many black Americans find busing for balance almost as noxious as busing for segregation. To say that the black child can only improve himself academically by being bused to a white school is almost as obvious a suggestion of inferiority as was the idea that the black child was not good enough to go to school with the white. The only difference is that the first is grossly patronizing and insulting while the second is blatantly discriminatory. Neither idea is right and the former should be rejected as soundly as the latter has been.

This is but one argument, albeit a compelling one, against the forced busing of schoolchildren to schools not of their parents choosing. There are, of course, others, perhaps the most significant of which deal with the question of whether forced busing (1) raises the academic achievement levels of educationally underprivileged children or (2) improves the chances for mutual understanding. However, when put to the test, results show that forced busing accomplishes neither. According to a recent study published in the summer issue of *The Public Interest* by David J. Armor, Harvard University professor and former researcher for the U.S. Civil Rights Commission, achievement levels are not materially raised while, at the same time, racial tensions in the public schools are heightened.

This is certainly not the only study that leads to the same conclusion. Statistical studies done in California, New York and Illinois show that achievement levels have risen far less than pro-busers had expected and, in at least one case, they actually declined. And, as far as racial tensions are concerned, studies lead inescapably to the conclusion that forced busing makes things worse rather than better.

Now this is not to say that school integration should be thrown in the ash can. Far from it. People of good will in both races must redouble their efforts to make it work better. What it does suggest is that forced busing is not likely to contribute to either good education or better understanding.

As if these factors were not enough, there is also the matter of cost. Those who claim that busing for racial balance constitutes only a small fraction of pupil transportation costs forget that busing has heretofore been confined to the south and that, usually, the figures they quote do not include the massive forced busing of the last two years. In fact, forced busing is a very expensive proposition, one that takes millions of tax dollars desperately needed for new schools, more teachers and better equipment and wastes them on something that does nothing to improve the overall quality of education.

For example, in Los Angeles, school officials have estimated that the eight year plan they developed in anticipation of court ordered busing will require the busing of 196,000 children twice a day as compared to the 35,000 being transported now. The cost will be a whopping \$180 million. During the first year alone, if Los Angeles were to use that money for \$10,000 a year teachers, they could add no less than 3,600 of them to the school system.

In Richmond, Virginia, forced busing is already an expensive proposition. In April 1971 a court order forced the city of Richmond to bus 7,000 more students than the previous year, a move that required an extra fifty-six buses costing \$500,000. Now, if Judge Mehrige's order is upheld, the metropolitan area will have to bus 78,000 out of 104,000 children—10,000 more than last year. School officials estimate that in Henrico County alone, the new plan will cost them two or three times the \$743,000 now being spent on pupil transportation. This is only the initial cost. The big yearly driver and maintenance cost will be on top of that.

At Columbus, Georgia, an excellent example of misplaced priorities is apparent. Two years ago, pupil transportation cost the city about \$365,000. This year the cost will be an estimated \$720,000. The reason—a forced busing plan which has increased the number of pupils being bused from about 10,000 last year to over 14,000 now. And if this staggering increase—nearly 100%—were not sobering enough, consider for a moment the fact that the Georgia State Board of Education has recently termed twenty-two of the sixty-seven schools in the district substandard and has recommended that they be phased out. Nine of these schools are considered to be fire hazards. As long as facilities are substandard or unsafe, or schools are unaccredited, it seems only logical that every available dollar go to correcting these deficiencies.

Jacksonville, Florida, is a somewhat similar case. In that city, there has been a long, hard struggle to regain accreditation for their schools. A Federal Court Order, issued last summer, required that 12,000 additional school children be bused to achieve racial balance as soon as the necessary buses could be purchased. In practical terms, this means that next year over one million dollars that could have been spent further upgrading the schools will be wasted busing children an average of twelve to thirteen miles a day (some will have to go thirty-one miles). How does this enhance quality education?

Here in Miami, the situation may be even worse. Last winter, a Federal Court Order prompted the Dade County School Board to propose a county-wide plan that would have bused, over and above the 37,000 children bused already, 8,000 students next fall and 33,000 in the next five years—at a staggering cost of approximately \$3.8 million. A school boycott caused the school board to drop that idea and submit a more modest proposal, but the precedent set by the Richmond decision makes it quite likely that another ambitious county-wide forced busing plan will be pushed upon Miami by the courts.

And finally, there is the case of Detroit, where a Federal judge, Stephen J. Roth, has ordered the State to buy 295 school buses, costing \$3 million, so that an interim busing plan for Detroit may be implemented this fall as a prelude to an even more comprehensive plan that would affect 780,000 students in 53 school districts. Now, the 6th U.S. circuit court of appeals has stayed that order, but unless congressional action is taken to put an end to court ordered forced busing, sooner or later, this order, or one like it, is sure to be put into effect.

Another thing that must be considered is that forced busing, rather than overcoming segregation, is actually promoting it. In order to put their children in quality schools, many parents are moving away from areas where forced busing plans are in effect. The result is that once integrated schools soon become resegregated. Instead of helping matters, enlarging the scope of busing simply increases suburban sprawl and hastens the decay of the inner city. Unless the government starts regulating where we live—something I believe no government has a

right to do—this process will continue. Forced busing can only make it worse.

And what about the students? How do they profit from spending two hours a day on a bus, riding into a strange neighborhood, when they could have gone to a school a couple of blocks away? How do they benefit from not being able to participate in school supported extracurricular activities because they have to catch the bus home? Who profits from a reduction in parent participation in, and support of, our public school system? How does a child get a better education when the school at the other end of the bus line is inferior to the one around the corner or when he or she suffers psychological disorientation from moving twice a day from one neighborhood to another? The answer to all of these questions is that forced busing does not benefit the child, the parent or the community.

The American people have certainly made their position clear on this issue. Recent polls have shown that a majority of blacks, and 70-75% of all Americans, oppose forced busing. In Florida, the vote ran 77% opposed to busing—in Tennessee, 80%. Wherever it has been implemented, busing has been opposed, not because Americans want a return to segregated schools, but because they see absolutely no point in sending their kids to a school across town when there is one, often a better one, right around the corner. Parents also recent, and rightly so, the fact that, after putting out a lot of money, perhaps their life savings, to move into a neighborhood with a good school, they cannot send their children to that school. All Americans—black and white—should have the right to send their children to the neighborhood school of their choice, to require otherwise represents a basic denial of individual rights.

Building a nationwide network of quality public school systems is no easy task. To accomplish it, we need to put all our time and resources to the best possible use. To that end, the Republican Party affirms its wholehearted support of all efforts that would promote quality education and expresses its determined opposition to those schemes which do not materially contribute to that objective. We support increased aid to public education and we favor compensatory programs that will upgrade those schools which need help the most, but we must oppose programs, such as forced busing, which deny all parents the basic right to send their children to the school of their choice.

V. THE EXPLORATION OF SPACE

One of the most shocking omissions in the platform approved by the 1972 Democratic Party Convention is the total lack of reference to the United States space program. In this, and in other respects, the Democratic Party and its chief national spokesmen continue to indicate their lack of appreciation for the necessity of pursuing advances in science and technology across the entire range of human experience.

The Democrats talk about the need for more jobs, they ring their hands over foreign competition, and yet their only solution to the employment ills of this country is to turn the Federal Government into an employer. Now in certain cases this may have merit, but I submit that if we do not continue to pursue excellence in the areas of science and technology all of us will be forced to turn to that employer of last resort, the Government. We might even reach the ridiculous position, which the new Democratic Party would probably consider gainful enterprise, of swapping food stamps back and forth.

Throughout history nations have either grown, developed and pursued technological advances or they have fallen by the wayside, relegated to the backwaters of history. Indeed the history of man is a continuous nar-

ration of one society after another building and progressing and expanding technological horizons.

If it were not for the level of technology we enjoy, our unemployment rate would not be the present 5% but would be a great deal higher. There is no doubt that we have problems in this country—the Republican Party has recognized those problems and the Nixon Administration has isolated them and proceeded to deal with them strongly and effectively, but to turn our backs on science and technology, to turn our backs on programs such as the space program, is not a solution but an acceleration of some of the problems.

In just one area alone—that of foreign trade—the results of this downgrading of technology would be disastrous. The American worker today is the highest paid worker in the world. By virtue of his skills, by virtue of his industry, he deserves that high salary. He deserves to continue to be the highest paid worker in the world. But, because of this, the American industry cannot compete in world markets in the area of low technology products, those products where labor costs are a substantial part of the total sale price. However, we can compete in areas of high technology where our labor force can apply highly developed skills and where our basic science and research potential are such that we offer a product that surpasses anything produced by any other nation.

This is the goal to pursue, to avoid a situation where our workers would be reduced to the level of wages paid in Korea or Hong Kong and to promote the active cultivation of markets for our communication satellites, our launch vehicles, and our airplanes.

One of the great pluses of the space program is that it pursues excellence in the areas of science and technology across the broadest possible spectrum ranging from fuel technology and metallurgy to communications and medical science. Lives are saved each day as a result of space program spin-offs. For instance, as a result of related medical advances today a cardiac victim can have his heartbeat monitored by a hospital while he is being carried to that hospital in an ambulance. In the hospital his heart is continuously monitored by a centrally located trained technician. This high quality care was a direct fallout and application of the space program.

Furthermore, it is estimated that 50,000 lives were saved during Hurricane Camille as a result of advance meteorological forecasting through the use of weather satellites.

And how do we place a value upon the use of communications satellites in places all over the world? Satellites placed in fixed orbit can be used to reach radios throughout scattered, isolated and remote villages and bring education and news to people who would otherwise never receive them.

Because of this, the Republican Party should make clear that one of the most important goals of the Nixon administration should be continued advancement in every area of science and technology, with particular emphasis on the importance of the space program as a means of increasing the knowledge of this Nation.

We also urge cooperation between all nations in the use and exploration of space for peaceful benefits for all mankind.

I believe strongly that we must continue technological development if our Nation is to progress. Historically those nations that have failed to develop their technology have lost their ability to maintain and raise the quality of life of their citizens.

Sir Bernard Lovell, director of Britain's Jodrell Bank Observatory, has offered a significant word of caution:

"If you look at the thousands of years of civilization, you will find that only those communities that have been prepared to

struggle with the nearly insolvable problems at the limits of their technical capacities—these are the only communities, the only times, that civilization has advanced. The Roman Empire decayed when it ceased to be progressive in this sense, and there are other examples. To a certain extent, you see the beginnings of it in the United Kingdom today, but fortunately, not in the United States, and certainly not in the Soviet Union."

Throughout the history of man there have been doomsayers, those individuals who have said "Let us not go farther else we shall suffer destruction." I am sure these people were around when man first decided to harness the energy of fire. I am sure that they were around when the phoenicians developed ships to set sail and trade throughout the Mediterranean Basin. I am sure that there were gloomy defenders of the status quo in the court of Queen Isabella who told her that the money obtained from pawning her jewels could be better spent elsewhere, that she should not invest in Columbus' trip, because after all everyone knew that there was nothing on the other side of the world and that his venture would inevitably fail.

President Nixon has committed this Nation to advances in science. He has done so by initiating such programs as the space shuttle. His commitment has been most wise.

I submit to you that the history of mankind is an uninterrupted history of the achievement of those who have ignored the doomsayers and brought increased benefits to all mankind. We as a nation cannot afford to turn our backs on the future. We as a nation cannot afford to abandon what technological superiority we still enjoy and retreat to the point where we become a second-class power, a nation increasingly relegated to the backwaters of history, a nation which cannot compete in space technology or, for that matter, in military might, or in trade competition with its neighbors.

The Republican Party must make clear its support for a national commitment in the area of science and technology, especially the space program, and strongly support the Nixon Administration in its establishment of a such a policy.

VI. TRANSPORTATION

In transportation efforts, our country has been concerned primarily with connecting separate urban centers by a continuous network of roads, waterways, railroads, and airways—with spanning our vast land area as quickly as possible. By means of both private and public investment, America, in the past century, has established a transportation system which, in the aggregate, is recognized as moving more goods and services to more people, more efficiently than anywhere else in the world.

The creation of this fundamental transportation system has been essential to the economic development of our country. The construction of highways, airports, and waterways has been rapid and on a grand scale, to enable necessary commerce and pleasure travel; but, it has been accomplished only with substantial social costs, which have only recently been recognized. The history of America's transportation development is marked with short-range, immediate goals, coupled with a failure to recognize future consequences of a national transportation policy that developed haphazardly.

Most of the existing situations which have now been recognized by local, State, and Federal bodies as pressing transportation problems could have been avoided if the history of federal involvement had demonstrated more consistency, more comprehensive analysis, and a more systematic approach. In the major effort to facilitate free, easy movement through the United States, the transportation programs of the Federal Government have failed historically to demonstrate com-

prehensive planning and efficient integration of various transportation modes. Highways have been built where rapid rail transit would have served better, waterways have been constructed where railroads would have provided better less costly service.

Urban congestion in airways and on highways could have been eliminated, or at least relieved, if resources had been channeled to providing larger capacity vehicles and carriers and to planning methods for reducing the number of peak hour operations.

The present financial distress of some modes of transportation (specifically, the railroad, airline, and maritime industries) has been aggravated by a history of specific tax relief measures which reflected no clear-cut federal concern for maintaining a competitive economic climate for all elements of the transportation industry. Furthermore transportation safety hazards persist with a history of federal reluctance in establishing industry-wide safety standards. Untold environmental damage has resulted from unwise decisions in constructing the nation's transportation system. Air pollution from auto, truck, and bus emissions, annoying noise pollution, water pollution from transportation projects and vehicle operations are imbedded in the fabric of our everyday life. Little use has been made of existing technology in reducing environmental damage in the development of a national transportation system.

The present Republican administration has made major contributions to unraveling the themes of federal transportation policy, to identifying need priorities, and to solving transportation problems requiring urgent attention. The 1970 airport and airway development act has enabled more than \$1 billion in improvements of airport facilities and air navigation and traffic control systems. The 1970 urban mass transportation assistance act made \$10 billion in federal funds available to initiate a national program of capitol investment in urban transportation. In the next four years, the administration must intensify efforts to consolidate federal resources which can be allocated for transportation purposes and to formulate consciously a national policy which gives greater flexibility to localities and regions in fulfilling their specific transportation needs.

The Republican party pledges:

- (1) To Hasten the introduction of new technology into the nation's transportation system to improve the environmental effects of transportation development.
- (2) To create a federal funding mechanism whereby regions and localities, whether urban or rural, can finance appropriate, tailor-made transportation systems, efficiently integrating the various transportation modes.
- (3) To increase Federal efforts to eliminate traffic safety hazards by expanding Federal regulation of safety in highway travel.
- (4) To formulate transportation policy with a full consideration of social costs of new airway, waterway, and highway systems.
- (5) To rationalize the freight system with the intention of making rates more directly a function of cost in rail, truck, and barge industries, thereby increasing competition.
- (6) To place greater reliance on collective bargaining and less on federal intervention in settling labor disputes.
- (7) To identify the unique transportation problems of the elderly and the handicapped and to devote necessary federal research and implementation resources to effect solutions.
- (8) To re-organize the government agency responsible for directing national transportation policy, giving it authority to develop a more comprehensive, better planned approach—including considerations of local, state, and federal goals in environmental quality, economic development and maximum safety.

VII. FOREIGN POLICY

All of us commend the President in his endeavors to reach agreements with the Soviet Union and with the peoples Republic of China that would assure future generations peace in this world.

The Republican party has made clear its support of such negotiations and agreements. However, the party should also make clear that those negotiations can only be successful, and can only be in the best interests of this country, when they are negotiated and entered into from a position of strength.

Both Republican and Democratic Administrations have learned that when a strong posture is taken the communists will back down, but that when the least sign of hesitation or weakness is displayed the result is detrimental to the United States. Since the end of World War II there have been numerous instances of this principle.

President Truman's Marshall plan, for example, counteracted the Soviet inspired revolt threat to Turkey and Greece and retained those countries within the western family of nations. In 1948 President Truman's swift airlift response to the Soviet Blockade of Western Berlin resulted in that city being saved by a takeover by the Communists.

The Dispatch of U.S. Marines to Lebanon in 1958 by President Eisenhower protected that country against the takeover inspired by Moscow and Cairo.

The stand by the late President Kennedy over Soviet attempts to place missiles in Cuba in 1962 caused Moscow to back down and remove the missiles from that island. And then in 1970 Swift Action by President Nixon (which included a visit to the 6th fleet) discouraged Soviet backed Syria and Iraqi troops from intervening in the Jordanian Civil War and helping dethrone pro-Western King Hussein. If this were not enough, the swift flow of events this past year have indicated once again the desirability and necessity of the United States taking a firm and decisive position on foreign policy matters.

In the far east, those democratic Doomsayers who seek capitulation as the only alternative to Armageddon raised screams of protest over the mining of Haiphong Harbor and the bombing of North Vietnam. They warned of all sorts of dire consequences ranging from cancellation of the Moscow trip to active intervention in the war by Communist China. Of course none of the predictions have come to pass. Any student of 20th century history could have told them as much.

VIII. ISRAEL

In the Middle East our Communist enemies and their Arab satellites took as a sign of weakness the sincere attempts of the Nixon Administration to work out a compromise solution to the Middle East situation that would be acceptable to all parties. Once the Nixon Administration made very clear that this Nation would support Israel, would supply Israel with necessary military equipment and would not force her into any negotiations that would require a lessening of her needed security, what happened? The Arab countries protested somewhat and then kicked their Russian advisors out of Cairo.

The upshot of all this is that the possibility of face to face negotiations between the parties in the area to achieve solutions to their problems on their own without any outside interference and intervention has improved.

The Republican Party should go on record as recognizing the importance of the Middle East to the United States foreign policy and the necessity for blocking Soviet expansion to that area. It should also recognize the fact that this posture can only occur with two preconditions.

The first is that we maintain a very strong military presence in the Mediterranean, including a naval establishment in that ocean which is second to none. The second is that Israel should be made the cornerstone of our Middle East policy and that we should continue to make clear that we support that Nation in its attempts to attain permanent security and peace for itself and its neighbors. In implementing this, the second Nixon Administration should make it clear that any future settlement of grievances in the Middle East will have to be worked out by the parties themselves. We should support quite firmly the position of international law that international waterways such as the Suez Canal and the straits of Tiran must remain open to the shipping of all Nations and that no discrimination amongst Nations will be tolerated by this country.

We should oppose any efforts to divide Jerusalem, to return Jerusalem to its Arab administrators or even to make it an international city. Under Israeli control, the city, for the first time in recent history, has been open to all faiths; now Jews, as well as Moslems, and Christians are entitled to visit shrines sacred to all. The people calling for a change, whether it be restoration to the Arabs or internationalization, are those same people that remained totally silent during the long years when people of the Jewish faith were deprived of access to their holy places in that city. They do not bring their arguments forward with clean hands and they should not be countenanced. The Nixon administration should make it clear that the United States neither supports nor wishes any change in the control of Jerusalem.

Finally, the Nixon administration should be commended for taking the initiative in discussing with the Kremlin leaders the plight of Soviet Jews. The GOP should go on record in supporting all administration efforts to assist these unfortunate individuals in their desire to leave the Soviet Union and Communist oppression and emigrate to Israel. We should also express our clear disapproval of the tactics employed by the Kremlin leaders in imprisoning and otherwise punishing Jewish citizens of that country who desire to escape to freedom. The Republican party fully supports the Nixon administration in all efforts to assist Israel in the resettlement of these individuals including direct aid and the use of counterpart funds for the establishment of centers for education and training.

IX. CUBA

Turning to our own hemisphere, the Republican Party should reaffirm its commitment of assistance to and cooperation with the nations of Latin America. At the same time, we should also reaffirm—in the strongest terms—our policy of political and economic sanctions against the dictatorial communist regime of Fidel Castro.

Back in October 1962, just prior to the Cuban missile crisis, Congress passed a resolution "that the U.S. is determined to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere; to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and to work with the organization of American States and with freedom loving Cubans to support the aspirations of the Cuban people for self determination." Such a statement is as applicable now as it was then and the Republican Party would do well to express its continued support of the principles contained therein.

We would also do well, in light of recent events and in view of the fact that the Democratic platform suggests re-examination of our policy towards Cuba, to express our

opposition to any weakening in the U.S. policy of non recognition of, and economic sanctions against, Cuba.

It has been eleven years since the United States broke off diplomatic relations with Fidel Castro's Cuban government in response to Cuba's limitation of our embassy staff, the continuing stream of anti-American invective, and the expropriation, without compensation, of American property in Cuba. In that time, two things have become evident. First, there has been a concerted effort on his part to export violent revolution throughout the hemisphere especially to other Latin American nations who want no part of his brand of communism. Second, Castro has shown no indication that he (1) wants the U.S. to be anything other than a punching bag to use as an excuse for his domestic failures, or that he (2) will compensate Americans for losses suffered at his hands.

The record is quite clear as to Castro's responsibility for the breakoff in relations, and his persistence in widening the rift over the years. There also can be no doubt, as the governments of such nations as Costa Rica, Venezuela, Guatemala, Colombia, Bolivia, Uruguay and Brazil would attest, about Castro's long-standing efforts, dating back to 1960, to export his type of revolution to the rest of Latin America.

In spite of this record, and in spite of evidence that Cuban trained revolutionaries were involved in the kidnapping of the U.S. Ambassador to Brazil and the assassination of the U.S. Ambassador to Guatemala, there are some people who believe that Castro has reduced his efforts to export revolution to Latin America. What, in fact, has happened is that, instead of a reduction, there has been a shift in tactics from rural to urban terrorism. On a philosophical level, this shift has manifested itself in the replacement of the Guevara's Guerrilla warfare by Carlos Mariella's Mini Manual of the Urban Guerrilla as the bible for revolutionary subversion; on a practical level it has meant changes in the guerrilla training programs being conducted by Castro. Instead of training a large number of revolutionaries as in the past, Castro gives a limited number of them specialized training in urban terrorism at one of the dozen or more Cuban run training camps. The reduction that some have perceived is, therefore, deliberate; Castro has concluded that there is more to be gained by sending a smaller number of better trained guerrillas to certain selected Latin American countries. According to recent estimates, there are about 2,000 of these revolutionaries now operating in Latin America.

Time and time again Castro has restated his intention to revolutionize the hemisphere. On April 19, 1971 he said that, before a truly inter-American system can function "There first must be revolution in each of the Latin American countries." And that "American revolutionary peoples can depend" on Cuba for support. On July 26, 1971, he said that revolutionaries "shall not make a single concession to imperialism" and that they "shall stand here firmly erect, raising our banners until the last Latin American nation is liberated." In August, 1971 he said "We have not repented one whit and the path we have followed up to today is the path we will follow in the future. And, following the visit of Soviet Premier Kosygin in October 1971 Castro hailed "An upsurge of revolutionary movement in Latin America." By now, the rest of the hemisphere should have gotten the message that the only type of recognition Castro wants is the type accorded a dictator by those unfortunate enough to have no other choice.

On September 16, 1971, Deputy Assistant Secretary of State for Inter-American Affairs, Robert Hurwitt, put the matter in its proper perspective when he stated, to the Senate Foreign Relations Committee, that "unless

the Cuban Government were to abandon its policies and actions which constitute a threat to the peace and security of the hemisphere, the benefits to be derived from normalization of relations with Cuba are not readily apparent, whereas the costs are clear." Any reversal of this position would not, in my opinion, be in the best interests of the United States or of the rest of Latin America. Furthermore, continuation of our present policy of political and economic sanctions offers a greater prospect for success now than at any time in recent years.

I say this for two reasons. First, Cuba continues to be an economic drain on the Soviet Union and second, the Soviets may no longer, in view of recent events, be willing to assume such a burden indefinitely.

In the last 10 years or so, Communist bloc nations have given Cuba a total of \$3.6 billion in economic assistance. Over \$3 billion of that—\$1.5 million a day—has come from the Soviet Union in the form of loans which are still outstanding. And, as far as the Soviets can see, there is little hope for improvement. Castro failed in his attempt to promote a 10-million ton sugar harvest in 1969-70 and the effort resulted in a much lower sugar crop last year and this year. Since sugar is Cuba's principal earner of foreign exchange, Cuba is likely to be dependent on Soviet aid for a while to come. About the only thing that could change that would be if the United States reestablished normal trade relations with Cuba and took the Soviets off the hook. In my view, that would be a mistake since there are indications that the Soviets may be coming to the conclusion that Castro isn't worth it.

One of the most striking things that has emerged from the President's trip to Moscow, has been the hint that the Soviets are interested in a relaxation of tensions—at least temporarily—between the United States and the U.S.S.R. If the Soviets are unwilling to run the blockade of North Vietnam, then it follows they may not be so interested in continuing to prop up a Cuban government that the Soviets know has been an aggravation to the United States. The Soviets are not ones to pour money into expensive projects that do not promote their own interests.

Therefore, if the United States and other Latin American nations continue their economic boycott, Castro may, as a result of Soviet aid cutbacks, be forced to make a choice—either explain to the Cuban people his failures or adopt a responsible or responsive attitude towards the rest of the Hemisphere. The possibility of forcing Castro into such a position requires that we continue political and economic sanctions; to ignore the opportunity would be to break faith with the OAS and with freedom loving people around the world, including some 650,000 refugees who have fled Castro's tyranny. The time has long since come for Castro to give up his dreams of revolution and to make good on the promise of freedom that brought him to power. The burden of proof is upon Castro; when he is ready to return Cuba to the Western Hemisphere, the Hemisphere will be ready to reevaluate him.

X. EQUAL RIGHTS FOR WOMEN

In 1923, nearly fifty years ago, the first equal rights amendment was introduced in Congress. During the decades that followed, the Republican Party has reiterated time and again its endorsement of the principle that "equality of rights shall not be abridged by the United States or by any State on account of sex".

In 1972, with the support of a Republican administration, Congress finally passed the equal rights amendment. We should commend this first step toward assuring constitutional protection for the rights of women. At the same time, we must recognize that congressional approval alone will not achieve our desired goal. Only upon ratifica-

tion by the States can we truly begin to correct those inequities which have, since the founding of our Nation, relegated half of our population to second class citizenship.

It should be the goal of our party to secure ratification of the equal rights amendment.

In addition, we should seek effective promulgation and enforcement of equal rights laws. It is anticipated that there will be a need for ancillary legislation as well as modification of existing statutes at the various government levels. It should be our resolute intention to encourage reform in our legal system which will allow full compliance with the congressional intent of the equal rights amendment.

Discrimination on the basis of sex in the areas of education and employment must be eliminated. The Republican Party should vigorously support and undertake to achieve the following goals:

(1) Support the full and equal participation in the political and governmental process and especially support women seeking elective public office.

(2) No female shall be denied acceptance to any public educational institution on the basis of sex.

(3) Job opportunities, both in the private and public sectors, must be made available strictly on the basis of qualification to perform the given function.

(4) Wage laws must be worded to assure equal pay for equal work.

(5) Job promotion, advancement, tenure and salary increases must be given to women on the basis of performance and ability, as they would apply to men in comparable positions.

(6) Training programs of all kinds shall be available to women on a more equitable basis.

(7) Efforts must be made to ensure women a better representation in the higher echelons of Government service, appointed positions, advisory commissions, and special task forces.

(8) Women shall be given full and equal opportunities in any program, contract or grant utilizing Federal funds.

(9) Reductions in force shall not be made indiscriminately on the basis of sex.

One area adjunct to employment is that of protective labor laws. According to a labor department study, "The special restrictions originally designed to protect women now tend to discriminate rather than protect". The Republican Party should support a careful revision of these laws, to eliminate unfair restrictions on working women. Laws conferring maternity benefits should be made available to women who work.

We should support more equitable treatment of women relative to financial status, not only on the basis of wages, but also in the area of tax benefits and financial transactions.

Our present tax system should be adjusted to reflect fairer treatment of single women and working mothers.

Changes are needed in social security and other retirement benefits to allow just compensation for widows and their families and women heads of households.

In addition, we should support modification of regulations and laws which apply to financial transactions and contracts such as leases, property rights for married women, credit and financing procedures.

Finally, we must be prepared to assist those agencies, at every level of government, whose responsibility it is to see that equal rights are not violated.

We should be pledged to this program.

We should not be satisfied with mere token compliance.

We should not be satisfied with attempts to abrogate the intent of this amendment.

We should not be satisfied with anything less than full equal rights for the women of this country.

RETIREMENT OF GORDON F. HARRISON

Mr. JACKSON. Mr. President, with the retirement from the Senate of Gordon Harrison we have lost one of the most skilled, dedicated and honorable men with whom I have had the honor to be associated. Every Senator has benefited from the excellence with which this man pursued his work as chief counsel and staff director of the Senate Committee on Rules and Administration. He was appointed to this position by Senator Theodore Francis Green of Rhode Island shortly after I came to the Senate in 1952. A mark of this man's loyalty and dedication is that he continued to serve in this position through each succeeding chairman. These qualities coupled with the technical skills which span the entire gamut of Senate administration made him an invaluable source of guidance and counsel for all of us.

From Senator to newest Senate staffer Gordon Harrison always had time to help.

Mr. President, I want to take this opportunity to express my personal thanks to this exemplary lawyer, naval officer, Senate staffer, and friend for his years of public service. His retirement will leave a wide gap in our ranks. He will be missed.

ITT HOLDINGS IN MAINE

Mr. HARRIS. Mr. President, we have been shocked in recent months by ITT's activities in the Federal Government and in Chile. We should have known that that company would be active at the State and local level as well.

On August 8, the Wall Street Journal reported on ITT's efforts to buy up huge sections of the State of Maine. In typical fashion, the company refuses to state the purpose for which it is buying this land. This is a surprise which will be sprung on the residents of Maine sometime in the future, when it is too late.

I believe that other Senators will be interested in this latest piece of evidence on ITT's activities. I therefore ask unanimous consent that it be printed in the RECORD.

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

JUST EXACTLY WHAT ARE THOSE ITT GUYS UP TO IN MAINE WILDS? FIRM HAS BOUGHT LOTS OF LAND BUT WON'T HINT AT REASON; "JUST A BUNCH OF FARMERS"

(By David Gumpert)

EUSTIS, MAINE.—The pain in Maine lies mainly in the mystery: Namely, why is International Telephone & Telegraph Corp. buying up the state?

Well, not exactly all of it, of course, but in the past two years an ITT resources development subsidiary, Raymidga Co., has acquired large chunks of wild Maine backcountry and is seeking to buy more. True to form, ITT will say next to nothing about why it is buying the land. And Maine residents, mindful of the company's image as a memo-shredding, coup-plotting, behind-the-scenes mover and shaker, are getting downright jittery.

"I wouldn't be so concerned about it except it's so secretive," says Pat Fogarty, a community organizer in the Eustis area. Normally easy-going state officials also are

edgy. "They're so huge, and we're just a bunch of farmers," frets one of them.

ITT's land lies just north of this tiny (pop. 595) town in northwest Maine, a largely untouched area of heavily wooded mountains and sparkling streams and lakes. The nearest commercial development, the Sugarloaf ski area, is 30 miles south. Over the years, the land has been held as reserves by lumber and paper companies, who were sellers to ITT.

IS ITT DROOLING?

"If I were a developer, that land would make me drool," says James Haskell, executive director of a state agency that oversees unorganized territory. Many Maine people suspect ITT is drooling, too, which is why there is renewed vigor in the continuing debate over conservation versus economic growth. That debate has added significance here because Maine's 10.6 million unsettled acres—nearly half the state—is probably the biggest expanse of unspoiled scenery in the Eastern U.S.

Exactly how much of it ITT controls isn't an established matter of fact. A spokesman says the company owns "around 50,000 acres" and is leasing an additional 21,000 that it hopes to acquire eventually; that adds up to 111 square miles. However, the state's Land Use Regulation Commission, Mr. Haskell's agency, says it understands ITT owns 45,317 acres and leases 9,000. And the Maine Bureau of Taxation's records indicate ownership of only 22,437 acres.

"This is what they've got, and this is what they're going to be billed for" in 1972 taxes, says an official with finality.

The biggest worry, though, is what will be done with the land. ITT's chief spokesman within the state, Fred Baird, rides around the Eustis area in a telephone-equipped Jeep, but he isn't very communicative. C. B. Cox, ITT's director of conservation, speaks of plans for "the long-term development of natural resources," and also mentions "a small wood industry" and "a timber management program." But when pressed for details, he says, "I'm really not in a position to go into it."

AIRPORT AND A GOLF COURSE

Fueled by this reticence, rumors and speculation fly. Among the guesses: a huge four-seasons resort; mines to extract some newly discovered mineral deposits; maybe even a self-contained "new city" on the order of Columbia, Md. A state official tosses out possible clues by saying that ITT has informally discussed building a golf course, an airport, multi-income housing and a manufacturing project that would use every bit of a piece of timber, down to wood chips and sawdust.

Except for this plant, the clues fit another popular theory—ITT plans to build a plush retreat for its executives. The company already has put up a hunting and fishing camp on its land. It apparently is near a lake because an amphibious plane flies executives and their guests to the camp almost every summer weekend, say airport personnel in Augusta, 100 miles south.

Whatever the plans, ITT has begun exercising its owner's prerogatives.

It hired a watchman and built a new log cabin for him and his family along the main dirt road leading in from the highway. A heavy chain is slung across the road at the house, and a woman comes out to tell unwanted visitors that if they proceed further it will have to be on foot. Several people with vacation cottages on ITT land have been told their leases have been canceled.

UNNEIGHBORLY RETALIATION?

However legal it may be, such treatment doesn't sit well with a lot of residents. They might respond with unneighborliness of their own, hints Linwood Rolfe, owner of a sporting goods store in nearby Farmington. In late summer, he says, forest fires become more prevalent and local residents are often re-

cruited to help fight them in the unorganized territory. ITT might find such help hard to find, he says.

The underlying fear, of course, is that ITT will buy more and more land, despite assurances from the company's Mr. Cox that the only additional land it wants is that which it has under lease. But residents here find it easier to believe such folks as Basil Powers, a farmer who owns 200 acres near ITT's holdings. He claims to have heard that big landowners nearby have been pressured to sell. He expresses the rumor-fed bitterness he shares with many of his neighbors:

"This isn't going to be the state of Maine, it's going to be the state of ITT."

NATIONAL HISTORICAL PUBLICATIONS COMMISSION

Mr. ROTH. Mr. President, I am pleased to cosponsor S. 3899, introduced by the Senator from Rhode Island, to expand the work of the National Historical Publications Commission. For 5 years Senator PELL has ably represented the Senate on this Commission whose important work has largely escaped the public eye. The Commission's activities assisting in the collecting, describing, editing, and publishing of documentary sources important to American history—are likely to have a lasting influence on the way in which we interpret our country's history and traditions.

Perhaps it was President Eisenhower who best described the need for such a program when he said:

The free world must have histories written by men and women in search of the truth—not by those seeking to rewrite the records of the past to their own advantage. This underlines the essential need of a broad and incorruptible supply of our Nation's documentary resources.

During the past decade, under the direction of its able and experienced Executive Director, Dr. Oliver W. Holmes, the Commission has been engaged in a program to make more broadly available the documentary resources of which President Eisenhower spoke. Its grant program has assisted in the publication of letters, papers, and other documentary sources relating to famous Americans such as Thomas Jefferson, John C. Calhoun, Henry Clay, Benjamin Franklin, Alexander Hamilton, Woodrow Wilson, Andrew Johnson, James K. Polk, Ulysses S. Grant, John C. Fremont, Jefferson Davis, George Mason, and John Marshall. The Commission has been able to undertake such an extensive program despite a very limited budget because these projects have attracted outside contributions from universities, foundations, charitable organizations, and other groups that are nearly double the Federal grants.

As the work continues, the words of the men and women who did the most to shape our Nation's institutions and values are collected from all the scattered and fragile source material and put on microfilm or in books where everyone can read them.

I can perhaps best illustrate the value of this work by referring to the papers of John Dickinson, a Delawarean, whose influential tracts and writings earned him the appellation of "penman of the Revolution." Some of the Dickinson pa-

pers are stored at the Historical Society of Delaware, where requests come in from researchers and historians from all over the country asking for information about their contents. Although Dale Fields, the executive director of the historical society, and his staff do their best to service these requests, it is impossible to provide all the information asked for, and every reference to the original papers contributes to their deterioration. From the point of view of those who write in, the specific letter or paper in which they are interested may not be in the historical society collection, but in some other collection, and they may have to write several letters before locating a document.

If these papers were available on microfilm or in a published form, they could easily be checked by the research scholar in his own library. Moreover, the added convenience would make it much more likely that the scholar would extensively consult the original documents, giving him a more thorough firsthand knowledge of his subject.

Mr. President, S. 3899 will make it possible for the work of the National Historical Publications Commission to continue in an expanded form as part of our observance of our Nation's bicentennial celebration. At this time, when we will be especially thinking about our country's future, it is important also that we reflect upon its past to remember and rediscover the ideas and principles that lay behind the American achievement.

REVENUE SHARING

Mr. SPARKMAN. Mr. President, a \$30-billion revenue-sharing bill now before the Senate is currently stalled because of unresolved jurisdictional questions. I would hope that these questions can be cleared up quickly so that the Senate can move ahead with this extremely important legislation.

Revenue sharing is a concept whose time is long past due. It could well be the salvation of our cities and counties—many of which are on the brink of financial disaster.

Not only does this bill provide financial relief, but it also begins a trend of returning some of the power and authority of government to the local level. We must return some decisionmaking authority to those State, county, and local officials who are able and willing to provide solutions to problems facing their communities.

I also happen to believe that the Senate version of the revenue sharing bill is superior to the one passed by the House. In my own State of Alabama, this bill would provide some \$127.6 million—or about \$47 million more than was provided in the House-passed version of the bill.

Mr. President, we cannot afford to let this golden opportunity slip away from us. The bill will, I believe, pass overwhelmingly once it reaches the floor of the Senate. So I would hope that the unresolved questions about jurisdiction can be resolved speedily and that we can get on with the passage of what is truly historic legislation.

TAX REFORM

Mr. HARRIS. Mr. President, on August 3, I discussed with commentator Frank McGee, on the Today show, the problem of tax reform and other matters. I request unanimous consent that the interview be printed in the RECORD.

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

SENATOR FRED HARRIS INTERVIEWED

FRANK MCGEE. One of the battles at the Democratic Convention last month was over tax reform. A minority proposal for repeal of the present income tax system, in favor of a more sharply graduated income tax, was defeated, but narrowly, and on a voice vote.

The idea of tax reform is not necessarily limited to the Democratic Party. Shortly after the Democratic Convention the Republican administration's leading tax expert, Undersecretary of the Treasury Edwin S. Cohen, suggested in Congressional testimony that Congress rewrite and toughen the tax laws so that wealthy persons would pay a greater share of federal income taxes.

Senator Fred Harris of Oklahoma, who joined with economist J. Kenneth Galbraith to promote the tax reform idea at the Democratic Convention, is with us this morning to discuss his tax proposals, and the larger subject, actually, the question of a redistribution of wealth in the United States.

If I understand your position, you feel that this question, a redistribution of wealth, and the power that stems from wealth, will be the dominant issue in politics throughout the decade of the seventies. What leads you to that conviction?

Senator FRED HARRIS. Well, I do, and I hope that that's so. Actually, the reason why we're organized as a government is to better and more fairly distribute income, wealth, and power. Now we haven't said that as plainly as I think we ought to, but that's what it's all about. Because rich and powerful people, they can take care of themselves. What we want to do is to try to give people a better chance at what income and wealth buy—health, housing, education, and so forth. That's what government's about. But the fact is that we're doing a very poor job of it.

MCGEE. Is the idea here to try to get—aside from the merit of the ideas—is it to get money into the hands of the people directly rather than through, say, federal health programs, federal insurance programs, federal housing programs, and things like that?

Senator HARRIS. It's actually mixed. But we ought to focus on this business of income. For example, we're good at treating symptoms. So we look at, say, the problems of elderly people and we say, ah ha elderly people have—often have problems of nutrition. So why don't we have a food program? They have—a lot of them are having to give up breakfast or lunch to buy medicine. So why don't we give them medicine? Or they have very poor housing, many do. So why don't we provide housing?

Well all these things are important. But what we often miss is that income is what they lack. If you had income you could buy housing and health and medicine and nutrition, and that gives you more options too. I talked to an elderly fellow down in—my wife and I did—in one of those high rise housing projects in Miami not long ago. And he said, I have cataracts in both eyes, and he said, I can't shop anymore. I can't cook, I live alone. Why can't I take my food stamps to the cafe and buy prepared food? Well you think why can't he? And then you go past that and you think why can't he just have the money, and then he could do whatever he

pleased. That, I think, would be a far better way. Of course, what we're talking about primarily with income is the right to a job and a decent income. And those who can't work or can't get work we think ought to have a decent income.

McGEE. Well Senator, if this approach has merit, that you just give them the money and they'll take care of themselves, that is a kind of an abrupt turnaway, is it not, from the New Deal concept?

Senator HARRIS. It is. The thing you have to focus on is that there is a terrible maldistribution of income and wealth and power in this country. And as a result of that you have these terrible stresses and strains in our society. And this isn't—it's not just an economic matter, it's a social matter. We have a kind of social contract with each other. And we say that we're banded together in a society that's going to try to be fair with its members, and people ought to have some kind of fair chance for a job, and so forth. Now if that breaks down—if as is true the upper two percent hold eighty percent—own eighty percent of all the individually owned corporate stock in America, one hundred percent of all the tax exempt municipal bonds—if it's true that the upper one-fifth of our population has forty-one percent of the income—eight times the income of the lower one-fifth—then you can see that that social contract is beginning to kind of break apart.

And so it evidences itself in a lot of pathological symptoms—rising alcoholism, rising crime, rising use of narcotics, apathy and withdrawal, violence of various kinds, self destructive behaviour. Our tendency is to treat the symptoms, and that is important. But what's more important is to get at these terrible strains and stresses that are tearing the social contract apart.

McGEE. Well if, as we suggested, that this is a departure from the New Deal concept, do you think that the problem is as aggravated—as pronounced today—as it was at the time that the New Deal concept for economic and social legislation came into being?

Senator HARRIS. Yes it is, and in many ways worse. You and I grew up down there in Oklahoma. I came from a background which by any standards would have to be called poor. We were working poor, but we were very poor. But that didn't seem quite so—quite so bad because nearly everybody I knew was poor as well. Now—a part of it is relative deprivation. But while we're the wealthiest country in the world, we have tremendously rich people—enormously rich people—we still have the working class people, and those who are poor—below the working class—that are left out. And their opportunities are far less to break out of that economic class today than they once were.

A good example of that is how industry has become more and more closely held, more and more concentrated, fewer and fewer big corporations now dominate the economy, and the worst example of the unfairness in the social contract and economically is the tax system. If the way we finance government is unfair, why then what is fair? And that's why we need to get rid of all these loopholes, many of which are rather recent in the law, and at least quit redistributing income in the wrong direction through tax breaks, through these huge farm subsidies, and other kinds of more hidden subsidies. We redistribute income in the wrong direction. And at least we ought to stop that.

McGEE. Well given the opposition to really wholesale tax reform in the Congress, what makes you believe that's the best way to tackle this problem if we admit the problem exists?

Senator HARRIS. I don't think you'll do it through the Congress. First of all, you need a President. I support Senator McGovern because one of the main things he said is do

something about this tax reform. And he's talked about redistribution of income and wealth.

But I believe that just as you didn't get progress on a broad range of fields like civil rights, the Vietnam war—ending the Vietnam war—the environment, women's rights through political action—or it didn't originate there—but it originated with citizens' movements, I believe the same must be done about calling this country to its main goal—a redistribution of income, wealth, and power, concentrating first on tax reform.

And so I'm head of an organization called New Populist Action which this fall I hope will have teach-ins around the country to call attention to tax avoiders by name, and how they avoid taxes, both property taxes and estate taxes as well as federal income taxes. And then I hope next spring we can put together a series of tax rallies, of demonstrations against and picketing of tax avoiders, perhaps even work stoppages, to build the kind of citizens' movement that the government cannot fail to respond to.

McGEE. Well to get right down to it Senator, what effect is all this activity going to have on Chairman Wilbur Mills of the House Ways and Means Committee? Now he's the tax writer.

Senator HARRIS. Wilbur Mills is, of course, the man who knows as much about the tax system as any man in America. He's also shown, as with Medicare, revenue sharing, welfare reform, that he can respond and will respond to public sentiment. On all those issues, I believe, at one time or another Congressman Mills was against them. Now he—with the public sentiment having been demonstrated and built up—he at least in part is for all or some of those programs. And I believe that the Congress in our democratic society can be made to respond to an outraged citizenry. Seventy-four percent of the people said in a poll by Louis Harris last month that they believed that the rich were favored by the taxes, and that working class people were paying an unfair burden. Now that's something that we can build upon and make the government respond to.

McGEE. We have very little time, but that's not a new attitude. That's an old complaint.

Senator HARRIS. That's true. Back at the turn of the century down in my part of the country and all around America there was a Populist movement. But I'm talking about a new Populist movement. Back then down in Kansas they said, farmers have to raise more hell and less corn. And I believe that's true of working class people generally, and others around this country now.

McGEE. Thank you. We've been talking with Senator Fred Harris of Oklahoma.

THE POSITION OF JAPANESE-AMERICANS

Mr. HARRIS. Mr. President, it has at last become part of the common wisdom that there is a close and inseparable relationship between our foreign and domestic affairs. But nowhere is this linkage more clearly established than in an article in the Wall Street Journal of August 8 which describes the impact of President Nixon's policy toward Japan on the Japanese-American community.

According to the author, Norman Pearlstine, with the new chill in relations between Japan and the United States, hostility in America toward Japanese-Americans is beginning to surface again. Among examples he cites is the CONGRESSIONAL RECORD insertion by Representative JAMES R. MANN of a song entitled the "Import Blues." One verse:

Buying Jap-made products so sleazy to see
Is a damn fool thing for you and me
And I'm fighting back because I won't run
From the slant-eyed people of the Rising Sun.

Pearlstine also reports ads in Phoenix, Ariz., by a Chevrolet dealer who warns:

Remember Pearl Harbor, when they tried to take your country from you. They are back with cheap imports to take your jobs, pensions and social security.

I hope, Mr. President, that in the coming weeks the Democratic ticket will be able to expose this administration's mistaken policy toward Japan. I hope that as Democrats we can outline clearly the steps we will take in the next administration to reestablish close contacts with a nation which may now be as important to our prosperity and security as any other country in the world.

But most important, I hope that we will make clear that we will vigorously oppose any measure of discrimination directed against Japanese-Americans or any other group of American citizens. The World War II internment of Japanese-American is a disgrace for which this country has never fully atoned. We have a special obligation to prevent any recurrence.

Mr. President, I ask unanimous consent that the Wall Street Journal article be printed in the RECORD.

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

THE "QUIET MINORITY"—TOKYO-UNITED STATES DIFFERENCES STIR FEAR AND MILITANCY IN JAPANESE-AMERICANS

(By Norman Pearlstine)

MANZANAR, CALIF.—A biting morning wind whips through the sagebrush and mesquite, blowing up billows of sand that momentarily blur the peaks enclosing this desolate valley. Not a soul is in sight, but there are ghosts everywhere.

Here and there, rising from the sand, are relics: decaying barracks floors, a guardhouse, a cemetery near an old garbage dump. They are the remains of a different Manzanar, one of 10 internment camps that 30 years ago held 110,000 Japanese-Americans who, it was feared, might otherwise conduct crippling sabotage in the U.S. and help Japan win World War II.

Beginning in the spring of 1942, federal authorities rounded up almost every Japanese-American on the West Coast, from old women to little children, and penned them into places like Manzanar where they lived surrounded by barbed wire, guards and the suspicions of their fellow Americans. Though many were allowed to leave the camps over the next couple of years and relocate outside the West Coast (some entered the U.S. armed forces), a number died in the camps, and others were incarcerated until 1945.

When they were imprisoned they were ordered to leave almost everything behind. Some sold their homes and businesses at heavy discounts or losses. Others finally returned to find their property stolen or in ruins or destroyed by vandals. In 1947 the Federal Reserve Board estimated their losses at \$400 million. The government paid \$38.5 million in property claims.

THE WINDS OF CHANGE

Few Japanese-Americans today believe that the degradation of Manzanar will again be visited on their people. But this camp, in the Owens Valley about 250 miles northeast of Los Angeles, stands as a stark reminder that white America's attitude toward citizens of

Japanese extraction blows hot and cold with changes in relations between Japan and the U.S. With a definite chill between the two nations now, mainly because of economic matters, hostility is beginning to come to the surface again—and with it, fear. Some examples:

In Phoenix, Star Chevrolet warns the public in ads: "Remember Pearl Harbor, when they tried to take your country from you. They are back with cheap imports to take your jobs, pensions and social security."

During a strike at the Fontana, Calif., plant of Kaiser Steel Corp., workers on the picket line cry, "Jap steel Jap steel!" and curse the supervisors who drive through in Datsuns and Toyotas. They say nothing to men driving Volkswagens.

A South Carolina Congressman, Rep. James R. Mann, a Democrat whose constituents include many unemployed textile workers, inserts a song called "The Import Blues" into the Congressional Record. One verse: "Buying Jap-made products so sleazy to see/ Is a damn fool thing for you and me/ And I'm fighting back because I won't run/ From the slant-eyed people of the Risin' Sun."

The American Immigration Committee of Decatur, Ga., a small right-wing group, publishes a "population report" calling for an end to immigration of "aggressive Japanese" who the committee warns, might wind up controlling the federal government.

The Seattle firefighters' union magazine suggests, in an article intended to be humorous, that lowering of the height requirements to 5-foot-6-inches means that rice and chopsticks will have to be delivered to all fire stations.

CAUSE FOR ALARM

The 600,000 Japanese-Americans aren't laughing. They know what even trivial insults can portend: being stuck in the middle between Japan and the U.S. And for those Japanese-Americans who might have thought that the old grudges have been forgotten by whites, there are disturbing indications to the contrary.

For example in 1967, when relations between the two nations were better than they are now, researchers at the University of California at Los Angeles published a poll showing that 48% of Californians approved the incarceration of Japanese-Americans in camps during the war. According to researchers who supervised the study, the poll showed a strong relation between the image Californians have of Japan and acceptance of Japanese-Americans.

Faced with such attitudes, the historically passive "quiet minority" is beginning to grow restless—particularly the *sansai*, or third-generation citizen, and the more militant members of the *nisei*, or second generation.

Their militancy is a far cry from the confrontation tactics and near guerrilla warfare that have sometimes marked the black drive for civil rights. It nevertheless represents a major step for Japanese-Americans, who have not heretofore believed in rocking the boat or drawing public attention to themselves or challenging authority lest they endanger their drive to assimilate with American whites.

POLICY UNDER FIRE

By avoiding confrontation tactics and following a policy of assimilation rather than separatism, Japanese-Americans have become far more prosperous and better-educated than blacks or Mexican-Americans. But the prosperity came in the years soon after World War II when Japan wasn't a threat to the U.S. and the two countries got along well. Today many Japanese-Americans feel ignored by America. All the barriers are not yet down, they say, and they are beginning to feel that white Americans aren't particularly concerned about it.

So the policy of assimilation is being seriously questioned for the first time by many

Japanese-Americans who believe that it hasn't worked. Instead they want to promote more cohesion and racial pride, challenging authority when they think authority is taking advantage of them, and joining with other Asian minorities as well as blacks and Chicanos in fighting discrimination.

In the San Francisco Bay area, with a large population of Japanese-Americans and many militants, young protesters have picketed S. I. Hayakawa, the president of California State University, San Francisco, who is a steadfast believer in assimilation, calling him a "banana"—yellow on the outside—white inside—the equivalent of the blacks' epithet "Oreo."

Japanese-Americans in San Francisco have also allied themselves with Chinese-Americans, Filipinos, Samoans and other Asian minorities to form an Asian-American Political Caucus that seeks representation on the city's school board and city council. They have even protested the visit of Japanese warships to the city, asserting that their presence would only be harmful to Japanese-Americans.

Elsewhere, other changes are occurring. At least one Japanese-American underground paper has been formed, there are two other Asian-American papers, and Los Angeles now has an Asian-American bookstore. Many California colleges have Asian-American student centers and courses in Asian-American studies.

California has about 215,000 Japanese-Americans, second only to Hawaii. Hawaii has about 225,000. They constitute 40% of Hawaii population, and discrimination isn't much of a problem there. Other states with sizable Japanese populations are New York and Washington, with 20,000 each; Illinois, 17,000; Oregon, 6,800, and Texas, 6,500.

The growing solidarity of Japanese-Americans, and their increased willingness to become more visible as a minority, were evident in the case of Dr. Thomas T. Noguchi, the flamboyant Japanese-American coroner of Los Angeles County. In 1969 his superiors discharged Dr. Noguchi on the ground that he wasn't doing his job properly.

Dr. Noguchi fought back with the help of JUST (Japanese United in Search for Truth), a group that thought the firing may have been racially inspired. The group collected over 10,000 signatures protesting his dismissal and raised money for a court challenge. The coroner was subsequently reinstated and is still on the job.

Militants concede it is difficult to get Japanese-Americans to take a more active role because of the notion of *shikatanagai* (translated loosely as "it can't be helped"), which reflects a fatalism and belief in accommodation that arrived here with the first immigrants from Japan and which continues today with many of their descendants.

IMPACT OF AFFLUENCE

In addition, the material affluence that many Japanese-Americans have experienced in recent years may have made them less interested in pushing for social equity.

George Omi, a landscape architect in San Salito, Calif., is perhaps typical of those Japanese-Americans who appear to have "made it" in white America. Mr. Omi says he "detached" himself from San Francisco's Japanese-American community seven years ago because he wanted a better future for himself and his family in the suburbs. Though he spent 2½ years in an internment camp, he says that he isn't bitter about it and that he wants nothing more than to be a respected and accepted citizen in his home community. That is still the goal of many—to blend into the white world.

But for others, that isn't enough. William Marumoto, a White House special assistant, says there is need to escape "the complacency of affluence." He adds, "A lot of us are out there in the suburbs now, with two-car garages, color TV, electric hibachis, the whole

image of making it in America. Everything is okay now, and all we have to worry about is our kids smoking pot, the mortgage on our crabgrass, and how the Rams will do next fall. We have become the epitome of westernization. We have become the perfect yellow WASP."

Mr. Marumoto adds, however, that despite this material success, anti-Japanese feelings can sprout up again. "The root of the trouble, prejudice based on race, most certainly still exists," he says.

He ticks off some figures showing that, outside Hawaii, Japanese-Americans are almost invisible in power positions: Of some 1,600 mainland colleges and universities, only one has a Japanese-American president (Mr. Hayakawa, a famous semanticist); although there are 20,000 school districts on the mainland, Mr. Marumoto says he knows of no Japanese-American superintendent of schools; and there are, according to Mr. Marumoto, only about 20 Orientals—the number of Japanese-Americans among these 20 isn't available—among the 5,500 civil service employees in "supergrade," or top, federal positions.

"TECHNOLOGICAL COOLIES"

Others besides Mr. Marumoto complain that Japanese-Americans, though skilled and decently paid, are denied access to high positions. "We are no longer laboring in the fields," says Raymond Okamura, a chemist with the California Department of Public Health, "but we are now nothing more than technological coolies who are systematically denied management positions in most white enterprises."

Many Japanese-Americans complain that even Japanese companies setting up U.S. subsidiaries hire almost no Japanese-Americans for responsible posts, preferring to employ native Japanese or "real" Americans as show-window types better suited to dealing with Americans.

In their personal lives, too, Japanese-Americans are constantly given the impression that what Lt. Gen. John L. DeWitt said

30 years ago is an accurate statement of the feelings of much of white America today. Gen. DeWitt, who was in charge of the wartime internment of Japanese-Americans, said: "A Jap's a Jap . . . it makes no difference whether he is an American."

Japanese-Americans whose families have been here for generations say they are still treated as Japanese. "No matter how good my English is, or how stylishly I'm dressed, I am still viewed as a foreigner by most white Americans," says Paul Takagi, a Sacramento-born sociology professor at the University of California at Berkeley.

Prof. Takagi, like many Japanese-Americans, fears that discrimination will mount as more and more blame is heaped on Japan for U.S. economic problems. "In the 1930s we had a similar situation," he says. "It started with bad-mouthing of the Japanese and then the hostility was turned on us. And I'm afraid it's happening again."

Warren Furutani, a fourth generation Japanese-American from Los Angeles who has been an active supporter of many social causes, says: "As soon as I get on the picket line, whites shout at me, 'Why don't you go back to where you came from?' The minute we start to rock the boat, we are no longer accepted."

REQUESTS FOR AID

Japanese-American groups also complain that their requests for state and federal aid for the needy in their communities are regularly turned down. One frustrated fundraiser says: "The impression seems to be that we have all made it materially and that there aren't problems like poverty, juvenile delinquency and drug abuse."

Indeed, "the last 25 years have been pretty good ones for Japanese-Americans," says Jeffrey Y. Matsui of Los Angeles, former asso-

ciate director of the Japanese-American Citizens League, a national organization with 25,000 members that is active in fighting discrimination. "But lately," Mr. Matsui adds, "we've been sounding warnings that the honeymoon may be over and that tougher times are coming."

There are ample lessons in history. The first Japanese in the U.S. came to the West Coast in 1869 but were pretty much left alone until after 1890. By then, they were present in large numbers and many had moved out of the laboring class to compete in business with white entrepreneurs. Under pressure from exclusionists, the U.S. got Japan to agree in 1908 to a so-called "Gentlemen's Agreement" limiting the influx of Japanese laborers to the U.S. In 1913, California prohibited Japanese from owning land or from leasing it for more than three years.

Anti-Japanese feeling largely evaporated between then and 1920, after Japan entered World War I on the side of the Allies. But then the steady growth of Japanese military and industrial power over the next 20 years led to growing hostility toward Japanese-Americans; they were viewed as part of "The Yellow Peril."

In 1924, under heavy pressure from California, Congress excluded Japanese from entering this country. Exclusion was repealed in 1952.

RELATIONS TODAY

Today, many Japanese-Americans believe relations between Japan and the U.S. are worse than at any other time in the last 25 years. And many white Americans believe that the aggressive trade policy and economic strength of modern Japan pose a real danger to their own well-being. Hence such reactions as the shouts at the Fontana picket line and the South Carolina Congressman's attack on Japanese imports.

Many Americans have become increasingly concerned about Japan's growing trade surplus with the U.S. The surplus was in the U.S.'s favor until the mid-1960's, and as recently as 1968 the surplus in favor of Japan was only \$1.1 billion. Last year it was \$3.2 billion, and this year some experts predict it may reach \$4 billion.

In addition, many Americans resent the rigid quotas that Japan has on many items that U.S. businessmen would like to export to Japan, including many agricultural products such as beef and oranges, and computers and many computer components.

The extent to which such resentment of Japanese economic power and policies turns into resentment of Japanese-Americans may be indicated by the response to a photographic exhibit that deals sympathetically with the Japanese-Americans who were interned in the World War II camps. The exhibit has prompted a number of hate calls and letters to several California cities where it has been shown. And Robert Abernathy, a newsman for KNBC-TV in Los Angeles, is still stunned by the violent viewer reaction to a brief item reviewing the exhibit.

"In the first 10 minutes after the segment went on the air, we got 55 calls cursing us for implying that the round-up of Japanese-Americans had been a mistake," he says. "The callers didn't see any difference between Japanese soldiers in the Western Pacific and Japanese-Americans here." Mr. Abernathy adds:

"They thought internment was better than they deserved, then or now."

THE MYTHS OF WELFARE—ADDRESS BY SENATOR MCGOVERN

Mr. HARRIS. Mr. President, during the Democratic Convention, the Senator from South Dakota (Mr. McGovern) delivered an excellent speech to the National Welfare Rights Organization,

pointing out the myths of welfare that are used to discredit poor people.

The real problem in America today is that there simply are not enough jobs that provide a decent standard of living for people. I think Senator McGovern understands the basic need for decent jobs at livable wages. I think he will bring our country out of its present economic disaster, and I think he will see that those who cannot work or cannot find work will have the basic necessities of life.

Mr. President, I ask unanimous consent that Senator McGovern's remarks before the NWRO be printed in the RECORD:

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

THE WELFARE MYTHOLOGY

(Remarks by Senator GEORGE MCGOVERN)

I am happy to speak to the last N.W.R.O. Convention held during Richard Nixon's last term as President of the United States.

And I am proud to speak to this organization because you have broken the age-rule that the poor should endure, but not be heard.

You have reminded the rest of us that no citizen is simply a welfare case, to be supported by government and supervised by bureaucrats.

You have taught us that the poor are not just a cause for action by others, but human beings with a right to fight for the cause that is their own.

In word and deed, you have shown us in the 1970s some truths that should have been self-evident long ago.

It is not a shameful thing for an American to be poor. But it is shameful that America still tolerates the stain of poverty. None of us will deserve our liberty until all of us are liberated from deprivation. And who among us can be content when a hungry child is crying only moments or miles away? Surely, a nation that worries about balanced diets for household pets can afford to feed that child. And any nation capable of inflicting an unthinkable level of human destruction around the world should also be able to afford at least a minimum level of human subsistence in its own land.

What, then, stays the hand that could help those in need?

The fault is not in the essential character of our country, but in the failure of too many of our countrymen to see the truth. And, as John Kennedy once told us, "The greatest enemy of the truth is very often not the lie . . . but the myth." So your great enemy now—and the greatest ally of poverty—is a welfare mythology which traffics in stereotypes, confuses with code words, and misleads America away from justice and compassion.

Old myths die hard, especially when they serve the interests and solve the conscience of those who oppose what is right because they have a stake in things that are wrong. And this is why the welfare myths live on. They are used by the powerful and the privileged to divide the minority who are poor from the majority who are not rich. They are used to preserve a system which burdens workers and welfare recipients alike—and barely taxes the wealthy, the boardrooms of Wall Street, and the billion dollar corporations.

Yet I believe we can dispel the myths. For if we have learned anything from the politics of 1972, it is that the American people are tired of being tricked into voting against their best instincts and their own interests. They want the truth—and they are anxious for economic justice. So today and through-

out the campaign let us talk about poverty and welfare—and let us lead our fellow citizens to see where justice lies by separating the myths from the truth.

The first and the greatest welfare myth is that the government has done all it should for those who earn less than they should.

This myth is no new invention. It is as old as the poorhouses of sixteenth century England—which imprisoned thousands in virtual slavery, but were hailed as a remarkable social advance by those in power. Since then, the repression of the poor has often come in the clothing of reform. And that is exactly what is happening today.

Richard Nixon has offered us something he calls welfare reform. I call it repression.

It is repression—not reform—when human beings are asked to exist on \$2400 a year for a family of four—which is less than we spend to care for some of the animals in the National Zoo.

It is repression—not reform—when Americans are told to work for a slave labor wage of a dollar and twenty cents an hour—at that rate you have to work two months to make what the President of ITT collects every single hour.

And it is repression—not reform—when residency requirements are reinstated and the rights of the poor are reduced—which means that some bureaucrat will have the power to sentence a family to slow starvation with the stroke of a pen.

The traditional myth is that government has done enough for the poor. The current form of the myth is that the President's plan will do even more. But the plain truth is that the Nixon welfare reform is nothing but a charter for repression, which will make millions of Americans exiles from the freedom and abundance of their own land.

The second and the most contemptible welfare myth is that people are poor because they are lazy.

This myth is a White House favorite. The President likes to imply that the poor could be prosperous if only they were willing to scrub floors and empty bedpans. I have some news for Richard Nixon—the poor are already scrubbing floors and emptying bedpans—and they are still poor. And most of them cannot find any job at all.

The problem is not that people are too proud to work. The problem is the economic incompetence of the Nixon Administration. Where are the jobs? If the President knows, he should tell five million unemployed Americans. And then he should explain why only five per cent of the welfare recipients who have been retrained are at work today.

Of course, Richard Nixon is not really hiding jobs—he is just attempting to hide his own failure. His mask is a myth—that the poor prefer a relief check to a paycheck. And he has exploited this myth to justify welfare repression.

His plan requires two and a half million poor Americans to register for employment or training. The President promises to put them to work. That is a lie—and Richard Nixon knows it. The welfare repression bill calls for only 400,000 training slots and only 200,000 jobs—and after the first four years, the federal government will spend nothing to keep people at work. It is bad enough to compel the poor to take jobs without compelling employers to pay a living wage. It is even worse to trick those who are deprived and those who pay for welfare into hoping for jobs which will not be there.

Employment cannot be created by edicts which say that people must work when work is not available. And no myth can justify forced labor for mothers—who cannot leave their children for a job now, even when they decide they should—because Richard Nixon vetoed day care centers last December. The American people have a veto

too—and they will exercise it to veto this Administration out of office next November.

The third great welfare myth is that we lack the resources to assure every American the fundamental necessities of life.

This myth is a major issue in 1972. The Agnews and the Doles who do Mr. Nixon's hatchet work are already carrying it with them down the low road of politics. Once again, they are trying to frighten people—this time, by telling them that a decent standard of living for the poor will mean a lower standard of living for workers.

It is not surprising to hear this from men who know it is a lie. For they do not dare to tell the truth—just as Richard Nixon does not dare to disclose the names of his campaign contributors. The special interests own this Administration—and this Administration owes them special favors. The Republicans cannot support genuine welfare reform because they oppose meaningful tax reform. And what they are really trying to protect is not the income of workers, but the privileges of the wealthy.

It is time for every American to pay a fair share in taxes—so no American will have to settle for a grim share of poverty. And, if I may borrow a phrase, it is time to crack down on the really big welfare recipients of our society.

It is time to crack down on the welfare boys in the executive suite at Lockheed—they took the government for the largest welfare payment in history—\$250 million.

It is time to crack down on the welfare boys who just pushed through an \$8 billion tax cut for big business—they wanted something for nothing—and the Nixon Administration gave it to them.

And it is time to crack down on all the welfare boys who have lobbied for tax loopholes—they are saving billions while the poor are left with too little and middle Americans are paying too much.

Maximum tax reform can make possible a minimum standard of security for every citizen. We will not achieve as much as we want as fast as we want. I wish that we could afford an immediate guarantee of \$6,500 for a family of four. I believe that this remains, not only a rallying cry, but a deeply human goal. And though we will have to accept something else, let us demand far more than a welfare mess which has abandoned millions to poverty and alienated millions of others from the poor.

Let us demand at least that an average family be assured of a poverty level income. We can finance this reform without raising taxes on families who earn under \$20,000. And at the same time, we can raise the income of hard-pressed working families.

The myth has it that we cannot afford a decent society—that we must permanently exist part prosperous and part poor. Like the rest of welfare mythology, this myth is wrong. It underestimates the greatness of our wealth and the generosity of our people. And it betrays every American who has ever trusted in the capacity of this country to achieve its ancient dream—that through sweat and sacrifice, we can extend the boundaries of justice to encompass all our people.

But no matter how wrong they are, we cannot expect the mythmakers in the White House to change course in the months ahead. For in almost every area of endeavor, the President has nothing left but myths. He will use them to play on our fears. Vice President Agnew will use them to convey what the old Nixon once said, but the new Nixon is too embarrassed to say. And the Republican Party will use the myths to excuse every error and answer every attack.

We will hear the myth that it is not those who support the war in Vietnam—but those who oppose it—who stand in the way of peace. It is the same thing we heard ten and twenty and fifty thousand American lives

ago. Before another American is killed, we must decide how we will answer W. H. Auden's bitter question: "To save your world, you asked this man to die/Would this man, could he see you now, ask why?" Now, we must resolve that never again will we commit the young life of this land to the defense of a cruel and corrupt dictatorship ten thousand miles away.

We will also hear the myth that national health insurance is too expensive. It is the same thing we heard when the A.M.A. was fighting Medicare a decade ago. In 1972, we must reject the myth again—and vote to take the dollar sign out of American medicine forever.

And we will continue to hear the myth of the new prosperity. It is the same thing we heard last month and last year. Now we must insist on a new prosperity that is not the old Nixon recession—and we must demand a job for every American who wants to work.

These are the common goals of countless citizens. Just as working Americans share your interest in welfare reform, so you share their interests in a host of vital areas. A coalition for fundamental change is gathering in this country—and it is a coalition of conscience as well as self-interest. We welcome and we seek the allegiance of everyone who is committed to economic justice—whether they are wealthy or poor or in the middle. But one thing I will never do is to sacrifice my beliefs to buy the support of entrenched privilege.

And this above everything else is what I believe: We must become in this nation what you are to each other in this organization—not merely associates in a shared effort, but brothers and sisters in all things.

As brothers and sisters, we must meet the deepest of all human obligations—to live as though every other life depended on our own. We must learn that none of us can abandon even one of us to poverty. And we must understand that the death of any family's son in war diminishes every family.

Finally, as brothers and sisters, we must bring America home from the long dark night of conflict and doubt, destruction and despair. Then our children and their children after them will love this land, not just because they were born here, but because of the great and good country that you and I together have made it.

ABUSE OF THE GRAND JURY IN FORT WORTH, TEX.

Mr. KENNEDY. Mr. President, day after day, the Department of Justice indicts itself by tolerating the unfair and unconscionable imprisonment of five Irish-Americans from New York in the Tarrant County jail in Fort Worth, Tex.

For more than 6 weeks, these men have been imprisoned, far from their homes and families and friends. They have been indicted for no crime, convicted of no offense. Yet they languish in jail, imprisoned without bail, charged with contempt of court because they refuse to answer questions before a Federal grand jury investigating possible gunrunning from the United States to the Irish Republican Army in Northern Ireland.

As I have repeatedly emphasized, I hold no grief for the IRA. I condemn the indiscriminate killing and violence that the IRA has so wantonly inflicted on the people of Northern Ireland. I would warmly support any legitimate investigation to prevent gunrunning from this country to the IRA.

But the imprisonment in Fort Worth

exceeds all bounds of legitimate investigation. The five witnesses have raised a substantial legal challenge against the validity of their imprisonment, primarily on the ground that the immunity the Justice Department granted them was too narrow to protect them from future prosecution. That clear-cut issue is now before the courts. Pending the resolution of the issue—and inevitably, the final resolution must come from the Supreme Court—these men deserve to be granted their freedom on bail. To do otherwise is to deny them justice.

As individual citizens, they may be too weak to test the jailer's key or to challenge the enormous power of the Attorney General of the United States. Too often, as we know, individuals are easily crushed unfairly by the machinery of our justice. We cannot let that happen now.

This is a case that cries out for notice and attention. I do not underestimate the power of the spotlight of public opinion, or its ability to demonstrate, that, each day these men rot in jail, the quality of American justice is diminished. That is why I have spoken out on this issue in the past, and that is why I shall continue to speak out until justice is done at last.

More than 2 weeks ago, I wrote to Attorney General Kleindienst, urging him to make a thorough inquiry into the circumstances of the Fort Worth investigation, and to take whatever steps may be necessary to secure the prompt release of the five imprisoned men.

So far, I have received only an interim reply, from Mr. A. William Olson, the Assistant Attorney General in charge of the Internal Security Division, acknowledging my letter, stating that a full reply is being prepared, and commenting ambiguously on the relationship of Great Britain to the origin of the investigation.

During the same period, I have also received a handwritten letter from each of the five imprisoned men. One speaks of the hardship on his family, of how his son thinks he may be dead. Others state that none of them have ever been in jail before. All give eloquent testimony against the denial of the basic rights they now are forced to suffer.

But the imprisonment of the Fort Worth Five has a more insidious connotation, because it bears the hallmark of an attempt to harass and intimidate peaceful and lawful activities by Irish-Americans in this country in behalf of the rights of the Catholic minority in Northern Ireland.

For many months, concerned citizens in America and throughout the world have raised their voices in protest against Britain's repressive policy of internment without trial in Ulster. Now, by some cruel irony, the United States is implicated in the process, as our own Department of Justice practices internment without trial in Texas.

In the convention days ahead, we shall hear much of the administration's achievements. We shall hear much of their platform and programs for the future. We shall even hear of their devotion to civil liberties and to the quality of justice in our Nation.

But their rhetoric will have a hollow ring. So long as five victims of their justice rest unjustly in a Texas jail under the authority of the Attorney General, their imprisonment will be a silent damning indictment of the promises we shall hear. I urge the Attorney General to act now to end this unfair treatment. I urge him to remove this cloud that mars his justice. I urge him to acquiesce in the release of these men on bail and return them to their families.

Mr. President, I ask unanimous consent that the text of the letters I have received from Mr. Olson and the five imprisoned men, together with a letter from Mrs. Eileen Laffey, the wife of one of the imprisoned men, may be printed in the RECORD.

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

DEPARTMENT OF JUSTICE,

Washington, D.C., August 10, 1972.

HON. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: The Attorney General has asked me to send this interim reply acknowledging receipt of your letter of August 1, 1972, concerning the incarceration, on the basis of civil contempt of court, of five individuals in Fort Worth, Texas.

One point in your letter, however, should be clarified at this time. You express your understanding "that this investigation was initiated by the Department of Justice, upon the basis of representations made by the Government of Great Britain." It should be definitely understood that this Department's investigation was in no respect initiated at the suggestion or the request of the government of Great Britain.

The Attorney General is having prepared a full reply to the matters raised in your letter, and you can expect to hear from him in the near future.

Sincerely,

/s/ A. WILLIAM OLSON,
Assistant Attorney General.

TARRANT COUNTY JAIL,

FORT WORTH, TEX.,

August 2, 1972.

Senator E. M. KENNEDY.

DEAR SENATOR: How elated and thankful we are here (the five imprisoned Irish born men) for your plea on our account. This great humanity of yours extends to our children & wives; one of my little boys thinks I am dead and my wife and the older children have to keep reassuring him that I am alive, thank God.

Your great heart and humanity I am sure will be appreciated by all decent people. Cardinal Cooke is also with Bishop Casatta of Ft. Worth looking in on our unusual case. There was trouble in getting permission for priests to visit us here in prison. My wife has explained to our children that jails are meant for bad men but that unfortunately too many men who try to go good often end up in jail.

I am very grateful to you Senator for your courageous statement, Mr. Heath will not be pleased, but it may sober him to realize that people are "their brothers keepers".

Very sincerely,

/s/ KENNETH TIERNEY.

P.S. We are much in the same position as the Civil Rights workers who in North East Ireland were dubbed I.R.A. and thrown into jail, just to silence them! they also without charge or trial either.

TARRANT COUNTY JAIL,

FORT WORTH, TEX.,

August 2, 1972.

DEAR SENATOR KENNEDY: I am writing you this short letter to express to you my deepest gratitude to you for interceding on our behalf. This gratitude comes from my family also, my wife Eileen and three young children.

It is a great feeling to have a Senator such as you to speak out against this grave injustice. Your brothers R.I.P. would surely be proud of you.

There will always be a warm spot in every Irishman's heart and in the hearts and minds of all freedom loving people for what you have done for us.

By speaking out for us you are indeed keeping alive the democratic ideals that the Kennedy brothers have always possessed and which all of you fought hard for.

There is not much else I can say but to say thank you and God bless.

/s/ THOMAS LAFFEY.

TARRANT COUNTY JAIL,

Fort Worth, Tex.

DEAR SENATOR KENNEDY: I am very grateful to you for having spoken out on behalf of our civil rights.

My comrades and I have never been in prison before. When we read your statement in today's newspaper, it was a thrilling elevation for our great hopes.

Again, I must thank you on behalf of myself and my immediate family.

Yours sincerely,

/s/ DANNY CRAWFORD.

TARRANT COUNTY JAIL,

Fort Worth, Tex., Aug. 2, 1972.

DEAR SENATOR KENNEDY: I am most grateful to you for having spoken out against my imprisonment here in Fort Worth 1400 miles from my wife and children.

Your great concern for civil rights for all people makes you as one of the greatest men in this nation.

On behalf of my wife and family I wish to express my deepest thanks.

Very sincerely,

/s/ MATTHIAS REILLY.

TARRANT COUNTY JAIL,

Fort Worth, Tex., Aug. 2, 1972.

DEAR SENATOR KENNEDY: As one of the five imprisoned Irishmen here in Fort Worth jail, I wish to thank you most sincerely for your personal appeal to Richard Kleindienst to have us released from jail.

I as a good Irishman, have never been involved in any violation of the law, my records can be traced back to Ireland as well as here in New York.

This country was built in practically every aspect by Irishmen and now we are victims of Police State tactics.

As a little boy in Ireland I was fascinated by your late brother, then President Kennedy R.I.P. Mr. Kennedy, it is wonderful to have a man of your esteem, speak out on this grave matter here, as well as N. Ireland.

Thanking you again,

Sincerely,

/s/ PASCHAL MORAHAN.

WILLISTON PARK,

New York, Aug. 7, 1972.

DEAR SENATOR KENNEDY: I wish to thank you from the bottom of my heart for your concern on behalf of my husband, Thomas Laffey who for the past six weeks has been in jail in Fort Worth, Texas. Please continue to use your good influence to have him released and able to come home to me and my three young children.

Your help so desperately needed at this time is deeply appreciated by me and my family.

Thank you.

Sincerely,

/s/ MRS. EILEEN LAFFEY.

GOP CONVENTION RULES

Mr. PERCY. Mr. President, I wish to commend my own Illinois colleagues, Representatives TOM RAILSBACK and JOHN ANDERSON for the fine work they have been doing, along with other Republican Members of the House, in the area of rules reform for the Republican Convention.

I have enjoyed working with these men. This is a project that we are working on together, irrespective of ideology, for the formulation of new rules for the convention that are both right and constitutional. We are united in our opposition to any system based on quotas or compulsion.

An article by Representative RAILSBACK, published in the Washington Post of August 14, dealt with what he is trying to accomplish in the way of reform.

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

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

"BROADEST POSSIBLE PARTICIPATION"—GOP PARTY RULES: A CONGRESSMAN CALLS FOR REFORM

(By Representative TOM RAILSBACK)

A while ago I joined with a group of Republicans, who represent diverse ideological views, in drafting reform recommendations that we will make to both the Rules Committee of the Republican National Committee and the Convention Rules Committee in Miami. Our recommendations represent an effort that is meant to signal that we in the Republican Party want the broadest possible participation of all segments of our voting population—including young people, senior citizens, minorities, and women.

At least with respect to one voting group, young people, Republicans are not doing as well as they should be. The March Gallup Poll revealed that only 19% of the 18-20-year-old voters intend to vote Republican this year. There are 11 million of these newly enfranchised voters.

I remember in 1968, participating as a freshman member of Congress in a political science seminar at Western Illinois University in Macomb, and being asked, "What are you doing in the Republican Party?" The questioner implied that he could not understand why anyone relatively young and concerned about solving national problems would be a member of the Republican Party. I pointed out that from an age standpoint the Republican members of both Houses of Congress were considerably younger on the average than their Democratic colleagues. I also expressed my pride in the progressive attitude of many of the newly-elected young legislators. Since that time, I have had an opportunity to visit many other campuses all over the country, and have found the same skeptical attitude among young people toward the Republican Party.

Personally, I happen to believe President Nixon should do well in November with young people. In his 1968 campaign, Mr. Nixon urged that the voting age be lowered to 18, and on June 20, 1970, he signed such legislation into law. Also, he has worked to re-

order our priorities by placing a heavier emphasis on human needs. For the first time, under the Nixon Administration, the United States is spending more on human needs than on defense. The President has moved us—as he says—from an era of confrontation to one of negotiation, and has journeyed to Peking and Moscow on missions of peace. He has withdrawn half a million men from Southeast Asia.

Yet, despite all this, young people are still reluctant to support the Republican Party. Blacks, too, have not given substantial support to a Republican candidate since the 1930s—except to President Eisenhower—although blacks voted largely Republican in the first three decades of the 20th Century. Perhaps one reason these and other groups have not supported the Republican Party proceeds from their inability to get inside the party and to help make decisions. That is what we are trying to encourage.

In 1968, only 1% of the delegates at the Republican National Convention were under 30. This year we expect approximately 10% young people at Miami. In 1968, only 17% of the delegates were women. That figure will increase to at least 30% for the 1972 Convention. Four years ago, blacks made up only 1.9% of the Republican Convention, and I have read projections of 4 or 5% for this Convention. However, there is clearly much more to be done. Our Ad Hoc Committee on Delegate Selection Reform has now made recommendations which are directed at further opening the door for broader participation in the party by providing open meetings, prohibiting proxy voting, abolishing automatic delegate selection, abolishing fees and assessments of delegates, and eliminating other restrictive practices presently conducted in some states.

We specifically favor a proposal declaring that each state shall endeavor to provide equal representation of men and women in its delegation. However, we are opposed to quotas and have chosen not to support recommendations which would impose them. Instead, we would direct the Republican National Committee as well as the State's Governing Committee to take positive action to achieve the broadest possible participation of all segments of the voting population.

We would also have the Republican National Chairman appoint a national committee broadly reflective of all voting segments to review, study and work with the states in implementing the rules adopted by the 1972 Convention.

The members of the ad hoc committee, besides myself, include Lou Frey (Fla.), John Anderson (Ill.), Bill Frenzel (Minn.), John Heinz (Pa.), Bill Keating (Ohio), Jack Kemp (N.Y.), Margaret Heckler (Mass.), John Delenback (Oregon), Clarence Brown (Ohio), and Bill Steiger (Wis.), Senators Bob Packwood (Oregon) and Bill Brock (Tenn.) have also participated as members of our group.

In addition, Senators Percy, Javits and Mathias have endorsed our proposals. These senators, and Senators Packwood and Brock, have been working on their own reform proposals, including the allocation of delegates. On August 8, our ad hoc group met with Clark MacGregor and explained our recommendations to him. At that time he indicated he had no objection to our recommendations and would check with the White House to determine the views of the President. I expect to get a report back from Clark MacGregor within the next few days.

It seems to me important that we not overlook the fact that the Republican Party is still a minority party. There are only 20 Republican governors. Since 1965 only about 25% of our population considered itself Republican. However, in 1964, 53% of the population considered itself Democratic. In 1968, this figure was drastically reduced to 46% and in 1972, 44% of the population identified with the Democratic Party. Dur-

ing this same period, the percentage of independents has increased from 22% to 31%. The Republican Party now finds itself in the unusual position of controlling the White House at a time when allegiance to either major party is low. Both Republicans and Democrats are losing people to the independents, and Republicans must redouble their efforts to attract them.

Naturally, there are those who would oppose any change we propose. Whenever change occurs, some individuals are affected, and therefore quite naturally object. However, the changes the Ad Hoc Committee on Delegate Selection Reform propose are changes that will be of benefit to the party. We believe that for our party to be successful in coming elections, there must be the opportunity for all to participate, work, and earn a place as a delegate. We must open the door of the party so that those persons who have not participated in the recent past will be encouraged to participate.

For too long, the Democratic Party has taken the young, the black, the minorities for granted, because we Republicans have written them off. It's now time for us to change the past, so that we can look forward to a future in which the Republican Party properly reflects all segments of our society.

Mr. PERCY. Mr. President, the efforts of Representatives RAILSBACK and ANDERSON have also been directed toward the goal of achieving an accurate reflection of both population and Republican strength in the State delegations to the convention by revamping the system in which delegates are allocated to the individual States. I am pleased to have worked with them in this area.

I ask unanimous consent to have printed at this point in the RECORD a statement that I delivered before the Rules Committee of the Republican National Convention at its meeting in Miami Beach yesterday.

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

REMARKS BY SENATOR CHARLES H. PERCY

It is a pleasure to meet with you, and I particularly appreciate your willingness to forgive my inability to arrive here earlier today in time for the hearings of the full Rules Committee.

Our party has achieved remarkable successes, but it also has some difficult problems.

We have elected a President who, in my judgment, is better equipped than any other man in American history to hold the Presidency. I think we can look forward confidently to another four years of President Nixon's Administration.

But I worry about our Party for another reason. We are very much in the minority in voter registration, and we are the minority party in the Senate and the House. We must, it seems to me, expand our Party's membership in order to bring into the Party the new, younger voters, and in order to gain majorities in both Houses of Congress. President Nixon's effectiveness has been impaired by not having a Republican majority. So many of his great programs—revenue sharing, welfare reform, executive reorganization—have been set back because of this.

As President Eisenhower said, most organizations tend to organize fewer and fewer people, better and better. President Nixon has asked us to be wary of this tendency. As he said so eloquently when dedicating the new headquarters of the Republican National Committee on Capitol Hill, we must become the Party of the open door—open to everyone, receptive to everyone's views,

willing to go out and bring in the new majority—younger voters, women, people of different ethnic and racial origins, and our senior citizens.

Your work as a member of the rules committee at this Convention will have a fundamental impact on the future vitality of our Party, and on our ability to obtain a majority in the Congress and among the voters in the future.

This morning you heard from many Party leaders about rules reform. Senator Javits, Senator Mathias, Senator Packwood, Senator Brock and I have been working with the ad hoc group of members of the House to develop rules proposals. I support their efforts to change Rule 32 to make state parties more representative of the voters in each state, and to remove procedural obstacles to open participation in our Party.

I think it is important to draw very carefully the distinction between Rule 30's delegate allocation provisions, and those proposed changes in Rules 32 and 29 which have to do with the makeup of individual State delegations. Rule 30, as you know, determines how many delegates each state will send to the Convention. It has nothing to do with those who are chosen to be delegates. The objective of the House and Senate groups with regard to Rules 32 and 29 has been to try to make delegations more representative of the population and the Republican voter base in each State.

There has been some confusion about this subject as well. Attempts to make delegations more representative of the voter base have been called "quotas." I am absolutely opposed to any quota system. Quotas cannot guarantee representativeness. For example, a delegation containing a certain proportion of delegates over 65 who are mainly professional and business people would not accurately represent those one out of four of our citizens over 65 who live in poverty.

We want to achieve representativeness in general terms, without any kind of quota system. By asking state parties to use their best efforts to try to broaden their organizations we hope we can obtain a more representative total delegate body. A council composed of members appointed by the National Chairman to work with the states to increase representativeness will, I believe, be very helpful and effective.

More importantly, however, we must remove any obstacles, procedural or monetary, to participation in the affairs of the party at the grass-roots level.

We must eliminate all of the obstacles to open participation in the delegate selection process by implementing DO Commission recommendations one through six. Proxy voting should be eliminated, for example, as should any kind of payment or fee to be a delegate.

No person should be prevented from being a delegate because he cannot pay his way to the Convention. These costs can be very high. The Republican National Committee should, I believe, at least pay the costs of delegate transportation. In this way we can do much without the application of any kind of quota or sanction.

Our groups have also discussed changes in Rule 30's delegate allocation formula, which in my judgment is the single most important issue at this Convention.

As I have studied this problem I have been struck by the extent to which Rule 30 now results in surprising degree of inequality among the states. Delegates from large states represent many times as many people as delegates from small states. I have attached a table which compares Rule 30 delegate allocation with 1968 Presidential vote and population. A glance at the table will show some of the inequalities. For example, Delaware sends 12 delegates to this Convention; each delegate represents 8,060 votes for President Nixon in 1968 and 45,675 people, according

to the 1970 census. California sends 96 delegates to this Convention, but each delegate represents 36,122 votes for President Nixon in 1968, and 207,845 people.

These basic facts about the results of the application of Rule 30 have caused court action, as you know. The District Court in *Ripon v. National Republican Party* found this spring that the present formula contains inequities that result in under-representation of the more heavily populated states in the Republican Presidential nominating process, and enjoined us from using it after 1972.

The present rule, the court said, is not "constitutionally permissible" because it allocates delegates according to a formula based on electoral college votes and bonus delegates.

The *Ripon* decision, and other decisions, provide ample guidance for structuring a constitutionally correct delegate allocation formula. In *Ripon*, Judge Jones said that a formula based on electoral college votes or Republican voting strength, "or some combination of these factors," would be constitutionally rational.

In the case of *Bode v. National Democratic Party*, the U.S. Appeals Court for the District of Columbia found that a formula based strictly on party voting strength would be incorrect. The Court said that a formula that balances almost equally both population size and party voting strength is correct, and found that a formula allocating 46 percent of the delegates on the basis of party vote and 54 percent on the basis of population strength would be correct.

In *Georgia v. National Democratic Party*, the U.S. Appeals Court for the District of Columbia decided that a formula based solely on population strength would not be correct, because it would, for example, give an almost entirely Democratic state, such as Mississippi, as much representation at the Convention as an entirely Republican state of the same size.

So I think we as a Party are faced with these central facts:

The present delegate allocation system clearly does not reflect accurately the popular and Republican voting strength of the larger states.

A District Court has found our present formula to be incorrect, inconsistent with Constitutional guarantees, and has enjoined us from using it after this Convention.

Two Appeals Courts have laid down very clear guidelines that provide a rational basis for structuring a constitutionally correct delegate allocation formula.

We want to become the majority party by broadening our total national strength, increasing Republican Party strength in the larger states that elect the bulk of the Congressman, and drawing new people into the Party.

The conclusion is inescapable: we must change the present rule. I urge that this Committee, and this Convention, adopt a new Rule 30. We have all the facts. We know what is right, and we know how to draft a new Rule 30 that is constitutionally acceptable.

Let us not put ourselves in the position of the Democratic Party, which was required by Court order to act.

I propose that the following principles guide our new delegate allocation formula:

This Convention should adopt a new Rule 30 that is structured in such a way that all states are given fair delegate representation in the Party's nominating process, based on measures both of population size and Republican voting strength.

At the same time we should structure the formula so that those states that might lose delegates through application of a new, more proportionate formula should be permitted to retain the same number of delegates at

the 1976 Convention as they send to this Convention.

Such a formula should be drawn so as to come within the guidelines contained in recent court decisions regarding constitutionally correct delegate allocation formulas.

I am very pleased to report that this statement of the need for change in Rule 30 has received very encouraging support from a number of my colleagues in both the House and Senate: Congressmen Anderson (Ill.), Andrews (N. Dak.), Blester (Pa.), Dellenback (Oreg.), Heinz (Pa.), and Railsback (Ill.), and Senators Dominick (Colo.), Javits (N.Y.), Mathias (Md.), Schweiker (Pa.), Scott (Pa.), Taft (Ohio), and Saxbe (Ohio).

I can report a strong belief among many of my colleagues, and among party officials with whom I have spoken, that the present formula should be changed here in Miami Beach.

I have prepared my own formula based on the above principles. My proposed language for Rule 30, and the results of the application of the proposal, are attachments 2 and 3.

My formula would:

—Allocate four at-large delegates to each state, plus two delegates for each Congressional district. This part of the formula in effect gives every state 2 delegates for each electoral college vote, thus reflecting the state's population, while retaining the bias that already exists toward the smaller states which have a proportionately larger electoral college vote.

—Provide one additional District Delegate from each Congressional district for each 35,000 votes or major fraction thereof of the largest Republican vote cast for the Republican candidate for President in the last election in that district, or cast for the Republican candidate for Governor, Senator, or House of Representatives in that district, whichever is greater. This provides a measure of Republican voting strength in the state, and thus provides the necessary balance between population size and party voting strength in the formula.

—Provide a savings, or grandfather, provision which would insure that no state, as the result of the adoption of this formula, will have fewer delegates in 1976 than it has at this Convention.

This formula treats the District of Columbia as a state, taking it out of the "Territories" category to which it is traditionally relegated, and thus recognizing that citizens of the District may vote for President, and that they now designate a Delegate to the House of Representatives. Territories are assigned delegates based on population strength, and they are also grandfathered.

Let me comment briefly on some similarities, as well as some differences, between the present Rule 30 and the formulation I am proposing.

Rule 30 now consists of two elements, electoral college votes and "bonus delegates."

The electoral college element derives from Rule 30's provision for four at-large delegates from each state (or two for each Senator) and the two delegates for each Congressional district that are provided by Section (b). Rule 30's Section (b), of course, appears to be a measure of Republican voting strength, but in practice it does not work that way. Only two Congressional districts of 435 failed to cast fewer than 12,500 votes for the Republican Presidential candidate in 1968, or the Republican nominee for Congress in 1970. Thus, every Congressional district but two is represented by two delegates to this Convention (or two for each Congressman), plus two for every Senator, exactly double the number of the electoral college, minus two.

Thus, one element of the present rule in practice almost exactly reflects electoral college strength, which is a measure, though a distorted one, of a state's population. As we

know, in *Georgia v. National Democratic Party*, the Court found that a formula reflecting population size alone was not proper. The additional award of six bonus delegates to every state that produces Republican victories, no matter how large the state, simply adds to the distortion. Smaller states have two types of advantages: one created by their advantage in the electoral college, and the other created by the award of bonus delegates on a non-proportionate basis.

My formula provides two at-large delegates for each Senate seat, and two delegates for each Congressional district, thus providing an accurate measure of electoral college strength, apportioned among the states on the basis of 1970 population. By eliminating the bonus rule, and substituting a provision that apportions delegates on the basis of district Republican voting strength, my formula provides a nearly perfect balance of delegates, totalling 2,130. Of this total, 1,076 are provided by the electoral college factor (204 at-large delegates, plus 872 representing Congressional seats). An additional 1,013 delegates are assigned on the basis of Republican voting strength, providing a nearly perfect division between the two standards, which is entirely consistent with the Court's dictum in *Bode v. National Democratic Party*. These totals are contained in attachment 3.

Against a total of 2,130 delegates, the provision for 34 "grandfathered" delegates is clearly not significant enough to distort the formula in any but a *de minimis* way.

I have tried to draft and present to you a formula that is consistent with court decisions and the best interests of the Republican Party.

One concern that has been expressed is that this formula provides too large a delegate body to assure that the Convention is conducted in orderly fashion. With the addition of one alternate for each delegate, the total number of delegates and alternates on the Convention floor would be 4,260. The Democratic Convention provided for close to 3,000 delegates, with half that number of alternates, for a total of about 4,500. And that was, from appearances at least, an orderly Convention.

If we wanted to increase the number of delegates and yet keep the delegate body small in total, we too could provide one alternate for every two delegates.

I have also heard it said that a very large delegate body reduces the number of cities that can accommodate a Republican Convention. But it would seem that only five or six cities—New York, Chicago, San Francisco, Miami, Atlantic City, and Houston—can handle a Convention even of our present size.

I am not wedded to this particular formulation, however. We could draw up a formula that produces a smaller or larger total number of delegates, that reduces the importance of electoral college votes, or increases the proportion of delegates assigned according to party voting strength.

I would point out that my proposal has two advantages. First, it retains electoral college strength as a key factor in the formula, and it thus permits the smaller states to keep the advantage they now derive from the makeup of the electoral college. Second, it grandfathered the smaller states that would lose delegates. By balancing delegates produced by the electoral college factor with a large block of delegates produced by party voting strength, the resulting allocation of delegates becomes constitutionally correct.

Though we can devise different formulas, what is most important is that we set to work now to change Rule 30 in a way that is consistent with court rulings. It can be argued that we should wait until after the Appeals Court decides on the Republican National Committee's appeal before chang-

ing Rule 30. I would argue, instead, that we should act now to do what we know is right. Let us wholeheartedly embrace re-

form, not be forced to do it by court order. Let us bring the rules of the Republican Party into conformity with the Constitu-

tion of the United States. Let us ensure that our 1976 Convention is truly representative of a national party.

ATTACHMENT I

COMPARISON OF DELEGATE ALLOCATION: RULE 30 AND PERCY FORMULA

State	Delegates under rule 30	GOP vote per delegate (1968)	Population per delegate under rule 30 (1970)	Electoral college vote	Percy formula	State	Delegates under rule 30	GOP vote per delegate (1968)	Population per delegate under rule 30 (1970)	Electoral college vote	Percy formula
Alabama.....	17	8,643	202,598	9	25	New Hampshire.....	14	11,064	52,692	4	14 (13)
Alaska.....	12	3,133	25,181	3	12 (7)	New Jersey.....	40	33,137	179,204	17	73
Arizona.....	18	14,818	98,471	6	20	New Mexico.....	14	12,121	72,571	4	14 (13)
Arkansas.....	18	10,598	106,850	6	21	New York.....	88	34,181	206,713	41	175
California.....	96	36,122	207,845	45	199	North Carolina.....	32	19,600	158,814	13	47
Colorado.....	20	20,467	110,363	7	27	North Dakota.....	12	11,556	51,480	3	12 (10)
Connecticut.....	22	25,306	137,828	8	33	Ohio.....	56	31,982	190,215	25	113
Delaware.....	12	8,060	45,675	3	12 (9)	Oklahoma.....	22	20,441	116,330	8	29
District of Columbia.....	9	3,446	84,057	3	9 (7)	Oregon.....	18	22,691	116,188	6	24
Florida.....	40	22,170	169,736	17	66	Pennsylvania.....	60	34,834	196,565	27	123
Georgia.....	24	15,838	191,232	12	36	Rhode Island.....	8	15,295	118,715	4	13
Hawaii.....	14	6,530	54,994	4	14 (12)	South Carolina.....	22	11,548	117,751	8	23
Idaho.....	14	11,812	50,929	4	14 (13)	South Dakota.....	14	10,703	47,590	4	14 (13)
Illinois.....	50	37,496	191,620	26	120	Tennessee.....	26	18,177	150,929	10	36
Indiana.....	32	33,371	162,302	13	57	Texas.....	52	23,612	215,322	26	88
Iowa.....	22	28,141	128,411	8	34	Utah.....	14	17,052	75,662	24	16
Kansas.....	20	23,934	112,454	7	29	Vermont.....	12	7,095	37,061	3	12 (10)
Kentucky.....	24	19,267	133,138	9	32	Virginia.....	30	19,677	154,050	12	41
Louisiana.....	20	12,877	102,159	10	27	Washington.....	24	24,521	142,049	9	38
Maine.....	8	21,157	124,208	4	13	West Virginia.....	18	17,086	96,902	6	23
Maryland.....	26	19,923	150,862	10	35	Wisconsin.....	28	28,928	157,783	11	48
Massachusetts.....	34	22,554	167,329	14	58	Wyoming.....	12	5,911	27,701	2	12 (8)
Michigan.....	48	28,556	184,896	21	85						
Minnesota.....	26	25,332	146,349	10	43	Total.....	1,335				2,119 (30)
Mississippi.....	13	6,809	170,532	7	17	Puerto Rico.....	5		542,408		5
Missouri.....	30	27,064	155,913	12	48	Virgin Islands.....	3		28,332		3 (1)
Montana.....	14	9,917	49,601	4	14 (12)	Guam.....	3		20,823		3 (1)
Nebraska.....	16	20,073	92,737	5	19						
Nevada.....	12	6,099	40,728	3	12 (8)	Total.....					2,130

RULE 50

(Proposed new language to implement "Percy Formula")

The membership of the next National Convention shall consist of:

A. DELEGATES FROM THE 50 STATES AND THE DISTRICT OF COLUMBIA

1. Four (4) Delegates at Large from each of the fifty (50) States, and the District of Columbia.

2. Two (2) additional Delegates at Large for each Representative at Large in Congress from each State, including the District of Columbia.

3. Two (2) District Delegates from each Congressional District.

4. One (1) additional District Delegate from each Congressional District and one (1) additional Delegate for each State having only one (1) Congressional District, for each 35,000 votes or major fraction thereof, of the largest Republican vote cast for the Republican nominee for President in the last preceding Presidential election, or for the Republican candidate for Governor, Senator, or for all Republican candidates for Representative at Large or Member of Congress, in that election or a subsequent election, whichever is greater.

D. DELEGATES FROM THE TERRITORIES

1. Five (5) Delegates at Large for Puerto Rico.

2. One (1) Delegate at Large for the Virgin Islands.

3. One (1) Delegate at Large for Guam.

C. SAVINGS PROVISION

In any case when the application of this Rule for apportionment of Delegates to a State, the District of Columbia, or Territory results in the designation of fewer Delegates than such State, the District of Columbia, or Territory sent to the 1972 Republican National Convention, such State, the District of Columbia, or Territory shall have the same number of Delegates at the 1976 Republican National Convention.

D. ALTERNATE DELEGATES

One (1) Alternate Delegate shall be provided for each Delegate to the National Convention.

ATTACHMENT 3

RESULTS OF "PERCY FORMULA"

	Number	Percent
1. Number of delegates at-large (4 for each State and District of Columbia).....	204	9.6
2. Number of district delegates based on congressional seats.....	872	47.6
3. Number of district delegates assigned according to Republican voting strength.....	1,013	40.9
4. Number of "grandfathered" delegates.....	34	1.6
5. Delegates assigned to Puerto Rico, Virgin Islands, and Guam.....	7	.3
Total.....	2,130	100.0
Balance of delegates based on electoral college vote vs. delegates based on party voting strength:		
Delegates reflecting electoral college votes (1 and 2 above).....	1,076	50.59
Delegates reflecting party voting strength.....	1,013	47.60

CHILD NUTRITION PROGRAMS

Mr. PERCY. Mr. President, I commend the work of the Committee on Agriculture and Forestry in reporting H.R. 14896. I think it is basically a good bill that will clear up many uncertainties about our child nutrition programs for the school year ahead.

I am pleased that the bill as reported contains many of the elements found in S. 3661, a bill which I cosponsored. I felt that S. 3661, prepared, as it was, by the USDA in consultations with many concerned individuals and groups inside and

outside of Government, offered the best framework for improving the present structure of child nutrition programs.

I trust that our consideration of this bill will not preclude the possibility of a more searching examination of our present programs and the consideration of more fundamental and far-reaching reforms such as are embodied in my own bill, S. 3904, The Comprehensive Child Nutrition Act of 1972. My cosponsors and I are convinced that a fresh start is badly needed in this field if we are to achieve our final goal of assuring adequate nutrition for all needy children.

But that is in the long run, and we are faced today with amendments to the National School Lunch Act and the Child Nutrition Act that are necessary for the coming school year.

I applaud the steps which are taken in this bill to strengthen and improve the school breakfast program, the special or nonschool food assistance program, and the nonfood or equipment assistance program.

I also support the committee's action in fixing free and reduced price meal eligibility guidelines at no more than 125 percent and 150 percent respectively of the income poverty guideline. I shall support efforts to amend the bill to include a so-called grandfather clause to cover those areas which presently have higher eligibility standards.

In general, I believe in the performance funding concept which the committee has proposed for section 4 food assistance and which the Senator from Iowa (Mr. MILLER) will, I understand, propose by floor amendment for section 11, special lunch assistance. But I would like to

clarify a few points with the managers of the bill before we vote on final passage. I take this occasion in advance of consideration of the bill to advise my colleagues, a few unanswered questions that I have is they are now on the floor at the moment.

As I understand it, the bill guarantees a State a dollar amount equal to the number of lunches it serves multiplied by the average national payment per lunch which in no case shall be less than 8 cents. I presume this is correct.

But a school within a State is not necessarily guaranteed an amount equal to the number of lunches it serves multiplied by the average national payment. The answer appears to be correct.

So some schools in Illinois, for example, may actually be receiving a payment equal to 6 cents per lunch while others may be receiving the equivalent of 10 cents per lunch. I wonder if this may not be a disincentive to some schools to do the very best job they can in providing nutrition services to all needy children.

In this same regard, why does the legislation speak of a national average payment per lunch? Am I to take this to mean that in fact one-half of the States and territories may be receiving, say, 6 cents per lunch and the other half 10 cents per lunch for a national average of 8 cents? Taking the language at face value, the answer to this must be "Yes."

Is this equitable? I think we shall hear many complaints—and justifiably so, in my opinion—if in the next fiscal year an average payment per lunch nationwide is achieved by below-average payments to some schools and to some States and above-average payments to others.

Would it not be more equitable if we guarantee the States as well as the schools within each State a minimum payment per lunch? This would make our meaning absolutely clear: Eight cents per lunch would mean at least 8 cents and not perhaps as low as 6 or as high as 10.

Did the committee consider this language? I would hope the managers would consider amending the bill to this effect.

INDIA AT 25

Mr. HUMPHREY. Mr. President, it was on August 15, 1947, that the British recognized India's independence, and it was on August 15, 1947, that the dream of Mahatma Gandhi and Jawaharlal Nehru came true. There was a rebirth of a great nation, an awakening and revitalization of a great people but at the same time there was the cold realization of the responsibilities which lay ahead for an impoverished, albeit independent, country with the second largest population in the world.

All was not euphoria at the time of independence day celebrations, any more than it is today. The responsibilities remain, and, if anything, they have grown more complex due to the rapid growth of population in India which continues to absorb her real economic growth, and due to evolving power relationships throughout the world. Nevertheless, India has weathered many of the storms.

Its democratic, parliamentary system has remained in tact. It has a strong, perceptive Prime Minister, Indira Gandhi, at its helm and a commitment to social reform and economic development.

Usually, at anniversary times, especially one as important as the one India is celebrating now, commemorative speeches are lengthy in their praise and short on the hard stuff of what lies ahead. I will not be long in my praise because I count on others for that. I rely on the qualities of contemporary Indian civilization to speak for itself. And I will not be long in my criticism either.

Mr. President, my intent is only to wish this great country and its people well and to stress that the problems ahead will challenge the best of them. India's future lies not in ambitious plans done in the abstract for classroom consumption, but in the formulation and implementation of policies which meet the needs of the people—needs that are written in their faces and are a part of everyday of their lives. I am speaking of providing food, improving agricultural production, raising industrial productivity, initiating urban housing and welfare programs, rationalization of the economy, and a redistribution of wealth to reduce the income disparities which persist.

Recent articles commemorating India's 25th anniversary of independence describe in a very vivid way the needs of the people and what remains to be done. I ask unanimous consent, that two relevant articles published in the New York Times and Washington Post be printed at this point in the Record.

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

[From the New York Times, Aug. 14, 1972]

INDIA, STILL IN SHADOW OF POVERTY, SHOWS PRIDE AS A NATION NOW 25

(By Robert Trumbull)

NEW DELHI.—Prime Minister Indira Gandhi is about to open a subdued year-long celebration of the 25th anniversary of Indian independence in a country where much has changed, yet much remains the same, since her father, Jawaharlal Nehru, hailed the new nation's "tryst with destiny" as Britain handed over power in the first minutes of Aug. 15, 1947.

Physical improvements have brightened the face of this ancient and long-suffering land, though Mr. Nehru's comment that "we have achieved much" but "we must achieve much more" is as applicable today as when he made it on the first Independence Day.

The shining image of India in the emerging "third world" of former colonial countries has dulled in the years of shifting alliances and the declining relevance of neutralism, the basis of Indian foreign policy under Mr. Nehru, the first Prime Minister.

The internal political complexion of the country has also altered, with the power no longer in the hands of the old Congress party as Mr. Nehru had known it until his death in 1964. Indians say that Mrs. Gandhi's rule at the head of a reconstructed party, younger and more leftist, is firmer than her father's ever was.

Mrs. Gandhi has taken the economy, never strong, into uncharted socialist paths. With wages low, prices up, productivity down and unemployment growing, the success of the socialist experiment is yet to be established.

Meanwhile, uncontrollable natural factors of alternating floods and droughts, and the

savage summer heat, are unchanging agonies in a disaster-prone country poorly served by nature.

Following a recurrence this summer of the droughts that periodically deprive struggling industry of needed electric power and threaten food shortages where many already are hungry, Mrs. Gandhi has decreed an austere observance of the 25th Independence Day in order to rebuild depleted reserves.

Such spectacular holiday displays as the outlining of public buildings with electric lights on the festive night have been barred and the public has been asked to forgo the customary ostentatious anniversary parties.

In the midst of India's modernization, some things remain unchanged. Despite a jagged new skyline of monolithic high-rise buildings, the environs of the capital retain an ambience of timeless antiquity through the spectacular old monuments of bygone eras, like the huge seventeenth-century Red Fort, once the seat of Mogul emperors.

With urban sprawl pushing New Delhi's boundaries ever outward to country that was semidesert, the quiet of the night in this once-compact capital is shattered by traffic sounds instead of the jackal's eerie wail. These noisy, skulking animals that once scavenged nightly in the city's outskirts shun the new suburbs.

But the twilight hour, when sunset cuts the heat like the closing of an oven door, is still made vivid by flocks of screeching parakeets darting above the city streets like streaks of green flame.

A MIXTURE OF SOUNDS

Besides the screams, chirps and caws of the many kinds of birds, the cacophony of Indian cities includes the chattering of untamed rhesus monkeys roaming the urban roofs, and the undulating tones of the snake charmer's flute.

In the countryside around New Delhi a motorist may have to swerve to avoid hitting a wild peacock strutting on the highway. In the railway yards of eastern India elephants are preferred to engines for shifting boxcars.

The new mingles with the old. Soviet-made tractors, driven by bearded, turbaned Sikhs, dodge around bullock carts and camels on the Grand Trunk Road, the great Punjab artery described in Rudyard Kipling's tales of British India.

Children of the untouchables, lowest of the low in the stratified Hindu social order, earn university degrees although their fathers may still live in hovels and follow inherited menial occupations that members of the higher castes hold in contempt.

In teeming cities like New Delhi, Calcutta, Bombay and Madras, new apartment houses are rising in vast slum-clearance projects. But in most cities the odoriferous colonies of tumble-down makeshift huts also grow despite regulations against them. "You can enforce regulations only so far," said a municipal housing official in Madras.

A notable feature of the new India is the air of cheery pride exhibited in fields and factories where so many faces once were hangdog and discouraged.

"You know, we send technicians to other countries now," said an Indian irrigation expert in Himachal Pradesh, a mountain state whose melting Himalayan snows water the burning northern plain.

"Garibi Hatao"—"Banish poverty"—is the slogan adopted by the new Congress party built by Mrs. Gandhi after she had led the elections in casting out the old guard.

The socialist approach has so far produced a mixed pattern of Government monopoly, official competition with private enterprises, Government and private partnerships and the purely private sector.

To its existing monopolies in communications and transportation, the Government has added banking, insurance and coal, and 80 per cent control of the steel industry.

"Actually, we have nationalized very little," a close adviser to Mrs. Gandhi said in a recent interview. "Mostly, we have merely taken over ailing businesses to put them on their feet."

Private businessmen have been unimpressed by such assurances. "We are living on a knife edge, wondering what the Government is going to seize next," said one successful entrepreneur in Bombay.

Some Western economic analysts here charge the Indian Government with being overly nationalistic and conservative in managing what Mrs. Gandhi calls the "commanding heights" of the economy.

"India is too cautious in hoarding \$1.25 billion in foreign exchange instead of using some of it on projects to expand the economy," an American expert declared.

SOME IMPORTS HALTED

Imports of consumer goods have virtually ceased, judging by the goods available in shops, although the black market is another matter. "You can get anything if you can pay for it," said a Calcutta resident.

However, India now produces a spectrum of items covering everyday wants, from canned foods to cameras, though the variety and quality may leave much to be desired, and prices are high.

"They tell us we make machinery good enough to be sold in the United States," said a Bombay housewife. "Then why can't we make a toaster that won't break down in a few days?"

According to a recent report by Moinul Haque Chaudhuri, the Minister for Industrial Development, Government ventures suffered an over-all loss of more than 100 million rupees in the 1969-1970 fiscal year, but lost only 30.7 million rupees in 1971-72. The Indian rupee is exchanged at about 7.5 to the dollar.

"We don't look just at the balance sheet," a Government economist said. "We also take into account the social benefits flowing from Government enterprise."

In many instances, he said, when the Government takes over an enterprise it "virtually creates a new company town" at the plant, enabling the employees to "live better than they otherwise would."

In Punjab and other states, where the "green revolution" in grain production has enabled India to halt costly importing and even to think of exporting food soon, the successful farmers have been discouraged by the Government's imminent imposition of a ceiling of 10 to 12 acres of land holdings.

"I may as well sell my tractor and move to the city," said a Punjab farmer who had arrived as a destitute refugee from Pakistan 25 years ago and now owns 20 productive acres and employs several families. "But think of the millions of landless cultivators who will become owners when the excess acreage is redistributed," a state official insisted, when told of the Punjab farmer's despair.

A proposal to limit urban property holdings is expected to be put before the parliament, where Mrs. Gandhi commands an overwhelming majority, as soon as a New Congress party committee has worked out the details.

The plan upset a New Delhi widow who has just built a four-bedroom house, modern in all respects, that she can rent to an embassy family for the equivalent of \$400 a month.

"After expenses and taxes I'll have nothing left," said the widow, who lives in a small apartment, "and I don't even know if I will be allowed to leave the property to my children."

Concern for the myriad underfed, jobless poor has enabled Mrs. Gandhi to renege without a qualm on pledges by her father's Government, such as the payment of privy purses—in effect, pensions—to the former princely rulers in return for ceding their states to the Indian union. Her action in

stopping the payments bothered the consciences of many Indians.

Mrs. Gandhi's tendency to act on significant matters without consulting Parliament has been criticized by Indians who feel that ignoring the forms of democracy can engender contempt for the substance.

A close associate of Mrs. Gandhi recently described her ideology as "centrist, or left of center." At the same time she keeps the support of the extreme left, including a new youth corps that has evolved from the wreckage of the Naxalites, a Maoist organization that had advocated violent revolution.

Mrs. Gandhi's luster at home has been enhanced by India's victory over Pakistan in the war last December, which resulted in the creation of Bangladesh in what was formally East Pakistan.

Except for Hindu diehards, the country has acclaimed the accords worked out by Mrs. Gandhi and President Zulfikar Ali Bhutto of Pakistan in Simla last month, beginning an effort to end 25 years of ill-will and four wars between the two countries.

While relations with Pakistan are improving at last, the suspicions of small states for giant neighbors has lessened India's popularity in Nepal, Bhutan, Bangladesh and Sikkim, the latter an Indian protectorate.

Nearby Ceylon has displeased New Delhi by moving closer to China. The border dispute with Peking, which resulted in an Indian military defeat in 1962, still poisons relations between the two Asian giants, once the warmest of friends.

India's confidence of her role as a leader among the neutralist states was shaken when many of these countries decided not to take sides in the conflict between New Delhi and Peking, and declined to support India in United Nations debates on the Bangladesh affair.

Except for the tiny Himalayan kingdom of Bhutan, which is committed by treaty to be "guided" by India in foreign affairs, only the Soviet Union and her satellites supported New Delhi's opposition to a cease-fire in Bangladesh.

India's status as a nonaligned nation has been impugned since New Delhi and Moscow signed a treaty last year that has military overtones. India spokesmen, however, insist that no Soviet military aid has been accepted.

The increasing commitment to the Soviet Union, India's consistent supporter in international disputes, and the alienation from the United States since President Nixon's reported "tilt" toward Pakistan in the Bangladesh situation disturb many Indians.

American friends of India have noted that criticism of United States policies, to the extent of denigrating the effect of great amounts of American economic aid, has become distressingly fashionable in official and intellectual circles.

The image of antimilitarism and nonviolence cultivated by Indians, already tarnished by the invasions of the recalcitrant princely states of Junagadh and Hyderabad and the seizure of Goa and other Portuguese enclaves in 1961, not to mention the events leading up to the war in Bangladesh, has been further tarnished by recent talk of developing nuclear weapons, although Mrs. Gandhi has disavowed any such idea.

However, talks with many officials, industrialists, professional people and residents in a selection of key cities, towns and villages during a tour of more than seven weeks have uncovered a tremendous reservoir of admiration and regard for Americans in general, if not for Mr. Nixon.

"Indians have never forgotten American support for Indian independence," said a university professor in Bangalore, an industrial hub of the south. "We would have starved without American wheat," a businessman in Calcutta declared.

"For God's sake," a high Government official begged an American journalist friend,

"tell your people that we aren't in the Russians' pockets."

[From the Washington Post, Aug. 15, 1972]

INDIA, FREE 25 YEARS, ENJOYS STABILITY AMID POVERTY

(By Lewis M. Simons)

NEW DELHI.—Aug. 15 (Tuesday)—In the 25 years since Jawaharlal Nehru kept his country's "tryst with destiny," the government of independent India has made remarkable progress toward modern statehood.

But the people of India have not kept pace.

As a government, India has advanced far toward the recognition its leaders dearly crave from the world beyond the Subcontinent. Political stability is so much a fact of life that opposition is almost nonexistent and critics are beginning to raise cries of "dictator" against Nehru's daughter, Prime Minister Indira Gandhi.

As a people, the great Indian masses are as impoverished today as they were on this day in 1947, the day Britain set them free.

To the outsider, witnessing this phenomenon of advancing government and lagging populace can be like watching a lumbering bullock cart. But on this cart, sometimes one wheel rolls forward and one stands still, and the cart turns in a circle.

ECONOMIC EVALUATION

Consider this evaluation of the Indian economy 25 years after independence by Finance Minister Y. B. Chavan:

"All-round economic progress since independence has radically altered the character of our economy and brought about a significant increase in real incomes generally.

"But, the absolute number of those living in abject poverty has scarcely diminished; economic disparities appear to have widened; unemployment has become a seemingly intractable problem."

Or again, in an analysis of land reform by State Minister of Agriculture Sher Singh, the wheels seem to spin in two directions:

"One of the spectacular results of the spread of modern technology has been a widening of the disparities in wealth and income in rural areas.

"On top of this, the unplanned spread of mechanization threatens not only to accentuate the inequalities but also to reduce employment opportunities. In the result, new social tensions are developing in the countryside."

DEFICIT ELIMINATED

On occasion, the wheel of the government and the wheel of the people seem to roll smoothly alongside each other, and the results can be startling. The "Green Revolution" of Indian agriculture is one of these rare achievements.

Spurred by the disastrous droughts and famine of 1965-67, government leaders, scientists, technicians and peasants pulled together. Within five years, they eliminated the great food deficit which had plagued this country from antiquity and built a reserve now claimed to be adequate to ward off starvation for more than a year.

While this is an achievement that would doubtless stun the founders of independent India, Gandhi and Nehru, once more it is beginning to look as though the accomplishment will be that of the government more than of the people.

FOOD EXPORTED

After its resounding defeat of Pakistan last December, the government delivered a reported 750,000 tons of rice to its newly liberated neighbor, Bangladesh. The word went out: For the first time in history, India can export food grains.

A deal with a Japanese company was reported in which India was bartering 100,000 tons of corn. The government offered "miracle rice" seeds to North Vietnam.

The government also claims its storehouses hold 9.5 million tons of food grains. Some politicians in opposition to Prime Minister Gandhi have disputed the figure, but this can probably be dismissed as sniping and most diplomatic observers accept the official statistics.

Yet, when the current monsoon was late in developing and summer crops were burning in the parched ground, it was only a matter of weeks before peasants began to die. Government officials, anxious that the green revolution not appear to be a fragile shell, insisted they were dying of malnutrition, not starvation.

Now, although the monsoon has come, great damage has been done to crops, and no more is to be heard about grain exports. The Japanese deal is back "under negotiation." The U.S. mining of North Vietnam's ports eliminated the seed offer.

There is no doubt that India is capable of feeding itself and even of exporting grain. The point has been made. What has not been proven is that the diverse elements of the government and the people can be made to haul together in good times as well as bad to overcome dependence on the capricious monsoon and to make agriculture a manageable science.

INDUSTRY'S ROLE

Industrial growth since independence does not approach agricultural gains. In 1950, three years after the Union Jack was lowered in New Delhi, industry contributed about 5 per cent to India's national income. By 1968, this contribution had doubled.

Since then, however, with the government moving increasingly into the industrial picture, growth has fallen off sharply. In the last four years, the government has granted only 125 out of 1,000 applications by large private industrial organizations seeking expansion.

This shackling of the private sector has caused the government to dip deeper and deeper into bank credits to help develop public sector growth. In the last fiscal year, the government borrowed a record \$1.1 billion.

The handful of indigenous industrial plants has grown frustrated. In an annual report to one of his companies last month, the country's leading business figure, J. R. D. Tata, complained bitterly:

"... Modern and mature countries which, whether calling themselves socialist or not, have provided their people with the highest standards of living and the most complete welfare services in the world, have resolutely turned their back on outdated Marxist theories and shibboleths still blindly accepted by so many in our country who think the prosperity and welfare of the people can only come from the destruction of all private ownership and enterprise."

Most observers in New Delhi are not as convinced as Tata, who is frequently described as an "enlightened capitalist," that Mrs. Gandhi intends to destroy private enterprise. What she does seem intent on doing, however, is developing something she calls the "joint sector," an ill-defined melding of government and private management.

POLITICAL MOTIVATION

The effort to eat into private control of industry appears to be politically motivated. Long-time observers note that dramatic moves, such as nationalizing a huge private factory, can pay dividends in impressing a large number of poor people, even though the benefits to them may be nil.

To those of India's upper class—a class which forms an eggshell-like veneer over the depths of grinding poverty—Mrs. Gandhi has become an object of scorn for her steps in nationalization and her efforts to place restrictions on both rural and urban landholdings.

To this class, from which Mrs. Gandhi and her aristocratic father themselves came, she is "that woman," just as Franklin Roose-

velt was "that man in the White House" to critics of his New Deal.

The argument over nationalization is a constant one here. But, while critics can cite convincing figures as evidence that nationalized industries such as banking, insurance, and some steel plants, are doing very poorly, proponents can point only to future hopes.

As to what this furiously spinning government wheel is churning out for the people of India, Times of India columnist Prem Shankar Jha wrote recently: "What difference does it make to the 200 million people who live below the bread line whether industry is controlled by 100 or 1,000 families or, for that matter, by the state?"

GREATEST FAILURES

At this "below the breadline" level of society lie India's greatest failures in its first quarter century: Failure to provide housing for more than 10.5 million families; failure to provide education for the children of these families; and failure to provide basic medical attention.

Clinging to the lowest rung on India's social ladder are some 80 million Untouchables, or as Gandhi called them with heart-rending affection, Harijans—Children of God.

(The Untouchables were members of certain Indian castes which, though considered Hindus, were excluded from the ordinary social and religious privileges of Hinduism. India outlawed "untouchability" in 1949 and made persecution of untouchables punishable by law.)

(How this caste came to be ostracized is obscure. According to one definition, Untouchables are best described as Hindus who were not allowed to enter ordinary Hindu temples and who supposedly caused pollution to ordinary Hindus either by touch or by proximity.)

Untouchables, in effect relegated an entire community to the dregs of society. And, as American Blacks have learned, prejudices cannot be legislated out of existence. Untouchability is still very much a fact of Indian life, not only in the villages but in the big cities as well.

Even in New Delhi, where a handful of Harijans have become Cabinet ministers and public figures, the men and women who sweep the streets and empty latrines are always Untouchables.

In the villages, their lot is far more degrading—and dangerous. In the first six months of this year alone, 20 cases have been reported of Untouchables being made human sacrifices to satisfy obscure religious rites. Those cases not reported, according to one authority, "must be legion."

Officially, prejudice against Untouchables is exercised in diverse ways. For instance, when electric power is installed in rural villages, the adjacent slum areas occupied by the Untouchables of the village are inevitably ignored. There is now a program to provide electrification for one Harijan settlement a day in each state in the country.

But, according to one official source, government measures have had no significant effect on improving the overall status of Untouchables since 1947.

The Untouchables and the lower, or "scheduled," castes and tribal groups make up the breeding ground for India's exploding population. According to the official 1971 census, the population now stands at 548 million, an increase of 24.8 per cent in the last decade—the highest growth rate for any decade to date.

RATE OF BIRTHS

According to informed observers, the total population is nearer 560 million and the rate of births may be even higher than the one officially reported.

The goal of the national family planning program is to reduce the growth rate from 39 per thousand to 32 by the end of the current five-year plan in mid-1974. "The

achievements so far do not indicate that, except in a few states, this goal will be reached," Health and Family Planning Minister Uma Shankar Dixit said recently.

All these social problems are very serious. Some of Prime Minister Gandhi's harshest critics say India's social ills continue unabated because she has concentrated her efforts on making a place for herself—and India—in the world instead of making India a better place to live.

Whether this criticism is valid or not, there is no question that the daughter of Nehru has far surpassed her predecessors in gaining international position and respect for both herself and her country.

By shrewdly accepting the courtship of the Soviet Union at a time when war with Pakistan over Bengali nationalism was growing imminent, she cleared the way for her generals to fight the battle without having to worry about superpower intervention.

RINGING VICTORY

The ringing victory over Pakistan has also swept aside that lingering aura of nonalignment, so carefully nurtured by Nehru. And though Mrs. Gandhi and her ministers would be loath to admit that nonalignment is a thing of the past, leading Indian political scientists are not only open about it, but proud.

"Nonalignment answered our needs for security and our urges for prestige," said a top government defense analyst in an interview. "By being friendly in varying degrees with Washington, Moscow and Peking, Mr. Nehru hoped to make the Subcontinent free from excessively hostile interference by any major power. Indo-Pak strains were there for anyone to exploit."

For a number of years, India consoled itself by saying it was an area of agreement between the Soviet Union and the United States. But as ambitious a figure as Mrs. Gandhi could not be content with this self-deception forever.

Then, in December, 1970, Sheikh Mujibur Rahman won an impressive victory in the East Pakistani elections, and Mrs. Gandhi saw that the unity of Pakistan was in serious trouble.

Here at last was a hope for India to reconstruct the Subcontinent to its liking.

Victory gave India the position it has craved since Britain partitioned the Subcontinent preceding independence.

WANTS RECOGNITION

What Mrs. Gandhi wants now from the United States and China, and already enjoys from the Soviet Union, is the recognition that India reigns supreme in South Asia.

There can be no doubt that much of the indigenous criticism leveled at Mrs. Gandhi is political carping. She has achieved in her tenure progress and stability beyond the dreams of the former British rulers and the Indians who initially inherited leadership.

In some ways, progress has been so significant as to cause some criticism to become quite fine-grained, in itself a tribute to India's first 25 years.

But there can also be no doubt that the next 25 years must be a period of advance for the Indian people themselves. While they may no longer be the starving masses that once haunted the conscience of the world, their suffering is still overwhelming.

Until this suffering is alleviated, India's progress will continue to be irregular, like the two-wheeled bullock cart, sometimes lurching forward and sometimes lumbering in a circle.

Mr. HUMPHREY. Mr. President, in noting the problems which India faces, it would be supercilious for us to leave it at that. The scale of India's problems may dwarf our own in some areas, but

not all. In fact what is most striking are the resemblances and the need for greater cooperation between the United States and India in solving our problems. Mrs. Gandhi spoke in part about this in her very eloquent address to the International Conference on the Human Environment in Stockholm. Few representatives of our own Government have really spoken in concrete terms about how we can collaborate with Indian leaders to tackle the problems we share and those we do not as well. Little representation has been made on the part of this administration about American concern that close relations between the United States and India not languish any longer. Too little has been done, and too much remains to be done.

There are those of us in this country who are sensitive to this gap. And we will do all we can to repair it. Confirmation of this desire is better than shallow adulation. India is a great land, and can be a stabilizing force for peace in Asia. But it needs assurance and encouragement, something we can provide with effort and imagination.

Independence was a great achievement in Indian history. There have been other great achievements in its most recent history, but none would be so monumental as the achievement of high socioeconomic standards and peace in South Asia. None would be so respected as a devotion of human energies to the individual and the mass of people in India, to their satisfaction and contents.

When one knows thee, then alien there is none, then no door is shut. Oh, grant me my prayer that I may never lose the touch of the one in the play of the many.

—Rabindranath Tagore.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

INTERIM AGREEMENT ON LIMITATION OF STRATEGIC OFFENSIVE WEAPONS

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the unfinished business, Senate Joint Resolution 241, which the clerk will state by title.

The assistant legislative clerk read the joint resolution as follows:

A joint resolution (S.J. Res. 241) authorizing the President to approve an interim agreement between the United States and the Union of Soviet Socialist Republics.

The Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Montana. The yeas and nays have been ordered.

THE SENATE'S ROLE IN STRATEGIC ARMS LIMITATION—THE JACKSON-SCOTT AMENDMENT

Mr. BELLMON. Mr. President, I am happy to be one of the cosponsors of a significant amendment to Senate Joint Resolution 241. The amendment, as Members know, has gained support from both

sides of the aisle and from the administration itself. This spirit of bipartisanship has an honorable history in the conduct of U.S. foreign policy. Our greatest successes in this area have come when partisanship was laid aside, and when all Americans rallied around certain enduring principles of policy.

Mr. President, there has been broad acclaim, both here and abroad, for the President's achievements in SALT I. But not even the President has claimed that the ABM Treaty and the interim agreement have put the problem of strategic weapons to rest. Nor has the President done anything but encourage the closest congressional scrutiny of these accords. The President recognizes that when the security of the Nation is involved, there should be no such thing as rivalry between the parties or between the branches of Government.

Mr. President, the limitation of strategic arms is as important a matter as we have ever undertaken in the foreign policy field. Success in controlling strategic weapons can bring us closer to the goal we have sought since atomic weapons were first made—a reduction in the possibility of nuclear war. It is, therefore, of the highest importance that the Senate do its share in establishing principles to guide consideration of this all-important matter, and that those principles be of a kind which can gather the broadest public support.

I believe that the amendment we are proposing does embody simple and sensible and consistent principles. I believe these are principles that the American people are prepared to support. I would add, Mr. President, that there has been much public confusion over the terms of the agreements we are being asked to approve. There has been considerable public discussion of the technical problems involved in the limitation of strategic arms, but comparatively little consideration given to the guidelines which should govern the conduct of future negotiations. I think it is high time that the American people know the Senate's views on these matters.

Now, what principles should we be talking about? I suggest, Mr. President, that the most important are set forth in the text of this amendment. It should be perfectly clear to the entire world that this Nation's intentions are entirely peaceful. It should be clear that we have no desire for territorial gain, and no desire to exert our will over the people of any other nation.

Actions of the United States following World War II should have made these facts abundantly clear. At the end of the war, the United States had the most powerful military establishment ever known to mankind—a military machine that, with very little effort, could have conquered and dominated every continent.

We were the first and only nation to possess the atomic bomb, and this weapon alone was sufficiently ominous to blackmail the rest of mankind. But instead of using our atomic capability for national gain, we shared the knowledge with the nations of the world.

In terms of conventional forces, at that

time we had more men under arms, more ships, more planes, more tanks, and other heavy armaments than any other nation.

Instead of using these forces for military gain, this great machine was virtually dismantled, the planes junked, the ships put in mothballs, and the soldiers returned to civilian life.

We did not have claim on any territory from wartime victories.

Our industrial complex, which was the greatest ever conceived and built by mankind, was totally untouched by the ravages of war. Yet the military production from this military complex was rapidly changed to civilian production. So, in my mind, there can be no genuine question about the peaceful actions and peaceful intentions of the United States and of the citizens of the country. But, to help keep the record straight, I would like to contrast the actions of the United States at the end of World War II and in the time since then with the actions of the Soviet Union.

Since World War II, we have seen the Russian Government cause frequent and serious disruptions of international affairs. We remember clearly the actions that led up to the Berlin blockade. We remember the Russian military activities at the time of the Hungarian Revolution. We remember similar actions on the part of the Russian Government when there was an uprising in East Germany. We remember vividly the Russian involvement in Cuba which led to the Cuban crisis.

More recently, we know of the construction of the Berlin Wall and of the Russian military action in Czechoslovakia which crushed the freedom of the citizens of that country.

Now, Mr. President, we are subjected to a period of time when, for reasons which none of us can fully understand, the Russian Government seems to be smiling, but none of us can be certain how long this frame of mind will last for that Government, which has caused so much trouble in the world since World War II. We know that zebras do not change their stripes, but we are not certain yet whether or not a bear can permanently change its personality.

Mr. President, in addition to the other actions that I have mentioned that our country has taken since World War II to bring about peace in the world, I would call the attention of the Senate to the fact that during this period, according to the best records I can get, the United States has put forth a grand total of almost \$150 billion in foreign aid, to former foes and to our friends alike, and this has gone a long way toward building up the economies of many countries, some of which are now strong enough to challenge us seriously and successfully in the marketplace.

So the record is that for more than 25 years, the United States has sought ways to prevent the outbreak of general nuclear war. All of the strategic programs funded by the Congress have had that end in mind. We have committed ourselves to a posture of deterrence, a posture which says to any potential adversary that the initiation of nuclear

hostilities against the United States will be tantamount to self-destruction.

Such a posture will work, such a posture will be believed, only when an adversary is convinced that he cannot execute a disarming first strike against us. He will not, therefore, look solely at the size of our inventory of strategic weapons—the number of missiles, the number of aircraft, or the number of warheads. He will concentrate instead on the number of strategic weapons that will be able to survive his first attack. Thus it is the survivability of our strategic arsenal, even more than its size or its destructive power, which is vital to the maintenance of deterrence.

The testimony of our diplomatic and military experts before Senate committees makes it plain that the interim agreement, in and of itself, does not provide certain assurance of the survivability of America's deterrent. The record of the hearings—a record I commend to the attention of all Senators—makes it clear that there is enough leeway permitted to the Soviets in the way of military modernization to cause me to conclude that the survivability of a sufficient U.S. deterrent force is not a certainty in or after 1977.

The capacity to retaliate after a first strike is affected crucially by the type of weapon available. Current American ICBM and Polaris capabilities would be most effective against cities, the so-called soft targets. In contrast, the Soviet nuclear force, with its SS-9 ICBM armed with a 25 megaton warhead, seems to be designed primarily for destroying ICBM silos and other strategic capabilities without employing the smaller warhead missiles deployed on the submarine force. The United States could retaliate with its Polaris squadrons primarily against Soviet cities. But this would still leave the Soviet Union with a capability for destroying American cities. In these circumstances, as President Nixon has asked:

Should a President, in the event of a nuclear attack, be left with the single option of ordering the mass destruction of enemy civilians, in the face of the certainty that it would be followed by the mass slaughter of Americans?

If the U.S.S.R. possesses a counterforce first-strike arsenal, possession of even an assured second-strike capacity by both sides is not the equivalent of parity. The threat of such a Soviet counterforce capability is precisely the reason for the alarm over the Soviet strategic programs.

The U.S.S.R. has constructed a large ICBM, the SS-9, for which the United States has no counterpart. Deployed in sufficient numbers and armed with the multiple independently targetable warheads—MIRV's—of sufficient accuracy, this missile could threaten our land-based ICBM forces. Our MIRV systems, by contrast, do not have the combination of numbers, accuracy, and warhead yield to pose a threat to the Soviet land-based ICBM force.

The political consequence of this sort of "parity"—which is really U.S. inferiority—is the elimination of the U.S. nuclear force as protection for our allies

and friends against a Soviet military incursion, or at least a major decline in its credibility.

It is this fact which makes necessary and appropriate the declaration of policy that a failure to achieve an agreement which limits the threat to the survivability of our deterrent within 5 years could jeopardize the supreme interests of the United States. With this language, the Senate will be expressing its view that action on the part of the Soviets which could call into question the survivability of our deterrent is incompatible with international stability and American interests. As such, our amendment is a reaffirmation of the principle which has governed our strategic planning for a quarter of a century. It makes it clear to friend and adversary alike that the United States is determined to maintain a credible strategic posture. And it tells the American people that they can have confidence in the determination of their Congress to protect their security.

The adoption of this amendment in no way alters the content of the interim agreement which we are asked to approve. Adopting this amendment will indicate, however, that we are prepared to face up to whatever problems we may encounter over the next 5 years. I certainly hope that these problems will not arise, but it is only prudent to recognize the possibility.

Can we forget that the Soviet Union adheres to a doctrine of historical evolution which can be described only as expansionist, the eventual triumph of the Soviet brand of communism as the future world order?

As Leonid Brezhnev put it at the 1971 24th Congress of the Communist Party of the Soviet Union:

In recognition of its international duty, the USSR will continue to pursue a line in international affairs toward promoting the further activation of the world anti-imperialist struggle and the strengthening of the combat unity of all its participants. The total triumph of socialism the world over is inevitable, and for this triumph, for the happiness of the working people, we will fight, unsparing of our strength.

The other important principle I would emphasize today, Mr. President, is the need for Soviet-American balance in any comprehensive agreement on strategic offensive arms. I must say, in all candor, that I am surprised that this aspect of our amendment has engendered controversy. I would have thought that no Member of the Senate would recommend that the President of the United States sign a permanent treaty in which the United States did not receive equal consideration with the other party. I would have thought, therefore, that no Senator would oppose a declaration of the Senate's views on this matter.

What we will be saying in approving this amendment, Mr. President, is that in any treaty on strategic offensive arms, the United States should not be limited to levels of intercontinental strategic forces below, or inferior to, the levels established for the Soviet Union. Now, in proposing this amendment, we do not mean to suggest that numbers alone can be or should be the sole determinant of

strategic equality. Obviously, important characteristics of strategic weapons, such as throw weight, must be a part of the calculation. But it is important to point out that the administration's argument in behalf of the interim agreement rests on the premise that our advantage in technology balances out the large Soviet advantage in numbers. I therefore ask the Senate to consider how strategic equality is to be calculated once the technological gap between ourselves and the Soviets—especially in crucial areas of military technology—begins to narrow as it necessarily must over the next 5 years. Will we then be able to say that the relationship which held true in 1972 will still hold true in 1977? I think not.

In March, 1971, President Nixon said:

There are two great powers facing us, Russia and China . . . Certainly neither of them wants war. But both are motivated by a philosophy which announces itself as expansionist in character. This they will admit themselves. And only the U.S. has sufficient strength to be able to help maintain a balance in Europe and other areas that might be affected.

The great increase in Soviet strategic and conventional military power relative to the United States is no longer a matter of controversy. Within one 2-week period, the President of the United States, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff all delineated the existing and projected force levels of the Soviet Union and the United States.

The most significant elements of the Soviet military buildup relate to strategic forces, naval forces, and research and development. With respect to the first of these, President Nixon declared:

We believe the number of Soviet strategic forces now exceeds the level needed for deterrence.

More explicitly, he asserted:

The design and growth of these [Soviet] forces leads inescapably to profound questions concerning the threats we will face in the future, and the adequacy of our current strategic forces to meet the requirements of our society.

As to naval forces, Adm. Thomas H. Moorer summed up as follows:

The Soviet deep water fleet, over the past decade, has been steadily expanding in size and capability. They are expected to have some 217 operational combat surface ships by the middle of this year, and this number will probably increase through the 1970's. In contrast to our fleet, which still has a sizable number of combat ships more than 20 years old, the Soviet fleet is much newer, with very few ships more than 20 years old.

With respect to research and engineering, Dr. John Foster, Director of Defense Research and Engineering, testified in recent hearings before the Armed Services Committees of the House and Senate that, since 1968, the Soviet Union has allocated most of its funding in research, development, testing, and engineering to the military. Since 1968, there has been an annual growth rate of about 15 percent in Soviet military expenditures. As a result, the Soviet devoted the equivalent of about \$11 billion to military research and development during fiscal

1972, 40 to 50 percent more than the United States. Secretary of Defense Laird has acknowledged that "reductions in technological areas already have seriously affected our ability to sustain essential technological leadership."

The possibility of successful recourse by the United States to superior technology as a shortcut for diplomatic or military error is fast disappearing. In fact, the declining U.S. effort in R. & D. increases the prospects for the kind of technological surprise that is exemplified in the Soviet launching of the first Sputnik in 1957. Failure to maintain its competitive position on the frontiers of science research and technological development reduces the ability of the United States to respond effectively to Soviet advances. A disorganized and declining R. & D. program cannot be revived immediately, even by the most prodigious efforts, because of the lead time between scientific discovery, technological application and industrial production. At best, United States-Soviet R. & D. competition "is a horse race, with the United States now ahead by a neck, but falling back." So it is obvious that we cannot place our total dependence upon the temporary and diminishing technological advantages that this country presently enjoys.

The U.S.S.R.'s motives in arms control are numerous. And its reasons for favoring an agreement may include a desire to slow the U.S. deployment of advanced weapons systems while the Soviet Union registers technological advances.

For the U.S.S.R. an agreed arms control formula which halts further quantitative deployment in offensive systems is more desirable than one which prevents qualitative improvement of existing weapons.

The motives, definition, and type of limitation converge in the issue of verification. For example, a limitation on MIRVs cannot be supervised by means of short ground inspection, but new missile silos under construction can be observed by satellite.

The ability of the United States to enter a strategic arms agreement compatible with national security depends largely upon an estimate of U.S. ability to restore a balanced relationship between United States and Soviet strategic capabilities through qualitative improvements. Simultaneously, the United States and its allies must be able to match Soviet conventional forces in the post-SALT era.

The nuclear protection provided by U.S. strategic forces to our friends and allies is being reduced by the vast increase in Soviet military capabilities. In addition, the Soviet Union appears to be developing naval and air forces capable of projecting its political influence on a global scale.

Through its superior conventional strength and growing nuclear forces, the Soviet Union is enjoying the status quo in Eastern Europe, while maneuvering to keep Western Europe divided and to strengthen forces friendly to the Soviet Union. Soviet influence and presence are expanding in the Mediterranean, in the Middle East, and in the Indian Ocean. Through skillful manipulation of local

conflict and direct military intervention along the Suez Canal, the Soviet Union is bidding for control of the old British imperial route to the Indian Ocean and Far East.

The political trends in the Southern Hemisphere—anti-American and revolutionary—favor Soviet activities which have the effect, at the least, of restricting future U.S. flexibility in dealing with the crises like Cuba—1962—and the Dominican Republic—1965.

The uncertainty associated with nuclear deterrence cannot check a calculated, incremental extension of Soviet foreign policy interests and commitments, buttressed by conventional military presence and an ever more-powerful strategic nuclear force. Even the most cautious and least pretentious of the tendencies in Soviet foreign policy presumes the growth of Soviet power and influence in areas from which the Soviet Union has been historically excluded—from the Middle East to Southeast Asia to Latin America. The Soviet Union stands ready, as never before, to complement and consolidate the political gains of the indirect approach by military might.

The reluctance of many Americans to cope with the world beyond U.S. borders could be read by Soviet policymakers as presenting opportunities to alter the global balance of power, to fragment our alliances, and to threaten U.S. security itself.

Growing American appearances of irresolution before Soviet advances are already making the United States a questionable partner for those who must risk our friendship as an alternative to accommodation with the Soviet Union. The United States can have no policy save retreat if it is unable or unwilling to maintain political commitments with a defense capability sufficient to deter the Soviet Union from political exploitation of the vast Soviet military establishment.

Yet, in recent years, we have sought to achieve security at bargain rates. The proof of this can be seen in the continuous decline in the portion of our ever-expanding GNP that is committed to national defense—in contrast to the steady increase in comparable Soviet expenditures. Although the wide margin of superiority we enjoyed over the Soviet Union a decade ago has, until recently, sustained the psychological appearance of U.S. advantage, we have failed to recognize that national security and international peace cannot be bought cheaply. The United States may have forgotten the maxim that there is room for only one at the top. Leonid Brezhnev's declaration to the 24th party congress—"the total triumph of socialism the world over is inevitable"—reminds us that the Soviet Union wants to be that one. This fact should not be lost upon present or future Presidents of the United States or upon the negotiators who represent this country at the conference table, and this is the reason for the Jackson amendment.

Mr. President, I hold in my hands a document entitled "National Security Strategy of Realistic Deterrence" put out by Secretary of Defense Laird in connection with his Department's report for fiscal year 1973. Throughout the docu-

ment there are repeated statements which lend credence to the position I have been expressing; namely, that our negotiators and our Government need the support of the Congress and the people of this country as they attempt to work out an agreement with the Soviet Union that provides a balance between the military capabilities of our two countries.

On page 16 of this report, Secretary Laird says:

We face a whole range of incredibly complex problems. The responsibility of meeting these problems is one the Congress shares with us.

So, Mr. President, to me, this plainly says that the Department of Defense recognizes the need for congressional understanding and support as they attempt to prepare themselves to cope with the incredibly complex problems he mentions.

On page 22, the Secretary says:

Successful implementation of the Strategy of Realistic Deterrence is, I believe, the most difficult and challenging national security effort this country has ever undertaken. This is so because we must move forward in an environment of virtual balance in the strategic nuclear field, and in a period of vigorous Soviet military expansion at sea, on the land, in the air and in space.

Later on he says:

Success will require deep understanding and strong support, both from Congress and the American people. For without understanding of our national objectives, and without support for the means we adopt to reach them, no strategy pursued by the representative leaders of a free and open society can possibly succeed for long when contested by a powerful, closed society. Free nations must measure the ultimate strength of their defense policies in proportion to the willing support their citizens give to those policies. A closed society is not dependent on such popular support.

So, Mr. President, it is obvious to me that the Secretary of Defense, who must face these questions daily, is virtually pleading for action by Congress to show that the American people and this body are behind the administration in their efforts to achieve the kind of balance that can lead to lasting peace.

Again, on page 24, the Secretary says:

Effective deterrence, of course, is not divisible. It is based on a balanced force structure of strategic and theater nuclear weapons and adequate U.S. and allied conventional defenses.

It is obvious from this report that the Secretary of Defense needs and solicits and, in fact, almost requires two things: one is the support which only the Congress can give and, second, are the tools to keep a reasonable balance between the strategic forces of the United States and the Soviet Union.

In February of 1972, President Nixon sent Congress a report entitled "United States Foreign Policy for the 1970's—The Emerging Structuring of Peace."

On page 171 of that report is an expression by the President of his feeling on the matter that the Senate now has under consideration and I should like to read for the Record what the President had to say:

National security is the paramount responsibility of any American President. There has always been an essential continuity between administrations in meeting this responsibility. Just as long-range decisions of previous Presidents have shaped present capabilities, the choices I make today will be crucial to our future security.

Security issues in the 1970's are more complex than ever before.

The fundamental requirements for our security are not as obvious today as they were in the earlier bipolar era when threats were less complex.

Many citizens and legislators are understandably concerned over the high cost of modern weapons systems, and over the size of the U.S. share of the heavy security burdens borne by us and our increasingly prosperous allies.

The Vietnam experience has left some Americans skeptical concerning defense issues.

Then this paragraph which seems to be particularly pertinent and applies to the debate now going on:

The current strategic balance with the Soviet Union creates new conditions which could provide additional incentives for negotiations on limiting armaments, but could also lead to localized conflicts below the level of strategic nuclear war.

The President goes on to say:

To meet our security requirements under the Nixon Doctrine and a national strategy of realistic deterrence, we must harmonize our essential strategic objectives, our general defense posture, and our foreign policy requirements with the resources available to meet our security and domestic needs. Our military program must not absorb resources beyond those essential to meet foreseeable dangers. Nevertheless, I recognize that there is a prudent minimum below which we cannot go without jeopardizing the nation's fundamental security interests. If this were allowed to happen, we would lose control over our destiny both at home and abroad.

In this Administration, we have been able, for the first time in twenty years, to spend more on domestic social programs than on defense. The total defense budget is today a smaller portion of the Federal Budget and a smaller portion of our Gross National Product than at any time since the Korean War. Measured in terms of constant dollars, our defense spending is already down to the pre-Vietnam War level. It will remain so next year, even though overall defense spending will be increased in order to maintain our security at an adequate level.

Then this is what President Nixon had to say on the subject we are discussing now:

American strength is essential if we are to move from an era of confrontation toward an era of negotiation. As the world's strongest power, this nation has important responsibilities to its friends as well as unique opportunities for improving global stability. American weakness would make no contribution to peace. On the contrary, it would undermine prospects for peace.

The Jackson amendment would have the effect of insisting that our negotiators not negotiate us into a position of weakness but rather we insist on a position of balance but in an equality so that we would be able to continue to make a contribution to peace through the strength of our military strategic forces.

President Nixon continues:

We have taken a number of steps to nurture an international climate in which progress in arms control is possible. In the past

year we have moved forward in bilateral discussions with the Soviet Union on strategic arms limitations and in multilateral efforts to provide a firm basis for control of both nuclear and conventional weapons. We have made important advances toward achieving strategic stability, but there also have been disturbing developments. While engaged in the strategic arms negotiations we have witnessed a continuing Soviet buildup in nearly every major category of military power.

What that says is, we may be dealing with an enemy, a potential enemy who puts on two faces. On the one hand he seems to be smiling and willing to work out an agreement that will help preserve the peace and then, on the other hand, he is developing his capacity for making war at a highly accelerated rate.

President Nixon says further:

An agreement to limit strategic weapons would be an unprecedented achievement. Our goal is to stabilize the strategic balance through mutual restraint and agreements which provide no unilateral advantage. We recognize that only a mutually designed balance of strategic armaments can establish a shared basis for security. On the other hand, if the Soviet Union attempts to extend its strategic buildup beyond equality, the United States will have no choice but to initiate compensating actions.

Mr. President, in my opinion based upon the statements by both the Secretary of Defense and President Nixon, our Government's leaders are inviting, and, in fact, almost beseeching Congress to give them the support that they need at the negotiating table to help make certain that this country does not find itself in a position of inferiority which would certainly do a great deal to unsettle conditions in the world and that would certainly contribute nothing to the peace of the world.

For that reason, Mr. President, the Jackson amendment deserves the support of the Senate. It will establish the Senate's position in finding a balance between our country and the U.S.S.R. in the future. It will help us in our efforts to secure a more peaceful world. We should approve the Interim Agreement on Offensive Weapons. However, at the same time we should express our real and legitimate concerns by voting for the Jackson amendment.

Mr. President, it seems appropriate to me to quote a statement made by President Nixon in 1971 when he said:

We are not bent on conquest or on threatening others. But we do have a nuclear umbrella that can protect others, above all the states to which we are allied or in which we have great national interest. This is the moral force behind our position. We could become a terrible threat to the world if we were to lose that restraint or if we were to sacrifice our own power and allow ourselves to become too weak to uphold the weak.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. HOLLINGS). The Senator from New York is recognized.

Mr. BUCKLEY. Mr. President, I will shortly be addressing myself to the Jackson amendment. However, at this time I would like to make some comments about the interim agreement.

The very title of the interim agreement placing limitations on certain cat-

egories of strategic arms reminds us that we are concerned with a part of an ongoing process. I mention this obvious fact because it would be unwise for us to consider the agreement as an end in itself. As an interim agreement, it should serve not to put end to thought about the state of our national defense in the field of nuclear arms, but to prod us into thinking through the difficult and complex problems with which we are presently faced and will continue to be faced during the next 5 critical years.

We in the Senate have the responsibility to advise as well as consent in matters affecting our country's external affairs. Any thoughtful debate on the matter now before us must necessarily take into consideration the larger perspective of our long-term security needs.

It is of fundamental importance that we understand that in the interim agreement, the United States has accepted a position of significant quantitative inferiority in every area of offensive strength which is subject to its control. Depending on how the parties choose to exercise their options under the agreement, the Soviet Union will be able to deploy, in round figures, between 1,400 and 1,600 intercontinental ballistic missiles to our 1,000, and over 1,000 submarine-launched ballistic missiles to our 700. She will be able to expand her fleet of modern Y-class nuclear-powered submarines to 62, while retaining 22 diesel-powered G-class submarines, for a total force of 84 missile-launching submarines in comparison with the fleet of 44 which we will be allowed to maintain.

Most significantly, because of the enormous size of Russia's heavy missiles, the ceilings placed on intercontinental and submarine-launched ballistic missiles will provide the Soviets with a more than four times advantage over the United States in the payload capacity or "throw-weight" of these weapons systems. This means that the Russians will be guaranteed the capability, during the term of the agreement, to deploy on these missiles more than four times as many warheads as the United States, should they achieve parity with us in warhead design. Furthermore, if the Soviets make improvements in the propulsion system and other characteristics of their missiles which are permitted under the agreement, the advantage could be as much as 9 or 10 to 1.

It is argued that the quantitative superiority in ICBM's and SLBM's which the interim agreement provides the Soviets is not cause for concern because first, the Soviets will not be able to exploit that superiority before the expiration of the agreement 5 years hence; and second, if we take into consideration all nuclear weapons at our disposal—airborne as well as missile launched—we currently enjoy a 2-to-1 advantage over the Russians in deliverable nuclear warheads which is more than adequate to protect us during the life of the agreement. This argument is based on U.S. superiority in manned heavy bombers, in multiple warhead technology, and in forward based systems. I believe, how-

ever, that it is important to emphasize the fragile and transitory character of this "advantage."

First, with regard to the U.S. superiority in manned bombers, this advantage quickly disappears when one includes the medium bomber forces available to both sides. While the United States has about 75 refuelable FB-111 medium bombers in the Strategic Air Command which can operate as part of our retaliatory force, the Soviets have approximately 550 TU-16 Badgers and 150 TU-22 Blinder refuelable medium bombers which are capable of reaching the United States.

Second, while a combination of skillful warhead miniaturization and relatively accurate guidance systems provides the United States with a formidable present advantage in multiple warhead technology, we have little reason to be complacent. It should be noted that the United States developed its multiple warhead hardware in approximately 3 years, from 1966 through 1969. Discussions of the engineering characteristics of our multiple warhead missiles have been widely disseminated in trade journals and congressional hearings. I believe it would be imprudent, at best, to presume that the Soviets are so technologically retarded that they would be incapable of developing and deploying significant numbers of multiple warheads within the 5-year term of the interim agreement.

It has been argued that our intelligence estimates give the Soviet Union only a limited capability to develop multiple warhead technology. I would point out that these intelligence analysts are the ones who have consistently underestimated Soviet nuclear force objectives. It is these same intelligence analysts who advised Secretary of Defense Robert S. McNamara in the mid-1960's that the Soviet Union had permanently accepted the status of strategic inferiority. It is these same intelligence analysts who concluded in 1964 that the Chinese Communists would detonate a primitive nuclear device made of plutonium rather than the uranium device actually detonated, a device which required a huge gaseous diffusion plant for the manufacture of nuclear material.

Third, with regard to forward based systems, it is true that the United States maintains a force of several hundred fighter bombers based on the European mainland. In addition, the 6th Fleet maintains several aircraft carriers in the Mediterranean with aircraft capable of reaching Soviet targets. The weakness in relying on forward based systems for deterrence purposes lies in our vulnerability to preemption.

The Soviet Union maintains a force of some 700 medium and intermediate range ballistic missiles targeted on Western Europe. Virtually all U.S. aircraft based on the European mainland could be wiped out in a Soviet first strike. This would leave the relatively few nuclear-capable heavy aircraft based on attack aircraft carriers in the Mediterranean for deterrence purposes. Aircraft from the Mediterranean would not have the range to attack sufficient numbers of targets within the Soviet Union to provide cred-

ible deterrence. Thus, for strategic deterrence purposes, the U.S. "advantage" in forward based systems is illusory.

With respect to these and other advantages which the United States may currently possess in noncontrolled strategic offensive weapons, it should be noted that there is nothing in the SALT accords to prevent the Soviet Union from overtaking us in every category while these accords prohibit us from overtaking the Soviet Union in those areas where they have been assured substantial margins of superiority.

There are additional hazards in the interim agreement which result from ambiguities in its text or from the inadequacy of its provisions for verification. For example:

First, The agreement places a ceiling on intercontinental ballistic missiles based on the number of light and heavy missile launchers in place or under construction as of July 1, 1972. Yet the United States has no definitive information as to the size, number, and approximate location of land-based Soviet strategic missile forces. At the present time, the United States is relying entirely on its own intelligence estimates. It should be noted that the general area in which Soviet ICBM's are deployed is in North-Central Asia, where the normal cloud cover is among the heaviest of any region in the Northern Hemisphere. It is entirely possible that at some time subsequent to July 1, 1972, scores of additional ICBM's could be discovered by our reconnaissance satellites. As the agreement only prohibits "starts" on new construction after that date, we would face the practical difficulty of not being able to establish whether or not newly discovered missile sites had been constructed in violation of the agreement.

Second, It is not at all clear that the so-called national technical means of verification available to the United States will suffice to provide conclusive evidence as to whether or not Soviet medium and intermediate range ballistic missiles—M/IRBM—will be upgraded to an intercontinental capability through the replacement of obsolescent SS-4 and SS-5 missiles with variable range SS-11 missiles. It has already been noted in the press and elsewhere that the Soviet Union has begun to place SS-11 missiles in her M/IRBM fields in the western part of the Soviet Union. If the United States does not obtain ironclad proof that an upgrading to an intercontinental capability is not taking place the Soviet Union could add an additional 700 ICBM's to its arsenal without detection.

Third, While it is agreed that missiles and launchers may be modernized and replaced so long as the respective ceilings on light and heavy missiles are not exceeded, nowhere is there an unambiguous definition of what is meant by a "heavy missile." The United States has issued a unilateral definition, but this is somewhat less than satisfactory. If, for example, the Soviet Union were to exchange its existing SS-9's for new missiles having twice their payload capacity—and this may well be possible even within our own definition of what constitutes a heavy missile—the resulting threat to our land-

based forces could be so formidable as to allow us no prudent alternative but to develop and deploy a mobile ICBM system on an urgent basis.

I am quite prepared to accept the proposition that given the rate at which the Soviet Union has been overtaking us in its deployment of ICBM's and nuclear-powered submarines, the risks which we are most assuredly assuming under the interim agreement are nonetheless far smaller than those we would be assuming if current trends were allowed to continue. I do feel, however, that it is most important that the Congress recognize that we are, in fact, assuming substantial risks so that we may take appropriate measures to minimize them during the term of the agreement and to place ourselves in an optimum position to negotiate a satisfactory SALT II agreement within the next 5 years; or should this fail, to move swiftly to restore and sustain a posture of parity in offensive nuclear weapons.

I believe that it is imperative that the debate in the Congress and the language of the resolution approving the agreement reflect the following position; namely, that the United States cannot prudently enter into the interim agreement except with the understanding that it must immediately intensify its investment in military research, development and procurement so as to first, preserve those areas of strategic superiority which it currently enjoys, and second, achieve the maximum qualitative improvement possible during the term of the interim agreement in those weapons systems in which it will be frozen into a position of quantitative inferiority. The debate must also show that we intend to be thoroughly alert during the period of the interim agreement, and that we will not hesitate to exercise our right of termination if we should find the survivability of our deterrent forces threatened by significant qualitative improvements in the Soviet Union's offensive capabilities.

I believe that if the Congress will so condition its approval of the interim agreement, and if the Congress will give further evidence that it understands the agreement's inherent risks by launching a serious and sustained program to upgrade our strategic and military capabilities within the limits imposed by the two agreements, then we will not only minimize those risks as they affect our physical security, but will at the same time avoid a critical dilution of our influence in world affairs.

If we do anything less, if it appears that we are willing to retreat to a position of permanent strategic inferiority, then we will see subtle but corrosive forces at work in the world arena which will have the most serious implications for the United States and for the cause of a lasting peace.

We can expect, for example, to see the Soviet leadership intensify its diplomatic pressures around the globe; and in any future confrontations with the West, to assume more confident and intransigent attitudes. By the same token, to the extent that the relative strategic position of the United States declines, so will the

options which are available to an American President in any such future political crisis with the inevitable erosion of his ability to support vital foreign policy objectives. Furthermore, it is not only our own diplomatic options which will be affected by an understanding that the Soviet Union has achieved a position of strategic supremacy. In testifying before the Foreign Relations Committee, Dr. Donald G. Brennan, of the Hudson Institute, pointed to the following adverse political consequences:

The new imbalance of power will become established in the minds of our allies, which will ultimately lead them to be more responsive, perhaps unduly responsive, to Soviet diplomatic pressures and initiatives.

What Dr. Brennan is speaking of is a position where Soviet strength vis-à-vis American strength becomes so large that no European nation could prudently anticipate that we would, in fact, launch a nuclear attack to protect Western European interests because of the certainty that our own cities would be devastated.

Nor can we expect the Japanese to accept with equanimity so dramatic a change in the relative strength of the super powers. Japan will be left little choice but either to seek an accommodation with the Communist powers or, in the alternative, to develop an independent military and strategic capability which will guarantee it a degree of independence in matters affecting its own security.

I can assure Members of the Senate that no one in the western Pacific today would look forward to the time when Japan once again achieved the capacity for imperialistic or expansive aggressive military action.

What I am suggesting, in short, is that unless we couple our approval of the interim agreement with a clear indication that we will settle for nothing less than nuclear parity, unless we launch credible programs for the modernization of our strategic capabilities within the limits set by this agreement, the SALT accords will prove not only dangerous to the security of the United States but to the political stability of the globe.

Mr. President, we find ourselves in a unique historical position. We do not yet know the nature of the interim period to which the title of the agreement refers. Perhaps history will record that it was an interim between an age of nuclear fear and an age of international peace based on prudence and reason. Perhaps, on the other hand, it will be seen as an interim between a time when the United States was the leading nuclear power and a time when it lost that position of power to the Soviet Union.

We cannot know now what history will say about the next 5 critical years. What we can do is to make certain that whatever the ultimate verdict of history, no one will ever be able to look back upon the debate in this chamber and say that we did not work hard enough or long enough, or think problems through carefully enough, or undertake to sacrifice enough to make certain that we will have done all that human beings can do to insure the security and freedom of our people.

Mr. GURNEY. Mr. President, I wish to express my wholehearted support for the proposed amendment of the distinguished Senator from Washington (Mr. JACKSON) to the interim agreement which we have before us now.

The issue before the Senate today, of course, is the approval of the interim agreement limiting certain strategic offensive weapons, which was signed by the President and Chairman Brezhnev of the Soviet Union in Moscow on May 26, 1972. Specifically, should the Senate of the United States simply approve these agreements without any comment, or should we express the views of the Senate on certain specific issues which have before now been widely debated in this body and in the public?

I believe we have an obligation to express our views as precisely as possible, and this is why I support the proposed amendment to the resolution submitted by my colleague from the State of Washington for himself and the Senator from Pennsylvania (Mr. SCOTT) and a broad bipartisan group of cosponsors.

The President advised us, when he sent the SALT agreements up here, to examine them very carefully and debate them very fully, and this is what we have done. This is what we are doing. In the course of that debate some Senators have expressed concern about the strategic situation which could emerge as a result of these agreements. I share those concerns.

Let me make it clear that I do not consider our security to be imperiled at the present time by the agreements, or our strategic posture to declare attacks or thrusts against us and our allies, as nearly as I can determine by the testimony and remarks of those more closely connected with the military situation of our country than I.

My concern is with the future, and on that point, looking down the road to the future, it seems to me that the interim agreement that we have before us, which, of course, runs for 5 years, while it places certain limits on strategic offensive forces, leaves much unlimited. In particular, it places no limitations on qualitative improvements in strategic offensive forces.

We are told by the experts there are things which the Soviet Union could do within the next 5 years which would seriously threaten our strategic capability. It is only prudent to accept that estimate. The Soviets have the capability and can surely within the 5-year period develop a MIRV warhead and to begin deployment of it.

Some of the experts in this field say they will achieve this capability long before the 5-year period has ended. Such a capability would pose a threat to our Minuteman force and thereby threaten the stability of our deterrence. Thus, by the end of that 5-year period they could be in a position to move ahead with a very serious threat to our deterrent. We simply could not stand by should such a threat begin to emerge. It would take us time to develop and deploy measures necessary to counter such a threat.

Thus, in the interest of our security and in the interest of stability, we ought

to make very clear to the Soviet Union that we will not stand by and watch a threat develop without taking compensating action.

I think that by approving the proposed Jackson-Scott amendment to the resolution, we can help convey that message, and that the Soviets will understand that message, which, of course, is precisely what the amendment is designed to do.

We also, by approving this amendment, will convey the message that the United States is not prepared to permit the Soviet Union a strategic advantage in any future negotiations.

It is important not only to make this clear to the Soviet Union but also to our allies. They, after all, depend heavily on the U.S. strategic deterrent for their security. They are extremely conscious of any disparities that may exist between the United States and the Soviet Union and the respective power of these two great nations.

They follow carefully the discussion of these matters in the United States and are alert to any signal of a change in U.S. policy or any change in the strategic balance between the two nations, the Soviet Union and ourselves.

While they have supported the SALT accords to date, they also fully expect us to maintain parity with the Soviet Union, and to continue to extend our deterrent to them.

I want the Senate to approve this amendment, making clear where the United States stands, making clear that any future agreement must provide for equality.

It seems to me it is clear from the record of the past SALT negotiations that the Soviet leaders respect strength and are quite prepared to take advantage of weakness. We have an excellent example in the SALT negotiations just completed earlier this year resulting in a treaty to limit antiballistic missiles. Throughout the 2½ years of these negotiations, the United States pursued an ABM program. Many of my colleagues in this body voted against the moneys for ABM, and at least some—rather, I think many—in the belief that it would improve the prospects of negotiating ABM limits. As a matter of fact, a great deal of the debate—the historic debate, I might say—that centered around an ABM shortly after the Nixon administration took office was around the argument that we should not go ahead with the ABM, and we should not develop it, we should not deploy it, because this would somehow annoy the Soviet Union, destroy the SALT talks, and shoot down any prospects for arms limitation or peace in our time.

Fortunately, in my view, these arguments did not prevail, and as our ABM program continued, so did the SALT negotiations continue, and we now have an ABM treaty.

As a matter of fact again, one of the principal arguments in the debate on the ABM by the proponents of an ABM was that developing an ABM and deploying it would be the one greatest motivating influence on the Soviets to go

ahead with a treaty limiting antiballistic missiles. As I say, the Soviets respect strength. They do not respect weakness. Many, including a number of our negotiators, and certainly including this Senator, are convinced that a major incentive for the Soviets to conclude the Moscow accords was to limit expansion of our ABM program.

They went ahead with a treaty because they respect our scientific knowledge and expertise. They knew we were ahead of them in a sophisticated ABM program. They felt that with the development and deployment of an ABM program it would perhaps alter the nuclear balance and would perhaps pose a threat to their ability to knock out our intercontinental ballistic missiles and, of course, destroy our cities and a large part of our population, and in order to stop our going ahead with our very fine ABM program, it occurs to me—and I think many others agree with this viewpoint—the Russians decided to go ahead and sign and conclude the ABM treaty.

There remain certain programs that we need to pursue if we are to maintain credible strategic deterrence. Within the terms of the interim agreement, this requires qualitative excellence in strategic forces rather than mere quantity. While the proposed amendment commits us to no specific programs, it does make clear our determination to retain qualitative excellence. I think this is most important at a time when doubts have been raised about how much money we should be spending for defense. The level of defense spending is likely to be a major issue in our political campaign this fall, and I think it will be a legitimate issue. When I say likely to be an issue, I am making a gross understatement, because it is already a big issue in the campaign with the candidates for the Republican Party and the Democratic Party, respectively, taking diametrically opposed positions on how much we should spend for defense.

Many Members of this body sincerely believe that the defense budget can and should be reduced, and that this can be done without sacrifice to our security. This issue will be debated at another time when the defense appropriations are before us.

Meanwhile, however, I believe that it is extremely desirable to make clear that, whatever our views of defense spending are on specific programs, this body is prepared to support whatever measures may be necessary to maintain a modern strategic deterrent that is inferior to none.

It is this Senator's own personal view on defense spending, that instead of cutting it, I think we should be expanding, because while the defense budget is the largest single budget in the Federal spending, it is also a fact that all during recent years the percentage of defense spending, in comparison with the gross national product and with the expanding wealth and productivity of this country, has decreased; it has not increased, it has not even remained level, but it has gone down and down every year. Not only that, but the manpower of our armed services has gone down.

The employment of civilians in the Defense Department has gone down.

As far as developing any new weapons systems, we have had to struggle within the Senate and in the House of Representatives every year just in order to save the few programs we have going on now.

Mr. BUCKLEY. Mr. President, will the Senator yield for a question?

Mr. GURNEY. I am glad to yield to the distinguished Senator from New York.

Mr. BUCKLEY. Is it not true that during this period the Senator describes, in which our military spending has been declining as a percentage of our gross national product or of our Federal budget, we have also so increased salaries that, whereas we used to be spending about half of our budget for pay, we are now approaching 60 or 65 percent?

Mr. GURNEY. That is true, and the Senator makes an excellent point there. That means that, because a much larger percentage of defense spending is going for salaries, it jeopardizes the new programs we need for new weapons to keep abreast of the Soviet Union.

Mr. BUCKLEY. Is it not also true that if we take into consideration inflation, we are spending far less now than we were 10 years ago on our strategic and other weapons research?

Mr. GURNEY. The speaker is eminently correct on that point.

Mr. BUCKLEY. Is it not also true that, first of all, the Soviets are making twice the relative effort that we are at the present time, and that, with much lower manpower costs, therefore, their overall efforts in every area of military research, development, and deployment are far ahead of those of the United States?

Mr. GURNEY. I am sure the Senator's statement is correct. I do not know the percentages myself, but knowing what the Soviet Union generally does in the area of defense spending, in research and in technology, I am certain that the Senator is correct in his assumption.

Mr. BUCKLEY. I am glad to hear the Senator say that. I have a feeling, Mr. President, that so much has been said over the past years about reordering priorities that the American public at large, and perhaps even some of our colleagues who have not studied the figures, are under the impression that we have been in an arms race—by "we" I mean the United States. But I think that any careful, fair examination of the actual figures will show that we have a tortoise and a hare situation, except that the Russian hare shows no inclination to sit down and rest.

Mr. GURNEY. I think the Senator has made a very good analogy, and I think we have reached a point in the respective strengths of the two countries—in all of their weapons systems, in all of their defense establishments, in the number of soldiers they have as opposed to the number we have, in the numbers of planes they have as opposed to the numbers we have, in the numbers of submarines they have and are going to have as opposed to the numbers that we have, as well as, of course, in this whole area of intercontinental ballistic missiles, where they

have more than we do, and they, of course, are racing just as hard as they can to develop the technology that we have—that it almost has come down to, not an arms race at all, but from our point of view it is almost a race for survival.

If we do not go ahead with the development of our weapons systems, especially improving the qualitative aspect of our weapons systems, then many of us believe—as I do and I am sure the distinguished Senator from New York does—that we are not only going to be in an inferior position, but that if we expect to catch up, the race is going to be one for survival—not just an arms race to keep abreast of each other, but for us to catch up in order to survive.

Mr. BUCKLEY. I am glad to hear the Senator from Florida say that, Mr. President. It also opens up another area. He has spoken about our finding ourselves in a position where we will be ending up fighting for our own survival. This suggests that we may find ourselves in a position where the balance of forces aimed at the United States becomes so large that we will no longer have the surplus strength to be able to occupy that position of being the balance wheel on the West to offset the accumulation of power behind the Iron and Bamboo Curtains.

We do know that as a result of treaties for mutual security that the United States has entered into in Europe and elsewhere since shortly after the end of the Second World War, we have been able to maintain some kind of tenuous peace, some kind of stability, all based on the assumption that the United States had the absolute power of striking at the Soviet Union without the risk of unacceptable loss to the United States. But I suggest that if we do not take the posture which is incorporated in the Jackson amendment, we will telegraph to our allies that we will find ourselves, at the end of 5 years, with a chance of being in such a position of inferiority that they can no longer rely on the United States for their protection. Is this, in the mind of the Senator from Florida, a correct assessment?

Mr. GURNEY. Yes. I think, again, that the Senator from New York has made a very viable point, and that his statement is a correct one.

In this whole area—that is, this whole area of whether the Soviets believe that we are going to undertake our responsibility to defend ourselves and also make secure our allies around the world—we could talk about other things, too: For example, whether our word is credible. That certainly is a part of the argument in connection with these agreements before us. If we let the Soviet Union go ahead of us in nuclear power, then, of course, we lose our credibility with other countries so far as our defense posture is concerned.

But this is also involved in other areas. Take the area of naval strength: Since the beginning of the recorded history of mankind, certainly a large part of the power of any nation has existed in its naval strength. That certainly is true in modern times, when Great Britain was

considered the world's dominant power, or when France was considered the world's dominant power, or when Spain, during the days of the Spanish Armada, was considered the dominant power of the world. Then going back to ancient times, the Romans, and before them the Carthaginians, which nation had a very considerable navy; the Phoenicians before them—and on back through history we have never seen a time when a powerful nation did not have a strong navy.

Well, what is happening in this area? Of course, after World War II the American Navy was by far the strongest navy in the world. Great Britain, for financial reasons, gave up her colonies; and, instead of being a world power, retreated to the status of a small island nation, and at the same time gave up her large navy. Now it has only a small force. That is true of the naval nations, such as France.

On the other hand, the Soviet Union, which had no navy at all to speak of, certainly in modern times, not even in World War II, now lays great emphasis upon its navy. We know the submarine strength of the Soviet Union, because that has been discussed here day after day. It is now much greater than our own in numbers. So far as modern nuclear submarines are concerned, she of course will go past us in the near future; and the ability to go past us has been assured by this agreement, which was made in Moscow fairly recently and which we are debating today.

But submarines are only a part of it. The Russian Navy is expanding in all kinds of vessels. Whereas they had no presence in the Mediterranean, now their fleets are as powerful as the U.S. 6th Fleet in the Mediterranean. Whereas they did not have a single ship in the Indian Ocean, they now have many ships there.

The Russian Navy is a very modern navy. I am told that the average age of a Russian naval ship is less than 10 years; whereas, the average age of a U.S. naval ship is now somewhere around 20 years, which is considered an old ship in the Navy and ought to be retired. As a matter of fact, we are retiring them, as I am sure the Senator is well aware.

What I am saying is that we are no longer the naval power we were. Our naval forces are dwindling each year, and the Russian forces are getting stronger each year. They are challenging us all over the world with their naval presence. And in the U.S. Senate, every time we have a military bill, those of us who want a strong Defense Department have to fight with all our power to make sure we have a modern navy.

So the whole business of credibility—that is, whether the Russians are going to believe that we intend to maintain an adequate defense and whether our allies are going to believe that we are going to maintain an adequate defense—goes far beyond the subject matter we are discussing today—that is, the agreements and the nuclear capability of both nations. It goes throughout the Defense Establishment of both the United States and the Soviet Union, and that is why I took the time to say a little about the naval strengths of the respective nations.

Mr. BUCKLEY. I am glad the Senator from Florida has done so, because he has pointed out a critically important point, which is this: Assuming that we can emerge from the interim agreement period covered by a satisfactory SALT II agreement assuring parity—meaningful parity—then we really have established the conditions for a nuclear standoff.

At that point, that element which had been the predominant source of strength, the predominant source for the security of the free world, will, in effect, be placed on the shelf; and once again we will be in the condition in which conventional arms become important. Therefore, we should not be deflected by our preoccupation these days with strategic arms from the absolute necessity to make certain that we have the traditional military capabilities of holding our own in any conflict with the Soviet Union.

I am particularly glad that the Senator mentioned the situation with respect to our fleet. Americans are in the habit of assuming that we rule the seas. We still do, as of this moment, but at the rate at which the Soviets have been launching new and modern, well-designed, imaginative vessels, at the rate at which we have to retire our own units, we will see that superiority challenged.

I know that many Americans say, "Why do we need military force? All we need is to make sure that no one can land on the shores of New York or Florida or California." But, at the same time, Americans do understand that in the world as it is constituted today, America has to operate in the world arena; and this is where military forces have been used, not in the traditional sense of defense, not in the traditional sense of offense, of aggression, but in showing that we have the sheer power to back this Nation's foreign policy decisions that we need to back in order to preserve stability in the world.

One area of the world is of particular interest to large numbers of my constituents—as a matter of fact, to all Americans. Over the years, spokesmen for both the Democratic Party and the Republican Party have combined in their understanding of the strategic importance of stability in the Middle East to America's economic, strategic, and military interests.

I believe that the present Democratic platform has a plank with respect to the need to maintain the security of the State of Israel.

But how in the world do you maintain the security of the State of Israel if you do not at the same time maintain a quality of aircraft, a quality of ships, a number of ships which can enable the United States to effectively prevent the Soviets from becoming tempted to enter actively in another breakout in this highly contagious area? We know that through the skillful deployment of our 6th Fleet in recent crises involving the Middle East, we have in fact, prevented a large conflagration from taking place. We have, in fact, deterred the Soviets from any temptation to become involved in an active way. We have, in fact, provided Jordan with the strength required to hold back the Syrian tanks and to beat them back.

This is where military power becomes essential to the job of preserving the peace. This is something that I fear is not sufficiently understood by the American public at large and by some of our colleagues.

Mr. GURNEY. The point of the Senator from New York is extremely well made. I am glad he brought up the whole question of the Middle East; because if there is an area in the world today that has been on the brink of war for years and on the brink of a conflict which, if it had been touched off, if it had started, might well have developed into a world war, it is the Middle East, because immense forces were arrayed on both sides there. Surely, the ability of the United States, with its Defense Department and with its strong military capability, was the factor that prevented it.

The furnishing of our first line fighter planes to the gallant little State of Israel certainly prevented the Egyptians, aided by their promoters and suppliers, the Soviet Union, from launching another attack against Israel.

There is no question that our furnishing arms to Israel was the most important factor in preserving the peace in the Middle East. I must say that in preserving the peace in the Middle East by the furnishing of the military supplies, in point of time, the Egyptians finally became disgusted with the Soviet promoters because the Russians were not supplying them with all the things they asked for, and the Egyptians finally kicked the Russians out.

So surely we accomplish a very wonderful step in the furtherance of peace in the Middle East. As the Senator pointed out, the Jordanian incident was again another example of where quick action and a massive presence on the part of the United States' 6th Fleet in the Mediterranean stopped in its tracks the tank assault by Syria on Jordan and Iraqi forces moving into Jordan, too. That again most certainly stopped a war in the Middle East and might have even stopped another and more dangerous conflict. So the Senator's point is well made. The only reason why this was able to be done was that we have a strong Department of Defense. Indeed, we are preserving peace around the world in very admirable and notable fashion.

Mr. President, the Senator from New York has brought up, really, the major factor. While he and I both support the Jackson amendment to the interim agreement, it is wrapped up in the word "parity" which the Senator from New York talked about. That, I think, is what the amendment seeks to talk about, that the important thing in any kind of agreement with the Soviet Union, this agreement we have before us, but perhaps even more important, looking down the road to whatever agreements we may enter into the future, hopefully, in the continuing SALT talks, the best thing we can do to insure peace in the world is to make sure that we have parity so far as our defense strength is concerned and so far as our military strength is concerned with the Soviet Union.

For the life of me, I cannot understand how some of us here in the Senate

and in the Congress, in considering these very important treaties and agreements we have before us and the comments made about them in the press and the other media and by the people who tend to be expert in these matters, how this whole business of history can be overlooked so far as the respective strength of nations is concerned and parity among the nations.

It occurs to me that a study of history would indicate clearly that certainly, so far as the world's greatest conflict is concerned, World War II, the reason why it started was that there was no parity between the Axis powers—I guess we still call them that—Germany, Italy, and their allies—and France, Great Britain, and the other allies who joined their cause.

Following World War I, the world was eager to disarm. We did disarm. We destroyed a lot of our armaments. We had the naval treaty, of course, which all nations entered into and we put out of commission a great many war vessels.

England and France, it seems to me, got interested in other things, peaceful endeavors, and did not keep up their military establishments.

Germany, on the other hand, of course, began to build up her armaments. When Adolf Hitler came into power, the rebuilding of Germany's armaments was greatly accelerated.

Then of course, the Nazi regime under Adolf Hitler made a number of moves in order to regain their place in the sun which they held prior to World War I and which they thought they were entitled to hold again.

They marched into the Rhineland and into the Saar which were demilitarized areas, areas under international control, which had belonged to Germany prior to World War I and were taken away from her by the Treaty of Versailles. They did that, really, with police and no army. I think, at the time, if we reread history, Germany must have wondered whether they were going to get away with it. But, of course, they did. France and England and their leaders made noises that this was not a very nice thing to do, but they did not do anything to stop Germany from doing it at that time.

My recollection of history is that both France and England had military forces, weak as they were, which were much more powerful than the Germans had, that could have stopped Germany from going into the Rhineland and into the Saar.

Well, of course, that did not satisfy the German appetite and they continued to rebuild their armies, and they got themselves an air force. History will show they started in with gliders and small airplanes like Piper Cub types. They trained people to fly and moved on from there into military aircraft.

Then, of course, the next move was against the Sudetenland, which was part of Austria and then, of course, they gobbled up all of Austria. Then, finally, having gotten away with all of that, in the interim we had the Munich agreement where the British Prime Minister

came back with his umbrella on his arm and said that he had negotiated an agreement which would give "peace in our time." Of course, it did not give any peace at all. All it did was to whet the appetites of the Germans to become increasingly stronger and to get away with land and territory grabs one after the other, until Hitler and his cohorts—Goering and the others—were convinced they had the world by the tail and no one could stop them.

Then an interesting thing happened. They made a little side agreement with the Russians, the same people whom we made an agreement with a few weeks ago. The little side agreement was for Russia and Germany to carve up Poland and each to take one-half of that country. That is exactly what happened. Germany moved in from the east and Russia moved in from the west. And that was the end of Poland.

About that time the British and French Governments decided that the time had now come to do something about it. However, it was too late. They had no power. Germany was much stronger than the combined strength of Great Britain and France. And we had the greatest war in the history of the world. Billions and billions of treasure went down the drain, and millions and millions of men were killed.

The war raged on every ocean. There were military installations on every continent. There was fighting on most of the continents throughout the world.

I think that one of the reasons why all of this happened was because there was not parity. One side let the other side become too strong. I mentioned the allies. However, I should not drop this subject unless I talk about ourselves. We had also drawn into a cocoon on this side of the globe. We did not do anything about it. We said: "Russia is not our problem. That is the problem of France and England. If they are in an argument with Germany, let them argue with Germany. We are safe over here. We don't have to become involved."

Everyone knows that we finally became more involved or as much involved as any other nation of the world. And as a result, World War II occurred.

So, I say that I cannot understand why we do not go back and take a look at some of the historical examples, because much can be learned from history. And I think this is especially true with regard to military matters and war and peace.

Another example that comes to mind was back in the early days of Rome when Carthage was regarded as one of the great and powerful nations of the world. It was a country on the north shore of Africa. Rome and Carthage were two of the most powerful nations in the world, and they fought each other constantly down through the years. Then they finally agreed on peace. Carthage was the aggressor, at least in that occasion when they tried to invade Italy and Rome and went over the Alps, if the Senator recalls, on their elephants. Rome repulsed them. Peace was maintained.

Then what happened? This is a very interesting thing. Way back in ancient history, I think the same thing happened.

It happened during World War II. Rome became more powerful. However, as she became more powerful, she thought about Carthage, her old enemy. She felt that she would never dominate the world and would never be the world power. Am I talking about the ancient world?

Then Rome decided that she would get rid of and do away with Carthage for all time. I cannot remember who it was who made the suggestion. It comes to my mind that it was Julius Caesar, although I might be wrong. At any rate, some Roman statesman at that time said:

The way to stop all future threats from Carthage is to destroy Carthage.

That is what the Romans set out to do and what they planned to do.

In the meantime, Carthage had reduced its military forces, the size of its army, the size of its navy. Then Rome began pressing them for agreements of advantage. And Carthage, like England and France did in World War II, gave a little bit here and gave a little bit there until finally Rome, of course, was much more powerful than they were militarily.

The leaders of Carthage had done this. Then the people of Carthage began to suspect that perhaps all was not too well and that they had become too weak and had allowed Rome to become too strong. They insisted that Carthage do a turnabout and reestablish its military defenses and become strong again so that it could meet any threat that the Romans posed against them.

My recollection of history is that Carthage went to work on almost a 7-day-week basis, around the clock, and started to rebuild their army. They made swords and spears and all of the paraphernalia of war at that time and started to rebuild their navy. However, before they were able to rebuild their strength, the Romans came and absolutely destroyed Carthage and leveled every building in that great city, a city that was as great as Rome was in its day. They killed every inhabitant of Carthage. That great nation was utterly destroyed and wiped out. And of course it has never been resurrected since.

We learn much from history. We learn that when we let other nations of the world whose interests may run counter to ours become more powerful than us, that is when the danger arises. That is when we invite war. And that is when, sometimes, we make war.

Mr. BUCKLEY. Mr. President, I believe that the distinguished Senator from Florida is saying that many things have changed, but not human nature, and that for better or worse there are always some nations that are aggressors.

Certainly I know that for centuries the Russian boundaries expanded and they had been extending their spheres of influence and domination over Eastern Europe.

I think the lessons of history should teach us and should underscore the things that are so absolutely rooted in human experience. We ignore them at our peril. It is not only that weakness invites a strike, but also that it reflects a national will. And if that national will is underestimated, we also invite danger.

This has caused me great concern in the debates that have taken place in the Congress of the United States in the last 2 or 3 years. We seem to be telegraphing to the world an intention to move inward, to withdraw from world responsibilities, which could have the greatest effect and be one of the things that pushes the world into the horrors of a third World War.

The Senator was describing the deplorable record of this century. At one point the Secretary of State of the United States declared that henceforth we would have no interest in what happened in Korea. Within a matter of months we saw what developed, and we had no choice but to go back in.

So I think that the Senator has raised points that are of profound importance not only in terms of our over-all strategic situation, military situation, or economic situation, but also in terms of the subject matter of the debate now in hand.

If we allow ourselves to be put in the position of Carthage where we look at the interim agreement as an umbrella and a shelter for 5 years while we do nothing and let the Soviets exploit the technology which will give them that awesome advantage in intercontinental ballistic missiles and SLBM's, if we then wait until that last minute to see what they are then capable of doing to us, we will not have the time to catch up. The Carthaginians did not have to have 4, 5, or 6 year leadtime before they could strike their swords or build their ships, but we do. That is why it is necessary that we give assurance to the American public that we understand the implications of the agreement. Then and only then can we make sure that the atmosphere in which the SALT II negotiations are undertaken will be most conducive to achieving what we all want, namely a condition where we have parity, at the same time reducing, reducing, reducing the implementation of weapons of mass destruction. This must be our position.

I cannot understand why the policy statements given us by the President interpreting these agreements should give us such concern.

Mr. GURNEY. I think the Senator's point on Korea is extremely well taken. It is a classic example of what happens when there is not equal strength.

Mr. BUCKLEY. Or the intention to use equal strength.

Mr. GURNEY. That is true; or the intention to use equal strength.

There is another example of Communist intransigence in Korea because Korea for centuries wanted to be an independent nation. She was under the domination of Japan, even though she thought she was going to be an independent nation after World War II. This is what we strived to gain during the peace conference with the Soviet Union, but of course the Soviet Union was adamant, as the Senator well knows. No, they were not going to permit any unified Korea. Finally they insisted—I do not know if I should say we threw in the towel or not, but we agreed and we have a Korea divided, a Communist north and a free south.

After that we were anxious to get rid of our burdens, as the Senator pointed out, and we withdrew almost all of our Armed Forces from Korea and, as the Senator, pointed out, our Government made the statement that we were not really interested in Korea; it is on the other side of the world, and the U.S. foreign policy was not concerned with that.

Hardly had that statement been out of the mouth of the spokesman on our side before the North Koreans struck and war started, and we got into a big conflict in Korea.

Of course, had we simply made our intentions known to the Soviets, the Chinese, and the North Koreans that we intended to support South Korea, that we intended for her to remain a free nation, the Korean war, in my view, and I think the Senator will agree with me because he brought up the example, would never have happened; and all the blood, sweat, and treasure that went down the drain as far as the United States was concerned, as well as a lot of other nations, would never have happened.

But because we refused to maintain parity, and because we refused to maintain equal strength on the side of the North Koreans and South Koreans, and because we refused to indicate we would not continue our commitment to this free nation, we had war.

I think another example that comes much closer to home about weakness and misunderstanding of the intent on the part of other nations was the entire Cuban missile crisis. When the Russians decided to move into Cuba back in 1962 with intermediate range nuclear missiles—she did not have the submarines then she now has—she thought there was a great launching pad for her to look down our throats, as far as nuclear capability was concerned. Why did that happen? Of course, I do not know what was in Mr. Khrushchev's mind or the minds of his advisers, but one of the reasons of war, and I feel sure that many people who have commented on the Cuban missile crisis have made this argument, that the reason Mr. Khrushchev did that, or one of the motivating reasons he made that whole gamble was because he thought the new, young President of the United States really would not face him down and really would not say no. I do not know why he thought that was true, but that was the way I assessed the situation. He really did not think that once those missiles were introduced—some were beginning to be introduced—that we would have the guts and courage to demand that they be removed. Thank goodness we did have that courage; the Russians were told to move their missiles and they did. There is some question because nobody ever inspected the cargo ships to find out if they were or were not, but the point of the story is that even though we had tremendous strength as far as weapons, as far as bombers, as far as the Navy, and as far as the Defense Department are concerned, the Russians had the idea that we were getting soft, that we really

would not face up to them and live up to our commitments. We took the gamble. I think that is another example of misunderstood intentions.

That is what we are arguing about here so far as the amendment to the interim agreement is concerned. The agreement was signed in Moscow.

Mr. BUCKLEY. Mr. President, if the Senator will yield, the Senator does not mean the amendment to the agreement itself, but merely the language of the resolution.

Mr. GURNEY. I do mean that.

Mr. BUCKLEY. Because I would suggest that the amending language in no way changes the agreement, the intention between the parties.

Mr. GURNEY. I am glad the Senator mentioned that. That is what I meant.

Again, as I see it, in the Jackson-Scott amendment, we are saying, "Yes, we in good faith signed the agreement with Moscow which permitted you to have more missiles than we have and more submarines. We do this because we feel at the moment the quality of our capability is greater than yours, so we do not feel any danger that we permitted you more missiles."

But on the other hand we are saying, "If you are not honest and sincere about this agreement in keeping parity, if you are going to negotiate sincerely and honestly in further SALT agreements so we can, indeed, do away with some of the nuclear weapons that we both have, and indeed so that we can come to grips with honest-to-goodness disarmament, and on the SALT talks we will have in the future so that we will have parity a hundred years from now, then we think we should spell out in this Jackson-Scott amendment that if you are going down the road to try to get the edge on us, and not live up to the spirit of these historic agreements signed by President Nixon and Mr. Brezhnev in Moscow, then we say we are going to have to take steps in order to make sure that we maintain our parity with you."

In other words, we are trying to make clear to the Russians what apparently was not clear to them. Mr. Khrushchev tried to introduce missiles into Cuba because he thought we were too soft and would not do anything about it. We are trying to avoid that and get this message across to the Russians now in this interim agreement that we will not put up with any actions on their part to take advantage of us.

Is not that what we are trying to say?

Mr. BUCKLEY. I think so, absolutely, and I think it merely underscores what I understand to be the official U.S. policy with respect to the SALT II agreements.

I would like to call the Senator's attention to certain excerpts from the letter of transmittal by Secretary Rogers to the President, dated June 10, 1972, the letter transmitting the text of the ABM treaty and the interim agreement. In it the Secretary says:

In this connection, the United States has stressed the unique relationship between limitations on offensive and defensive strategic arms. This interrelationship lends extraordi-

nary importance to the undertaking in Article XI "to continue active negotiations for limitations on strategic offensive arms."

The special importance we attach to this relationship was reflected in the following formal statement relating to Article XI, which was made by the Head of the United States Delegation on May 9, 1972:

I will skip a few sentences:

Both sides recognize that the initial agreements would be steps toward the achievement of more complete limitations on strategic arms.

And this is Ambassador Smith in his official statement to his Russian negotiators:

If an agreement providing for more complete strategic offensive arms limitations were not achieved within five years, U.S. supreme interests could be jeopardized. Should that occur, it would constitute a basis for withdrawal from the ABM Treaty.

Then he goes on to say:

The U.S. Executive will inform the Congress, in connection with Congressional consideration of the ABM Treaty and the Interim Agreement, of this statement of the U.S. position.

In other words, it is the official U.S. policy that we have an interim agreement—that is what it is, a standby agreement—which is a transition from the position we find ourselves in toward that hoped for, ultimate situation where we have an agreement which will provide a sensible limitation on the offensive weapons on both sides, namely parity. It also makes clear that if we do not achieve that objective within this 5-year period, then all bets are off; we would no longer have an interim agreement because it would have expired, and conditions existing then would constitute such a threat to our deterrent capability that we would no longer have an ABM treaty.

It seems to me that is the essence of the situation as understood by the U.S. negotiators. That is the essence of the U.S. position as delivered to the joint Houses of the Congress. Therefore, when the Senate, in its capacity of advising as well as consenting, incorporates that specific language into language authorizing the President to execute these agreements, it reinforces, by bringing the legislative branch shoulder to shoulder with the executive, our determination not to ignore the realities of this world, not to find ourselves 5 years hence in a position of inferiority, without the ability to catch up.

As I said earlier, I do not understand why there should be any argument in that simple statement of America's self-interest. Also, it is in the interest of the Soviet Union, because the great wars in the past started by aggressors, which happily in our century they have lost, have always been triggered when expansionist nations have miscalculated the determination of free men. It is this which we need to avoid—the possibility of miscalculation on the part of the Soviet Union.

Mr. GURNEY. It seems to me that also, in dealing with the Russians, it is necessary to make oneself clear and one's position crystal clear so they do understand.

Certainly, all of us hope that this interim agreement will lead to meaningful future SALT talks, and hopefully, disarmament in the area of nuclear weapons in the future. We all want that. It is why we are negotiating in SALT. That is why we signed this agreement. But I think we can neither ignore the realities of our world nor the fact that the Russians do not live up to their agreements very well, and tear them up if it suits their purposes. It also seems to me there are other factors which are tied in with negotiations in this particular agreement that we ought to talk about and that ought to be a warning sign as to what the Russian intentions may be.

For example, it struck me as being rather odd that the Soviets refuse any inspection of what they are going to do as far as building submarines and other weapons are concerned. We pressed for that. We wanted inspection. We were willing to have them inspect what is going on over here, but they refused to do anything about the inspection part of this agreement. Now, that struck me as rather odd if they really want to get ahead with the business of nuclear disarmament.

Another thing that struck me as rather odd, too, was that we have an agreement, of course, on nuclear submarines, but we have no agreement on diesel-powered submarines. Under this agreement, they can build all the diesel-powered submarines they want to. As a matter of fact, my understanding is that they are building a good number of them and intend to build more. To be sure, a diesel-power submarine is not the same as a nuclear-powered submarine. It can remain on station only for a limited period; it has to surface for air, it is noisy, and all that sort of thing. But I can see, if the Soviet Union built several score or several hundred of these diesel-powered submarines and always had one on station off the Atlantic coast and off the Pacific coast, armed with nuclear missiles, I do not care whether it is a diesel-powered submarine or one with a nuclear powerplant in it, as far as the safety of American citizens is concerned, and as far as the safety of their cities is concerned, and as far as the vulnerability of our B-52 fields and wings are concerned, it seems to me they are just as vulnerable with a lot of diesel-powered submarines off our two coasts, as if they were nuclear-powered submarines.

I was surprised that that was completely omitted from the treaty. They can build all they want to. I simply say that is something we ought to think about a little bit. Why was that omitted? Why was that not included, if they really mean what they say?

Does the Senator share my concern about that?

Mr. BUCKLEY. The Senator from New York certainly does. I think the Senator has focused on just one area of the many deficiencies of the situation with which we would have to live during the next 5 years if the interim agreement is ratified or authorized, as it no doubt will be.

The Soviets, as the Senator has pointed out, have denied us the ability to inspect on the ground their compliance with the two agreements. We have offered them that opportunity. They have refused.

People who have studied these matters are concerned that they can cheat on these agreements and escape detection at the same time. For example, they have some very high altitude anti-aircraft missiles which reach up to 100,000 feet. There are experts in the field who believe these can be converted to ABM capacity and linked up with necessary radars in a manner that will not be observed by our satellites. Again, the ABM Treaty provides there shall be no multiple launchers in order to get around the limitation of 200 interceptors per nation.

We happen to know that, the way their ABM's are constructed, it would not be all that difficult to build multiple launching mechanisms and store them in warehouses somewhere out of sight, one day to be installed and presented as a fait accompli.

We know that, as I was mentioning a few minutes ago here on the floor, they have an SS-11 missile which may have intercontinental capability, which could be substituted for some of their M/IRBM's. This is permitted under the treaty. In any number of areas, we must face up to the fact that we are assuming calculated risks, strong risks.

We believe that since, as of this moment, we have the overall advantage in terms of numbers of deployable warheads and in terms of technology, this may be a risk which we can accept in order to slow down the rate at which the Soviets have been installing these huge intercontinental missiles and the rate at which they have been deploying their new submarines. But what all this does is to reinforce the simple premise that the American people, if they value their freedom, if they value their security, cannot afford not to invest important new sums of money in basic research and basic development, not only to get the maximum advantage under the terms allowed us and the limitations allowed us under the treaties, but also to modernize our conventional weapons, so that we become competitive once again, not dominant, but just competitive.

Also, we must recognize that it is possible, men being what men are, that we cannot negotiate a satisfactory acceptance of the interim agreement, in which event we must be poised to take off and really engage ourselves in an arms race, much as the Senator from Florida would hate to see that and much as the Senator from New York would hate to see it.

Mr. GURNEY. The Senator's point is well made. He mentioned the fact that they have another missile more improved, apparently, one of greater capability than the SS-9 which is certainly a big bang father, much larger than anything we have here; and that brings to mind another point in this interim agreement that I think is very interesting, that caused me concern, which was the provision for silos for

ICBM's being permitted to be expanded by a size of 15 percent.

Now, I am not exactly sure how this 15 percent is figured, but I understand that you can juggle this 15 percent around so that it would accommodate a much bigger or much more improved ICBM than the Russians now have.

Mr. BUCKLEY. It is my understanding that this is not an increase of 15 percent in volume, but 15 percent in linear dimensions, which translates into about 50-percent increase, which takes their already huge missile, many times larger than ours in its lift capacity, and increases that capacity 50 percent again.

Mr. GURNEY. I am glad the Senator has explained that very technical point, that I did not understand. All I understood was that it is there so they can have a bigger missile; and now the Senator has explained how they can, when already they have a missile, the SS-9, that is far, far larger than anything we had.

Now, we did not want that 15-percent increase. That was something the Soviets asked for, and obviously asked for because they wanted it for something; they had something in mind. And the Senator has ably explained what they do have in mind: That it will permit them to put into those silos a much bigger weapon in the future if they want to.

Now, all these little things that are in that agreement, and some things that are not in that agreement, like inspection, cause this Senator great concern and great worry as to precisely what the intentions of the Soviet Union may be in so eagerly going ahead with this interim agreement as it now stands.

I understand and I support the position of the Administration that for now we are safe, because we do have a qualitative edge and a qualitative advantage on the Russians. We understand that.

The Russians today, this day in August, and certainly for at least a short time down the future, are not going to engage in any nuclear warfare with us, because if they do, they are going to come off just as badly injured and hurt as we are. They know that, and that is why they will not do it; but why they will not do it is because we do have a slight edge at the moment.

What we are saying is that we do not necessarily want to maintain an edge, so that the Soviets are scared into an arms race; but neither do we want to be placed in second position. We do not want them to have the edge. We do not want them to take advantage of any loopholes in this treaty, any language in this treaty, or any factor that is in this treaty that may permit them to go ahead and get a nuclear edge on the United States.

That is why this Senator supports the Jackson-Scott amendment. He thinks it is absolutely essential that we make sure in language—which does not alter the treaty any, as the Senator has pointed out—that we are not going to stand idly by if their intention in executing this agreement is to get an edge on the United States in nuclear capability. That is extremely important, and I hope that the U.S. Senate, when we vote on this amend-

ment, I suppose some time tomorrow, will vote overwhelmingly in support of it and give the administration the extra tool it needs in an expression of the understandings, intentions, and concerns the Senate has about this matter, and that they are hopefully sending a clear message to the Russians: "Yes, we want peace. We want to cut back on nuclear weapons; hopefully, some day we can do without them at all," as we made the offer way back in Truman days to give up all our nuclear missiles if the Russians would not go ahead with theirs.

Certainly the intentions of the United States are good in this area, and are well known. We want them to know.

Mr. BUCKLEY. The Senator has spoken of U.S. intentions. I think it is very important that we understand something about ourselves, lest we be defeated by ourselves.

I think that any fair examination of history will lead to the conclusion that there has never been a power such as the United States that meant as well, that dealt in as good faith, that had less ambition to overcome and dominate others. But our problem is that we suffer from a certain sense of insularity. We assume others have those same intentions, and we blind ourselves to what history teaches us.

We spoke earlier about trusting the Russians. We have heard a great deal of rhetoric in this room in the last few weeks that we are now going into an area of detente; how can we achieve peace, good will, and so forth, if we demonstrate that we do not trust the Russians?

This is, in light of the record and in the light of Communist writings, the greatest naivete. The Russians pride themselves on the fact that they believe that any tactic, any deceit, is proper and justified, and desirable, if it will help in the long-term defeat of the capitalist nations.

This is one of their tactics we have noticed in the past, and there have been other areas of detente, and so on. But every time that the Soviet Union has felt it to be to her advantage to break an agreement, break an understanding, break a treaty, she has done so, and certainly there has been no better example of that than when she broke the moratorium on atmospheric tests. While we were dismantling all our equipment, and so on, in good faith reliance on their word, the Soviets were vigorously and feverishly undertaking a whole series of tests which gave them information we will never be able to secure for ourselves, which has implications for our security which we do not know how to estimate, and then quickly signed on the dotted line an agreement that kept us from catching up.

There is no reason to believe that the Soviets will not exploit this situation to every advantage available to them in the next 5 years. It is for that reason, not only for our own protection but also to persuade the Russians, that the American people are not ever going to be willing to take second seat in this essential military posture. Only by showing the Russians that we will not disarm our-

selves without seeing that they are equally disarmed can we hope to end up with a meaningful treaty that will in fact protect the world from the possibility of a nuclear holocaust.

Mr. GURNEY. I could not agree more with the Senator from New York.

The Senator mentioned detente and the euphoria that seems to surround that word, certainly so far as the interpretation of it is concerned by certain people in the United States. I think that all of us—the Senator from New York as well as I—would like to have some detente with the Russians; but I think that he and I believe very strongly that we will get no detente with the Russians unless we operate from a position of strength and that with a position of weakness there will be no detente at all.

Mr. President, as Senators, every one of us is charged with the distinct and vital responsibility of doing everything possible to insure that our citizens are not subjected, unnecessarily, to the risks of an attack by a foreign power. In carrying out this responsibility, each of us has to answer to the dictates of his or her own conscience, knowing that, in this nuclear age, to make a misjudgment is to invite disaster. This reason, and because I would rather be safe than sorry in matters where the survival of the Nation is concerned, is why I feel it essential to speak out in support of the Jackson amendment to interim agreement on offensive weapons.

In looking at this interim agreement—and at the arguments being put forth pro and con—I have become increasingly concerned about what it would do to the national defense posture of the United States. Both the Senator from Colorado, Senator ALLOTT, and the Senator from Washington, Senator JACKSON, made some telling points in their presentations Thursday, August 3—points that have not been refuted.

For instance, it greatly disturbs me that this agreement leaves the Soviet Union with a guaranteed, 5-year, 50-percent lead in all types of intercontinental ballistic missiles, yet permits the Soviets to catch up in the area of warheads and delivery systems where they are presently at a disadvantage. If the goal is balanced forces, then we should have, as a goal, parity as soon as possible. We have agreed to numerical parity in ABM's; why should we not make it very clear to the Russians that we expect parity in every respect to result from this interim offensive weapons agreement?

At present, we have fewer missiles, more warheads, and the all-important ability to MIRV our missiles. Hence, we can offset the megatonnage gap that the Russians would otherwise enjoy with their combination of bigger missiles, bigger warheads, and no MIRV. However, as practically everyone agrees, the Soviet Union will, within a year or so, have MIRV capability and parity will then no longer exist. Technology will be even, but they will have more of everything else.

In prior debate, we have heard arguments to the effect that U.S. bases in Europe and the U.S. advantage in long-range bombers offset the quantitative

Russian advantage in ICBM's and SLBM's.

I remain unconvinced of this for several reasons: First, the Russians have enough IRBM's and MRBM's to take care of our European bases, and even if they do not, they have a great number of surface-to-air missiles and fighter interceptors. Second, the United States has no IRBM's, MRBM's or ABM's to offset the Russian missiles. Put the two together and the supposed U.S. advantage is no advantage at all.

As far as the bombers are concerned, those arguing that our 400 odd B-52's constitute an advantage forget that the plane is old and basically obsolete; just recently, we recognized that when we voted to go ahead with the B-1 bomber. They also forget to figure in the Soviet medium range bombers which, when added in, give the Soviets slightly over 800 bombers to our 460, and they overlook the aforementioned Soviet lead in fighter interceptors and surface-to-air missiles. As if we needed any reminder on the effectiveness of the latter against the B-52, we have only to look at the extremes to which we have gone to keep the B-52's from being shot down in Vietnam. They hardly constitute an adequate deterrent anymore.

There are several other aspects of this agreement which bother me as well. As Senator ALLOTT pointed out, in his excellently researched study, there is no limitation placed on the Soviet Union's G-class missile launching submarine, 22 of which are now in existence. Just because these subs are diesel powered, and have missiles with a limited range, does not mean they cannot sit a few miles offshore and knock our bombers and bomber bases not to mention what they can accomplish in wiping out all our great cities which would be within their range either from the Atlantic or Pacific Oceans. So, not only is our disadvantage in missile firing subs greater than we believed—84 to 44 instead of 62 to 44—but there is nothing to keep the Soviets from building more of these diesel-powered missile subs in the future. This, I think, has to be considered when we talk about parity.

And then there is this business about no increases in the dimensions of the silos exceeding 15 percent. But, if, that 15 percent is at the bottom of the silo, it will make a big difference in the capability of the missile involved. As Senator ALLOTT pointed out, any addition to those big Russian missiles can, along with MIRVing, soon wipe out our lead in the quantity of warheads.

Still another point, and one that concerns me, is this business of inspection. I have heard it argued that we should not question the sincerity of the Soviet Union by adding this amendment to the resolution, yet it occurs to me that they never gave us their actual missile numbers and it was they who balked over inspection of covered submarine berths. This distrust business cuts two ways: Their suspicions should be matched by our own. For instance, on inspection, how are we to check on areas that are often shielded by clouds. If a militarily significant part of the Soviet Union is covered by clouds at least 80 percent of the time, as has been implied, then we should recognize still another weakness exists in the treaty.

Finally, there is an overall consideration that trouble me and that is that this agreement has been based, in part, on this premise that, without it, we would have dropped hopelessly far behind the Soviet Union in offensive weapons. If that premise is accurate, we must ask ourselves, first, how did we let such a thing happen and, second, if it happened once, could it happen again as a result of these agreements?

Mr. President, in my view, acceptance of this agreement, without an indication that Soviet MIRVing could lead to its abrogation, will simply encourage the Soviets to take all kinds of liberties. They have already clearly indicated that they will be building everything allowed them under the combination of treaty, agreement, and protocol, and if we do not indicate now that we do not intend to accept a position of permanent inferiority, we may get backed into a corner later. In any event, we will not be in as good a position to bargain as we would be if Congress were to pass the proposed amendment now. It will do no harm, since it does not change the agreement itself, and it is likely to do a great deal of good. Therefore, I urge my colleagues to support the Jackson amendment and reassure all Americans that the security of the country will not be further endangered.

MESSAGES FROM THE PRESIDENT

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

INTERNATIONAL EXPOSITION ON THE ENVIRONMENT—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER (Mr. HOLLINGS) laid before the Senate the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

In accordance with Public Law 91-269, I wish to inform the Congress today of current plans for the six-month International Exposition on the Environment to be held in Spokane, Washington in 1974.

This exposition will be a particularly welcomed event in America. The Spokane exposition and the 1976 Winter Olympics are now the only internationally recognized events scheduled for this country during our Bicentennial Era. In addition to stimulating trade and cultural exchanges, the exposition through its theme—"How Man Can Live, Work and Play in Harmony with His Environment"—will also focus fresh attention on one of the most pressing concerns of our time.

In November 1970, Expo '74, the non-profit corporation which is sponsoring the exposition and is responsible for its planning and operation, applied for Federal recognition of the exposition under the provisions of Public Law 91-269. Af-

ter reviewing the plans of the sponsor, the Secretary of Commerce submitted to me the detailed report required under Section 2(a)(1) of Public Law 91-269 and recommended Federal recognition. A copy of the Secretary's report is transmitted herewith. In this report the Secretary indicated that the sponsor had fulfilled all of the requirements of that law and the regulations issued thereunder (15 CFR § 667).

The Secretary concluded that the environmental theme of the exposition was relevant to current national concerns and was appropriate to the exposition site. He also determined that the sponsors had obtained from the State of Washington, the local governments involved, business and civic leaders of the region and others the financial and other support necessary to assure the successful development of the exposition.

The Secretary of State also reported under Section 2(a)(2) of Public Law 91-269 that the event qualified for registration by the Bureau of International Expositions as a Special Category event.

Based on these favorable reports, I advised the Secretaries of State and Commerce on October 15, 1971, that the exposition warranted Federal recognition as provided by statute. I also indicated that it was my intention to extend this Administration's fullest possible support to foster a successful event.

On November 24, 1971, upon request of the United States, the Bureau of International Expositions in Paris officially recognized the event as a Special Category exposition and approved its General Rules and Regulations by unanimous vote. At its meeting on May 16, 1972 the Bureau also established procedures for sanctioning the special rules and regulations for the exposition.

On January 31, 1972, I issued a proclamation directing the Secretary of State to invite such foreign countries as he may consider appropriate to participate in this event. The Secretary issued those invitations through diplomatic channels on February 15, 1972. Thus far, Canada, the USSR, and Iran have accepted—and many other countries are now expected to accept. In that proclamation, I also indicated that I planned to appoint a United States Commissioner General to exercise the responsibility of the United States Government for fulfillment of the Convention Relating to International Expositions of November 22, 1928, as modified. Pending this appointment, I am designating the Secretary of Commerce to serve in that capacity on an acting basis. In addition, the Secretary is currently preparing a plan for Federal participation under Section 3 of Public Law 92-269, which I will transmit to the Congress at some later date.

RICHARD NIXON.

THE WHITE HOUSE, August 15, 1972.

REPORT OF NATIONAL ADVISORY COUNCIL ON ECONOMIC OPPORTUNITY—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER (Mr. HOLLINGS) laid before the Senate the following message from the President of the

United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

Pursuant to Public Law 89-794, I have the honor to transmit herewith the Fifth Annual Report of the National Advisory Council on Economic Opportunity.

RICHARD NIXON.

THE WHITE HOUSE, August 15, 1972.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. HOLLINGS) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

**MESSAGE FROM THE HOUSE—
ENROLLED BILLS SIGNED**

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

S. 596. An act to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Congress within 60 days after the execution thereof;

H.R. 6957. An act 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; and

H.R. 15692. An act to authorize for a limited period additional loan assistance under the Small Business Act for disaster victims, to provide for a study and report to the Congress by the President setting forth recommendations for a comprehensive revision of disaster relief legislation, and for other purposes.

The PRESIDENT pro tempore subsequently signed the enrolled bills.

**DEPARTMENT OF TRANSPORTATION APPROPRIATIONS, 1973—
CONFERENCE REPORT**

Mr. ROBERT C. BYRD, Mr. President, I submit a report of the committee of conference on H.R. 15097, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. HOLLINGS). The report will be stated by title.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15097) making appropriations to the Department of Transportation and related agencies for the fiscal year ending June 30, 1972, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the CONGRESSIONAL RECORD of August 7, 1972, at p. 27166.)

Mr. ROBERT C. BYRD, Mr. President, I have cleared with the ranking minority member of my Subcommittee on Appropriations the matter of calling up this conference report at this time.

Mr. President, when the Senate concluded consideration of H.R. 15097, the Department of Transportation and related agencies appropriation bill for 1973—June 16—the bill, as amended, was a net \$115.4 million over the House version of the bill. This net increase consisted of total increases of approximately \$157.2 million, offset by decreases of \$41.8 million, and included 55 amendments.

I should like to highlight at this point the conferees' recommendations on salient items among the amendments.

The conferees agreed upon the addition of \$50.7 million to provide 84 instrument landing systems, 30 control towers, and three airport surveillance radars; these facilities, essential for air traffic safety enhancement, are for localities eligible for such installations under agency criteria, but were not included in the budget request or House version of the bill. In connection with the facilities program, the joint explanatory statement of the managers includes the following language:

The conferees are concerned over the delay in the implementation of this program. Accordingly, the conferees direct FAA to submit, by October 1, 1972, its plan for obligating all appropriated funds and its schedule for commissioning all instrument landing systems, control towers, and airport surveillance radars for which funds have been provided.

The recommendations of the conferees also include the addition of \$100,000, as added to the Senate version of the bill, to accelerate the development and technical feasibility of devices which would provide pilots with timely and adequate information on terrain obstacles, particularly during approach to landing under poor visibility conditions.

The conferees' recommendations provide the \$3.5 million of the Senate version for screening devices necessary for aviation security, and the managers' statement includes the following language:

This appropriation would also permit the Federal Aviation Administrator to extend the benefit of the funding action to those airlines which responded promptly to the new aviation security regulations by reimbursing such airlines for (or acquiring from such airlines) screening devices heretofore acquired by the airlines.

The conferees expect that FAA and the airlines will agree on uniform procedures which will supplement the screening devices and decrease the time involved in providing comprehensive coverage of airport boarding gates in order to assure safety of citizens in air transportation.

The conferees' recommendations include, under the heading of "Railroad Research," the \$150,000 proposed by the Senate for railroad grade crossing and track relocation studies at Wheeling,

W. Va.; Lincoln, Nebr.; and Lafayette, Ind.

The conference recommendation for the high speed ground transportation research and development program provides for \$52.5 million, an approximate split between the \$45 million proposed by the House and the \$60.9 million included in the Senate version of the bill. These funds provide for the Metroliner and turbobrain demonstrations and other important rail research and demonstrations to be carried out largely at the Pueblo Test Center.

The Senate version of the bill had included \$16.5 million not allowed by the House for dual mode research, an area of study to develop a vehicle capable of automated operation on or in guideways and convertible to manual operations on a conventional road or highway. The conferees' recommendations provided \$4 million for this purpose.

The conference recommendation provides \$875,000, of a requested \$1 million requested in the Senate version as compared with \$750,000 of the House version of the bill, for grants-in-aid for natural gas pipeline safety.

The conferees agreed to the inclusion of the \$31.7 million for the Coast Guard's Select Reserve as provided in the House bill. This item had been deleted for lack of authorization at the time it was under consideration in the Senate committee. The authorization is contained in the military procurement authorization bill, which is now in conference.

The recommendations provided \$4.5 million, proposed at \$3 million in the House version and \$7.5 million in the Senate version, for the Coast Guard's State boating safety assistance grant program to encourage greater State participation in the reduction of boating fatalities.

In conclusion, the conferees' recommendations totaled \$2,999,118,095 in new budget authority, which is \$39,057,000 under the Senate version which totaled \$3,038,175,095; it is \$76,323,000 over the House version which totals \$2,922,795,095. It is \$41,244,000 under the 1973 budget estimates of \$3,040,362,095—which excludes \$37,361,000 deferred for lack of authorization—and it is \$195,496,902 under the 1972 appropriation of \$3,194,614,997. In addition to the new budget authority, the bill also includes \$5,393,990,000 in appropriations to liquidate contract authorizations—funds required to meet commitments made under authorizations contained in substantive bills. This would include the payments from the Highway Trust Fund for the Federal-aid highway programs, funds from the Airport and Airway Trust Fund for airport grants-in-aid, funds for highway traffic safety programs, as well as amounts necessary to meet commitments made under the Urban Mass Transportation Fund. The grand total for the bill, as recommended by the conferees, is \$8,393,273,000.

I should call to the attention of the Senate that funds added in the Senate version of the bill and agreed to by the conferees are strongly oriented toward the safety of the traveling public, especially in the field of air transportation.

Funds have been added for all airports throughout the country which qualify for instrument landing systems, airport traffic control towers, and airport surveillance radars. It is my belief—and the conferees concurred—that we should provide all the funds which can be properly and feasibly spent for magnetometers and other screening devices to deter aircraft hijacking and for construction of airport equipment to insure every degree of safety and protection possible for the ever-increasing number of air travelers. This same preoccupation with safety considerations led to the addition of funds for the expedited development of an improved ground proximity warning indicator for aircraft and grade crossing elimination studies.

The public is entitled to such safety and protection, and I am pleased that the conferees share your committee's concern and determination to provide the necessary funding.

I shall be pleased to answer such questions as Members of the Senate may have with respect to any other items not covered.

The conference report is signed by all conferees—however, note that Senator ALLOTT "reserves" on amendment 34—High Speed Ground Transportation, Federal Railroad Administration—and amendment 39—Research, Development and Demonstrations, Urban Mass Transportation Administration.

Mr. President, I ask unanimous consent that two statements by the distinguished Senator from Colorado (Mr. ALLOTT), also a member of the subcommittee, be printed in the RECORD.

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

STATEMENT BY SENATOR ALLOTT

Mr. President, I should like to address myself to several specific points relating to the Transportation Appropriations Conference Report now presented.

My name appears as having signed the conference report. I did sign it, but noted my reservations to Amendment No. 34, relating to appropriations for the High Speed Ground Transportation Research and Development program, and to Amendment No. 38, relating to research and development funds for the Urban Mass Transit Administration.

My reservations appeared neither in the first printing of the Conference Report nor in the placement of that Report in the Congressional Record. Therefore, at this time, I should like to delineate my rationale for these specific and firm reservations.

The Senate had increased the appropriation for High Speed Ground Transportation research and development over the House figure by \$15 million. This fully restored the substantial cut proposed by the House which had only allocated \$45 million to this project. After a great deal of debate and discussion in the Conference Committee, we arrived at a figure of \$52,500,000. This figure falls short by \$2 million the minimum amount of money which prudent judgment recognizes as necessary for the continued orderly development of some of the most important transportation projects in the Nation. Whereas the House and the Senate in their individual appropriations bills appeared to accept the breakdown in the amounts of money to be spent on individual programs for high speed ground transportation, the Conference Report does not specify where the \$52,500,000 is to be spent.

Generally speaking, however, this will give the Federal Railroad Administration the flexibility it needs to go ahead with those programs which are most important at this particular time. I am sure the Department agrees with me that the funds which had been cut originally by the House for development of the Pueblo Test facility must be restored by the Department as it makes its own decision. The funds for development at Pueblo relate to the physical plant there. If money is diverted from this to other projects, it would simply mean a delay in any number of additional programs which could not be tested or deployed as the result of the lack of completion of the requisite facilities at Pueblo.

I am also sure that the Federal Railroad Administration will agree with the Congress that swift development of the tracked air cushion vehicle will be of great value in determining where we go in the decades ahead. Therefore, I am sure that the Department will desire to use some of the money which was restored toward that end.

Mr. President, I believe, in all of the projects which have been put forth by the Office of High Speed Ground Transportation. I fought for them with all the strength at my command in the Conference. Unfortunately, all of the money was not restored; therefore, some of the long-range programs will simply have to be deferred a bit longer. I regret this as much as those in charge of the programs, but I am confident that if the Federal Railroad Administration demonstrates real progress with the \$52 million which has been appropriated for this year, we can move ahead without similar problems in the years ahead.

Now, Mr. President, I want to turn to the appropriations for research and development in the Urban Mass Transit Administration.

I was quite displeased with the final outcome in this category. The \$11,500,000 for an urban demonstration of the PRT Systems (the so-called "people movers") does not provide the type of resources which I believe would have enabled the Department to go full speed ahead. Nevertheless, the restoration is a far cry from the House position, which allocated only \$1 million, and which would have confined UMTA to testing the PRT's at Dulles Airport for an additional year.

Very frankly, one of the criticisms that I heard brought up in the Conference Committee, which I believe to be a justifiable criticism to some extent, was that UMTA has waited until the end of the fiscal year to commit its project funds. It appeared to some members of the Conference Committee that UMTA was simply trying to spend for the sake of spending in order to justify an increase in appropriations for the next fiscal year. I am satisfied that Carlo Villarreal, Administrator of the Urban Mass Transit Administration, has delayed committing funds because he has wanted to be sure that the funds were properly spent. In many cases, he has devoted a great deal of time and effort to a close examination of what transportation projects would best serve the needs of the Nation. However, Mr. President, I think that UMTA can clear up the question that was raised in this regard by complying with the language expressed in the Senate Appropriations Report to name the demonstration site for the PRT System within 60 days of the adoption of the Conference Report which we are now considering. This would be most reasonable and would show the members of the Senate and House Transportation Appropriations Committees that UMTA is ready to move forward with progressive and innovative programs.

The \$4 million for the Dual Mode Transit System development could, in all probability, have been better used elsewhere. Nevertheless, if we are going ahead with this pro-

gram, it must be under the jurisdiction of UMTA alone and should not get caught in an intra-bureaucratic struggle within the Department. I regret that additional funds could not be made available for the urban tracked air cushion vehicle. However, the \$4,500,000 which was allocated, I am confident, is enough money to enable that program to be tested next year.

I opposed in the Senate and I continue to oppose any money for Service Development. My opposition to this program is predicated on the fact that "Service Development" is merely an aggrandizement for an out-and-out subsidy. This is an example of a situation I see all too often whereby utilizing the ploy of a "catchy" title, a program is able to continue momentum without the careful scrutiny it deserves. I regret that the conference committee agreed to the \$1,750,000 for that item. The money does not serve a useful purpose and I expect to begin earlier next year, if the voters of Colorado see fit to send me back here, to insure that projects of this kind are eliminated completely from the budget.

While the conference committee did not address itself to this point because there was no "line item" in the budget, I wish again to call attention to the Senate language which directed that more resources from the rail portion of research and development funds be diverted into the "light rail" field. The Senate agreed with my suggestion that "light rail" projects should be tested at Pueblo. In any case, I will be looking for some swift action in this area in the coming months.

Finally, Mr. President, I wish to touch upon the appropriation for the Civil Aeronautics Board for payments to air carriers. The Senate added \$11.4 million to the House allowance of \$54 million. This increase represented the short-fall of the 1972 fiscal year appropriation. Class Rate 6 was promulgated near the end of Fiscal Year 1972. I believed a wise course to follow was to appropriate in this Appropriation Bill an amount needed to fully fund the subsidy need for last fiscal year.

On page 9 of the Conference Report, it states, and I quote:

"It is the understanding of the Conferees that the CAB can borrow forward to pay the additional amounts due in fiscal year 1972 resulting from the promulgation of Class Rate VI. It is, of course, the intention of the Conferees to recognize the obligations of the Government with respect to payments to air carriers under the applicable law." Because the CAB can utilize Fiscal Year 1973 monies in order to pay the additional amount due in Fiscal Year 1972, all of the obligations of the Federal Government will be fulfilled and the air carriers will receive full funding of the amounts due them under that Class Rate.

The CAB will be formulating a new estimate of the subsidy need for Fiscal Year 1973. At such time as the Fiscal Year 1973 appropriation becomes inadequate, a supplemental appropriation must be submitted. It is clear from the Conference Report that both the House and the Senate Committees will be very receptive to any supplemental request along this line.

Mr. President, as many Senators know, I believe very strongly that the Federal Government has a contractual obligation to these air carriers which serve our rural communities. Over-zealous attempts to economize in this area can retard the effect of the massive sums that Congress has allocated for rural development. Accordingly, I will closely monitor the CAB subsidy determination for Fiscal 1973 to assure the continued viability of this program.

Mr. President, it has long concerned me that there is a general lack of understanding of this program. Accordingly, the pro-

gram has often suffered from neglect. So that Senators may have further information available to them, I add the following statement of mine which addresses this subject:

LOCAL SERVICE AIRLINE SUBSIDIES

(Statement by Senator GORDON ALLOTT before the Senate Transportation Appropriations Subcommittee)

Mr. Chairman, If you will permit me, I would like to make a brief statement relative to the Local Service Airline Subsidy issue. I think it will be useful to impose on our later discussions an overview of relevant issues.

As you know, the Senate recently passed a multi-billion dollar Rural Development Bill. A major purpose of that legislation is to stimulate growth in our rural areas which, as we all know, means attracting more jobs to those rural areas. Air service is a prerequisite to most any business move to a new location; thus, an over-riding issue of this Local Service Subsidy is rural development.

Air transportation is vital—the life blood, if you will—to these rural communities. This is the reason that over the years, I have continued to express my concern regarding an inadequate subsidy level.

Let us look at the results of inadequate subsidy. It causes the air carriers to lose money; the carriers tend to cut back on their scheduling to the minimum certificate service; and eventually, encourages the carrier to terminate their service on subsidy-eligible routes. This certainly is not the intended result of the expressed Congressional mandate. Everyone loses when this occurs. First, the citizens of rural America; secondly, the local service air carriers and their stockholders; thirdly, the citizens of choked urban centers which need growth directed from them—all lose whenever the rural development effort is retarded or impeded.

To be parochial for a moment, I wish to translate this situation to my State of Colorado. Frontier Airlines serves Colorado; and they have been cutting back to minimum certificated service in many places around the State. And although this action greatly disturbs me, I cannot in good conscience blame the Company . . . because the Company has received an inadequate level of subsidy for the past few years. Because of this inadequate subsidy level, they had no choice but to drastically cut costs to stay in business. The days of inadequate subsidy must end!

An over-zealous attempt to economize in this local service subsidy area which nets a savings of a few million dollars today can negate the effect of the billions of dollars that we plan to spend in the next few years for rural development. This effect is on top of the fact that, by law, the Federal Government has a legal obligation to provide a fair rate of return to the local service air carriers—an obligation which, in my opinion, has not been met by the Federal Government in recent years.

CAB member, Robert T. Murphy was quoted in the May 10, 1972 edition of *Aviation Daily* as saying,

"Moreover, on hindsight, I believe that we at the Board and you in the industry were too quick to reduce subsidy after 1966 considering the commitments required for new equipment, the time necessary to promote and develop the new routes and the unanticipated turnaround in traffic."

Mr. Chairman, I would like, at this point, to quote statistics from a March 1972 staff study of the CAB's Bureau of Operating Rights entitled "Service to Small Communities" Part I, "Local Service Carrier Costs and Subsidy Need Requirements to Serve Marginal Routes." In 1969, according to this staff study:

Frontier Airlines was paid \$4.3 million less than its subsidy need;

Texas International Airlines was paid \$600,000 less than its subsidy need;

Allegheny Airlines was paid \$3.8 million less than its subsidy need.

As we approach the overall task of rural development and this Committee's immediate task of providing adequate air transportation to rural communities, it is most relevant to look at the stockholder equity position of the nine local service air carriers.

Mr. Chairman, I would like to ask your consent that two tables I have prepared on this subject appear in the hearings record at this point.

TABLE 1

Local service industry retained earnings

1960	\$1,088
1961	5,263
1962	10,818
1963	14,798
1964	21,771
1965	31,323
1966	36,634
1967	28,401
1968	(2,672)
1969	(68,650)
1970	(79,931)
1971	(89,733)

TABLE 2

Local service industry net profit or (loss)

1960	\$1,940
1961	4,841
1962	5,962
1963	4,862
1964	7,772
1965	12,722
1966	10,376
1967	(4,472)
1968	(29,800)
1969	(63,008)
1970	(61,426)
1971	(10,226)

Table 1 deals with the retained earnings of the local service industry and Table 2 deals with the net profits or loss of this industry. In summary, the statistics reveal that eight of the nine local service carriers today have a negative cumulative net earnings position. As a group, including the one carrier out of nine which has positive net earnings, the carriers show a \$89 million net loss through 1971.

In arriving at the level of subsidy each year, the CAB allows the carriers a certain "rate of return." As I understand it, briefly, the Board most recently has allowed the carriers a 7.25% rate of return on their debt capital and a 20% rate of return on its equity. In the most recent CAB determination, I am informed that this calculation allows for a 12.35% overall rate of return for the carriers in Class Rate Six. For the record, I want to point out that from this "rate of return" the individual carrier must pay its interest expenses and "disallowed expenses." (Disallowed expenses are those incurred which are not allowed as a valid operating expense in determining subsidy need. For example, legal fees in excess of \$15,000; executive salaries in excess of \$25,000, and the payment to employees of bonuses related to profits.)

From information available to me, the 12.35% "rate of return" allowed in Class Rate Six will allow most carriers approximately a 5% profit. I believe, and I hope that Chairman Browne will correct me if I misstate the fact, but I believe that a lower "rate of return" is allowed for subsidy operations than for fare purposes.

Mr. Chairman, you will recall this Subcommittee's direction contained in the FY-72 Committee Report:

"The Committee approves an appropriation of \$53,600,000 for payments to local service air carriers, the same amount as the House allowance. Evidence indicated that this was the minimum amount that would be necessary to fulfill this obligation. The

CAB in repeated appearances before this Committee has stated that it has a contract liability for such subsidy payments to the certificated air carriers. Because estimates of the level of subsidy needed were as high as \$82,000,000 and because this group of air carriers has sustained net losses on these routes for three consecutive years, the Committee directs the Board, as soon as it is feasible, to re-evaluate the level of payments required for this fiscal year. The Committee will be receptive to any supplemental request based thereon, in order to assure that large segments of the American public will continue to receive at least minimum air service." (Page 27, Senate Report No. 92-271, July 20, 1971.)

Since that time, the Board and the carriers as a group have been negotiating on Class Rate Six. Needless to say, I am disappointed that the Class Rate has not been published at this late date. As I understand it, the carriers submitted up-dated information on March 31, 1971. After the Committee's direction to which I have referred, the carriers again up-dated information through June 30, 1971. In studying the implications of the Presidentially invoked wage price freeze, the Board demanded the carriers up-date through September 30, 1971 and finally, an up-dating was also provided through December 31, 1971. Thus, the Class Rate for Fiscal Year 1972 was basically negotiated using as a base calendar 1971. Bear in mind that these Class Rates are supposed to be *prospective*. Informal information I have received from the staff of the Board indicates that the Class Rate is now near finalization.

Prior to asking a few questions, I want to make the record clear on one point. As I predicted a year ago, the subsidy request by the CAB was inadequate to meet the needs. Your estimation of \$53.6 million has risen to approximately \$65 million. The \$65 million figure is designed to produce profits for the carriers on their subsidy eligible system of about \$5.5 million.

RESUMPTION OF STATEMENT

Those are the main matters for concern in this legislation.

I wish again to express my appreciation to the distinguished Senator from West Virginia (Mr. ROBERT C. BYRD) for his unending indulgence and cooperation as we continued to work on a bill which, for its seeming lack of controversy, has turned out to be one of the most difficult appropriations bills to be worked out this year.

Mr. ROBERT C. BYRD, Mr. President, I move adoption of the conference report. The motion was agreed to.

The PRESIDING OFFICER (Mr. HOLLINGS). The clerk will state the amendment in disagreement.

The assistant legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 3 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed, insert: "\$875,000."

Mr. ROBERT C. BYRD, Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 3.

The motion was agreed to.

Mr. ROBERT C. BYRD, Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the budget estimates, the House and Senate allowances, and the amounts agreed to in conference for each item in the bill.

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

SUMMARY OF H.R. 15097—DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1972 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1973

Item (1)	New budget (obligational) authority, fiscal year 1972 (enacted to date) (2)	Budget estimate, fiscal year 1973 (3)	Version of bill—		Conference recommendation (6)
			House (4)	Senate (5)	
DEPARTMENT OF TRANSPORTATION					
OFFICE OF THE SECRETARY					
Salaries and expenses.....	\$21,592,000	\$26,053,000	\$23,970,000	\$24,120,000	\$23,970,000
By transfer.....	4 (417,000)				
Transportation planning, research and development:					
Appropriation.....	22,000,000	\$42,100,000	30,000,000	38,000,000	31,500,000
By transfer.....	(6,500,000)	(7,000,000)	(7,000,000)	(7,000,000)	(7,000,000)
Transportation research activities overseas (special foreign currency program).....	500,000	500,000			
Grants-in-aid for natural gas pipeline safety.....	750,000	1,000,000	750,000	1,000,000	875,000
Consolidation of departmental headquarters.....	1,760,000	857,000	800,000	800,000	800,000
Civil supersonic aircraft development termination.....	58,500,000				
Total, Office of the Secretary.....	105,102,000	70,510,000	55,520,000	63,920,000	57,145,000
COAST GUARD					
Operating expenses.....	\$503,378,000	\$551,000,000	\$48,900,000	\$51,000,000	\$48,900,000
Applied to debt reduction (deduct).....	—143,003	—164,905	—164,905	—164,905	—164,905
Acquisition, construction, and improvements.....	97,682,000	\$131,922,000	131,550,000	134,680,000	131,550,000
Alteration of bridges.....	9,750,000	12,500,000	12,500,000	12,500,000	12,500,000
Retired pay.....	71,371,000	\$72,789,000	72,789,000	72,789,000	72,789,000
Reserve training.....	\$27,434,000	\$31,735,000	\$31,735,000		31,735,000
By transfer.....	(571,000)				
Research, development, test, and evaluation.....	14,500,000	\$18,256,000	16,500,000	18,256,000	17,500,000
State boating safety assistance.....	\$3,000,000	7,500,000	3,000,000	7,500,000	4,500,000
Total, Coast Guard.....	726,971,997	825,537,095	816,809,095	796,560,095	819,309,095
FEDERAL AVIATION ADMINISTRATION					
Operations.....	\$1,149,074,000	\$1,175,156,000	1,173,138,000	1,175,256,000	1,173,238,000
Reappropriation.....	(77,625,000)				
Earmarking for screening devices.....			(2,000,000)	(3,500,000)	3,500,000
Facilities and equipment (airport and airway trust fund).....	301,809,300	\$251,939,000	251,939,000	302,650,000	302,650,000
Reappropriation.....	(153,741,000)				
Research, engineering, and development (airport and airway trust fund).....	63,360,700	\$74,568,000	66,000,000	66,000,000	66,000,000
Reappropriation.....	(14,925,000)				
Research and development.....	15,033,000				
Grants-in-aid for airports (airport and airway trust fund):					
Airport planning grants.....	15,000,000	15,000,000	15,000,000	15,000,000	15,000,000
Liquidation of contract authorization.....	(92,000,000)	(100,000,000)	(100,000,000)	(100,000,000)	(100,000,000)
Limitation on obligations (Sec. 302).....	(280,000,000)		(280,000,000)	[deleted]	(280,000,000)
Federal payment to the airport and airway trust fund.....	\$646,882,000	\$658,500,000		(48,728,000)	(48,728,000)
Operation and maintenance, National Capital Airports.....	11,467,000	\$12,522,000	12,200,000	12,265,000	12,265,000
Construction, National Capital Airports.....	4,930,000	\$3,608,000	2,600,000	3,608,000	2,600,000
U.S. International Aeronautical Exposition.....	2,000,000				
Total, Federal Aviation Administration.....	1,552,674,000	1,532,793,000	1,520,877,000	1,574,779,000	1,571,753,000
FEDERAL HIGHWAY ADMINISTRATION					
Salaries and expenses:					
Appropriation.....	7,129,000	16,400,000	13,400,000	13,325,000	13,325,000
By transfer.....					
Highway beautification.....	\$94,221,000	\$104,410,000	(98,400,000)	(99,535,000)	(98,400,000)
Administrative expenses.....	1,100,000	\$1,355,000	965,000	965,000	965,000
Liquidation of contract authorization.....	(10,000,000)	(15,000,000)	(12,000,000)	(12,000,000)	(12,000,000)
Limitation on obligations (Sec. 303).....	(40,000,000)		(30,000,000)	[deleted]	(40,000,000)
Highway-related safety grants (liquidation of contract authorization).....	(5,000,000)	(12,000,000)	(12,000,000)	(12,000,000)	(12,000,000)
Limitation on obligations (Sec. 304).....	(80,000,000)		(80,000,000)	[deleted]	(85,000,000)
Rail crossings—demonstration projects.....	10,000,000	10,000,000	2,000,000	10,000,000	2,000,000
Territorial highways (liquidation of contract authorization).....	(1,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)
Limitation on obligations (Sec. 305).....			(4,000,000)	[deleted]	(4,000,000)
Darien Gap Highway.....	15,000,000	30,000,000	25,000,000	15,000,000	15,000,000
Federal-Aid Highways (Trust Fund).....	(4,662,093,000)	(4,898,000,000)	(4,891,990,000)	(4,893,125,000)	(4,891,990,000)
Right-of-Way Revolving fund (liquidation of contract authorization).....	(25,000,000)	(45,000,000)	(35,000,000)	(35,000,000)	(35,000,000)
Forest highways (liquidation of contract authorization).....	(35,000,000)	(23,000,000)	(23,000,000)	(23,000,000)	(23,000,000)
Limitation on obligations (Sec. 306).....	(20,000,000)		(20,000,000)	[deleted]	(20,000,000)
Public lands highways (liquidation of contract authorization).....	(5,000,000)	(16,000,000)	(16,000,000)	(16,000,000)	(16,000,000)
Limitation on obligations (Sec. 307).....	(10,000,000)		(12,000,000)	[deleted]	(12,000,000)
Baltimore Washington Parkway (trust fund).....	2,500,000				
Total, Federal Highway Administration.....	35,729,000	56,794,000	41,365,000	39,290,000	31,290,000
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION					
Traffic and highway safety.....	69,337,000	\$48,268,000	43,000,000	45,673,000	44,185,000
Construction of compliance facilities.....	9,600,000				
State and community highway safety (liquidation of contract authorization).....	\$67,000,000	(75,000,000)	(70,000,000)	(70,000,000)	(70,000,000)
Limitation on obligations (Sec. 304).....	(80,000,000)		(80,000,000)	[deleted]	(85,000,000)
Total, National Highway Traffic Safety Administration.....	78,937,000	48,268,000	43,000,000	45,673,000	44,185,000
FEDERAL RAILROAD ADMINISTRATION					
Office of the Administrator:					
Salaries and expenses.....	2,205,000	\$3,142,000	2,750,000	2,921,000	2,835,000
By transfer.....	4 (35,000)				
Railroad research.....	10,350,000	10,600,000	10,350,000	10,500,000	10,350,000
Bureau of railroad safety.....	5,631,000	\$7,110,000	6,900,000	7,110,000	7,000,000
High-speed ground transportation research and development.....	25,000,000	\$60,879,000	45,000,000	60,879,000	52,500,000
Grants to the national railroad passenger corporation.....	\$170,000,000				
Alaska railroad revolving fund.....					
Total, Federal Railroad Administration.....	213,186,000	81,731,000	65,000,000	81,410,000	72,685,000

Item	New budget (obligational) authority, fiscal year 1972 (enacted to date)	Budget estimate, fiscal year 1973	Version of bill—		Conference recommendation
(1)	(2)	(3)	House	Senate	(6)
URBAN MASS TRANSPORTATION ADMINISTRATION					
Administrative expenses.....	\$ 6,300,000	\$ 7,419,000	\$6,400,000	\$ 6,684,000	\$6,542,000
Research, development, and demonstrations and university research and training.....	65,000,000	118,000,000	74,000,000	118,000,000	96,250,000
Earmarking language for:					
Research, development, and demonstrations.....	(62,000,000)	(115,000,000)	(71,000,000)	(115,000,000)	(93,250,000)
University research and training.....	(3,000,000)	(2,500,000)	(2,500,000)	(2,500,000)	(2,500,000)
Managerial training.....		(500,000)	(500,000)	(500,000)	(500,000)
Liquidation of contract authorization.....	(150,000,000)	(232,000,000)	(232,000,000)	(232,000,000)	(232,000,000)
Limitations on obligations (Sec. 508).....	(900,000,000)		(1,000,000,000)	(1,000,000,000)	(1,000,000,000)
Total, Urban Mass Transportation Administration.....	71,300,000	125,419,000	80,400,000	124,684,000	102,792,000
ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION					
Limitation on administrative expenses.....	2 (762,000)	1 (797,000)	(797,000)	(797,000)	(797,000)
Total, Department of transportation:					
New budget authority.....	2,793,899,997	2,741,052,095	2,622,971,095	2,726,316,095	2,699,159,095
Appropriations to liquidate contract authorization.....	5,052,093,000	5,418,000,000	5,393,990,000	5,395,125,000	(5,393,990,000)
Applied to debt reduction.....	143,003	164,905	164,905	164,905	164,905
Reappropriations.....	246,291,000				
Total, title I, Department of Transportation.....	8,092,427,000	8,159,217,000	8,017,126,000	8,121,606,000	8,093,314,000
RELATED AGENCIES					
National Transportation Safety Board					
Salaries and expenses.....	7,150,000	7,785,000	7,700,000	8,285,000	7,785,000
Civil Aeronautics Board					
Salaries and expenses.....	13,543,000	14,123,000	14,123,000	14,173,000	14,173,000
Payments to air carriers.....	53,600,000	54,000,000	54,000,000	65,400,000	54,000,000
Total, Civil Aeronautics Board.....	67,143,000	68,123,000	68,123,000	79,573,000	68,173,000
Interstate Commerce Commission					
Salaries and expenses.....	30,640,000	31,660,000	33,120,000	33,120,000	33,120,000
Payment of loan guaranties.....	11 28,000,000				
Total, Interstate Commerce Commission.....	58,240,000	31,660,000	33,120,000	33,120,000	33,120,000
The Panama Canal					
Canal Zone Government					
Operating expenses.....	50,800,000	55,464,000	55,200,000	55,200,000	55,200,000
Capital outlay.....	3,700,000	5,097,000	4,500,000	4,500,000	4,500,000
The Panama Canal Company					
Limitation on general and administrative expenses.....	(19,283,000)	1 (20,556,000)	(20,556,000)	(20,556,000)	(20,556,000)
Total, the Panama Canal.....	54,500,000	60,561,000	59,700,000	59,700,000	59,700,000
Washington Metropolitan Area Transit Authority					
Federal contribution:					
Fiscal year 1972.....	38,011,000				
Fiscal year 1973.....	174,321,000				
Fiscal year 1974.....		131,181,000	131,181,000	131,181,000	131,181,000
Aviation Advisory Commission					
Salaries and expenses.....	750,000				
Commission on Highway Beautification					
Salaries and expenses.....	200,000				
Total, Related Agencies.....	400,715,000	299,310,000	299,824,000	311,859,000	299,959,000
Grand total, new budget authority.....	3,194,614,997	3,040,362,095	2,922,795,095	3,038,175,095	2,999,118,095
Consisting of—					
Appropriations:					
Fiscal 1972.....	(3,020,295,997)				
Fiscal 1973.....	(174,321,000)	(2,909,181,095)	(2,791,614,095)	(2,906,994,095)	(2,867,937,095)
Fiscal 1974.....		(131,181,000)	(131,181,000)	(131,181,000)	(131,181,000)
Memoranda:					
Appropriations to liquidate contract authorizations.....	5,052,093,000	5,418,000,000	5,393,990,000	5,395,125,000	5,393,990,000
Appropriations for debt reduction.....	143,003	164,905	164,905	164,905	164,905
Reappropriations.....	246,291,000				
Grand total.....	8,493,142,000	8,458,527,000	8,316,950,000	8,433,465,000	8,393,273,000

¹ Includes budget amendment for increased pay costs (H. Doc. 92-267).

² Includes funds provided in 2d supplemental appropriation, 1972 (Public Law 92-306).

³ Includes \$21,500,000 budget amendment for increased pay costs (H. Doc. 92-267) and \$6,200,000 budget amendment for activities at Kodiak, Alaska (H. Doc. 92-289).

⁴ Includes \$372,000 budget amendment for increased pay costs (H. Doc. 92-267) and —\$4,110,000 budget amendment (H. Doc. 92-289).

⁵ Proposed as an indefinite appropriation.

⁶ Not authorized.

⁷ Includes \$989,074,000 from the airport and airway trust fund.

⁸ Excludes \$37,361,000 not authorized.

⁹ "to remain available until expended."

¹⁰ Includes \$1,500,000 contained in H. Doc. 92-267 and \$760,000 contained in H. Doc. 92-271.

¹¹ Plus accrued interest.

Note: All references to General Provisions' section numbers in this tabulation relate to the House-approved version of this bill.

Mr. GURNEY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. EDWARDS). The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. ROBERT C. BYRD. Madam President, I move that the Senate stand in recess, subject to the call of the Chair,

with the understanding that the recess not extend beyond 1:30 p.m. today.

The motion was agreed to; and at 12:58 p.m. the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 1:30 p.m. when called to order by the Presiding Officer (Mrs. EDWARDS.)

INTERIM AGREEMENT ON LIMITATION OF STRATEGIC OFFENSIVE WEAPONS

The Senate continued with the consideration of the joint resolution (S.J. Res. 241) authorizing the President to approve an interim agreement between the United States and the Union of Soviet Socialist Republics.

Mr. BENTSEN. Madam President, I rise to support the amendment offered by the distinguished Senator from the State of Washington.

Let me say at the outset that it is my intention to support the interim agreement which has been reported by the Foreign Relations Committee. I feel that it marks a significant step forward in the effort to limit the arms race and that it is certainly a welcome development.

My concern here, Madam President, and my purpose in cosponsoring the amendment of the Senator from Washington is to put the Congress on record in favor of an arms limitation agreement that will in fact insure a more stable world and a certain peace. We are not seeking to impede SALT-II but rather to improve its chances for success.

The measure before us is only an interim understanding and leaves a great number of important policy issues unresolved. I feel that the Congress has a role to play in shaping the policy which will be the basis for the final United States-Soviet Arms Control Agreement to be reached during SALT-II.

The Jackson amendment deals with three issues of crucial significance to the security of the United States:

First. The threat to the survivability of the U.S. strategic deterrent forces under the interim agreement.

Second. The need for equality in any follow-on agreement on offensive intercontinental strategic weapons and

Third. The need for research development and force modernization.

Certainly, there can be little disagreement with the principal thrust of any of these three points. On the first point, no Senator, I feel sure, would ask the United States, for the sake of an arms agreement, to place itself in an indefensible position in which our own strategic forces would be threatened by advances in Soviet weaponry. The Jackson amendment merely asks us to confirm that belief in the context of this interim agreement.

On the second point, certainly most Senators would expect the United States to secure an agreement in the SALT-II negotiations that leaves the United States on equal footing with the Soviets in terms of strategic intercontinental weapons.

The language of the amendment does not commit us to any numerical formula that would tie the hands of the negotiators at Helsinki. It does, however, put the negotiators on notice that the Congress expects them to drive a hard bargain which will leave us at parity with the Russians in terms of major strategic weapons systems. This point of view concerning the second round, by the way, has been shared by every major administration witness to testify before the Armed Services Committee on the interim agreement.

On the third point, Madam President, I feel that a majority of the Senate would continue to support a vigorous program of research, development, and modernization in support of a prudent strategic posture. The Senate approved this year an \$8.5 billion authorization for research and development within the Department of Defense which represents the largest amount ever approved for these important activities by the Congress.

The language of the Jackson amendment merely reaffirms the intent of the Congress to continue to support a research and development program that will enable us to maintain technological parity with the Soviet Union.

This language in no way commits the Congress to support any particular weapons system or research program.

Madam President, I feel that the Jackson amendment is an imminently correct assertion of the Senate's right to advise and consent in foreign policy matters. The U.S. negotiators at Helsinki, as well as the Soviet representatives they will face, deserve an expression from the Congress as to what are our expectations for the second stage of SALT. It may well be, Madam President, that an affirmative statement by the Congress today could eliminate any subtle misunderstandings on the part of the negotiators which could jeopardize the approval of a permanent arms control agreement in the future. For this reason I will support the Jackson amendment and hope that a majority of the Senate will share in this view.

Mr. JACKSON. Madam President, will the Senator yield?

Mr. BENTSEN. I am glad to yield to the distinguished Senator from Washington, who is one of the authorities on this problem and how we should deal with it and who has expended a great amount of time on it.

Mr. JACKSON. Madam President, first of all, I want to say to the Senate that no one on the Armed Services Committee took a keener interest in connection with the witnesses who appeared before our committee on this particular subject of the strategic arms limitation talks than the able and distinguished Senator from Texas.

Mr. BENTSEN. I thank the Senator.

Mr. JACKSON. I say this in all objectivity. His questions were penetrating and to the point. He helped to bring out many of the issues he has been bringing out here today by his searching questions. I, as one who is sponsoring this amendment with the Senator from Texas and other Senators on a bipartisan basis, am deeply in his debt for the record he has made on this subject.

I just wanted to ask the Senator a question. Does he not feel it is important to consider the fact that the interim agreement, that we are called upon to approve upon an interim basis, is in fact an agreement that leaves the United States during this 5-year period on a basis of, shall we say, subparity in the specific subjects involved; that is, sea-launched missiles and land-based missiles? Is that not correct?

Mr. BENTSEN. I would say in particular it leaves the United States in a posi-

tion where, without our moving ahead in modernization and research, they could move substantially ahead of us, because in that area there is no limitation.

Mr. JACKSON. Beyond that, under the agreement the Soviets are given an advantage of 50 percent in launchers and a throw-weight capacity advantage of 4 to 1?

Mr. BENTSEN. Yes.

Mr. JACKSON. So the particular amendment the Senator has addressed himself to this afternoon does not run in effect to what we are referring to as the interim agreement, but runs as a policy directive, does it not, to the negotiators and the President who will have his representatives at Geneva in October. To say, "Look, we can approve this interim agreement on a 5-year basis, but what we want is to achieve strategic equality as stipulated in the amendment." We got equality in the ABM treaty, and the Russians insisted on equality. Did they not?

Mr. BENTSEN. That is correct.

Mr. JACKSON. We got two ABM sites and they got two ABM sites. Actually, we will utilize only one site. All we are asking for in this declaration is that we obtain equality and parity with the Soviet Union in strategic offensive arms.

We have agreed to equality or parity in limits on defensive arms, antiballistic missile systems, is that not correct?

Mr. BENTSEN. That is correct. I would say to the distinguished Senator from Washington that what we are asking is that we tell our negotiators and the Russians ahead of time, before acceptance of the guidelines, that we do not want to have to come in here with 20-20 hindsight and tell them what they did wrong, but that we believe that the exercise of the power to advise ahead of time is a part of the proper role of the U.S. Congress.

Mr. JACKSON. And if we fail in this, it might put our negotiators in a difficult spot. I can hear the Russians saying, "Congress has already agreed to an agreement that gives the Russians 50 percent more in the way of launchers and a 4 to 1 advantage in throw weight or carrying capacity." The amendment we propose would make clear that the interim agreement is one thing and the permanent agreement, which will involve a treaty, is another, and that in the permanent treaty or agreement that we hope we can negotiate, we will expect equality.

As I have said, Madam President, on a number of occasions since the debate got underway, I would like to see the Soviet Union cut back their offensive forces to where we are, that is, from 1,618 missiles down to 1,000, and I would like to see them stop right now on their Y-class submarine force, and agree to either 44 or 41 submarines.

People who talk about ending the arms race should be talking in these terms, it seems to me. This is the kind of rough equality that I think we are trying to achieve. The amendment is very clear. On page 2 of the amendment, line 9, we have laid it out as clearly as anyone can. What we say is this:

The Congress recognizes the principle of United States-Soviet Union equality reflected in the antiballistic missile treaty, and urges and requests the President to seek a future treaty that, *inter alia*, would not limit the United States to levels of intercontinental strategic forces inferior to the limits provided for the Soviet Union.

That is the heart of the amendment. How in the world can there be any objection to that kind of policy guidance to the President and to his negotiators? I just would like to see some reductions on the Soviet side. In the ABM treaty that I voted for and the able Senator voted for the United States has agreed to reduce our ABM forces; have we not?

Mr. BENTSEN. That is correct.

Mr. JACKSON. We are dismantling the force at Malmstrom Strategic Air Force Base in Montana. Would it not be wonderful, if we could make some progress in the control and limitation of arms by which the Soviet Union would agree to cut their offensive strategic forces back to the levels that we have tried to maintain?

Mr. BENTSEN. Let me make this point very clear: No one more than the Senator from Texas would like to see an end to this arms race, and see those funds diverted to things that we need for our people in this country. But I understand there is also the question of surviving as a nation. In this interim agreement, we have arrived at two kinds of numbers. We are talking about the Russians having the ability to have 950 SLBM launchers, and we are talking about the United States having 710 such SLBM launchers.

Mr. JACKSON. And in addition to their 950, they get to keep the G-class submarines.

Mr. BENTSEN. That is correct.

Mr. JACKSON. That would add 70, if they exercise that option.

Mr. BENTSEN. We are talking about our having some 44, maximum number of modern ballistic missile submarines to launch such missiles, but the Russians having some 62.

I am willing to accept that if I am also to understand that we are going to work toward parity in the long run.

Mr. JACKSON. In the next round of negotiations.

Mr. BENTSEN. Yes. If we are really going to have an arms agreement that can survive, then it has to be one that finally works toward parity, where neither side has an advantage over the other. That is the only way we are going to end this arms race, and the only way the people of this Nation should accept it.

Mr. JACKSON. Right. In other words, what the Senator is saying, too, is that we want agreements that will stabilize, not destabilize. We do not want either side to have an advantage, and if we are going to bring about a more peaceful world, it has to be a world in which the major powers, at least, can be assured that they have the means of defending themselves against any kind of catastrophic attack that the other side might make, that they will have a survivable and, therefore, a credible force; is that what the Senator is saying, in part?

Mr. BENTSEN. I would concur with

that. I say also to the Senator that the argument can be made and should be made, to fully understand the situation, that while we have more missile heads than do the Russians at this stage, and while we have MIRV'ed more warheads, can the Russians be far behind? With their technology, I am sure they will be MIRV'ing theirs very shortly; and then, with their additional throw-weight, with their larger missiles, that can take more technological advancements than ours by their size alone, they can very rapidly pass us in the number of missile heads themselves.

Mr. JACKSON. And in the yield—the size of the missiles.

Mr. BENTSEN. There is no question about that. They are already there on throw-weight. They have already passed us in the yield per warhead on each of those missiles.

Mr. JACKSON. That is correct.

Mr. BENTSEN. These are things we have to be concerned with in attempting to establish a parity that this Nation can live with over the years.

Mr. JACKSON. Madam President, I just want to say, in conclusion, with the Senator's permission, that I think he deserves tremendous credit for the time that he has spent in connection with the hearings, in digging out the critical information, when we had all of the key witnesses there and we spent several days with the Joint Chiefs of Staff, the Secretary of Defense, representatives of the Arms Control and Disarmament Agency, and outside experts. The record of our hearings speaks for itself, but I wish to express my deep appreciation to the able Senator from Texas for his invaluable contribution. And I might say that what he was able to elicit, in substantial part, from the witnesses laid the foundation for the amendment that we all drafted, cosponsored by some 27 Senators from both sides of the aisle, and I want to express my deep appreciation to him.

Mr. BENTSEN. I thank the Senator from Washington, and I yield to the Senator from Utah.

Mr. BENNETT. Madam President, I am not a member of the Committee on Armed Services, so I have to approach this problem without the basic technical information that many of my colleagues, like those who have just spoken, possess. But I think that I can understand the problems which underlie the need for the amendment that has been offered by the Senator from Washington, and I join my many colleagues who have supported his amendment, as I do. My colleagues, as they have spoken, have addressed themselves to a number of issues with which I find myself in full accord:

The imperative that the United States not accept a position of inferiority in any final strategic offensive arms agreement seems so obvious that I am led to wonder why this Senate finds it necessary to debate the point. If there are those amongst us who would truly prefer a position of inferiority let them so state. I agree with those who have noted that this is not a position which the American public is prepared to endorse.

So too do I agree with those who have

emphasized the importance of strictly adhering in this agreement to intercontinental strategic forces; that is, intercontinental ballistic missiles, submarine-launched ballistic missiles, and intercontinental range bombers. To do otherwise—implicitly or explicitly—raises the question of the integrity of our alliance commitment. Involving systems or forces devoted to the direct defense of the territories of our allies in bilateral United States-Soviet talks is certainly not appropriate.

I have heard no one argue that the subject of systems and forces in which our allies might be involved cannot or should not be considered separately and on its own merits. But this should be done in its own time and place and in particular with the direct involvement and participation of those allies who would be affected.

I have also listened with great interest as a number of my colleagues have addressed the issues of the military dangers inherent in the massive buildup of Soviet strategic armaments. The facts are unpleasant, but they are facts, and we would ignore at our peril the deployment of this enormous capability by the USSR.

All those who have testified before the Senate committees—whatever their political convictions and however they may view the value of the strategic offensive arms agreement—are unanimous in their judgment that the Soviets are deploying forces grossly in excess of those they would require strictly for deterrence.

Finally, I have been equally impressed by the arguments I have heard which suggest that it is not merely the direct military threat from Soviet forces with which we must concern ourselves but the political implications that are inherent in the massive Soviet strategic buildup.

In this connection, I am bound to state that the sort of commentary to be found in the editorial in yesterday's Washington Post strikes me as missing a good part of the point expressed by the Jackson amendment. It is not just the physical danger of attack which would concern us in viewing recent Soviet deployments. We must also acknowledge the fact that those forces might be utilized to exert political pressures as well, a technique whose mastery the Soviet leadership has demonstrated.

Military power carries with it an unmistakable impression of political power, and there are those who would use it deliberately in that way. Nor can this strategic force buildup be viewed apart from Soviet conventional force capabilities, which have been ominously large for years.

What, for example, are those who are dependent on military power to think when they read in the recent edition of the highly respected Jane's Fighting Ships that "it is a sobering thought that no other country in the world in this day and age of sophistication and inflation can possibly build as many submarines as the Soviet Navy has at the present time"?

In our capitalist economies we have to account for our expenditures. Under the

Soviet system, their Government can use any percentage of the total output of the people in any way it pleases, and they have demonstrated that by their emphasis on the building up of their submarine navy.

We cannot and must not let it be said that the strategic relationship between Soviet offensive forces and those of the United States can never be redressed.

Having associated myself, therefore, with many of my colleagues who clearly support the Jackson-Scott amendment, I should like to address myself to an additional point which to me is of equal importance.

The Jackson-Scott amendment provides for "the maintenance of a vigorous R. & D. and modernization program." I think it is vitally important for the Senate to express support for such a provision. It is perfectly apparent to all who are students of military programs that technology does not stand still. One might wistfully yearn for the days of the bow and arrow or the musket, but they are gone, never to return. One might hope, also, that at any given point in time, two potential military opponents such as the United States and the U.S.S.R. might be completely equal, might have the same number of submarines with the same number of missiles and the same number of men, and so forth. But, of course, that is not what happens.

We do not plan and build our forces on the same pattern, and there is never a point in time when we can say that there is actual, measurable equality. Actually, what happens is a sort of game of leapfrog, and I think nothing illustrates that better than our submarine situation.

When World War II ended, we began to build up the first fleet of nuclear submarines; and for a generation we possessed the only effective fleet of nuclear submarines, mounting missiles with nuclear warheads, in the world. The Russians waited 20-odd years before they began their fleet, and now they are building one much more rapidly than we have done; but they are able to capitalize not only on our mistakes—if we made any—but also on the increased and improved technology.

So I do not think we are being unpatriotic when we admit that the new 1972 nuclear submarines coming out of the Russian shipyards are better than any nuclear submarine we have. This, I hope, is a temporary thing; and if we can continue—again to quote the words of the Jackson-Scott amendment—"the maintenance of a vigorous R. & D. and modernization program," we can leapfrog over the Russians when the time comes.

That is the way arms progress goes, because we do not all build the same thing at the same time, on the same blueprints—which means, of course, that we cannot afford to stand still. We must continue to attempt to gain additional knowledge, additional technical skill, in order that the weapons we build—the submarines, the airplanes, and the missiles—will be better than those the Russians have because they are later and have the benefit of the later technology. In the meantime—and this is the meantime, in a sense—the Russians are ahead of us, and we cannot afford to sit back

and let that condition continue indefinitely.

It is equally wistful to yearn for an end to the process of refinement and further development of modern military technology. It just violates all the meaning of the human attitude. We struggle constantly to do better whatever we do. We have tremendous curiosity, all of us. We try to find new ways and new things. If we require any proof of that, we need only look back to the naval limitations we tried to enter into in the 1920's and realize how far we have gone in the 50 years since, and realize that that limitation failed because—for one reason, among others—neither we nor our allies nor the people who signed that agreement with us could be content to leave things as they were.

I confess that I sometimes wonder—when I read the statements of some well-meaning citizens and even distinguished groups such as the Federation of American Scientists—whether their interest is not first and foremost an attempt to shackle U.S. military technology development, leaving that of the Soviet Union free to grow as it will. It is hard for me to understand how a group of men who call themselves a Federation of American Scientists can believe that the scientific approach, the scientific mind, will not continue to operate, because if they are true scientists, they will never be content with the situation as it is. It seems to me Pollyannaish not to face the fact that our future security will be dependent upon our attainment of the most advanced state of the art in military weaponry at each step and each point in time in our history. One might wish that it would be otherwise. But sadly, this is the state of the world in which we live. If we should decide that we have come to the end of our ability or our interest in increasing our military sophistication, we can be sure that there are other men, other scientists in other nations who will press on and continue to seek for more effective weapons.

I can only say that I count it as a blessing that American genius has kept the quality of our military forces as nearly in the forefront of technological capacity as we now are. I count on them to continue to keep us abreast, in uneven steps, perhaps, but, over time, at a pace which will equal those of the other nations of the world.

Mr. President, the Jackson-Scott amendment recognizes the problems and challenges that lie ahead. If we adopt it, we will commit our Nation to the necessary improvements and commitments that it must make if we are, over time, to be sure of our independence, of our freedom, and of our place as the leader of the free world.

I think that if the Senate approves the Jackson-Scott amendment, as I hope it will—and I shall vote for it—it will be making a substantial contribution not only to the safety of this Nation in the future but also to the future of the peace of the world.

Mr. HARRY F. BYRD, JR. Mr. President, the address just given by the able senior Senator from Utah (Mr. BENNETT) is a magnificent one. I wish that all the American people could have heard it. It

enunciated the principle of the Jackson-Scott amendment which I think all Americans subscribe to; namely, that the United States must be sure it has equality with any potential enemy in the field of nuclear arms.

Mr. BENNETT. Mr. President, will the Senator from Virginia yield?

Mr. HARRY F. BYRD, JR. I am glad to yield to the Senator from Utah.

Mr. BENNETT. I tried to make the point that we cannot hope to maintain constant parallel equality. It seems to me that one of the important values of this amendment is it does give us the opportunity to catch up in those fields in which we might temporarily be behind.

Mr. HARRY F. BYRD, JR. Yes. That is what impressed me about the Senator's statement. As he points out, under the interim agreement, in some areas we are temporarily behind and will be behind during the period of the interim agreement in certain numerical cases.

The Jackson-Scott proposal looks to the future. It says to our future negotiators that Congress feels, on the question of nuclear weaponry, in this very dangerous period in world history, that the United States must not conclude an agreement that would put our nuclear forces in a subparity position vis-a-vis the Soviet Union.

This whole debate of the past few days has been most desirable. I believe that the distinguished Senator from Washington (Mr. JACKSON) deserves high commendation for forcing the debate. Had he not presented the amendment, it is unlikely that the Senate would have given detailed discussion to this interim agreement which was signed by President Nixon and Chairman Brezhnev in Moscow not long ago. It is important that the Senate debate this matter at some length. The vehicle for the debate has been the Jackson-Scott proposal.

QUORUM CALL

Mr. HARRY F. BYRD, JR. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER (Mr. TAFT). The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 141. An act to establish the Fossil Butte National Monument in the State of Wyoming, and for other purposes;

S. 1475. An act to authorize the Secretary of the Interior to provide for the restoration, reconstruction, and exhibition of the gunboat "Cairo," and for other purposes;

S. 2166. An act to authorize the establishment of the Grant-Kohrs Ranch National

Historic Site in the State of Montana, and for other purposes; and

S. 3159. An act to authorize the Secretary of the Interior to establish the John D. Rockefeller, Junior, Memorial Parkway, and for other purposes.

The message also announced that the House had passed the bill (S. 2956) to make rules governing the use of the Armed Forces of the United States in the absence of a declaration of war by the Congress, with amendments, in which it requested the concurrence of the Senate; that the House insisted upon its amendments to the bill, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MORGAN, Mr. ZABLOCKI, Mr. HAYS, Mr. FASCELL, Mr. MAILLIARD, Mr. FRELING-HUYSEN, and Mr. FINLEY were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H.R. 10486. An act to make the basic pay of the Master Chief Petty Officer of the Coast Guard comparable to the basic pay of the senior enlisted advisers of the other Armed Forces, and for other purposes;

H.R. 12383. An act to amend chapter 30 of title 39, United States Code, to permit a person, in complete anonymity, to send substances in the mails which they suspect are drugs to Government officials for analysis, and for other purposes;

H.R. 13697. An act to amend the provisions of title 14, United States Code, relating to the flag officer structure of the Coast Guard, and for other purposes;

H.R. 13792. An act to amend title 10, United States Code, to limit, and to provide more effective control with respect to, the use of Government production equipment by private contractors under contracts entered into by the Department of Defense and certain other Federal agencies, and for other purposes;

H.R. 13825. An act to extend the time for commencing actions on behalf of an Indian tribe, band, or group;

H.R. 14891. An act to amend title 14, United States Code, to authorize involuntary active duty for Coast Guard reservists for emergency augmentation of Regular forces;

H.R. 15577. An act to give the consent of Congress to the construction of certain international bridges, and for other purposes;

H.R. 15922. An act to amend the Railroad Retirement Act of 1937 to simplify administration of the act;

H.J. Res. 1211. Joint resolution to amend the joint resolution providing for membership and participation by the United States in the South Pacific Commission; and

H.J. Res. 1257. Joint resolution to authorize an appropriation for the annual contributions by the United States for the support of the International Agency for Research on Cancer.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred, as indicated:

H.R. 10486. An act to make the basic pay of the master chief petty officer of the Coast Guard comparable to the basic pay of the senior enlisted advisers of the other Armed Forces, and for other purposes;

H.R. 13697. An act to amend the provisions of title 14, United States Code, relating to the flag officer structure of the Coast Guard, and for other purposes; and

H.R. 14891. An act to amend title 14, United States Code, to authorize involuntary active duty for Coast Guard reservists for emergency augmentation of regular forces; to the Committee on Commerce.

H.R. 12383. An act to amend chapter 30 of title 39, United States Code, to permit a person, in complete anonymity, to send substances in the mails which they suspect are drugs to Government officials for analysis, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 13792. An act to amend title 10, United States Code, to limit, and to provide more effective control with respect to, the use of Government production equipment by private contractors under contracts entered into by the Department of Defense and certain other Federal agencies, and for other purposes; to the Committee on Armed Services.

H.R. 13825. An act to extend the time for commencing actions on behalf of an Indian tribe, band, or group; to the Committee on Interior and Insular Affairs.

H.R. 15577. An act to give the consent of Congress to the construction of certain international bridges, and for other purposes;

H.J. Res. 1211. Joint resolution to amend the joint resolution providing for membership and participation by the United States in the South Pacific Commission; and

H.J. Res. 1257. Joint resolution to authorize an appropriation for the annual contributions by the United States for the support of the International Agency for Research on Cancer; to the Committee on Foreign Relations.

H.R. 15922. An act to amend the Railroad Retirement Act of 1937 to simplify administration of the Act; to the Committee on Labor and Public Welfare.

SIGNALS FOR PEACE IN 1969

Mr. FULBRIGHT. Mr. President, the competing national candidates have been engaged in a protracted controversy over whether in the first months of his administration President Nixon ignored a "signal" for genuine peace talks from Hanoi. In the course of this discussion, Vice President AGNEW has acted in character by hurling political epithets at Mr. Shriver, while Secretary of State Rogers has acted quite out of character by doing the same. Whatever the merits of the controversy pro and con, Senators of both parties will surely agree that it would be most inappropriate if the Secretary of State were to demean his office by signing on as another partisan hatchet man for Mr. Nixon—especially since the administration is already lavishly endowed with that particular talent.

Although I have no firsthand knowledge of the event, I think it likely that the inexperienced Nixon administration of 1969 did ignore a signal for peace from Hanoi, as our former negotiators in Paris, Averell Harriman and Cyrus Vance, as well as Mr. Shriver, who was then Ambassador in Paris, have testified. And there is no doubt whatever that the administration ignored an even stronger signal for peace from the American people. Whatever Mr. Nixon may have lacked in diplomatic experience in early 1969, he was certainly was not lacking in political experience. He could hardly by that time have forgotten his explicit campaign promise of the previous year:

If in November this war is not over after all of this power has been at their disposal, then I say that the American people will be justified to elect new leadership and I pledge to you that the new leadership will end the

war and win the peace in the Pacific and that is what America wants.¹

Like most other Americans, I took it for granted that Mr. Nixon intended to honor his promise and carry out the mandate of his election. As it turned out I was mistaken, but it was not yet clear by March of 1969 that the Nixon plan to end the war would in fact be a plan to perpetuate it through the program called "Vietnamization." On the assumption that Mr. Nixon was interested in a compromise peace rather than a military victory for the Thieu regime, I gave the President a memorandum of recommendations at a private meeting on March 27, 1969. My "peace signal" was ignored like the others—those from Hanoi and from the American people. Nonetheless, my memorandum of March 1969 may be pertinent to the current discussion; I therefore ask unanimous consent to have it printed in the RECORD at this point.

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

MEMORANDUM GIVEN TO PRESIDENT NIXON BY J. W. FULBRIGHT AT A PRIVATE MEETING ON MARCH 27, 1969

If there was any recognizable mandate from the electorate in the November election, it was that the Vietnam war should be brought to an end as quickly and efficiently as possible. How to carry out that mandate will probably be the most important issue to face the President during his term in office and will have great impact on the course of domestic politics and foreign policy for years to come. This memorandum is based on the assumption that the President seeks a compromise settlement which will bring about the withdrawal of United States forces and leave South Vietnam's internal political problems to be settled by the Vietnamese.

With this mandate the President, unhampered by ties to past policy, has much room to maneuver in charting a new course for United States policy. But it is imperative that he act decisively before events foreclose his options. Those options are being foreclosed rapidly by actions in South Vietnam and inaction in Paris. The failure of United States negotiators, thus far, to pursue diplomacy in Paris on substantive issues, plus an aggressive military and political posture in South Vietnam, again raise serious questions about United States objectives, resurrecting the doubts which doomed peace gestures by the Johnson Administration.

Credibility has a fragile and elusive quality and, once destroyed, is most difficult to reconstruct. If progress is to be made in Paris, the President must make the United States policy of seeking a compromise settlement more credible. There are many pressures at work to escalate our objectives, with the aim of avoiding genuine political compromise which will bring about the withdrawal of American forces. These pressures, if allowed to go unchecked, will soon destroy the delicate balance which brought the parties together in Paris and dash any hope for a early end to the war.

1. VIETNAM AND PARIS

The decision to halt the bombing signaled admission by both sides of the existence of a military stalemate, a situation in which further escalation would not advance the objectives of either side. That decision presumably carried, as a correlative to the

¹ Speech at Hampton, N.H., quoted in "Nixon Says He'd End War, Contents LBJ Has Not Used Power Wisely," Washington Post, March 6, 1968, p. 1.

understanding that Hanoi would not take military advantage of the halt, the implication that the United States and South Vietnam would show a degree of military restraint in the South. If it were otherwise, the North Vietnamese and Viet Cong forces, without reinforcements from the North, would have been subject to sure extermination by our side. One must assume that the North Vietnamese did not intend to make such a sacrifice.

Thus it was reasonable to assume that if one side took undue advantage of the situation, the other side would feel compelled to retaliate in order to maintain the validity of its negotiation position. Their current offensive is a logical and predictable result of Allied military operations in South Vietnam since the bombing halt. There are ominous signs that the military war has regained a momentum which threatens to defeat the political approach to a settlement.

Official reports and news accounts reveal that there has been a concerted step-up in both the military and the political aspects of the war in the South since October. Department of Defense statistics show that in the three months following the bombing halt the number of battalion-size operations against the enemy increased by 33%; the monthly toll of enemy troops killed in action went up by 46%; enemy weapon losses increased by 44%; and United States troop strength increased by 12,000. News reports indicate that bombing raids and other operations against long-held Viet Cong areas increased substantially since the bombing stopped. And during November and December, under the accelerated pacification program, the number of hamlets under government control increased by 7%, while those under Viet Cong control decreased by 4½%.

The step-up in military operations has been accompanied by a hardening of the Thieu government's political policies. It has not moved to broaden its base or take other steps to strengthen its position for dealing with the National Liberation Front on a political basis. Repression rather than reconciliation seems to be the government's theme. The closing of newspapers, arrests of public figures and religious leaders, and general coercion of those who advocate peace evidence uncertainty and weakness, not assurance or a willingness to contest politically with the National Liberation Front. This pattern of conduct, carried out with the apparent acquiescence of the United States, is hardly conducive to creating the proper atmosphere for negotiations and, again, speaks far more persuasively to North Vietnam and the National Liberation Front about our objectives, than do the words of our spokesmen in Paris. If our policy makers were in the shoes of the other side, they too might have doubts about United States intentions.

The siren song of those who would turn that last corner, seeking the victory which has eluded Vietnam policy makers for so many years, will only lure the United States into a deeper and more devastating war. Too many United States officials equate the objectives of the Thieu government with our own, and believe that, if we keep up the military pressure, the negotiations will eventually become a forum to define the surrender terms for the other side. But neither side has come to surrender, and if the President is to avoid becoming a prisoner of events, he must take steps to insure that our military actions in South Vietnam are carefully geared to advancing a compromise solution in Paris; that we begin the painful, but essential, process of divorcing our interests from those of the Thieu government; and that our negotiators make every effort to begin serious conversations with the other side on political issues.

2. THE NATIONAL INTEREST

The terms of peace we seek and the means by which we seek them necessarily depend upon what we conceive our interests to be in Vietnam and what we conceive it not to be. That has been, and remains, the controlling, unresolved issue of American policy in Vietnam. Until it is resolved, questions of the feasibility of one plan of procedure as against another are premature if not irrelevant; the question remains: feasible to what end? Is it our aim to eliminate the Viet Cong insurgency or to come to terms with it? And, more broadly, in seeking to end the war, are we trying to realize a positive purpose or to liquidate an unsound policy?

Although it was not always so, there is now widespread agreement among politicians, diplomats and academicians that our policy has been ill-advised, that there is no vital security interest of the United States at stake in Vietnam, and, accordingly, that the nature of the government of South Vietnam is not a matter of vital interest to the United States but only one of strong preference. The premise on which this outlook is based is that our vital interest is a strategic rather than an ideological one, which is to say, that American security depends not upon the elimination of the Viet Cong or any other Communist movement but rather upon the discouragement, or containment, of Chinese expansion.

It is not my purpose to repeat the now familiar arguments against the war in Vietnam. It may be useful, however, to list them because, taken together, and representing as they now do, the weight of informed political and academic opinion, they constitute a powerful—to my mind irrefutable—case against pursuing the war toward its original aim of eliminating the insurgent threat to the Saigon government.

The first point to be made is that this goal is unattainable. As Ambassador Yost wrote:

"The most decisive lesson of Viet Nam would seem to be that no matter how much force it may expend, the United States cannot ensure the security of a country whose government is unable to mobilize and maintain sufficient popular support to control domestic insurgency. . . ."

No less unrealistic is the concept of an exemplary war, a war designed to prove that "wars of national liberation" cannot succeed and to demonstrate America's fidelity to its alleged commitments. Mr. Kissinger has written:

"... Whatever the outcome of the war in Vietnam it is clear that it has greatly diminished American willingness to become involved in this form of warfare elsewhere. Its utility as a precedent has therefore been importantly undermined."

Equally fallacious is the expectation that the war in Vietnam will "contain" China. The prevalent view among southeast Asian specialists is that the Chinese challenge in south Asia is more political and cultural than military, that a strong independent Communist regime is a more effective barrier to Chinese power than a weak non-Communist regime, that the Hanoi government is nationalist and independent, that, accordingly, once peace is restored, North Vietnam will serve as a barrier rather than as an avenue to Chinese expansion. It is also pointed out that the primary targets of Chinese supported insurgency have been those countries—notably Vietnam, Laos and

Thailand—which have allied themselves militarily to the United States, while those—such as Burma and Cambodia—which have accepted Chinese cultural and political predominance have by and large been left alone, free to enjoy a tolerable independent existence.

Assuming still that our national interest in Asia is strategic rather than ideological, it follows that the United States has no vital security interest in the preservation of South Vietnam as an independent, non-Communist state. We have, to be sure, a moral obligation to those South Vietnamese whose lives would be jeopardized by an American military withdrawal, but this obligation can be met by any one of a number of means as part of a peace settlement and certainly does not in itself justify the continuing sacrifice of two hundred or more American lives every week. The basic point is that it is not a matter of vital interest to the United States whether South Vietnam is governed by Communists, non-Communists or a coalition; nor is it a matter of vital interest to the United States whether North and South Vietnam are united or divided. Our interest is in the prevalence, whatever its form, of indigenous Vietnamese nationalism; beyond that strategic interest gives way to ideological preference.

C. CONDITIONS OF PEACE

Mr. Kissinger may well have had an important insight in asserting that "the subject of a coalition government is the 'most thankless and tricky area for negotiation by outsiders.'" Whether or not American representatives actively participate in negotiations for a new political regime in South Vietnam, quite obviously the consent of the immediate parties, the Saigon government and the National Liberation Front, will be of primary importance. In addition to being impractical—and more to the point from the standpoint of American interests—it is unnecessary for the United States to impose a coalition government on South Vietnam.

It is equally unnecessary—for the same reasons of American national interest—for the United States to put the weight of its power behind Saigon's refusal to enter—or even to discuss—a coalition government. That, to all appearances, is what the United States is now doing, thereby sacrificing American lives for a purpose which is not vital to American interests. As long as the Saigon government is allowed to believe that it can count on undiminished American military backing regardless of its refusal to make concessions to the National Liberation Front, there can be little prospect for the successful negotiation of a compromise settlement. The issue seems to be one not of what we may impose on the Saigon government but what we allow it to impose upon us. By the same logic that the United States ought not to impose a coalition government upon South Vietnam, neither ought it to shield the Saigon leadership from having to enter a coalition government should that be the result of the natural interplay of indigenous forces within Vietnam.

The primary requirement is that the internal political regime of South Vietnam be determined by the unhampered interplay of indigenous forces. Whether this is accomplished by direct negotiations between the Saigon government and the National Liberation Front, by an internationally supervised election as called for by the Geneva Accords of 1954, or by some other means is not of critical importance. In extremity, should the two parties prove intransigent, we have the option simply to let

¹ Charles W. Yost, "World Order and American Responsibility," *Foreign Affairs*, October 1968, pp. 9-10.

² Henry Kissinger, "Central Issues of American Foreign Policy," in *Agenda for the Nation* (Kermit Gordon, ed., Washington: The Brookings Institution, 1968), p. 591.

³ Henry Kissinger, "The Viet Nam Negotiations," *Foreign Affairs*, January 1969, p. 228.

them fight it out—without further American military participation.

We have that option because our own vital security interests are not at stake in Vietnam. Nor indeed is the political and personal prestige of the new Administration at stake, although continued delay in the initiation of a new policy cannot but have the effect of associating the new Administration with the old policy, and is likely, moreover, to result in the loss of the broad domestic political support which the Administration now commands.

I recommend, accordingly, that the American negotiating position in Paris be adjusted to comply with the following general principles: (1) that the United States has no vital security interest at stake in Vietnam; (2) that, accordingly, it is the invention of the United States to withdraw its forces from Vietnam as soon as circumstances allow; (3) that these circumstances can best be brought about by the conclusion of a direct agreement between the Saigon government and the National Liberation Front; and (4) that, to this end, the Saigon government must be advised and kept aware that the United States is not prepared to secure for that government a military victory and, indeed, is not prepared to take any further military action beyond the requirements of American security interests.

INTERIM AGREEMENT ON LIMITATION OF STRATEGIC OFFENSIVE WEAPONS

The Senate continued with the consideration of the joint resolution (S.J. Res. 241) authorizing the President to approve an interim agreement between the United States and the Union of Soviet Socialist Republics.

Mr. FANNIN. Mr. President, I am very pleased to speak in support of the amendment offered by the distinguished Senator from Washington, Senator Jackson for himself, Senator SCOTT and 25 other cosponsors. The amendment is a sensible way to establish basic policy guidelines for the second round of the SALT talks.

Representatives of the United States are being asked to meet with representatives of the Soviet Union in October to begin negotiating what may be a long-term agreement limiting offensive nuclear weapons. I maintain that it was one thing for our negotiators to accept as a temporary measure an agreement which was designed to freeze the deployment of forces, without regard to the long-term consequences of such deployment—indeed, the consequences of such deployments over the next 5 years. It is quite another matter, I maintain, to ignore the fact that our negotiators must reengage representatives of the Soviet Union in hammering out an agreement which could affect the interest of both nations well into the future. When our representatives undertake these negotiations, I believe it imperative that they speak with a clear and strong voice. That voice must convey the message that this country, while seeking an equitable agreement, will not tolerate permanent inferiority, inferiority in terms of the limits set upon our strategic armaments. I believe it important—indeed vital—for our negotiators to understand that they speak not merely for the executive branch of this Government but for the Congress as well.

Surely, the approval of this amendment will offer an opportunity for the Senate of the United States to reassert its rightful role in sharing responsibility with the President for formulating our foreign policies. Moreover, this amendment provides us with an opportunity to join in an expression of support for the general objectives sought by the administration. The White House and the Secretaries of State and Defense have made clear the administration's support for the Jackson-Scott amendment.

I am surprised that some of my colleagues—Senators that I would have expected to be in the forefront of those supporting Senatorial prerogative—were prepared to approve the resolution on the interim agreement without including the advice of the Senate, indeed, almost without comment. That is remarkable.

Mr. President, I should like to call attention to one consideration not explicitly covered by the pending amendment but one which I take to be one of the concerns leading to its introduction. This has to do with the issue of verification. I remind my distinguished colleagues that the interim agreement provides for no on-site inspection—despite the fact that a requirement for on-site inspection has been a central fixture of all major U.S. arms control proposals. We have felt that this requirement was essential to give confidence to both parties that arms control agreements would be adhered to in all respects. Considering the closed nature of the Soviet society, as contrasted to the very open nature of our own, I would have felt that insistence on a similar provision in this agreement would have been in the U.S. interest. Indeed I still feel that, and I would hope that our negotiators will find it incumbent upon themselves to explore, to the maximum extent possible, on-site inspection as part of the next SALT agreement.

But should we fail in that objective, we shall presumably be forced to rely upon so-called national means for purposes of verification. It is common knowledge that these national means do in fact provide a very high degree of verification. But they are by no means infallible. The systems themselves have inherent shortcomings and they are, moreover, subject to external environmental circumstances over which they have no control. Finally, and in my view most importantly, they are subject to a degree of reliance on proper conduct and good faith on the part of those whose territories are the subject of this verification.

We should note, in this regard, that article V of the present agreement states that:

Each Party undertakes not to use deliberate concealment measures which impede verification by national technical means . . .

Are we entirely clear on what is meant by deliberate concealment measures? I am not confident that we are. There are perhaps some such measures which would be perfectly recognizable as deliberate concealment, but others might not be. Yet, verifying the present interim

agreement depends upon the effectiveness of our national means, in the face of ambiguity about what constitutes deliberate concealment.

If a follow-on SALT II agreement is basically sound, if it provides limits under which neither side is frozen into a position of inferiority, we may perhaps have somewhat less concern over the inherent limitations in our capability to verify. Conversely, if the terms of the agreement itself permit gross disparity in levels of intercontinental strategic weapons allowed the two sides, we may be operating closer to the margins if cheating takes place. Thus a sound agreement, as called for by the terms of the Jackson-Scott amendment in itself, should make the agreement, if and when reached, more stable and long lasting.

We are here dealing with a matter central to the future security and welfare of this Nation. Our Founding Fathers established a Constitution under which the general security and welfare were vested in the elected representatives. We are duty-bound to discharge that responsibility and it is apparent to me that the Jackson-Scott amendment makes a major contribution to this end.

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

Mr. FANNIN. I yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I congratulate my senior colleague on a very well thought out argument for the Jackson-Scott amendment. I want to join him in supporting this amendment because I feel it is vital if we are going to enter into this agreement as the President has suggested.

This agreement the President has suggested sounds as if it makes a lot of sense. If one wants to confine himself to the basic arguments that if we do not enter into this agreement, that at the end of 5 years even if we continue our present productivity and the Soviets continue theirs, we will not be able to get together in the same ball park because they will be so far ahead of us. That argument can be brought by anyone in this Chamber even though we have reached a terrible time in our history when we have to admit that any country in this world can surpass the United States in armament and the development of new ideas, and continue to do so.

I cannot understand the argument in this body against the language that merely says in effect that this "would not limit the United States to levels of intercontinental strategic forces inferior to the limits provided for the Soviet Union." This to me is, as we say in the West, common horse sense. As a matter of fact, I wish more parts of this country had more horse sense; we might have more horse sense.

But any agreement that we make—the Soviets are our only potential enemies as of now—the advantage over us not only is now, but also for the 5 years until 1977, which is the running time of this agreement, and on into perpetuity, if it works out to be a big mistake.

I have seen some propaganda put out by the Committee on Foreign Relations.

Again, I am reminded of a book I once saw on how to lie with statistics. In this case I think it might have been objected to by some Members of this body, but nevertheless the figures are completely misleading. For example, we are talking about the importance of the Jackson amendment and giving the United States an opportunity to maintain equality. The Committee on Foreign Relations pamphlet shows an inferiority in bombers. If we want to count heavy bombers that we have against the heavy bombers the Soviets have, we are ahead of them by quite a bit and probably will remain that way. However, what we fail to recognize is that quite a few years ago the United States in a completely unilateral way mothballed every one of our B-47's which constituted our intermediate range bombers. What the Committee on Foreign Relations and its chairman carefully overlooked is the fact that the Soviets have a vast number of intermediate range bombers that can reach the United States. It is true they might not get back, but we have known enemies that did not care, and I think if it ever came to war with the Soviets we would find an enemy that did not care if its bombers got back or not.

So if we want to be realistic from an air standpoint, we are at a standoff vis-a-vis the intermediate range bombers and long range bombers. They have a number that will not only equal but will surpass ours. I am not aware of the megatonnage but I am sure that they could inflict damage on most cities of the United States and then either land, if they care to, or carry to a friendly country, like Cuba.

In submarines, a field where I am sure the Senator from Washington is most concerned, we have given the Soviets the right to outnumber us in submarine launched ballistic systems by over 20, and we are not even yet in production with our submarine, the Trident, which will come in the inventory some time in the 1980's.

In the meantime, we have given the Soviets the right to continue building eight a year. This is another sad commentary to me on our situation in this country. We could not build eight a year unless we undertook a crash program, and under testimony from the Navy Department it might take 5 or 6 years to reach that. The Soviets can do it today.

My next point, and this will be the end of my remarks today, is in the general field of missiles, which again I know the distinguished Senator from Washington (Mr. JACKSON) is most disturbed about. I am sure my senior colleague is disturbed about it, because in our State we happen to house some of the old Titan missiles. They outnumber us in land-based missiles by 600. They will outnumber us in submarine missiles by quite a number when they finish their 62 missiles they are allowed to build.

It is true they do not have the MIRV. I do not know whether I am disclosing any secret information, but it seems to me that I have read in a technical paper from a foreign source that we have had the footprint of a MIRV launched by the Soviets. If they do not have it now, they

can have it. It is not a complicated type of missile to build.

Again, in this general field, we are told by the Foreign Relations Committee not to worry, because we have warheads. That might be true, but I would like to inform members of the Foreign Relations Committee that screwing another warhead on another missile is not like loading a .30-caliber rifle. It takes quite a long time. Then it takes a long time to insure the accuracy of the aiming that is put into these devices. So that, on the whole, no matter how many warheads we have stored, the Soviets outnumber us in deliverable missiles and certainly outweigh us in deliverable megatonnage.

Again, I can remember the little chart in that foreign policy comic book, I would like to call it, that pooh-poohs the idea that a 25-megaton device is any more effective than a 1.2-megaton device. Let me repeat, a 1.2-megaton device could miss Washington by 10 miles. We would feel it, but Washington would remain. A 25-megaton device could miss Washington by 10 miles, but there would not be any Washington. A lot of people might say, "That is a good idea." I do not agree with that. We did not build a lot of megatonnage bombs, because we thought we did not need them.

Another point made by the foreign policy paper is that they stress the extreme accuracy of our Minuteman. I remind my colleagues that we have never tested a warhead on a Minuteman. We do not know whether a warhead will even ride on it, because it sets up vibrations. We do not know what the accuracy is. We figure a CEP, which is a measure of accuracy, of a mile, or perhaps even a half-mile. These are the figures that a computer would give us. That is what we got from Robert McNamara, whose middle name was Strange—which was very accurate, I may say. I would bet my money that they are accurate, even though we never tested them, but we were denied the opportunity to find the answer by going into the Test Ban Treaty. So we do not know what the answer is about our antiballistic missiles, because these answers cannot be found underground. The Soviets have all the answers they need to prevent our attacking them, because again we do not know what our missiles will do.

I apologize to my senior colleague for taking so long to ask what should have been a question. Instead, it turns out to be a compliment to him for this thoughtful message that the least this body can do, I think, is support the Jackson amendment before it goes on and says to the Soviet Union, "We are going to stop. You stop it, even though you are football fields ahead of us. We hope you are honest this time." We certainly hope they are.

My decision has not been made as to how I will vote on this measure unless the Jackson amendment is in it. I am tempted strongly to vote against it, because I do not think, without the Jackson amendment, it would be in the best interests of the United States.

Mr. FANNIN. Mr. President, I wish to

express my appreciation to my distinguished colleague. I know of his expertise in this field. There is no Member in the U.S. Senate, or in all of Congress, who can speak with as great an expertise in this particular area. I agree with him. I know of his long study in the field of aviation and his long and dedicated service to the Armed Services Committee. He realizes that we are in a serious position what with the Russians continuing to go forward while we are standing still—in fact, going backward. My colleague has brought out that much of our equipment is becoming obsolete and some of that equipment is stored in our State of Arizona. I wholeheartedly agree with him.

I appreciate the fact that the distinguished Senator from Arizona has brought out these facts which are so important in the decisionmaking process of this body. I know the information he has disclosed here today will be read with a great deal of interest by the other Members of this body, as well as by Members of the House of Representatives.

I yield the floor.

Mr. HARRY F. BYRD, JR. Mr. President, I share many of the concerns expressed so ably by the two distinguished Senators from Arizona. I have been inclined to support the interim agreement signed by President Nixon and Chairman Brezhnev. I am convinced, however, that it would be greatly improved should the Jackson amendment be adopted.

The longer this debate goes on, the more convinced I am of the service which the Senator from Washington is giving the American people and the Congress in airing so fully the problems connected with the limitation of nuclear weapons.

The two Senators from Arizona just brought out some extremely important points in this regard. For the life of me, I cannot see how any Member of the Senate could object to voting for an amendment such as that presented by the Senator from Washington (Mr. JACKSON) and the Senator from Pennsylvania (Mr. SCOTT), which says that, in the oncoming discussions with the Soviet Union in regard to nuclear weapons, the United States must not accept an inferior position. How in the world could anyone object to that? How could any Member of Congress vote against an amendment to the pending legislation saying that the United States, in the question of nuclear weapons, should have parity and should have equality? That is all the Jackson proposal does.

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

Mr. HARRY F. BYRD, JR. I yield.

Mr. FANNIN. Mr. President, I want to commend the distinguished Senator from Virginia for stating his position so eloquently. I agree that not to insist upon equality would be a great mistake. In fact, I am sure the Senator agrees, because he has so stated, that we should have superiority. To forgo both superiority and equality would be tragic.

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

Mr. HARRY F. BYRD, JR. I am glad to yield to the Senator from Louisiana.

Mr. LONG. I am compelled to concur with the Senator. I, for the life of me, do not see why, in an arms limitation agreement between the two great powers, the United States and the Soviet Union, the United States should negotiate for anything less than equality, equal power, possessing vast weapons which we hope neither will ever use. The idea of limitation generally is to allow both powers to have that which they deem necessary for their defense and that which they would need in case one attacks the other by surprise, for instance.

Does the Senator think it is possible that we ought to enter into a limitation where the other fellow has far more power to strike us than we have to strike him in return? For my part, I cannot see that.

Mr. FANNIN. I certainly agree with the distinguished Senator; we have always talked about negotiating from a position of strength. Here we are negotiating a treaty that is important not only to us, but to the entire free world. If we do not undertake to negotiate from a position of strength we are not being fair to the people of America or the other free nations of the world.

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

Mr. FANNIN. I yield.

Mr. LONG. It occurs to me that if we are not going to ask for it, we are certainly not going to get it. What is the point of not asking for it?

Mr. FANNIN. I agree we must ask for it. I think we would be very negligent in our obligations, as I say, not only to the American people but to the free nations of the world, if we did not ask for it, and I thank the distinguished Senator from Louisiana.

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

Mr. FANNIN. I am very pleased to yield to the distinguished Senator from New York.

Mr. BUCKLEY. I have been very puzzled, over the past few days, as to why there should be any objection whatever on the part of any Senator to the Jackson amendment. I wonder if the Senator could enlighten me as to what there is in that amendment that is inconsistent with what the negotiators of the SALT agreements have told us is the official policy of the United States.

Mr. FANNIN. I would say to the distinguished Senator from New York that the Members of the Senate have over and over again expressed that this is the position to which the administration agreed. I feel just like the Senator from New York in wondering why we are debating this issue when it is so evident that it is the desire of most of the Members of the Senate? But we just cannot bring it to a vote.

It surprises me to hear some of the Senators who were thought perhaps to be against this treaty neglect to discuss on the floor why they are against this amendment.

Mr. BUCKLEY. As yet, I have not been able to find out.

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

Mr. FANNIN. I yield to my distinguished colleague from Arizona.

Mr. GOLDWATER. I do not know if I can shed a lot of light on what the Senator from New York has asked, but I detected, as long ago as 1960, a very strong movement in this country toward unilateral disarmament. I have watched this movement grow. I have watched it grow on the floors of Congress. I have watched it become evident in the amendments that we have been asked to support on both floors of Congress, that would take away from the President his powers of war. I have watched it in the arguments made by Members of this body and by groups like Peace Through Law, that we ought to destroy the armament of our country.

While I do not like to think for one moment that a Senate committee bearing the title of Foreign Relations would be interested in the unilateral disarmament of our country, I would like to be around in 150 or 200 years, because I think the answer to the Senator's question will be quite obvious. Yet there continue to be groups of people in this country who would like to see the United States reduced in armament and reduced in power, not only its military power but its power in the world to work for good. I think those forces are working to the end that amendments such as the Jackson amendment will be defeated. I see no other reason for activity against this amendment.

The amendment makes sense. It is something that we all, as Americans, have called for in every other action we have ever taken with a foreign country, and to suddenly find this body even faintly considering entering into negotiations without this guarantee seems patently to be ridiculous.

Mr. BUCKLEY. I was interested in the Senator's analysis about the impulses of the last 10 or 12 years, because as a matter of fact they must have been to a degree successful, or we would not have found ourselves in a posture where we would have to face this awful alternative of continuing as we are doing, with the Russians overtaking us on such a massive scale, especially on these weapons of massive destruction, or, in the alternative, agree to an interim agreement which would slow that down but not stop it, which will freeze us for a 5-year period into a position where they will have a significant quantitative advantage over us in the weapons affected.

This, of course, is a quandary which we have to face one way or the other, but it has resulted from this antimilitarism which has pervaded this country, an antimilitarism which does not understand that it is precisely our strength which has maintained world peace since the Russians started flexing their muscles back in the 1950's.

I really believe that one of the problems we have is to communicate to the American people—and this is why I think this debate is so hopeful, if it will be reported—that we are entering a period in which we face greater danger than in any other since the end of World War II, if we enact these accords, because when the Russians will come to the end of that 5-year period, they will have had the opportunity to develop and install those qualitative refinements which will

give them an overwhelming superiority to the United States in the weapons of terror.

Therefore, it is important to telegraph to the Russians and now to the American people that we must begin looking now to see to it that should the Interim Agreement fall apart, should we not succeed in achieving a new agreement which imposes true parity, we will then be in a position far behind, but at least we will have the option to try to protect the United States by going ahead and developing the weapons we need.

Mr. GOLDWATER. If the Senator will yield, I might remind the Senator once again that the United States, as have many, many other countries prior to this country, is going through the same thing that civilization after civilization has gone through; namely, reaching that affluent point in their history where they felt that that in itself, with the goodness of themselves, the beneficence of themselves, would keep other powers away, when the history of the world is absolutely replete with example after example of countries falling through the middle, through loss of morale and their willingness to be taken over by or fall under the influence of countries which became strong.

I think our present dilemma stems, to a great degree, from the fact that we emerged from World War II as the leader of the world, without many people in this country, except maybe five or six in Washington, realizing that it was coming, or why we were becoming the world leader.

I think also the enactment of the massive retaliation concept, which has always been sort of a dirty word or phrase to many, but nevertheless a correct one, did not really begin, with the American people, until about 1960, when they began to become aware of the great number of treaties that we had entered into in the 1950's, that not only took us to war but took us up to the approaches of war.

I think it was about that time that opinion in the country began to be divided—I do not believe the division started in Congress, though I think it has been helped by Congress—until today we find the American people sorely puzzled, not understanding why it is necessary for us to maintain our position of leadership, naively feeling that we can pull in our horns to the days of the 1920's, and 1930's, when we were a completely isolated country. Those people, I fear, will be terribly disappointed to find out the reaction within the coming days of history to any negative action on the part of the United States that would result in our giving up any more of the military power that we have held in the past, and I would hope that the Jackson amendment would indicate to the rest of the world that Congress realizes the seriousness of making an agreement with the Soviets, and wants to reserve for itself the power of decision that can, at some later date, enable us to act in the best interests of the United States.

Mr. FANNIN. I thank my colleague and the distinguished Senator from New York for their valuable contribution to this colloquy; they have brought out facts that are very important to the con-

sideration of this amendment. I wholeheartedly agree with them that the future of this Nation and the free world depend to a great extent on the decisions that will be made here in the next few days. We are dependent upon the power and the ability of this Nation to face up to the obligation we have as a leader in this world, and we certainly cannot afford to fall behind. If we do not go forward with what is contemplated by the Jackson amendment, we no doubt will fall behind further and further.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. TAFT). The question is on agreeing to the amendment.

Mr. HARRY F. BYRD, JR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. HARRY F. BYRD, JR. 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. HARRY F. BYRD, JR. Mr. President, several more Senators wish to participate in this debate. They are at a meeting at the present time and are not available. I understand that the Senator from Arkansas would like to speak.

Mr. FULBRIGHT. I would like to say a few words. I have not had an opportunity.

Mr. HARRY F. BYRD, JR. Mr. President, I yield the floor.

Mr. FULBRIGHT. I thank the Senator from Virginia.

Mr. President, it has been said by the junior Senator from Washington that the proponents of this treaty and the opponents of the Jackson amendment have not taken much time, so I think it is appropriate to say a few words about the matter.

Mr. President, as Senators undoubtedly know, there were lengthy negotiations yesterday and much of today between the Senator from Washington and those who are supporting his position and those of us who support the agreement as signed and as accepted by the President and as presented to the Members of Congress in the meeting at the White House upon the return of President Nixon from Russia. Up to this time, there has been no tangible agreement resulting from these negotiations.

I feel that the Rules of the Senate, at least as they used to be followed and applied, encourage full and free debate on important issues. That is the proper course to follow.

I think agreements to limit time on routine legislation are quite proper, and they do facilitate the work of the Senate. But the Senate is given a special responsibility in the field of foreign policy; and when a matter is brought up that is as important as the interim agreement is for the relations of this country with Russia, I believe we are entirely justified in reverting to the traditional rules of the Senate, the traditional practice of the Senate, to engage in full and free debate on an issue. Much too

much is riding on the subject of this debate for us to accept the restrictions we apply to ordinary routine legislation. Therefore, I make no apologies for not agreeing to limit debate to a few minutes on each amendment or on the agreement itself. I think we are entitled to a full opportunity to discuss this matter.

Mr. CHURCH. Mr. President, would the Senator from Arkansas be good enough to yield at that point?

Mr. FULBRIGHT. Yes, I yield. For a question?

Mr. CHURCH. I merely wanted to comment on the position taken by the chairman and to quote the President in support of that position. As I understood the Senator from Arkansas, he feels that the present agreement, and any language that the Senate may add to it, is a matter of such importance, it should be fully examined through extended debate, which is the normal practice of the Senate when faced with issues of gravity.

I would simply point out to him that President Nixon took the same view in his address before the joint session on June 1, which was broadcast to the Nation on television and by radio, when he explained the agreements that he had entered into between the United States and the Soviet Union at the Summit Conference in Moscow.

This is what he said about the interim agreement and the role of Congress with respect to it:

I ask from this Congress and I ask from the Nation the fullest scrutiny of these accords. I am confident such examination will underscore the truth of what I told the Soviet people on television just a few nights ago, that this is an agreement in the interest of both nations. From the standpoint of the United States, when we consider what the strategic balance would have looked like later in the 1970's if there had been no arms limitation, it is clear that the agreements forestall a major spiraling of the arms race, one which would have worked to our disadvantage since we have no current building programs for the categories of weapons which have been frozen, and since no new building program could have produced any new weapons in those categories during the period of the freeze.

My colleagues in the Congress, I have studied the strategic balance in great detail with my senior advisers for more than 3 years; and I can assure you, the Members of the Congress and the American people tonight, that the present and planned strategic forces of the United States are without question sufficient for the maintenance of our security and the protection of our vital interests.

No power on earth is stronger than the United States of America today, and none will be stronger than the United States of America in the future.

Mr. President, I call this to the Senator's attention because it seems to me that the President not only invited the fullest scrutiny of Congress, which our distinguished chairman advocates, but he also went on to reassure the country and the Congress that, in his estimation, the accords reached in Moscow fully protected the security of the United States. He declared most forcefully that the accords placed the deterrent power of the United States, in no jeopardy whatever. Does the Senator agree?

Mr. FULBRIGHT. The Senator is absolutely correct. It was on that assumption that the Committee on Foreign Relations, after thorough hearings unanimously approved the agreement. Our hearings to which the Senator from Washington says we paid no attention, are on the desk of each Senator in this Chamber and they total 400 pages, including the actual hearings plus supporting documents. They were good hearings. We heard 24 witnesses representing all shades of expertise and opinion. We voted unanimously to report this agreement for approval without any amendments. Subsequent to that, this question has arisen. The committee met again. It felt that no amendment was necessary. It was the intervention of the Senator from Washington and his amendment, with some kind of endorsement by the White House—and I have never seen anything specific from the President directly, only from his spokesmen—that has led to this controversy.

Mr. CHURCH. The very confusion that has been created by the ambivalent position of the White House is, to my mind, most regrettable. I have read into the RECORD the affirmative endorsement the President gave the agreements when he returned from the summit. There is no question that he was fully satisfied, then, that the agreements protected the vital security interests of the United States in all respects. He had no doubts about it when he delivered his message to the 2 bodies of Congress and to the American people.

Now, for reasons that are quite baffling, he endorses the amendment suddenly offered by the Senator from Washington which, when read, can only be construed as raising serious doubts about the accords entered into in Moscow and laying down guidelines which, in effect, say, "Don't do it this way again."

Yet his spokesmen, while affirming that the President endorses the amendment of the Senator from Washington, are at great pains to say that the administration disassociates itself from the interpretation given the amendment by the author himself. That is baffling. It can only lead the public and Congress to wonder where the President does stand. Does he favor the accord entered into, as he said so positively to the Congress only a few weeks ago, or does he himself now have doubts about that agreement, or is this merely a political game in which he is undertaking to be all things to all people?

I do not know where the President stands. No one can say for sure what he means by endorsing an amendment which, at the very least, is highly critical of the accords and, at most, repudiatory of them, and then carefully disassociates himself from the interpretation laid on that very amendment by the author himself.

What a compromising position for the President to take. What a vacillating position on a matter of such crucial importance to the country.

Mr. FULBRIGHT. May I say to the Senator, too, that this amendment proposed by Mr. Jackson is rather an odd document. It does not undertake to

change the text of the agreement signed by the President. It is, in form, simply advice given to the President. The President could say on his own, "It is my intention to be much tougher in the next negotiation. I will insist upon equality"—whatever that may mean. The President does not need any amendment to do that.

This is not a law. It does not affect the President's constitutional powers. It does not affect anyone's power. It is merely a vague guideline.

On the very issue of equality, what kind of equality does the Senator from Washington have in mind? Now, if the President has a different view of the meaning of "equality" than the author of the amendment, it is very easy for him to say so. He did say so in the briefing at the White House in which he said in effect that neither side won, neither side lost. This agreement is to the advantage of both sides.

The words he used to describe equality, it seems to me, are much more accurate than to say that equality consists only of equal numbers of ICBM's, which I think is the thrust of the language of the Senator from Washington.

Mr. CHURCH. Mr. President, would the Senator from Arkansas agree that if the Senate approves the Jackson amendment, the country and the world will of necessity assume that the Senate is dissatisfied with the results of the President's Moscow accords and harbors some idea that they would place the United States at a strategic disadvantage?

Mr. FULBRIGHT. Mr. President, I do not see how it could be interpreted in any other way. Attaching this language to our resolution of approval leaves the implication that the Senator describes, that there is something inadequate in the agreement signed by the President.

If the Senator from Washington wishes to give the President the views of the Senate, he could bring in a separate resolution and say, "Resolved, that it is the sense of the Senate that in the negotiations the Senate wants to be much tougher."

That is the point the Senator seeks to accomplish by his amendment. I think the procedure of using an amendment to express his view of what he believes should happen in the future is very unfortunate, because under all the circumstances it necessarily leaves the implication that there is something wrong with this present agreement. I do not think there is anything wrong with it. Neither did the committee. Neither did the President. This is what is so wrong with the approach of the Senator from Washington. The committee unanimously thought that there was nothing wrong with the agreement. We voted unanimously for it.

Mr. CHURCH. The statement was made by Mr. Kissinger. I have already quoted from the President himself, from his address to the Congress and to the Nation on June 1, but let me quote from the statement of Mr. Kissinger, who spoke on behalf of the President on this very question of whether the accords entered into with the Russians place the United States at any strategic disadvantage.

This is what Mr. Kissinger had to say:

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 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.

So we have both the assurance of the President and his chief spokesman on foreign affairs, Mr. Kissinger, to the effect that the present agreement places the United States at no strategic disadvantage. For what reason, therefore, should the Senate adopt language which would call the wisdom of the accords into question?

I think this is precisely what the Jackson language would do. Does the Senator agree?

Mr. FULBRIGHT. I agree completely with the Senator. And I think in that connection that it would be interesting to read into the record part of what Mr. Kissinger stated on May 26, 1972, while he was still in Moscow. This matter was fresh on his mind. I read from what he said in Moscow:

The first point to make is that in an agreement that involves the central armaments on both sides, it is foolish or shortsighted to approach the negotiations from the point of view of gaining a unilateral advantage. Neither nation will possibly put its security and its survival at the hazard of its opponent and no agreement that brings disadvantage to either side can possibly last and can possibly bring about anything other than a new circle of insecurity. Therefore, the temptation that is ever present when agreements of this kind are analyzed as to who won is exceptionally inappropriate.

Mr. President, there is much more that was said in support of this position. What the Jackson amendment implies is that in this case the agreement was to the advantage of the Russians. And that this is what is so puzzling to all of us, that the messages from the White House—and I see no direct statement of the President—subscribe to that view. This is against human nature. I cannot believe that the White House believes the agreement was to the advantage of the Russians.

There is something behind the White

House support of the amendment that does not meet the eye. This is why it is so necessary that there be some debate and some effort to clarify exactly what the situation is.

I personally still subscribe to the committee's view that this is a good agreement and that the reasons given earlier by the President and by Mr. Kissinger are sound, that it ought to be approved without any amendment.

After we approve the agreement, then we could take up, if someone wishes, the question of giving advice to the President under the advice and consent clause of the Constitution. If the Senator from Washington wishes to initiate a sense of the Senate resolution, I would certainly not object to it. Whether I would agree with what his views would be is another matter. But I strongly disagree with his effort to encumber this particular resolution approving the agreement with an amendment which raises doubts about the validity of the agreement itself. This undermines the agreement as the Senator so well put it. This is why it is so difficult to resolve this question of getting to a vote, because the sponsor of the amendment apparently wishes to bring about a vote very soon and quickly with a minimum amount of debate under controlled time. I cannot help believing that this is partly because if this matter were thoroughly understood it would raise serious questions in the minds of many Members as to whether it should be approved.

The Jackson Amendment sounds plausible on its face. He speaks of equality but he limits it only to equality in limited classes of weapons as he defines them.

Mr. CHURCH. Mr. President, I would like to explore with the Senator the lopsided concept of equality embraced in the Jackson amendment, because the distinguished Senator from Washington has so frequently emphasized equality as the reason why the Senate should adopt his amendment. If he has said once, he has said a hundred times, that all he is seeking is equality; who can be against that? Indeed, who can? Who is?

I have just quoted from the President and Mr. Kissinger to demonstrate that, in their judgment—and they are hardly uninformed—we have here an accord that fully protects the United States and gives no advantage to the Soviet Union.

But I would think, beyond anything that either the President or Mr. Kissinger have said, that no Member of the Senate would want to endorse or subscribe to some future accord with the Soviet Union on the subject of nuclear weapons which did not preserve equality, in terms of the overall nuclear strength of the two countries.

Indeed, it is hard for me to envision any kind of agreement being reached with the Soviet Union which did not seem to the two sides to observe that principle.

Having said that, and I want to get to the question of what the Senator from Washington means by "equality," which is the core of the argument. I subscribe to the principle of equality fully as much as the Senator from Washington, or any other Member of this body. Nevertheless,

I would like to explore with the Senator from Arkansas the mystery of what happened to the doctrine of sufficiency.

A couple of years ago, it was the President, himself, who said that all we needed, insofar as our nuclear forces were concerned, was a sufficient deterrent; that when you reach the point where the nuclear arsenal has grown so large on either side that, in a full-scale thermonuclear exchange, both parties can be incinerated many times over, and the populations in both countries utterly destroyed, then what meaning do such terms as "equality," "preponderance," and "superiority" have any more? We are not talking about the kind of cannon fired at Waterloo. We are talking about weapons that have the awesome capacity of wiping out the entire populations of both the United States and the Soviet Union.

So I thought that a ray of light had finally begun to penetrate the fog and sophistry that surrounds the nuclear weapons argument, when the President of the United States said, 2 years ago, that all we need is a sufficient deterrent. That word "sufficiency" looked to me like a robust, healthy, pink-cheeked, new guest brought in, along with a gust of fresh air, through a door thrown open to the roundtable of high-nuclear strategy, heretofore surrounded by the generals who alone passed judgment on how much is enough.

But whatever happened to that young, robust, healthy, pink-cheeked new occupant at the table? He has disappeared. Presumably, he is dead. He has been interred, and not a single Senator, let alone anyone downtown, has even dropped a withered flower on his grave.

I ask, what was wrong with the doctrine of sufficiency? If we have a retaliatory force that can survive any first strike directed against us, and the surviving force possesses sufficient power to incinerate the Soviet Union, what more deterrent do we need? Why is not sufficiency enough?

Suppose the Senator from Arkansas, for a moment, were to personify the Soviet Union. And suppose the Senator from Idaho were to personify the United States. Both of us are in a closet together. The Senator from Arkansas holds a .45 caliber pistol at my temple and I hold a .38 caliber pistol at his temple. Both of us know, if he ever pulls the trigger of his pistol, I automatically pull mine. What difference does it make if mine is a .38 caliber pistol, the Senator from Arkansas is going to be just as dead as I am, if ever he pulls the trigger of his .45 caliber pistol.

None of the experts have ever told us why the doctrine of sufficiency was not sound. Nobody has ever explained why that young, new participant at the nuclear roundtable, was suddenly yanked away and buried in an unmarked grave.

Mr. FULBRIGHT. If the Senator will yield, that argument could go solely to the ICBM's, which is what the Senator from Washington is talking about. In other words, if you do exclude all other weapons except 1,054 ICBM's on one side and 1,618 on the other, it is as the distinguished Senator said with respect to

the .38 and the .45 caliber pistol. But the argument proceeds beyond that and ignores aircraft carriers with all their nuclear arms, and capacity for delivery, and forward-based planes with thousands of warheads deliverable by fighter-bombers, and all the bomber force—these should not be considered at all.

As a matter of fact, if those are added to the other forces you get a great advantage in warheads, a deliverable advantage for destruction. So I think the Senator's analogy is correct. I regret the departure from the concept of sufficiency. There is something peculiar about this idea that the administration supports this amendment because it runs so counter to the things they said in support of it and so counter to the previous concept of sufficiency, which the Senator so well discussed. It does not add up. There is something fishy about this whole business. This has to be explored because it would be a great tragedy to leave an agreement as important as this in an ambiguous situation where the people of this country and, equally important, the people of Russia did not understand the meaning of the Jackson amendment and its effect on the basic agreement. It is very necessary that this be clarified.

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

Mr. CHURCH. I would like to examine into this matter further, but at this time I yield to the Senator from Missouri.

Mr. FULBRIGHT. I yield to the Senator from Missouri for a question.

Mr. SYMINGTON. Thank you. I would comment and question.

Mr. FULBRIGHT. Very well.

Mr. SYMINGTON. I have been reading the debates and doing my best to understand this strange development.

It was stated recently on the floor that the nuclear capability of the United States in Europe is potentially limited so far as reaching the Soviet Union is concerned. We have approximately 40 air bases it was said, whereas the Soviets have some 600 IRBM's, and 100 of the latter could reach every one of these bases, we were told.

There is no reason why, however, if considered important enough, that we could not have some form of alert at far less cost, comparable to what was planned for the Strategic Air Force some time back when an air alert was considered important.

I have always felt that, with our forward base system in Europe, when one of our fighters could drop—with one refueling, in itself no problem—a nuclear weapon on Moscow many, many times more lethal than the Hiroshima bomb—

Mr. FULBRIGHT. What the Senator calls tactical bombing?

Mr. SYMINGTON. In the Battle of the Bulge, B-17 bombers, the largest we had in Europe, performed a tactical mission in aiding our troops in the Battle of the Bulge. The P-51, a short range fighter, when it left Iwo Jima at the end of the war to destroy plants in southern Japan, was performing a strategic mission. Therefore, the words "strategic" and "tactical" are secondary to what the plane does in the way of mission.

Mr. FULBRIGHT. The size and nature of the bomb is what makes it considered to be tactical or strategic.

Mr. SYMINGTON. The size of the modern bomb on a fighter would be many, many times stronger than the Hiroshima bomb, and the Hiroshima bomb killed, almost instantaneously, some 68,000 people. One could ask, how many people have to be killed before a weapon becomes strategic rather than tactical. If the criterion is destruction, certainly this bomb on our fighters would be a strategic weapon performing a strategic mission.

If we have that additional deterrent, that capacity, would it not be logical to include those fighter systems in any agreement on strategic force levels, regardless of whether we call said planes strategic or tactical? The Soviets have as much knowledge about this as we do. There is no secret about our true position in Europe.

Carrying the thought on further, if these forward air bases do not add to our nuclear deterrent capability, why do we waste billions of dollars of our taxpayers' money maintaining them? Surely we do not plan on some form of nuclear tactical war with such tremendously powerful nuclear weapons in Europe. Does anybody honestly think this is not part of our strategic picture? What would we think, what would be our position, if the Soviets had such a position against us, in countries on or close to our boundaries.

Mr. FULBRIGHT. Many of those bombs are under the direct control of this government. Not all of them are there dedicated to NATO so that we could not use them?

Mr. SYMINGTON. Very few are under any joint control. Nearly all are entirely under U.S. control.

Mr. FULBRIGHT. A statement has been made by the Senator from Washington that, in some way, these are dedicated to NATO and that we could not use them in our calculations because they are under NATO jurisdiction. That is only in regard to a few of them; is that not correct?

Mr. SYMINGTON. The Senator brings up an important point. If we arbitrarily eliminate these worldwide nuclear forces which to my knowledge, after some 30 years in this town directly connected with the subject of defense, I believe the Soviets will think, if we have all that and also want equality on ICBM's and SLBM's, that we are going for superiority, not just equality. We now have these, our nuclear weapons, in some 12 countries. If they are not to be considered part of our strategic assets, let us get them out promptly and save the taxpayers many billions in installation cost, as well as running the dangers involved in protecting such weapons with our troops. To me they are part of our strategic nuclear deterrent and should be considered so in any equation of comparison of United States-Soviet strength.

It is also important that the Soviets think about all this. We reacted very rapidly indeed when they tried to put nuclear missiles 90 miles from this country, but they know we have nuclear

weapons in countries not 1 inch from their borders.

Why is not what is sauce for the goose also sauce for the gander? The Senator from Washington says the standard is equality, not superiority.

Mr. CHURCH. Mr. President, will the Senator yield for an observation?

Mr. FULBRIGHT. I yield.

Mr. CHURCH. I must say I have been unable to follow the argument of the Senator from Washington when he gets beyond the appealing generic terms of "equality" and "parity," in which we all concur. When it comes down to what the Senators means by these terms, I lose him. For example, just the other day we had a colloquy—it is in the *RECORD* for anyone to read—and I asked the Senator if a B-52 bomber was an intercontinental strategic weapon to be placed, in any future equation, on our side of the scale. He said yes, because the B-52 has a strategic capability; namely, it can reach the Soviet Union and deliver a warhead, and therefore has to be counted as a strategic weapon to be placed in the balance in any future agreement.

Now, it is true the B-52 has tactical capabilities, as well as strategic. We are using some 200 B-52's to deliver an incessant rain of bombs on Vietnam, and have done so for years, as the Senator well knows. But the fact that the B-52 has tactical capability should not prevent it from being placed in the equation as a strategic weapon, and I agree.

So then I asked the Senator from Washington, What about aircraft carriers? We have around 15 aircraft carriers, and the Russians have none, except for helicopter carriers. Aircraft carriers can also approach the shores of the Soviet Union and launch aircraft that can travel at supersonic speeds and deliver nuclear bombs over the Soviet Union.

Mr. SYMINGTON. The Senator is ahead of me on that. I have read the questions he asked, also the constructive testimony he gave. As I understand it, the proponents of this amendment say they would not include aircraft carriers that have nuclear weapons capability as part of our strategic forces. What would they consider enemy aircraft carriers to be 500 miles off our coast, carriers that had supersonic planes and also missiles?

Mr. CHURCH. As I say, I cannot follow the logic of the Senator from Washington. On the one hand, he says B-52's, though they have tactical capability as well as strategic, should figure in the balance in any future agreement, but on the other hand, he says aircraft carriers should not, because he views them as tactical weapons primarily, even though they have strategic capability.

If it does not make sense to me, how is it ever going to make sense to the Russians, and what chance is there going to be of ever reaching any further accords?

Mr. SYMINGTON. If they have only a tactical use, why are our carriers in the Mediterranean equipped with nuclear weapons?

Mr. CHURCH. The question answers itself. The test of whether they are part of our strategic force is whether they are capable of reaching the Soviet Union

with nuclear warheads. Anybody who talks about equality and says, "Oh, but we exclude aircraft carriers," is not talking about equality at all. He is talking about a formula which is designed to assure the United States a preponderance of nuclear power in the future. The trouble with that is, as long as we insist upon a preponderance, we are not going to reach any further agreements.

Mr. FULBRIGHT. That is the main point that the Senator makes. This all adds up that if this amendment is adopted and the President follows it, if he should follow it, it would mean no more progress in SALT II, because the Russians cannot be expected to accept any such idea of equality, distorted as it is, as the Senator has shown.

Mr. CHURCH. All we need to ask ourselves is, if we reversed our position with that of the Russians, would we accept the Jackson concept of equality?

Mr. SYMINGTON. As I have read the *RECORD* over recent days, it has often been mentioned that Soviet IRBM's could knock out our bases in Europe, and therefore, the billions we have in those bases would be useless. But our bases are all over the world. They are not just in Europe.

What would be the answer about the bases that have on them our nuclear weapons which could not be knocked out by IRBM's in the Soviet Union? Should not they also be taken into consideration? Should not the number of locations of our nuclear weapons in the Far East, for example, be a part of our strategic position? If they should not, then why do we have them at all?

Mr. FULBRIGHT. And there are thousands of them.

Mr. SYMINGTON. It has already been announced that there are over 7,000 in Europe. Of course, all around the world there are a lot more than that.

During the debate on Friday, there was discussion of the Polaris-Poseidon submarine bases, in such places as Spain, Scotland and Guam. It was stated at one point that the Soviets do not need comparable submarine bases abroad, because they have an operational 3,000-mile missile. However the range of Poseidon is very close to 3,000 miles, so why then do we need these sub bases abroad?

In addition, it is now known that the so-called ULMS-1, the first Trident missile, would have a range of around 4,500 miles, and we are told by the experts that the Poseidon submarine can be retrofitted with the ULMS-1 missile. All the arguments seem to be built upon the importance of getting equality. Looking at this objectively, however, it would now appear we are asking for, not equality, but superiority. This can only guarantee trouble in any future SALT talks.

Mr. CHURCH. That is precisely the objective. It is the inevitable objective of the adoption of the Jackson language. It would cause the country, if the President were to adhere to it, to conform to guidelines that do not result in equality at all, but in inequality; and if we expect to make any further progress in bringing this nuclear arms race under control, then it is obvious that we are going to have to negotiate on the basis of true equality. That means we have to take the

entire mix of strategic nuclear weapons on both sides, and put them on the scale. We cannot say, "No, put all of yours on the scales here, and we will put part of ours on the scales there," and expect to get an agreement.

Mr. SYMINGTON. Mr. President, let me make this observation, then I shall be through: Yesterday or Friday, when we were discussing our operations in Laos in conference with the House, a letter was produced which gave us the position of the President with respect to Laos.

That letter resulted in a decision which in my judgment was not the right decision with respect to our vast expenditures in Laos. But if the President can sign a letter about Laos, surely he can sign a letter that bears on the future of the world.

Mr. FULBRIGHT. With respect to Russia.

Mr. SYMINGTON. We are told by the Senator from Washington that the White House agrees with his position. But I put in the *RECORD* yesterday a statement which was printed in the State Department. That printed brochure said that, as of now, we have 6,000 nuclear warheads, the Soviet Union 2,500. It adds that, after taking into consideration the SALT talks, at the end of 5 years we will have 10,000 nuclear warheads, the Soviets 4,000.

I cannot believe the State Department would dare put that out unless they had checked first with the White House staff, Dr. Kissinger, and so forth. That has been characteristic of all such operations in the recent past.

Why is it not possible for us to receive a comparable letter from the President stating in effect that "The agreements which I arrived at in Moscow were not in the best interests of the United States, therefore I ask you to support the Jackson amendments"?

If it is correct, and I am sure the able Senator from Washington believes it correct, that the President does support his position, would it not be logical for him to express his support in writing. This problem affects the security of the world. Again, he expressed his opinion in writing with respect to the problem of Laos? Does not the able Senator agree?

Mr. FULBRIGHT. I certainly do. This is a much more important issue to the future of our country than whatever happens in Laos.

Mr. President, yesterday, August 14, there were exchanges between the Senator from Washington (Mr. Jackson) and Senators Pastore and SYMINGTON on the subject of the degree of support which the President or the White House has given the amendments which have been proposed by the Senator from Washington.

In an effort to clarify the situation, I wish to put a series of documents and statements in the *RECORD* so that Members of the Senate may satisfy themselves as to the degree of support which the President has given the Senator from Washington.

First, on August 3, the Committee on Foreign Relations received informally from the Department of State a copy of what was stated to be an amendment to Senate Joint Resolution 241 which the

Senator from Washington expected to offer.

Later on the same day, we received a copy of the proposed amendment from the office of Senator JACKSON, with the notation that the amendment was "to be proposed by Senator JACKSON, Senator SCOTT, and others."

I refer to this proposed amendment as Jackson version No. 1, and I ask unanimous consent that the proposed amendment, including a "Memorandum of Explanation," be printed in the RECORD at this point.

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

[Jackson Amendment No. 1, Aug. 3]

S.J. RES. 241

Authorization of the President to approve an interim agreement between the United States and the Union of Soviet Socialist Republics

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government and the people of the United States ardently desire a stable international strategic balance that maintains peace and deters aggression. The Congress would consider action or deployment by the Soviet Union, having the effect of endangering the survivability of the strategic deterrent forces of the United States, whether or not such action or deployment was undertaken within the terms of the interim agreement referred to in section 2, to be contrary to the supreme national interests of the United States; the Congress recognizes the difficulty of maintaining a stable strategic balance in a period of rapidly developing technology; the Congress recognizes the principle of United States-Soviet Union equality reflected in the antiballistic missile treaty, and urges and requests the President to seek a future treaty that, *inter alia*, would not limit the United States to levels of intercontinental strategic forces inferior to the limits provided for the Soviet Union; and the Congress considers that the success of these agreements and the attainment of more permanent and comprehensive agreements are dependent upon the maintenance of a vigorous research and development and modernization program leading to a prudent strategic posture.

SEC. 2. The President is hereby authorized to approve on behalf of the United States the interim agreement between the United States of America and the Union of Soviet Socialist Republics on certain measures with respect to the limitation of strategic offensive arms, and the protocol related thereto, signed at Moscow on May 26, 1972, by Richard Nixon, President of the United States of America, and Leonid I. Brezhnev, General Secretary of the Central Committee of the Communist Party of the Soviet Union.

AUGUST 3, 1972.

MEMORANDUM OF EXPLANATION OF JACKSON AMENDMENT TO SENATE JOINT RESOLUTION 241, VERSION NO. 1

The Senate will soon have before it S.J. Res. 241 authorizing the President to sign the interim agreement on offensive weapons concluded in Moscow. It is our intention to offer an amendment to S.J. Res. 241 that, in addition to approving the agreement would express the view of the Congress with respect to the present agreements and our attitude toward further agreements in SALT II. In this effort we are joined by a bipartisan group of Senators.

Our amendment bears on three things: (1) the objective of equal limits on both countries in SALT II; (2) the survivability of our strategic deterrent under the terms of

the SALT I agreement; (3) the importance of research, development and force modernization in a period of rapidly changing weapons technology.

1. THE OBJECTIVE OF EQUAL LIMITS IN SALT II

A. Our amendment notes the principle of U.S.-Soviet equality that is reflected in the identical limits imposed on both countries in the ABM treaty and urges the President to seek a future treaty that, *inter alia*, would provide for similarly equal limits on offensive forces.

B. We are confident that the Senate would not wish to see the United States undertake, in an international treaty, limits on U.S. defenses that are inferior to the levels permitted for the Soviet Union.

2. THE SURVIVABILITY OF THE U.S. DETERRENT UNDER SALT

A. Testimony before the Armed Services Committee and discussion with Administration officials has made clear the fact that the Soviets could, without actually breaking the terms of the interim agreement, create a strategic force that would leave major elements of the U.S. deterrent extremely vulnerable. Since the purpose of the SALT agreement is to reduce the threat to our deterrent and thereby increase strategic stability, our amendment merely puts the Soviets on notice that action or deployment endangering the strategic deterrent forces of the United States is contrary to our supreme national interests.

B. Soviet action or deployment that could have the effect of endangering the survivability of our deterrent forces might include such measures as extensive anti-silo MIRV deployments, massive retrofitting of existing Soviet silos with a view to increasing their lethality against our hardened strategic installations, etc.

3. RESEARCH, DEVELOPMENT AND MODERNIZATION

A. Our amendment adds language expressing the view of the Congress that our efforts to obtain more comprehensive agreements must be accompanied by a sound national program of research and development and modernization leading to a prudent strategic posture.

B. This last point in no way reflects on any procurement item, all of which will have been disposed of before the Senate takes up consideration of the SALT authorizing resolution.

Mr. FULBRIGHT. Jackson version No. 1 contained these words:

The Congress would consider action or deployment by the Soviet Union, having the effect of endangering the survivability of the strategic deterrent forces of the United States, whether or not such action or deployment was undertaken within the terms of the interim agreement referred to in section 2, to be contrary to the supreme national interests of the United States.

Jackson version No. 1 was apparently circulated to various Members of the Senate who indicated they would join with Senator JACKSON in sponsoring the amendment.

I do not know whether Jackson version No. 1—either in its precise language, or the interpretation thereof—was ever approved by anyone in the White House, although I have heard references to the fact that Jackson version No. 1 did receive some form of White House approval.

There was such an uproar when the Jackson version No. 1 became public that its revision was necessary. Over the weekend of August 5 and 6, it was reported in the press that Senator JACKSON, working closely with the White House, had

devised a new version of the Jackson amendment which I refer to as Jackson version No. 2.

It is Jackson version No. 2 which was introduced on August 7. It had at least the merit of omitting the sentence to which I earlier referred, thus toning down to some extent the impact which that earlier language might have had on future negotiations.

I am prone to believe that when the White House read the Jackson version No. 1, it was appalled and found it necessary to beat a hasty retreat from its support of the earlier version.

Even prior to the Senator's introduction of the Jackson version No. 2, the White House issued a statement, beginning:

We are informed that Senator JACKSON will today present to the Senate his amendment to the resolution approving the Interim Agreement.

I ask unanimous consent that the White House statement of August 7 be printed in the RECORD at this point, along with a copy of the Jackson version No. 2 (amendment No. 1406).

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

WHITE HOUSE STATEMENT, AUGUST 7

We are informed that Senator JACKSON will today present to the Senate his amendment to the resolution approving the Interim Agreement with the Soviet Union limiting strategic arms. He did so after consulting with the Administration regarding its wording.

Senator JACKSON's purpose in which he is joined by Senators Scott, Allott and others is to insure the broadest possible understanding of and support for the agreement in the United States Senate.

The Administration is in sympathy with that purpose. In view of Senator JACKSON's prestige as an authority on defense and strategic matters and his questions about some aspects of the Interim Agreement we are gratified at his willingness to support the agreement and we worked with him to that end.

The JACKSON amendment is consistent with the undertakings in Moscow. It reflects what we believe to be broad Senate support for statements made by the Administration in connection with the understanding accompanying the agreements and previously transmitted to the Congress. It does not constitute a "reservation" or an "interpretation" to the agreement in any legal sense.

It is clearly the business of Congress to decide on the wording of the Joint Resolution of approval which we have requested. It is our hope that the resolution will receive the support of the maximum number of Senators.

We believe the JACKSON amendment will help achieve that. The President also hopes that the Senate leadership will proceed now to take action on this matter without delay. Without timely and favorable action by the Congress on the Interim Agreement as well as the treaty the second phase of SALT negotiations will be delayed.

We should not lose the momentum which the Moscow agreements have given to our efforts to limit strategic arms.

The President is deeply appreciative of the prompt action of the Senate in giving its overwhelming approval to the ABM treaty.

S.J. RES. 241

On page 1, between lines 2 and 3, insert the following: "That the Government and the people of the United States ardently desire a stable international strategic balance

that maintains peace and deters aggression. The Congress supports the stated policy of the United States that, were a more complete strategic offensive arms agreement not achieved within the five years of the interim agreement, and were the survivability of the strategic deterrent forces of the United States to be threatened as a result of such failure, this could jeopardize the supreme national interests of the United States; the Congress recognizes the difficulty of maintaining a stable strategic balance in a period of rapidly developing technology; the Congress recognizes the principle of United States-Soviet Union equality reflected in the antiballistic missile treaty, and urges and requests the President to seek a future treaty that, inter alia, would not limit the United States to levels of intercontinental strategic forces inferior to the limits provided for the Soviet Union and the Congress considers that the success of these agreements and the attainment of more permanent and comprehensive agreements are dependent upon the maintenance of a vigorous research and development and modernization program leading to a prudent strategic posture."

On page 1, line 3, strike out "That the" and insert in lieu thereof "Sec. 2. The".

Mr. FULBRIGHT. I quote further from this White House statement to indicate that on August 7, the White House thought the amendment unobjectionable.

The Jackson amendment is consistent with the undertakings in Moscow—it does not constitute a "reservation" or an "interpretation" to the agreement in any legal sense.

That White House statement was good for about 24 hours—until the White House began to read the interpretations the Senator from Washington and his colleague Senator ALLOTT began to put on the new language. The Senator from Washington explained his amendment to the Senate on August 7, at page 27050. The Senator from Colorado at a press conference of August 8 set forth his views, which I ask unanimous consent to have printed in the RECORD at this point.

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

STATEMENT BY SENATOR GORDON ALLOTT

The three purposes of the Jackson-Allott amendment (1) it puts the Russians on notice that if the threat to the survivability of U.S. strategic forces is not limited by a follow-on agreement within five years, then our supreme national interest could be jeopardized, with all that implies.

(2) it calls upon the President to achieve a treaty involving numerical equality in the aggregate, taking account of throwweight. Technology cannot substitute for numbers. You cannot freeze technology. Therefore, we must have equality measured in terms of numbers and throwweight.

(3) it calls for vigorous research and development and modernization.

Mr. FULBRIGHT. On August 9, the White House spokesman found it necessary to clarify the situation again—to back away from what had seemed to be its August 7 unqualified support of the Jackson amendment.

Mr. Ziegler said:

What we have said is that we endorse the Jackson amendment and feel that that is consistent with our position, but we do not endorse separate elaborations of that amendment. We feel the amendment, as offered, speaks for itself. (Italic supplied.)

Mr. President, I ask unanimous consent that all relevant portions of the August 9 White House news conference be printed in the RECORD at this point.

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

Also, the President today is transmitting to the Congress, as required by law, a report on the status of negotiations with the States of New York and New Jersey regarding a Compact for the Hudson River Basin. The report is made by the Secretary of the Interior and copies of it are available for those of you who would like to pursue that story in the press office.

The President today is transmitting to the Congress the Seventh Annual Report of the Department of Housing and Urban Development. There will be a limited number of copies of that report available in the press office following the briefing.

Those are all the announcements that we have today.

There is one subject I would like to cover with you briefly this morning. It relates to the interim agreement on offensive weapons that was, as you know, agreed to between the President of the United States and the leaders of the Soviet Union during the President's visit to Moscow in May.

There has been some speculation, as I am sure you are aware, which emanates from discussions in the Senate with respect to the Jackson Amendment dealing with the offensive weapons interim agreement with the Soviet Union.

There have been reports of consultations here in Washington with Soviet officials with respect to the text of the Jackson Amendment, which, as you know, has been offered in the Senate. I think that point should be clarified.

In talking to Jerry, these reports may be attributed to Jerry's comments yesterday on the subject. It should be understood, and I think Jerry did point this out, that his comments were given in the context of the discussions held during the SALT I negotiations, the strategic arms limitation talks that were held prior to the Agreement reached in Moscow, and not in reference to discussions held here in Washington with Soviet officials regarding the language of the Jackson Amendment.

Q. Would you say that again? I am sorry, but I got lost. You said it should be understood that Jerry's comments—

Mr. ZIEGLER. Were given or made in the context of discussions that were held during the strategic arms limitation talks, Bob, and not in relation to discussions held here in Washington following the Agreement reached in the Soviet Union.

In other words, Jerry was referring to the very thorough discussions that were held in Moscow, in the course of the talks, relating to the understandings which you recall we sent to the Senate.

Q. Ron, I asked the question at the time that elicited the response and the question had to do specifically with discussions of the Jackson Amendment. It had nothing to do with discussions held in Moscow or prior to that.

Mr. ZIEGLER. Will you hold your questions for a moment, so I can make my point?

The point I am making, so that it is clear in your mind, is that there were no consultations with officials of the Soviet Union regarding the language of the Jackson Amendment. That is the context in which you should take the White House remarks yesterday relating to the discussions of the understanding that were held in the Soviet Union and also during the course of the SALT talks.

The language of the Jackson Amendment is consistent with the language of the unilateral United States statement that de-

veloped during the discussions held in conjunction with the SALT I phase of the talks, which, as I mentioned before, were subsequently conveyed to the Congress at the time the Agreements were submitted for Congressional consideration.

Therefore, the Soviet Union was aware of the U.S. view and the matter which is contained in the Jackson Amendment and the Jackson Amendment represents a Congressional endorsement of views already presented by the Administration to the Soviet side.

So, the point I am making is that the Jackson Amendment is consistent with the unilateral statement made by the United States in relation to the interim offensive agreement. That unilateral statement which was submitted to the Senate was thoroughly discussed with the Soviet Union during the course of the strategic arms limitation talks and again in Moscow. So the Soviets were fully aware of the United States view on this matter which is also represented in the Jackson Amendment. The two are consistent.

Secondly, there has been considerable discussion about interpretations made by various Senators, including Senator Jackson, with respect to the language of his amendment. For example, Senator Jackson said the other day that his amendment excludes the consideration of European nuclear forces in future SALT negotiations for achieving equality of intercontinental strategic systems.

That interpretation given by Senator Jackson has given rise to the question as to whether or not the Administration supports that particular interpretation. The Administration's views of Senator Jackson's Amendment was stated by Jerry Warren on August 7th and at that time, he said we do not endorse any elaboration or interpretations of the language of that amendment.

In other words, what we have said is that we endorse the Jackson Amendment and feel that that is consistent with our position, but we do not endorse separate elaborations of that amendment. We feel the Amendment, as offered, speaks for itself.

It is our future view that the second phase of the strategic arms limitation negotiations will be the proper occasion to deal with the matters raised by Senator Jackson similar to the one I just referred to. The appropriate place to deal with those matters would be in the second phase of the strategic arms limitation talks.

Finally, I should say that the President believes that the fundamental issues relating to that Agreement have been fully aired. Of course, we welcomed this. We requested this. The important point to remember is that we want to proceed with the next phase of the strategic arms limitation negotiations. This, of course, required approval of the interim agreement which is now before Congress and approval by the Congress before they recess, so that preparation for the next phase of the SALT talks can go forward with that approval.

It is the President's strong hope that the interim agreement will now move to a vote in the Senate and that the support which he has requested from the Senate be acted on quickly.

Q. Ron, are you open for questions now?

Mr. ZIEGLER. Yes, Bob.

Q. You obviously have received some heat from the Soviet Union on this. Can you be a little more forthright in telling us exactly what transpired here because if I misunderstood Jerry—and I think perhaps a number of the others in this room did at the time—we are now being asked to roll back on the story, is that correct, because the Soviet Union has contacted you?

Mr. ZIEGLER. I think the point I want to make here, Bob, is that I don't know if misinterpretation was involved or not. I would

not accept the premise of your statement that we have received, as you referred to in your question, and they are your words, "heat from the Soviet Union." Those are not my words.

I simply repeat them to say that is not the appropriate context for what I said. What we want to do this morning is to point out that, first of all, the Jackson Amendment is consistent with the unilateral statement that we have submitted to the Congress which you have copies of.

The United States unilateral statement which was talked about during the SALT talks and again in the Soviet Union and submitted to the Congress, we feel, is consistent with the Jackson Amendment which is being offered.

Based upon the fact that the Soviets understood our position as stated in the unilateral statement, they were already aware of our opinion and our position which is consistent with the Jackson Amendment.

Therefore, there was no need for consultation with Soviet officials on this matter and therefore there was no consultation with Soviet officials on the matter of the Jackson Amendment. That is the number one point I am making.

The second point I am making is that we feel that the Jackson Amendment is consistent and we feel there should be a Senate vote, which I think there will be soon so that we can receive Senate and Congressional endorsement of the interim agreement so that we can proceed with preparation of SALT 2.

What we are attempting to do this morning, Bob, is to put into proper context the discussion that has been held and to make sure that our position on this matter is clearly understood.

Q. You have not had any heat from the Soviet Union, to use Bob Pierpoint's phrase, that has impelled you to come out here and rewrite yesterday's briefing?

Mr. ZIEGLER. It is not an attempt to rewrite yesterday's briefing. It is an effort to put into perspective our position and attitude regarding the discussion that is occurring in the Senate.

Q. Nothing has happened in the intervening hours between yesterday's 11:00 o'clock briefing and now, other than the fact somebody here in the White House feels that there has been a little lack of perspective.

Mr. ZIEGLER. I am sorry, it was Monday afternoon's briefing, not yesterday's. Well, there have been stories written and there are continuing questions in the Congress as to what our position is.

I would say those events have happened and that is why I wanted to make the comments I made to you this morning.

Q. I don't quite understand this. You were saying that you don't agree with some of the elaborations offered by Senator Jackson himself.

Mr. ZIEGLER. And other Senators.

Q. Yes, and you specifically named one. Would you go over that again?

Mr. ZIEGLER. Apart from the Jackson Amendment, Senator Jackson, and I think some other Senators, as individual Senators, have elaborated on and given interpretations as to their feelings as to what the amendment means. I referred to one by Senator Jackson who said his amendment excludes the consideration of European nuclear forces in future SALT negotiations for achieving equality of intercontinental strategic systems.

The point I was making there is that we do not endorse any elaborations or interpretations of the language of that amendment. What we accept as consistent with the United States view is the Jackson Amendment itself.

Q. So we don't get hung up on semantics, could we substitute for "heat", an "inquiry from the Soviets"?

Mr. ZIEGLER. No. That would be an incorrect assumption. That is why I responded as I did to Bob Pierpoint's questions.

Q. Aside from the question of heat, has the American Government conveyed to the Soviet Union its contention that the Jackson Amendment is consistent with unilateral statements?

Mr. ZIEGLER. The point I was making is that the Soviet Union is already aware of that. They are aware of the Jackson Amendment and also our unilateral statement which has been widely reported on and is before the Congress.

Q. Have you been in touch with them, nevertheless, to point this out, to refresh their memory, if you will?

Mr. ZIEGLER. I am not prepared to talk about the contact we have with the Soviet Union. Those happen on a frequent basis.

The point I am making is that we had no consultation with Soviet officials regarding the Jackson Amendment specifically.

Q. Did Senator Jackson himself object to the suggestion that there may have been some consultation on the language?

Mr. ZIEGLER. No, not at all.

Q. I am a little puzzled as to why the Administration wanted the Jackson Amendment and backed it if, in fact, it did not change anything.

Mr. ZIEGLER. As we said at the time the President submitted the offensive interim agreement to the Congress, we did that for the purpose of having healthy discussions on the matter. He sought the views of the Congress on this interim agreement. He wanted their views.

We have had that discussion which the President called for and wanted. He wanted the views of the Senate on the matter which can only occur through debate and discussion on the subject. That has been held now. We note the points that are made in the course of that discussion, but we do that in the context which I have just stated.

Q. Aside from the Russians having been aware of our unilateral position on this, have they raised no objections? They have not been asked for any further consultation on the Jackson Amendment being accepted by the Administration?

Mr. ZIEGLER. There has been no official discussion with the Soviet Union in any way on any aspect of misunderstanding about the Jackson Amendment or anything of that sort. That is the point I am making because the unilateral statement of understanding which you have before you, or we have copies available for you, is consistent with the Jackson Amendment.

Q. So they raised no objection to its including in this Agreement?

Mr. ZIEGLER. That is a moot point. That was not even a point before us.

Q. Let me rephrase what I think Helen is trying to get at. Did the Soviet Union in any way get in touch with us seeking clarification of this entire situation after the Jackson Amendment was made public?

Mr. ZIEGLER. No. I think I said earlier there official? Was there any unofficial consultation on this?

Q. You said official. What do you mean by official? Was there any unofficial consultation on the matter?

Mr. ZIEGLER. You never have unofficial consultation on matters such as this.

Q. Why do you qualify it?

Mr. ZIEGLER. It was not meant as a qualification. It was meant to make a point. The statement this morning is not being offered for any other reason than to make sure that this matter is put into proper context and perspective because there has been some confusion that has surrounded the Jackson Amendment and some confusion about the United States position on this matter.

The Jackson Amendment, as I said earlier, is consistent with our unilateral statement of understanding. The Jackson Amendment and what is being discussed in the Senate now is consistent with the United States view. It is this step which will lead to the action

which the President requested when he submitted the interim agreement to the Congress, and that is their thoughts, their discussions and also their approval and endorsement of the interim agreement.

We want that to go through the process in proper context and not through the process in the context of the fact that there was some misunderstanding or confusion that surrounded it because it is not that complicated.

Q. It was not the stories that were confusing. The Senators were confused as to what the Administration's position was, Fulbright, and others who felt the White House was being very ambiguous. Have you tried to convey what is truly the White House position?

Mr. ZIEGLER. We are doing that now in the course of Congressional contact with Members of the Senate.

Q. To go to the other part of your statement, your point that the elaboration of the Jackson Amendment by Senator Jackson himself and others—and you have twice cited the question of the European nuclear force.

Mr. ZIEGLER. I did that because I was requested to do it.

Q. Right. But are we to get the impression that you are saying that the elaboration such as what Senator Jackson has had to say about a European nuclear force would prejudice SALT 2 and limit the President's action?

Mr. ZIEGLER. Our position is that the Senators are free to state their views. When I make a statement about that amendment being consistent with our unilateral understanding, I am referring to the language of the Jackson Amendment. I am not referring to elaborations or interpretations of the amendment. It is our view, as I stated earlier, that the second phase of the SALT negotiations will be the proper occasion to deal with such matters as Senator Jackson raised and some of the other Senators have raised, not only to the matter I referred to in relation to the European nuclear forces, but also, for example, to forward base systems, etc.

Q. Then I rather get the impression that they are not disagreeing with the interpretation. Do you think that these elaborations would prejudice SALT 2 and limit the President's freedom of action?

Mr. ZIEGLER. We feel the appropriate place to deal with any expansion or discussion of this type should take place in SALT 2.

Q. Are you saying that if this misunderstanding persists that that could jeopardize those discussions in SALT 2 or complicate them unnecessarily in some way?

Mr. ZIEGLER. No, because I don't believe a misunderstanding does exist. What I am saying is that the Jackson Amendment which is now being considered, together with a resolution of support in the Senate, is consistent with the United States Government's view and would constitute support of the interim agreement.

The place to talk about any elaboration of or interpretations of the amendment, any interpretations of what should apply to the SALT 2 negotiations on offensive weapons, the proper place to explore those matters is at the negotiating table during SALT 2.

Q. If the Russians did not complain or Senator Jackson did not complain, will you tell me why the sensitivity about what could not have been much more than a line or two in the stories we wrote, that the White House had discussed this matter with the Soviet Union? What would be so wrong?

Mr. ZIEGLER. I think, as much as anything else when you are dealing with very complicated negotiations and specific documents of endorsement from the United States Senate that relate to very complicated negotiations that have not even gotten under way yet, we have an obligation and indeed a responsibility within the public record, as the Senate action goes in the public record, to make that

record clear and as precise as we can in terms of what our view is at that given time.

That is what we are attempting to do this morning.

Q. Were there any contacts, whether initiated by the Soviets or the United States, between the two countries on the question of the elaborations?

Mr. ZIEGLER. Not that I am aware of.

Q. Ron, on this question of discussions between Senator Jackson and the White House, which apparently took place over the weekend, there were some NSC and Congressional leaders here. The Senator feels very strongly that his amendment guaranteed a right to equality of offensive weapons which is an interpretation you are rejecting. My question is: Did the Senator raise this so-called elaboration or interpretation with the NSC people and the Congressional liaison people with the White House over the weekend and if so, what did the White House tell him at that time?

Mr. ZIEGLER. Of course, we have had discussions with Senator Jackson about his amendment. My reference to the elaboration or interpretation that I made earlier does not relate to the specific language of the amendment.

Now whether or not those elaborations were discussed with him one way or another, I don't know. But I want to make sure you are clear on this point. When I made reference to the fact that in a private elaboration of his amendment, Senator Jackson said that his amendment excludes a consideration of European nuclear forces in future SALT negotiations for achieving equality of intercontinental strategic systems, what I am saying there is that the United States does not endorse that elaboration.

The Senator has made that elaboration as others have also, as other Senators have made elaborations in terms of the amendment. We accept the amendment as consistent with the position that we have already taken. But any elaboration of the type I just referred to, we feel, is something that should be properly discussed and determined at the negotiating table as we proceed to SALT 2.

What I am saying is that we note those points. We note the discussion that has taken place and indeed, we encouraged it. Now what our position will be at the time the SALT 2 begins, I am not prepared to say. We have the process of preparation to proceed with.

Q. When do you expect SALT 2 to begin?

Mr. ZIEGLER. I would say in the near future.

Q. In October?

Mr. ZIEGLER. We have made reference to October. Perhaps it can be under way by that time.

Q. The suspicion, of course, lingers among some members of the Senate that there is a supposition here in the Jackson Amendment of equality, in addition to what Jackson himself said and that this is some subtle change in terms from the agreed unilateral statement in Moscow.

Are you now saying there is no suggestion of equality in line with the Jackson Amendment?

Mr. ZIEGLER. No. That is why I want you to be very careful on the use of that word. I would suggest that you reread the unilateral statement of understanding that we issued which basically says that we feel that we should proceed with a long-term agreement on offensive armaments and that as we proceed with the question of armament talks, that it is important the environment not change that has led to the agreements that we have reached at this point.

Q. Ron, when you say the future of the European nuclear forces ought to be determined in Phase 2, what do you mean with European nuclear forces? The umpteen thousand U.S. nuclear warheads deposited over there or the two European nuclear forces?

Mr. ZIEGLER. We don't mean anything by that. Those are questions that are reserved for step 2.

Q. What did Jackson say in his elaboration, European nuclear forces or European based nuclear forces?

Mr. ZIEGLER. European nuclear forces.

Q. Can you tell us what the President, his Cabinet and political advisers discussed last evening?

Mr. ZIEGLER. I am not prepared to give you an extensive rundown on that. I think Jerry told you yesterday that the President wanted to have the Cabinet up to Camp David for an informal evening. It was that. I think you will recall that in the same month of 1969, the President also had an informal dinner at Camp David. They talked about a lot of things during the course of the evening, legislation in the coming months ahead, the convention, the campaign. They talked about things that the Administration had accomplished. They had a very, very general far-ranging talk about things.

Mr. FULBRIGHT. Mr. President, I appreciate the comments of the Senator from New York and the Senator from Idaho on the critical question of what is equality.

With respect to the glib assumption that equality is self-evident, that everybody knows what it is, obviously, that is not true. There are many variations of what constitutes equality. The specific and detailed concept of equality that is involved in the Senator from Washington's view as to the meaning of his amendment is the question at issue.

I agree with the Senator from Idaho and the Senator from Missouri that if we accept Mr. JACKSON's concept of equality, it means no further progress in any further SALT talks with the Russians.

I can imagine that the Senator from Washington feels so strongly, that his distaste and distrust of the Russians is so great, that he may think it is not in our interest to have any further agreement with the Russians, and that is his right. It is his privilege to feel that way. But I do not believe that is the feeling of the people of this country, and I certainly have been led to believe that it is not the feeling of the President of the United States. It is so important that this issue be carefully and fully explored. The Senate and the country should know that the Russians will be disposed to put an interpretation on the Jackson amendment, perhaps more drastic than the Senator from Idaho does. Russia is very likely to do so, in view of the long history of 25 years of the cold war. It will not be easy to overcome their suspicion.

Mr. CHURCH. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. CHURCH. It has been called to my attention that the distinguished Senator from Mississippi (Mr. STENNIS), the chairman of the Armed Services Committee, whose knowledge of military affairs is great, addressed the Senate this morning. I want to quote from his address concerning his evaluation of the 5-year accord between the Soviet Union and the United States.

The Armed Services Committee held hearings, as did the Committee on Foreign Relations. Much testimony was

taken. The Senator from Mississippi had this to say about his appraisal of the accords after he had evaluated all the testimony:

Our SALT hearings strengthened my conviction that we now have a credible deterrent—that we have a force so strong that potential enemies would not risk attacking us.

Our hearings also persuaded me that our deterrent will still be strong and wholly credible five years hence if we continue to modernize our weapons and improve our technology—as we are permitted to do under the agreements.

Our hearings convinced me that we do have the means to know what the other side is doing while the treaty is in force.

In short, I concluded that the treaty and the interim agreement are sound and that we can safely approve them as the basis for new negotiations aimed at tighter limitations on offensive strategic arms.

That is a quote directly from the address of the Senator from Mississippi (Mr. STENNIS) which represents the appraisal of the chairman of the Armed Services Committee on the accords.

He then goes on to refer to the Jackson amendment. His understanding of the Jackson amendment is expressed in the following words, again taken from the address of the distinguished Senator from Mississippi (Mr. STENNIS):

Further, the present five year agreement gives certain numerical advantages to the Soviet Union based, in part at least, on technological advantages which we now enjoy. Those technological advantages cannot be assumed to continue for all time. A permanent treaty, therefore, must take this into account and balance the level of strategic forces on both sides by considering numbers of launchers, numbers of warheads, destructive power of weapons and potential growth within the terms of the treaty. This, as I understand it, is the aim of the second portion of the Jackson amendment.

I must say, this demonstrates the mischief done by adopting the Jackson language. The interpretation placed on it by the Senator from Mississippi is not, I dare say, the interpretation of its own author. The Senator from Mississippi does not say "intercontinental strategic forces," he says "strategic forces." Yet the Senator from Washington insists upon the limiting term, "intercontinental." That is quite a different concept.

The Senator from Mississippi says that in any future negotiation, the numbers of warheads should be taken into account. I have heard hardly any mention of the number of warheads in the argument presented by the Senator from Washington. In other words, see the confusion—

Mr. FULBRIGHT. Let me say that the other day, in an exchange, we mentioned warheads and the Senator from Washington specifically said, "Oh, those in Europe would not be counted." He says, "They are there but they should not be counted because they are subject to destruction." In other words, he dismisses them.

Mr. CHURCH. The point I wish to make is that every Senator may have a different interpretation of the Jackson amendment. It is clear that there is confusion as to its exact meaning between the author and the chairman of the

Armed Services Committee. All we will do, if we pass this amendment, is create a climate of suspicion, confusion, and distrust concerning the purposes of the Government of the United States.

The President himself has contributed to the confusion in a most disappointing way. This is his own agreement that he is in the act of sabotaging. If the Senate approves the Jackson amendment, then the confusion will be compounded. If we cannot agree among ourselves as to what it means, how can we expect the Russians to know? And, why should we create for ourselves more obstacles as we look ahead toward the second phase of these negotiations?

Everyone knows it will be difficult enough to reach an agreement that begins to reduce the heavy burden of nuclear weapons on either side. With vested interests on each side keeping the arms race alive, such negotiations are extremely difficult at best. Passing this amendment would create another obstacle for ourselves and greatly jeopardize the success of the upcoming SALT talks.

Mr. FULBRIGHT. I agree completely with the Senator from Idaho. He has described very well what is involved here.

I can only comment further that this agreement was 3 years in the process of negotiation. It was not suddenly thought up. The language agreed to was very thoroughly examined during that period, as the Senator well knows.

It seems to me very unwise for us, here within a few days of discussion of this matter, to undertake to vote on this amendment by the Senator from Washington, in view of the confusion that already obviously exists as to its meaning.

I may say, in that connection, that during the past 2 or 3 days—really, since last Friday, intermittently—but very strongly yesterday and today—there has been an effort to force a vote, to restrict the time.

The more I think of it and the more I hear the kind of discussion and information that the Senator from Idaho has just given the Senate, the more I think it is wise for us to take the time to try to understand what is involved and to enable the rest of the Senate and the country to understand the concern we have about the Jackson amendment.

There are some one-third of Senators legitimately and necessarily absent in connection with the Republican Convention. I do not think it is wise for them to be brought back, without having heard any of this debate, and to be asked to vote on the issue which will be presented to them as simple equality, that is, "You are for equality, or are you not?" That is all they will know. They will be told, when they come in, having heard no discussion, "Are you for or are you against equality?" They will all say, "Sure, I am for equality," and therefore they would vote for it.

I should like time to explain why some of my associates, including the Senator from Idaho, have felt that added time is required to focus on the national interest on this issue, and we have resisted an agreement for a very limited time to

vote on this issue this week. That again does not mean we do not approve the basic interim agreement.

I repeat that the committee voted unanimously in favor of it. I am in favor of it. The Senator from Idaho is strongly in favor of it. However, we do not wish for it to be undermined in its validity by any quick and superficial examination and vote on it and attaching to it an amendment which undertakes indirectly to interpret it and to give guidance for the future. There is no place in the agreement at all for the amendment.

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

Mr. FULBRIGHT. I yield for a question.

Mr. CHURCH. Mr. President, the Senator has referred to hasty and simplistic notions of equality that might easily mislead the Senate when it comes to voting on the Jackson amendment. I could not agree with the Senator more.

Some could be misled as a result of what is going on right now out in the Vice President's office. I was taken in there a few minutes ago and shown two models. One model is of the SS-9. It stands about this high, fully 2 feet off the table. It is a very menacing looking weapon. One is especially struck by the size of the scale model of the SS-9 when it is compared with the model, also to scale, of the Minuteman missile which sits next to it.

Senators are led into this room to look at these two models. The conclusion they easily could reach is that the Russians must certainly have an advantage over us because the SS-9 is so much larger than the Minuteman.

When I was shown this exhibit, I asked why we built the Minuteman so much smaller when we could have built a missile that is the equivalent of the SS-9.

Mr. FULBRIGHT. We have the Titan.

Mr. CHURCH. We have the technology to build a big missile. However, we choose to build a smaller missile. This was not because we were hoodwinked by the Russians. It was because we have a different strategic concept of the use of nuclear weapons than the Russians. They have put great store in the building of larger missiles with larger throw weight capacity, with larger nuclear warheads, while we have put emphasis upon a greater number of smaller warheads.

We had a reason for doing this. If a Senator walks into that room and looks at the two models and decides that there is an obvious inequality, he overlooks the fact that we decided as a matter of efficient utilization of nuclear strength that it is better to have many warheads that can blanket the Soviet Union and have a more complete devastating effect upon the target than to have fewer warheads that make larger holes. In other words, we prefer to make many smaller craters, each one being roughly the area of a city.

Many smaller craters can be more effectively used against an enemy in a nuclear exchange than fewer larger craters.

Mr. FULBRIGHT. The Senator is quite correct. The official analysis says that four 1-megaton weapons are equal ap-

proximately to one 16-megaton weapon. It is 4 to 1 more efficient and effective destructive capacity per megaton.

That is why we did it, because it is a more efficient way.

Mr. CHURCH. The very people who decided our course and told us that this is the most efficient way to develop our nuclear power—because it would result in more complete destruction of enemy cities, harbors, and population—are now showing us two models in the Vice President's room. The intention to show that their decision was in error and that the Russians now have an advantage because the SS-9 is so much larger than the Minuteman.

What they do not tell us is the information that I had printed in the RECORD of August 14 having to do with the number of deliverable warheads. That is the critical question. These charts appear on pages 28066 and 28067 of the RECORD. A very brief examination shows that the United States has an estimated 5,746 deliverable warheads in its strategic nuclear force now while the Soviet Union has less than half of that number or about 2,492.

The charts also show that by the end of the 5-year interval covered by the accords, the United States could increase the number of warheads to more than 10,000. If the Trident and B-1 bomber are built—and it looks as though they will be, for they have already been approved by the Congress—in the early 1980's we could have perhaps 14,564 deliverable warheads against 3,869 for the Soviet Union.

So, we begin with a 2-to-1 advantage. And we could conclude the 5-year period covered with about a 3-to-1 advantage. If we look forward into the 1980's, we could have a 5-to-1 advantage in the number of warheads of the type which our own military command has told us is the most efficient way to inflict the greatest possible damage upon the enemy.

For the life of me, I cannot see how it makes sense, in light of these figures, to argue that the Senate should adopt the Jackson amendment in order to assure us equality and parity with the Soviet Union in the future.

Mr. FULBRIGHT. I agree with the Senator. And I think there is an inherent inconsistency between the Jackson amendment and the agreement itself.

May I ask the Senator, since I have not been invited into the Vice President's room, whether the Vice President's room is now a substation of the National Security Council? Is it used for the purpose of influencing the votes of Senators? I have not been in there. Is this an exhibit hall?

Mr. CHURCH. Yes. I suggest to the Senator that he go and knock at the door and ask if they will let him in.

Mr. FULBRIGHT. Is that what the Senator did?

Mr. CHURCH. No. I was led by the hand.

Mr. FULBRIGHT. The Senator was invited in.

Mr. CHURCH. The Senator is correct.

Mr. FULBRIGHT. Mr. President, I

thought that was a ceremonial hall for the Vice President. However, it is now an exhibit hall for the National Security Council. Is that what it is now?

Mr. CHURCH. Apparently so.

Mr. FULBRIGHT. Mr. President, this is rather peculiar in view of the fact that officials of the National Security Council, including Mr. Kissinger, refuse to come to the Hill for committee hearings. Now instead of coming to the Hill to testify, they have the exhibits here and ask Senators into the Vice President's room so that they can see these models.

Mr. CHURCH. It is a very eloquent exhibit. If one does not ask questions it conveys the impression that the Russians are so far ahead that any of us would vote for the Jackson amendment. Of course, that impression does not bear up under more careful analysis.

Mr. FULBRIGHT. Do they have exhibits of the Poseidon, the B-1, and aircraft carriers?

Mr. CHURCH. Just the two missiles—the SS-9 and the Minuteman.

Mr. FULBRIGHT. They do not have a complete array of all the various missiles?

Mr. CHURCH. No.

Mr. FULBRIGHT. I suppose they would not promote their case if they did.

Mr. CHURCH. Apparently not.

Mr. FULBRIGHT. Does the Senator know if it is customary that that room is used for this purpose on all legislation?

Mr. CHURCH. I do not know.

Mr. FULBRIGHT. Has the Senator ever been invited there before?

Mr. CHURCH. I have never been invited before to see this kind of exhibit, but this suits the purpose of the administration.

Mr. FULBRIGHT. I did not know that room was provided for that purpose, an administration substation for lobbying the Senate. I do not think it was used for that purpose in the past. It used to be for ceremonial purposes. Is that correct?

Mr. CHURCH. That is correct, as far as I know.

Mr. FULBRIGHT. I wonder if we could have another room set aside for lobbyists on the other side so that we could have other witnesses, such as Mr. Panofsky and other witnesses come in. They could set up an exhibit.

Mr. CHURCH. The Senator knows that an effort of that kind would cause a great uproar.

Mr. FULBRIGHT. Is the Senator not for equality? Does not the Senator sustain the principle of equality in this area as well as in others?

Mr. CHURCH. I think the exhibit reflects the kind of argument the Senator from Washington is talking about in his amendment. It does not present the whole picture. Two missiles are shown to us as if these two missiles constituted the equation on the balance between the nuclear strategic strength of the United States and the Soviet Union.

The irony is that the very size of the Minuteman missile is the size prescribed to us by our military command because of their belief that a larger number of smaller warheads constituted the best

method of inflicting maximum damage on the enemy.

Are they retreating from their own doctrine? Are they confessing they were in error? If so, we should know it. We have spent many billions of dollars adopting, approving, and financing the strategic recommendations of our own military command. It is a curious world, and it gets "curiouser and curiously" as we examine more fully the implications of the Jackson amendment.

Mr. FULBRIGHT. I agree with the Senator. I think his discussion of this matter has done a great deal to sharpen the issue and enlighten my colleagues and the country with respect to what is involved in this issue.

Now, Mr. President, there are some other items I would like to discuss.

It strikes me that the views of the Senator from Washington and his associates completely ignore the significance of the ABM Treaty which we approved here just a few days ago. That treaty, as we know, was an undertaking without any dissent, or without any serious criticism, that each one is giving up voluntarily the effort to create a defense against the use of nuclear weapons. I think it is a very significant matter.

A very perspective writer said that we and the Russians had agreed to put our people and our cities as hostages to each other's nuclear capability. This, he wrote, would contribute more to a stable deterrence, a stable nuclear relationship between the two great powers than anything he could think of.

I think the Senator from Washington and his associates also ignore the statement of basic principles signed in Moscow by President Nixon and Mr. Brezhnev. Those general principles have not attracted a great deal of attention. In essence, however, they are indications of a mutual desire and intention on the part of our two great countries to cooperate in various fields of endeavor. I think those principles recognize a new attitude and approach on the part of the greatest military powers in the world.

Twenty-five years of antagonism and hostility have distinguished the cold war. I think those statements of a growing new relationship are extremely important.

I am afraid the Senator from Washington (Mr. JACKSON) is so blinded by his suspicions and hatred of the Russians that he is incapable of understanding the significance of these statements of principle, together with the ongoing negotiations for trade and other new relations. For example, within recent days there has been the sale of wheat. In the last statement which I saw, it is anticipated the Russians will purchase \$1 billion worth of wheat from us in coming months. Then there is the move toward settlement of the lend-lease account and the possibility that we and the Russians may engage in joint ventures.

These new opportunities are described in this morning's New York Times in an article entitled "Promise Seen by Peterson in Operations by Companies." I will read part of the article and ask unanimous consent that the entire article may be printed in the Record.

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

"PROMISE" SEEN BY PETERSON IN OPERATIONS BY COMPANIES

WASHINGTON, August 14.—Commerce Secretary Peter G. Peterson said today that he saw "great promise" in the possibility of American companies engaging in joint ventures with Soviet enterprises to exploit the Soviet Union's untapped energy and raw materials, such as natural gas, oil, platinum, copper, chrome, zinc and timber.

In the strongest Administration endorsement yet of joint ventures by which the Soviet Union could find the means to pay for its anticipated large-scale increases in imports from this country, Mr. Peterson said it was necessary to think in "large and unconventional terms."

Mr. Peterson's views were contained in a lengthy report on his recent visit to the Soviet Union that was released today. It was called "U.S.-Soviet Commercial Relationships in a New Era," and, in addition to his comments, contained explanatory material and tables about the Soviet economic system.

In a telephone interview, Mr. Peterson expanded on his report to disclose that the United States was giving considerable attention to the possibility of joint ventures to exploit the Soviet Union's vast natural gas reserves in western Siberia.

He said three American companies were presently engaged in talks with the Russians on possible ventures to export liquefied natural gas to the United States. One concern, the El Paso Natural Gas Company, was discussing collaboration with the Japanese to export liquefied gas to the United States West Coast from Soviet Far Eastern ports. Two others, Tenneco, Inc., and the Texas Eastern Transmission Corporation, were discussing the export of liquefied gas to the American East Coast via the port of Murmansk.

In addition, Mr. Peterson said, there were discussions with the Russians on the export to the United States of platinum because of the need for that metal in anti-pollution devices in automobiles.

The principal problem is to find the needed capital for these ventures. The natural-gas ventures would require capital inputs of more than \$5-billion, Mr. Peterson said. This would exceed the ability of the United States Government's Export-Import Bank, and would require private investment as well.

In his report, Mr. Peterson listed many of the questions that were being asked now, such as how much of a return should American companies receive, and what recourse would there be against a failure of the Soviet side to live up to its commitments.

In summary, he said, "I believe that these types of joint projects are potentially the single most important product of the new commercial relationship in which the two largest economies in the world each adjust their ways of doing business to the mutual benefit of both."

He cited, in addition to natural gas and platinum, oil, copper, chrome, zinc and timber as possible areas. He also said other projects might include the manufacture of such products as fertilizers, farm implements and cellulose.

Mr. Peterson was in Moscow last month as head of the joint Soviet-American trade commission, negotiating a possible trade agreement. That pact has still not been approved, largely because of the inability of the two sides so far to compromise differences over the Soviet Union's lend-lease debts during World War II.

He gave a very optimistic outlook, however, for long-range prospects on trade based on mutual benefit to the two countries. The Russians, in recent weeks, have already indicated that they will buy \$1-billion worth of agricultural products over the next 12

months, and have been purchasing industrial equipment as well.

Mr. FULBRIGHT. Mr. President, the article states in part:

Commerce Secretary Peter G. Peterson said today that he saw "great promise" in the possibility of American companies engaging in joint ventures with Soviet enterprises to exploit the Soviet Union's untapped energy and raw materials, such as natural gas, oil, platinum, copper, chrome, zinc and timber.

In the strongest Administration endorsement yet of joint ventures by which the Soviet Union could find the means to pay for its anticipated large-scale increases in imports from this country, Mr. Peterson said it was necessary to think in "large and unconventional terms."

Mr. Peterson's views were contained in a lengthy report on his recent visit to the Soviet Union that was released today. It was called "U.S.-Soviet Commercial Relationships in a New Era," and, in addition to his comments, contained explanatory material and tables about the Soviet economic system.

In addition, Mr. Peterson said, there were discussions with the Russians on the export to the United States of platinum because of the need for that metal in anti-pollution devices in automobiles.

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He gave a very optimistic outlook, however, for long-range prospects on trade based on mutual benefit to the two countries. The Russians, in recent weeks, have already indicated that they will buy \$1-billion worth of agricultural products over the next 12 months, and have been purchasing industrial equipment as well.

Some years ago—I suppose nearly 10 years ago—I entered into this effort to reach a compromise by submitting some advisory suggestions as to how we might settle the lend-lease accounts. At that time the Russians had offered \$300 million; we had demanded \$800 million, and the negotiations came to a stalemate. I suggested then if we would agree on \$500 million as a compromise, the \$500 million to be advanced by the Russians for the purpose of creating a joint enterprise. Russia would agree to pay us the \$500 million. It would be invested in a joint enterprise, similar to these described here; we would ultimately be paid out of the proceeds of the products of those joint enterprises so that in effect it would constitute no drain on the Soviets' balance of payments, but we would be paid from the new products of the joint enterprise.

I think there is great promise in movement in this direction. The point of it is that this program, as described by Mr. Peterson, it seems to me, is utterly inconsistent with the basic assumption of the Senator from Washington. The basic assumption of Mr. Jackson as is quite clear in his major statement, is that the Soviets are straining at the leash to take advantage of every opportunity to increase their capacity to create a first strike capability.

His description of what they are going to do with MIRV's and many of the various weapons they will build is frightening, of course, and it is intended to be frightening to all of us so that we will support his amendment. But it is obviously inconsistent with the basic assumptions of the Peterson negotiations. You cannot have it both ways, Mr. President. If the Soviets are interested in joint ventures that involve large amounts of capital going over many years, how is it possible to assume at the same time, and as a part thereof, that they are making plans to do everything possible to do us in? It seems to me there must be some degree of confidence in their purpose if we are to go through with these joint ventures about which Mr. Peterson is so very optimistic.

As a nation we cannot proceed on these two tracks at the same time without creating great confusion and schizophrenia in our own policy.

Mr. President, I ask unanimous consent to yield to the Senator from Minnesota without losing my right to the floor, for the purpose of bringing up a conference report.

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

EQUAL EXPORT OPPORTUNITY ACT—CONFERENCE REPORT

Mr. MONDALE. Mr. President, I submit a report of the committee of conference on S. 3726, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated by title.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3726) 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report, which reads as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3726) 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

TITLE I—AMENDMENTS TO THE EXPORT ADMINISTRATION ACT OF 1969

SEC. 101. This title may be cited as the "Equal Export Opportunity Act".

SEC. 102. Section 2(3) of the Export Administration Act of 1969 is amended by inserting before the period at the end thereof a comma and the following: "particularly when export restrictions applied by the United States are more extensive than export restrictions imposed by countries with which the United States has defense treaty commitments".

SEC. 103. Section 3 of the Export Administration Act of 1969 is amended by adding at the end thereof the following:

"(6) It is the policy of the United States that the desirability of subjecting, or continuing to subject, particular articles, materials, or supplies, including technical data or other information, to United States export controls should be subjected to review by and consultation with representatives of appropriate United States Government agencies and qualified experts from private industry."

SEC. 104. (a) Section 4(b) of the Export Administration Act of 1969 is amended—

(1) by inserting "(1)" after "(b)"; and
(2) by adding at the end thereof the following new paragraphs:

"(2) The Secretary of Commerce, in cooperation with appropriate United States Government departments and agencies and the appropriate technical advisory committees established under section 5(c), shall undertake an investigation to determine which articles, materials, and supplies, including technical data and other information, should no longer be subject to export controls because of their significance to the national security of the United States. Notwithstanding the provisions of paragraph (1) the President shall remove unilateral export controls on the export from the United States of articles, materials, or supplies, including technical data or other information, which he determines are available without restriction from sources outside the United States in significant quantities and comparable in quality to those produced in the United States, except that any such control may remain in effect if the President determines that adequate evidence has been presented to him demonstrating that the absence of such a control would prove detrimental to the national security of the United States. The nature of such evidence shall be included in the special report required by paragraph (4).

"(3) In conducting the investigation referred to in paragraph (2) and in taking the action required under such paragraph, the Secretary of Commerce shall give priority to those controls which apply to articles, materials, and supplies, including technical data and other information, for which there are significant potential export markets.

"(4) Not later than nine months after the date of enactment of the Equal Export Opportunity Act, the Secretary of Commerce shall submit to the President and to the Congress a special report of actions taken under paragraphs (2) and (3). Such report shall contain—

"(A) a list of any articles, materials and supplies, including technical data and other information, which are subject under this Act to export controls greater than those imposed by nations with which the United States has defense treaty commitments, and the reasons for such greater controls; and

"(B) a list of any procedures applicable to export licensing in the United States which may be or are claimed to be more burdensome than similar procedures utilized in nations with which the United States has defense treaty commitments, and the reasons for retaining such procedures in their present form."

(b) (1) Section 4(e) of such Act is amended to read as follows:

"(e) The authority conferred by this section shall not be exercised with respect to any agricultural commodity, including fats and oils or animal hides or skins, without the

approval of the Secretary of Agriculture. The Secretary of Agriculture shall not approve the exercise of such authority with respect to any such commodity during any period for which the supply of such commodity is determined by him to be in excess of the requirements of the domestic economy, except to the extent the President determines that such exercise of authority is required to effectuate the policies set forth in clause (B) or (C) of paragraph (2) of section 3 of this Act."

(2) Any rule, regulation, proclamation, or order issued after July 1, 1972, under section 4 of the Export Administration Act of 1969, exercising any authority conferred by such section with respect to any agricultural commodity, including fats and oils or animal hides or skins, shall cease to be effective upon the date of enactment of this Act.

SEC. 105. Section 5 of the Export Administration Act of 1969 is amended by adding at the end thereof the following:

"(c)(1) Upon written request by representatives of a substantial segment of any industry which produces articles, materials and supplies, including technical data and other information, which are subject to export controls or are being considered for such controls because of their significance to the national security of the United States, the Secretary of Commerce shall appoint a technical advisory committee for any grouping of such articles, materials, and supplies, including technical data and other information, which he determines is difficult to evaluate because of questions concerning technical matters, worldwide availability and actual utilization of production and technology, or licensing procedures. Each such committee shall consist of representatives of United States industry and government. No person serving on any such committee who is representative of industry shall serve on such committee for more than two consecutive years.

"(2) It shall be the duty and function of the technical advisory committees established under paragraph (1) to advise and assist the Secretary of Commerce and any other department, agency, or official of the Government of the United States to which the President has delegated power, authority, and discretion under section 4(d) with respect to actions designed to carry out the policy set forth in section 3 of this Act. Such committees shall be consulted with respect to questions involving technical matters, worldwide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to any articles, materials, or supplies, including technical data or other information, and including those whose export is subject to multilateral controls undertaken with nations with which the United States has defense treaty commitments, for which the committees have expertise. Such committees shall also be consulted and kept fully informed of progress with respect to the investigation required by section 4(b)(2) of this Act. Nothing in this subsection shall prevent the Secretary from consulting, at any time, with any person representing industry or the general public regardless of whether such person is a member of a technical advisory committee. Members of the public shall be given a reasonable opportunity, pursuant to regulations prescribed by the Secretary of Commerce, to present evidence to such committees.

"(3) Upon request of any member of any such committee, the Secretary may, if he determines it appropriate, reimburse such member for travel, subsistence, and other necessary expenses incurred by him in connection with his duties as a member.

"(4) Each such committee shall elect a chairman, and shall meet at least every three months at the call of the Chairman,

unless the Chairman determines, in consultation with the other members of the committee, that such a meeting is not necessary to achieve the purposes of this Act. Each such committee shall be terminated after a period of two years, unless extended by the Secretary for additional periods of two years. The Secretary shall consult each such committee with regard to such termination or extension of that committee."

SEC. 106. Section 14 of the Export Administration Act of 1969 is amended by striking out "August 1, 1971" and inserting in lieu thereof "June 30, 1974".

SEC. 107. Nothing in this title shall be construed to require the release or publication of information which is classified pursuant to Executive order or to affect the confidentiality safeguards provided in section 7(c) of the Export Administration Act of 1969.

SEC. 108. The provisions of this title take effect as of the close of July 31, 1972.

TITLE II—COUNCIL ON INTERNATIONAL ECONOMIC POLICY

SHORT TITLE

SEC. 201. This title may be cited as the "International Economic Policy Act of 1972".

STATEMENT OF PURPOSES

SEC. 202. It is the purpose of this title to provide for closer Federal interagency coordination in the development of a more rational and orderly international economic policy for the United States.

FINDINGS AND POLICY

SEC. 203. The Congress finds that there are many activities undertaken by various departments, agencies, and instrumentalities of the Federal Government which, in the aggregate, constitute the domestic and international economic policy of the United States. The Congress further finds that the objectives of the United States with respect to a sound and purposeful international economic policy can be better accomplished through the closer coordination of (1) domestic and foreign economic activity, and (2) in particular, that economic behavior which, taken together, constitutes United States international economic policy. Therefore this Act establishes a Council on International Economic Policy which will provide for—

(A) a clear top level focus for the full range of international economic issues; deal with international economic policies including trade, investment, balance of payments, and finance as a coherent whole;

(B) consistency between domestic and foreign economic policy; and

(C) close coordination with basic foreign policy objectives.

The Congress intends that the Council shall be provided with the opportunity to (1) investigate problems with respect to the coordination, implementation, and long-range development of international economic policy, and (2) make appropriate findings and recommendations for the purpose of assisting in the development of a rational and orderly international economic policy for the United States.

CREATION OF COUNCIL ON INTERNATIONAL ECONOMIC POLICY

SEC. 204. There is created in the Executive Office of the President a Council on International Economic Policy (hereinafter referred to in this title as the "Council").

MEMBERSHIP

SEC. 205. The Council shall be composed of the following members and such additional members as the President may designate:

- (1) The President.
- (2) The Secretary of State.
- (3) The Secretary of the Treasury.
- (4) The Secretary of Defense.
- (5) The Secretary of Agriculture.
- (6) The Secretary of Commerce.
- (7) The Secretary of Labor.

(8) The Director of the Office of Management and Budget.

(9) The Chairman of the Council of Economic Advisers.

(10) The Special Representative for Trade Negotiations.

The President shall be the Chairman of the Council and shall preside over the meetings of the Council; in his absence he may designate a member of the Council to preside in his place.

DUTIES OF THE COUNCIL

SEC. 206. Subject to the direction of the President, and in addition to performing such other functions as he may direct, the Council shall—

(1) Assist and advise the President in the preparation of the International Economic Report required under section 207.

(2) Review the activities and the policies of the United States Government which indirectly or directly relate to international economics and, for the purpose of making recommendations to the President in connection therewith, consider with some degree of specificity the substance and scope of the international economic policy of the United States, which consideration shall include examination of the economic activities of (A) the various agencies, departments, and instrumentalities of the Federal Government, (B) the several States, and (C) private industry.

(3) Collect, analyze, and evaluate authoritative information, current and prospective, concerning international economic matters. Such evaluations shall include but not be limited to the impact of international trade on the level, stability, and financial rewards for domestic labor and the impact of the transnational corporation on international trade flows.

(4) Consider policies and programs for coordinating the activities of all the departments and agencies of the United States with one another for the purpose of accomplishing a more consistent international economic policy, and make recommendations to the President in connection therewith.

(5) Continually assess the progress and effectiveness of Federal efforts to carry out a consistent international economic policy.

(6) Make recommendations to the President for domestic and foreign programs which will promote a more consistent international economic policy on the part of the United States and private industry. Recommendations under this paragraph shall include, but shall not be limited to, policy proposals relating to monetary mechanisms, foreign investment, trade, the balance of payments, foreign aid, taxes, international tourism and aviation, and international treaties and agreements relating to all such matters. In addition to other appropriate objectives, such policy proposals should be developed with a view toward—

(A) strengthening the United States competitive position in world trade;

(B) achieving equilibrium in international payment accounts of the United States;

(C) increasing exports of goods and services;

(D) protecting and improving the earnings of foreign investments consonant with the concepts of tax equity and the need for domestic investment;

(E) achieving freedom of movement of people, goods, capital, information, and technology on a reciprocal and worldwide basis;

(F) increasing the real employment and income of workers and consumers on the basis of international economic activity; and

(G) preserving the diversified industrial base of the United States.

REPORT

SEC. 207. (a) The President shall transmit to the Congress an annual report on the international economic position of the United States. Such report (hereinafter re-

ferred to as the "International Economic Report") shall be submitted not later than sixty days after the beginning of each regular session of the Congress, and shall include—

(1) information and statistics describing characteristics of international economic activity and identifying significant current and foreseeable trends and developments;

(2) a review of the international economic program of the Federal Government and a review of domestic and foreign economic conditions and other significant matters affecting the balance of international payments of the United States and of their effect on the international trade, investment, financial, and monetary position of the United States;

(3) a review of the impact of international voluntary standards, the foreign investments of United States based transnational firms, and the level of foreign wage rates on the level, stability, and financial reward for domestic employment; and

(4) a program for carrying out the policy objectives of this title, together with such recommendations for legislation as he may deem necessary or desirable.

(b) The President may transmit from time to time to the Congress reports supplementary to the International Economic Report, each of which may include such supplementary or revised recommendations as he may deem necessary or desirable to achieve the purposes and policy objectives set forth in this title.

EXECUTIVE DIRECTOR AND STAFF OF THE COUNCIL

SEC. 208. (a) The staff of the Council shall be headed by an Executive Director who shall be appointed by the President, and he shall be compensated at the rate now or hereafter provided for level II of the Executive Schedule (5 U.S.C. 5313). He shall keep the Committee on Banking, Housing and Urban Affairs of the Senate, the Committee on Banking and Currency of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives, and the Joint Economic Committee fully and currently informed regarding the activities of the Council.

(b) (1) With the approval of the Council, the Executive Director may appoint and fix the compensation of such staff personnel as he deems necessary. Except as provided in paragraph (2), the staff of the Council shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(2) With the approval of the Council, the Executive Director may appoint and fix the compensation not to exceed the rate provided for level IV of the Federal Executive Salary Schedule, and appoint and fix the compensation of two officers at rates of basic compensation not to exceed the rate provided for level V of the Federal Executive Salary Schedule.

(c) With the approval of the Council, the Executive Director may procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the rate provided for GS-18.

(d) Upon request of the Executive Director, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of its personnel to the Council to assist it in carrying out its duties under this title.

SEC. 209. The provisions of this title shall expire on June 30, 1973, unless extended by legislation enacted by the Congress.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 210. For the purpose of carrying out the provisions of this title, there are authorized to be appropriated not to exceed \$1,400,000 for fiscal year 1973.

And the House agree to the same.

That the House recede from its amendment to the title of the bill.

JOHN SPARKMAN,
H. A. WILLIAMS,
W. F. MONDALE,
WALLACE F. BENNETT,
BILL BROCK,

Managers on the Part of the Senate.

WRIGHT PATMAN,
WM. BARRETT,
LEONOR K. SULLIVAN,
HENRY S. REUSS,
THOMAS L. ASHLEY,
FERNAND J. ST GERMAIN,
WILLIAM B. WIDNALL,
ALBERT W. JOHNSON,
GARRY BROWN,

Managers on the Part of the House.

Mr. MONDALE. Mr. President, I also ask unanimous consent that requirement for printing the conference report as a Senate report be waived.

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

Mr. MONDALE. Mr. President, this measure returns from conference in almost identical form as was adopted by the Senate sometime back. It is a two-part measure, designed to promote American exports and increase employment here in the United States.

Title I of the bill amends the Export Administration Act and requires that the Secretary of Commerce move swiftly to end unilateral U.S. controls on the export of peaceful, nonstrategic goods. This amendment was largely the work of the distinguished Presiding Officer (Mr. TAFT).

I believe that these unilateral controls are largely self-defeating. Their removal would be particularly helpful to our high technology industries and will allow them to compete on a much more favorable basis in the rapidly growing Eastern European market.

Title II of this measure creates in the White House a Council on International Economic Policy. We are very hopeful this council can provide a better focus on the problems, as well as the solutions, which bear on the aggravating and difficult problems of the U.S. balance of trade.

I now yield to the distinguished ranking minority member of the Committee on Banking, Housing and Urban Affairs (Mr. BENNETT).

Mr. BENNETT. Mr. President, I would like to express my support for the conference report on S. 3726, containing amendments to the Export Administration Act. In addition to extending the authority of the act, the amendments more clearly define the policy of the Congress with regard to export controls, and establish by statute a Council on International Economic Policy in the Executive Office of the President for a period of about 10 months. Appropriations of \$1,400,000 for funding its operations for fiscal year 1973 are also authorized. This Council will serve as an important coordinating mechanism for

the more than 60 agencies now engaged in international economic affairs. The Council is established to review the policies of these agencies and make recommendations to the President for improving and assuring consistency in our international economic policy.

I believe that it is important to assure that there be no misunderstanding of the requirement that the Executive Director of the Council keep various committees of the Congress fully and currently informed of the activities of the Council. It is especially important so that a constructive and cooperative relationship may be maintained on international economic policy between the Congress and the executive branch, a relationship which is beneficial and which, I am sure, both are anxious to preserve.

As a member of the conference committee I can say that the conference committee considered this question at some length during the three sessions which were held on the bill. It was agreed that the "fully and currently informed" provision does not require the Executive Director of the Council to testify formally before congressional committees. While the conference committee deleted the requirement that the Executive Director be an Assistant to the President, it is certainly a possibility that the President would appoint a Presidential Assistant to that position. In such an event, it is not intended that the long-standing tradition that those who hold such a position have a personal, confidential staff relationship to the President and are not required to testify be altered. When the President seeks and receives advice from his assistants, both must have the assurance that their communications with each other will remain confidential. The conference committee specifically rejected a proposition that the Executive Director be required to testify. It also rejected a proposal that such an understanding be included in the statement of managers. This does not mean however, that the Council may operate without keeping the Congress fully informed of its activities.

The legislation specifically requires that the appropriate congressional committees be kept "fully and currently informed regarding the activities of the Council." Furthermore, this is a specific responsibility of the Executive Director of the Council.

I have been assured that the Executive Director will make himself available for informal meetings and briefings with members and committees of the Congress. Beyond that, of course, there are additional ways to keep the Congress appropriately informed. The annual report by the President on international economic matters which is required by the legislation, is one of those ways. In addition, those members of the Council who are heads of departments such as the Secretaries of State, Treasury, Agriculture, and Commerce will of course be available for testimony before various congressional committees.

On most matters of international economic policy, congressional action is necessary to effectuate policy, either by

ratification of treaties, enactment of substantive legislation, by appropriation of funds, or extension of Presidential authority. There can be little doubt that the Congress will receive the information it needs from the Executive Director in order to carry out its responsibilities.

Equally as important as the need for the executive branch to cooperate with the Congress in order to obtain congressional cooperation for its recommendations is the congressional control retained in this legislation by providing a statutory life only until June 30 of next year. Assuming that this legislation is approved by the Congress this week and that it is accepted by the President, it is still necessary to obtain appropriations to fund the Council. By the time funding is received and the Council is staffed and becomes operative, its authorized life will be only several months. During that period, because of the Executive Branch's strong desire to have such a Council in order to properly coordinate international economic policies and realizing that if satisfactory cooperation is not forthcoming the Congress will likely not act to extend the life of the Council, I believe that we can expect the greatest effort on the part of the Executive Director to provide all of the information possible to the interested committees and Members of the Congress.

Mr. President, I look forward to good cooperation and a satisfactory relation-

ship between the Congress and the Council. I believe that on such a basis, the Council can fulfill an important function for both the executive branch and for the Congress, and that the result will be better coordination in the development of international economic policy and better coordination of domestic and foreign economic policies.

I recommend that the Senate accept the conference report.

Mr. MONDALE. I thank the distinguished Senator from Utah for his support of this measure, and for his assistance in the consideration of the conference report now before the Senate.

Mr. President, I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT—CONFERENCE REPORT

Mr. EAGLETON. Mr. President, I submit a report of the committee of conference on H.R. 15580, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. TAFT). The report will be stated by title.

The assistant legislative clerk read as follows:

The committee of conference on the dis-

agreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15580) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report, which reads as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15580) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

TITLE I—AMENDMENTS TO DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACTS

SEC. 101. The salary schedule contained in section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-823) is amended to read as follows:

"SALARY SCHEDULE

"Salary class and title	Service step—								
	1	2	3	4	5	6	7	8	9
Class 1: Fire private, police private.....	\$10,000	\$10,300	\$10,800	\$11,300	\$12,100	\$12,900	\$12,400	\$13,900	\$14,400
Class 2: Fire inspector.....	11,400	12,100	12,800	13,500	14,300	14,900	15,600		
Class 3: Detective, assistant pilot, assistant marine engineer.....	12,500	13,125	13,750	14,375	15,000	15,625	16,250		
Class 4: Fire sergeant, police sergeant, detective sergeant.....	13,580	14,260	14,940	15,620	16,300	16,980			
Class 5: Fire lieutenant, police lieutenant.....	15,700	16,485	17,270	18,055	18,840				
Class 6: Marine engineer, pilot.....	17,150	18,005	18,860	19,715					
Class 7: Fire captain, police captain.....	18,600	19,530	20,480	21,390					
Class 8: Battalion fire chief, police inspector.....	21,560	22,640	23,720	24,800					
Class 9: Deputy fire chief, deputy chief of police.....	25,300	27,015	28,730	30,445					
Class 10: Assistant chief of police, assistant fire chief, commanding officer of the executive protective service, commanding officer of the U.S. Park Police.....	30,000	32,000	34,000						
Class 11: Fire chief, chief of police.....	34,700	36,800							

Sec. 102. Section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-823) is amended (1) by striking out "The" and inserting in lieu thereof "(a) Except as provided in subsection (b), the", and (2) by inserting after the salary schedule in that section the following:

"(b) Compensation may not be paid, by reason of any provision of this Act, at a rate in excess of the rate of basic pay for level V of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code."

Sec. 103. Section 201 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-824) is amended to read as follows:

"Sec. 201. The rates of basic compensation of officers and members in active service on the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972 shall be adjusted as follows:

"(1) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service step rates of subclass (a) or (b) of salary

class 1 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 1 in the salary schedule in effect on and after such date, and each such officer or member shall be placed at the respective service step in which he was serving immediately prior to such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity step rates of subclass (a) or (b) of salary class 1 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 1 in the salary schedule in effect on and after such date, and each such officer or member shall be placed in a service step as follows:

"From—	To—
Class 1, subclass (a) or (b):	Class 1:
Longevity step A.....	Service step 7.
Longevity step B.....	Service step 8.
Longevity step C.....	Service step 9.

"(2) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service

step rates of subclass (a) or (b) of salary class 2 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 2 in the salary schedule in effect on and after such date, and each shall be placed at the respective service step in which he was serving immediately prior to such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity step rates of subclass (a) or (b) of salary class 2 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 2 in the salary schedule in effect on and after such date, and each such officer or member shall be placed in a service step as follows:

"From—	To—
Class 2, subclass (a) or (b):	Class 2:
Longevity step A.....	Service step 5.
Longevity step B.....	Service step 6.
Longevity step C.....	Service step 7.

"(3) Each officer or member receiving basic compensation immediately prior to such ef-

fective date at one of the scheduled service step rates of salary class 3, 5, 6, 7, 8, or 9 in the salary schedule in effect on the day next preceding such effective date shall receive a rate of basic compensation at the corresponding scheduled service step and salary class in the salary schedule in effect on and after such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity step rates of salary class 3, 5, 6, 7, 8, or 9 in the salary schedule in effect on the day next preceding such effective date shall receive basic compensation at the corresponding salary class in the salary schedule in effect on and after such date, and each shall be placed in a service step as follows:

"From—	To—
Class 3:	Class 3:
Longevity step A.....	Service step 5.
Longevity step B.....	Service step 6.
Longevity step C.....	Service step 7.

"From—	To—
Class 5:	Class 5:
Longevity steps A and B...	Service step 5.

"From—	To—
Class 6, 7, 8, or 9:	Class 6, 7, 8, or 9:
Longevity steps A and B...	Service step 4.

"(4) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service step rates of subclass (a), (b), or (c) of salary class 4 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 4 in the salary schedule in effect on or after such date, and each shall be placed at the respective service step in which he was serving immediately prior to such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity step rates of subclass (a), (b), or (c) of salary class 4 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 4 in the salary schedule in effect on and after such date, and each shall be placed in a service step as follows:

"From—	To—
Class 4, subclass (a), (b), or (c):	Class 4:
Longevity step A.....	Service step 5.
Longevity steps B and C...	Service step 6.

"(5) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service step rates of salary class 10 or 11 in the salary schedule in effect on the day next preceding such effective date shall receive a rate of basic compensation at the corresponding scheduled service step and salary class in the salary schedule in effect on and after such date, except that any such officer or member who immediately prior to such date was serving in service step 4 of salary class 10 or in service step 3 of salary class 11 shall be placed in and receive basic compensation in a service step as follows:

"From—	To—
Class 10:	Class 10:
Service step 4.....	Service step 3.
"From—	To—
Class 11:	Class 11:
Service step 3.....	Service step 2."

Sec. 104. Section 202 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-825) is amended to read as follows:

"Sec. 202. Each officer or member of the Metropolitan Police force, Executive Protective Service, and United States Park Police force assigned on or after the effective date

of the District of Columbia Police and Firemen's Salary Act Amendments of 1972—

"(1) to perform the duty of a helicopter pilot, or

"(2) to render explosive devices ineffectual or to otherwise dispose of such devices,

shall receive, in addition to his scheduled rate of basic compensation, \$2,100 per annum so long as he remains in such assignment. The additional compensation authorized by this section shall be paid to an officer or member in the same manner as he is paid the basic compensation to which he is entitled. No officer or member who receives the additional compensation authorized by this section may receive additional compensation under section 302."

Sec. 105. (a) Section 203 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-826) is amended to read as follows:

"Sec. 203. The aide to the Fire Marshal shall be included as a Fire Inspector in salary class 2."

(b) Section 204 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code sec. 4-826a) is repealed.

Sec. 106. Section 302 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-828) is amended to read as follows:

"Sec. 302. (a) The Commissioner of the District of Columbia, in the case of the Metropolitan Police force and the Fire Department of the District of Columbia, the Secretary of the Treasury, in the case of the Executive Protective Service, and the Secretary of the Interior, in the case of the United States Park Police force, are authorized to establish and determine, from time to time, the positions in salary classes 1, 2, and 4 to be included as technicians' positions.

"(b) Each officer or member—

"(1) who immediately prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972—

"(A) was in a position assigned to subclass (b) of salary class 1 or 2 or subclass (c) of salary class 4, or

"(B) was in salary class 4 and was performing the duty of a dog handler, or

"(2) whose position is determined under subsection (a) to be included in salary class 1, 2, or 4 on or after such date as a technician's position,

shall on or after such date receive, in addition to his scheduled rate of basic compensation, \$680 per annum. An officer or member described in paragraph (1) (A) or (2) shall receive the additional compensation authorized by this subsection until his position is determined under subsection (a) not to be included in salary class 1, 2, or 4 as a technician's position or until he no longer occupies such position, whichever occurs first. An officer or member described in paragraph (1) (B) shall receive such compensation so long as he performs the duty of a dog handler. If the position of dog handler is included under subsection (a) as a technician's position, an officer or member performing the duty of a dog handler may not receive both the additional compensation authorized for an officer or member occupying a technician's position and the additional compensation authorized for officers and members performing the duty of a dog handler.

"(c) Each officer or member who immediately prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972 was assigned as a detective sergeant in subclass (b) of salary class 4 shall on or after such date, receive, in addition to his scheduled rate of basic compensation, \$500 per annum so long as he remains in such assignment. Each officer or member who is promoted after

such date to the rank of detective sergeant shall receive, in addition to his scheduled rate of basic compensation, \$500 per annum so long as he remains in such assignment.

"(d) The additional compensation authorized by subsections (b) and (c) shall be paid to an officer or member in the same manner as he is paid the basic compensation to which he is entitled."

Sec. 107. Section 303 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-829) is amended to read as follows:

"Sec. 303. (a) Each officer and member, if he has a current performance rating of 'satisfactory' or better, shall have his service step adjusted in the following manner:

"(1) Each officer and member in service step 1, 2, or 3 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of fifty-two calendar weeks of active service in his service step.

"(2) Each officer and member in service step 4 or 5 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of one hundred and four calendar weeks of active service in his service step.

"(3) Each officer and member in service step 6, 7, or 8 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of one hundred and fifty-six calendar weeks of active service in his service step.

"(4) Each officer and member in salary classes 2 through 11 who has not attained the maximum service step rate of compensation for the rank or title in which he is placed shall be advanced in compensation successively to the next higher service step rate for such rank or title at the beginning of the first pay period immediately subsequent to the completion of one hundred and four calendar weeks of active service in his service step, except that in the case of an officer or member in service step 4, 5, or 6 of salary class 2 or 3, service step 4 or 5 of salary class 4, and service step 4 of salary class 5, such officer or member shall be advanced successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of the one hundred and fifty-six calendar weeks of active service in his service step.

"(b) As used in this title, the term 'calendar week of active service' includes all periods of leave with pay, and periods of non-pay status which do not cumulatively equal one basic workweek."

Sec. 108. Section 304 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-830) is amended to read as follows:

"Sec. 304. (a) Except as otherwise provided in subsection (b) of this section, any officer or member who is promoted or transferred to a higher salary class shall receive basic compensation at the lowest scheduled rate of such higher salary class which exceeds his existing scheduled rate of basic compensation by not less than one step increase of the next higher step of the salary class from which he is promoted or transferred.

"(b) Any officer or member receiving additional compensation as provided in section 302 of this Act who is promoted or transferred to a higher salary class shall receive basic compensation at the lowest scheduled rate of such higher class which exceeds his existing scheduled rate of basic compensation by at least the sum of one step increase of the next higher step of the salary class

from which he is promoted or transferred and the amount of such additional compensation."

Sec. 109. Section 305 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-831) is amended by (1) striking out "Commissioners" and inserting in lieu thereof "Commissioner", and (2) striking out "or Subclass" immediately after "Class".

Sec. 110. Section 401 of the District of Columbia Police and Firemen's Salary Act of

"If an officer or member has completed at least:
15 years of continuous service-----

20 years of continuous service-----
25 years of continuous service-----
30 years of continuous service-----

1958 (D.C. Code, sec. 4-832) is amended to read as follows:

"Sec. 401. (a) (1) In recognition of long and faithful service, each officer and member in the active service on or after the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972 shall receive per annum, in addition to the rate of basic compensation prescribed in the salary schedule contained in section 101 of this Act, an amount computed in accordance with the following table:

He shall receive per annum an amount, fixed to the nearest dollar, equal to:
5 per centum of the rate basic compensation prescribed for service step 1 of the salary class of such salary schedule which he occupies.
10 per centum of such compensation.
15 per centum of such compensation.
20 per centum of such compensation.

"(2) For purposes of paragraph (1), continuous service as an officer or member includes any period of his service in the Armed Forces of the United States other than any period of such service (A) determined not to have been satisfactory service, (B) rendered before appointment as an officer or member, or (C) rendered after resignation as an officer or member.

"(3) Each officer and member shall receive additional compensation in accordance with paragraph (1) only as long as he remains in the active service. Such compensation shall be paid in the same manner as the basic compensation to which such officer or member is entitled, except that it shall not be subject to deduction and withholding for retirement and insurance, and shall not be considered as salary for the purpose of computing annuities pursuant to the Policemen and Firemen's Retirement and Disability Act and for the purpose of computing insurance coverage under the provisions of chapter 87 of title 5, United States Code.

"(b) Notwithstanding any other provision of this or any other law, individuals retired from active service prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972, and who are entitled to receive a pension relief allowance or retirement compensation under the Policemen and Firemen's Retirement and Disability Act, shall not be entitled to receive an increase in their pension relief allowance or retirement compensation by reason of the enactment of this section.

"(c) Notwithstanding any other provision of this or any other law, each deputy chief of the Metropolitan Police force and of the Fire Department of the District of Columbia shall, upon completion of thirty years of continuous service on the police force or fire department, as the case may be, be placed in, and receive basic compensation at, the highest service step in the salary class to which his position is assigned in the salary schedule contained in section 101. For purposes of this subsection, in computing a deputy chief's continuous service on the police force or fire department, there shall be included any period of his service in the Armed Forces of the United States other than any period of such service—

"(1) determined not to have been satisfactory service,

"(2) rendered before appointment as an officer or member, or

"(3) rendered after resignation as an officer or member."

Sec. 111. Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-833) is amended by (1) adding "and the Executive Protective Service" immediately after "United States Park Police", and (2) striking out "or Subclasses" at the end of such section.

Sec. 112. The act approved May 25, 1926

(D.C. Code, sec. 4-131), is amended (1) by inserting "(a)" immediately after "That", and (2) by adding at the end thereof the following new subsection:

"(b) The Chief of Police of the Metropolitan Police force, the Commanding Officer of the Executive Protective Service, and the Commanding Officer of the United States Park Police force, are each authorized to provide a clothing allowance, not to exceed \$300 in any one year, to an officer or member assigned to perform duties in 'plainclothes'. Such clothing allowance is not to be treated as part of the officer's or member's basic compensation and shall not be used for the purpose of computing his overtime, promotions, or retirement benefits. Such allowance for any officer or member may be discontinued at any time upon written notification by the authorizing official."

Sec. 113. Subsection (h) of the first section of the Act approved August 15, 1950 (D.C. Code, sec. 4-904(h)), is amended by striking out "class 1c" wherever it appears therein and inserting in lieu thereof "the salary class applicable to the Fire Chief and Chief of Police".

Sec. 114. Section 301 of the District of Columbia Police and Firemen's Salary Act of 1953 (D.C. Code, sec. 4-518) is amended—

(1) by striking out "Such" in the second sentence and inserting in lieu thereof "Except as otherwise provided in this section, such";

(2) by striking out the third sentence;

(3) by inserting "(a)" immediately after "Sec. 301." and by adding the following at the end thereof:

"(b) The increase prescribed by subsection (a) of this section in the pension relief allowance or retirement compensation received by an individual retired from active service before the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972 under the Policemen and Firemen's Retirement and Disability Act as a result of the increase in salary provided by the District of Columbia Police and Firemen's Salary Act Amendments of 1972 shall not be less than 17 per centum of such allowance or compensation.

"(c) Each individual retired from active service and entitled to receive a pension relief allowance or retirement compensation under the Policemen and Firemen's Retirement and Disability Act shall be entitled to receive, without making application therefor, with respect to each increase in salary, granted by any law which takes effect after the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972, to which he would be entitled if he were in active service, an increase in his pension relief allowance or retirement compensation computed as follows: His pension relief allowance or retirement compensation shall be increased by an amount equal to the product of such allowance or compensation and

the per centum increase made by such law in the scheduled rate of compensation to which he would be entitled if he were in active service on the effective date of such increase in salary.

"(d) Each increase in pension relief allowance or retirement compensation made under this section because of an increase in salary shall take effect as of the first day of the first month following the effective date of such increase in salary."

Sec. 115. (a) Section 2 of the Act of September 8, 1960 (D.C. Code, sec. 4-823b) is repealed.

(b) Section 2 of the Act of October 24, 1962 (D.C. Code, sec. 4-823c) is repealed.

(c) Section 102 of the Act of September 2, 1964 (D.C. Code, sec. 4-823d) is repealed.

(d) Section 102 of the District of Columbia Policemen and Firemen's Salary Act Amendments of 1966 (D.C. Code, sec. 4-823d-1) is repealed.

(e) Section 2 of the District of Columbia Police and Firemen's Salary Act Amendments of 1968 (D.C. Code, sec. 4-823d-2) is repealed.

(f) Section 103 of the District of Columbia Police and Firemen's Salary Act Amendments of 1970 (D.C. Code, sec. 4-823d-3) is repealed.

Sec. 116. (a) Retroactive compensation or salary shall be paid by reason of the amendments made by this title only in the case of an individual in the service of the District of Columbia government or of the United States (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to an officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, or the Executive Protective Service, who retired during the period beginning on the first day of the first pay period which begins on or after May 1, 1972, and ending on the date of enactment of this Act for services rendered during such period, and (2) in accordance with the provisions of subchapter 8 of chapter 55 of title 5, United States Code (relating to settlement of accounts of deceased employees), for services rendered during the period beginning on the first day of the first pay period which begins on or after May 1, 1972, and ending on the date of enactment of this Act, by an officer or member who dies during such period.

(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

(c) For the purpose of determining the amount of insurance for which an officer or member is eligible under the provisions of chapter 87 of title 5, United States Code (relating to government employees group life insurance), all changes in rates of compensation or salary which result from the enactment of this title shall be held and considered to be effective as of the date of enactment of this Act.

Sec. 117. (a) If an officer or member of the Metropolitan Police Force, the Fire Department of the District of Columbia, the Executive Protective Service, or the United States Park Police force engages in educational course work in police or fire science or administration and if he is eligible for payments or reimbursements under section 4109(a) (2) (C) of title 5 of the United States Code for tuition expenses for such course work, the Commissioner of the District of Columbia, the Secretary of the Treasury, and the Secretary of the Interior shall, in accord-

ance with such section 4109(a)(2)(C), pay or reimburse each such officer and member under their jurisdiction for all his tuition expenses for such course work.

(b) Subsection (a) of this section shall take effect on the date of enactment of this Act.

SEC. 118. Except as provided in section 117 (b), the effective date of this title and the amendments made by this title shall be the first day of the first pay period beginning on or after May 1, 1972.

SEC. 119. This title may be cited as the "District of Columbia Police and Firemen's Salary Act Amendments of 1972".

TITLE II—POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY ACT AMENDMENTS

SEC. 201. (a) The Policemen and Firemen's Retirement and Disability Act (section 12 of the Act of September 1, 1916, D.C. Code, sec. 4-521 et seq.) is amended as follows:

(1) Subparagraph (5)(B) of subsection (a) of such Act (D.C. Code, sec. 4-521) is amended by striking out "or" immediately after "residence".

(2) Paragraph (5) of subsection (c) of such Act (D.C. Code, sec. 4-523) is amended by adding at the end thereof the following new sentence: "No deposit shall be required for days of unused sick leave credited under subsection (h) of this section."

(3) Subsection (h) of such Act (D.C. Code, sec. 4-528) is amended by adding at the end thereof the following new paragraph:

"(4) In computing an annuity under this subsection, the police or fire service of a member who has not retired prior to the effective date of this paragraph shall include, without regard to the limitation imposed by paragraph (3) of this subsection, the days of unused sick leave credited to him. Days of unused sick leave shall not be counted in determining a member's eligibility for an annuity under this subsection."

(4) The first paragraph of subsection (k) of such Act (D.C. Code, sec. 4-531) is amended to read as follows:

"(k) (1) If any member—

"(A) dies in the performance of duty and the Commissioner determines that (i) the member's death was the sole and direct result of a personal injury sustained while performing such duty, (ii) his death was not caused by his willful misconduct or by his intention to bring about his own death, and (iii) intoxication of the member was not the proximate cause of his death; and

"(B) is survived by a survivor, parent, or sibling, a lump sum payment of \$50,000 shall be made to his survivor if the survivor received more than one-half of his support from such member or if such member is not survived by any survivor (including a survivor who did not receive more than one-half of his support from such member) to his parent or sibling if the parent or sibling received more than one-half of his support from such member. If such member is survived by more than one survivor entitled to receive such payment, each such survivor shall be entitled to receive an equal share of such payment; or if such member leaves no survivor and more than one parent or sibling who is entitled to receive such payment, each such parent or sibling shall be entitled to receive an equal share of such payment."

(b) The amendments made by paragraphs (1) and (4) of subsection (a) of this section shall be effective on and after November 1, 1970. The amendments made by paragraphs (2) and (3) of such subsection shall be effective on the first day of the first pay period beginning on or after the date of enactment of this title.

SEC. 202. (a) Section 3 of the Act of July 11, 1947 (D.C. Code, sec. 4-183a), is amended by striking out "on the effective date of this section".

(b) Section 4 of such Act (D.C. Code, sec. 4-183b) is amended by striking out "on September 22, 1959".

(c) The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 203. (a) Subsection (m) of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4-533) is amended by inserting "(1)" after "(m)" and by adding at the end thereof the following:

"(2) If a member is retired under subsection (f) or (g) of this section and is employed on or after the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972, such member shall, in accordance with such regulations as the Commissioner shall prescribe, notify the Commissioner of the employment; and the Commissioner shall, as soon as practicable after the receipt of such notice, require each such member to undergo a medical examination (satisfactory to the Commissioner) of the disability upon which the member's retirement under such subsection is based."

(b) The Commissioner of the District of Columbia shall (1) promulgate the regulations required by paragraph (2) of subsection (m) of the Policemen and Firemen's Retirement and Disability Act not later than ninety days after the date of the enactment of this Act, and (2) give timely written notice to each member retired under subsection (f) or (g) of the Policemen and Firemen's Retirement and Disability Act of the promulgation of such regulations.

(c) This section shall take effect on the date of the enactment of this Act.

TITLE III—REVENUE FOR SALARY INCREASES

SEC. 301. (a) (1) Section 125 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47-2602) is amended by striking out "4 per centum" in the matter preceding paragraph (1) and inserting in lieu thereof "5 per centum".

(2) Paragraphs (2) and (3) of such section 125 are each amended by striking out "5 per centum" and inserting in lieu thereof "6 per centum".

(3) (A) Paragraph (a) of section 127 of such Act (D.C. Code, sec. 47-2604(a)) is amended by striking out "and other than sales or charges for rooms, lodgings, or accommodations furnished to transients,".

(B) Paragraph (c) of such section is repealed.

(C) Paragraphs (a) and (b) of such section are redesignated as paragraphs (1) and (2), respectively.

(b) (1) Section 212 of the District of Columbia Use Tax Act (D.C. Code, sec. 47-2702) is amended by striking out "4 per centum" in the matter preceding paragraph (1) and inserting in lieu thereof "5 per centum".

(2) Paragraphs (2) and (3) of such section 212 are each amended by striking out "5 per centum" and inserting in lieu thereof "6 per centum".

(c) The amendments made by this section shall take effect on the first day of the first month which begins on or after the thirtieth day after the date of enactment of this Act.

And the Senate agree to the same.

THOMAS F. EAGLETON,
DANIEL K. INOUE,
CHARLES MCC. MATHIAS, JR.,
Managers on the Part of the Senate.

JOHN L. McMILLAN,
EARLE CABELL,
W. S. (BILL) STUCKEY, JR.,
ANCHER NELSEN,
JOEL T. BRODYHILL,
Managers on the Part of the House.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15580) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

RETROACTIVITY

Section 118 of the Senate amendment provided that salary increases will be effective beginning with the first pay period beginning on or after March 1, 1972. Section 117 of the House bill provided that salary increases will be effective beginning with the first pay period beginning on or after July 1, 1972. The conference substitute provides that salary increases will be effective beginning with the first pay period beginning on or after May 1, 1972.

LONGEVITY COMPENSATION IN COMPUTATION OF RETIREMENT ANNUITIES

Section 110 of the Senate amendment provided that total service longevity compensation would be included in the computation of the amount of the retirement annuity of an officer or member. Section 110 of the House bill provided that such compensation would not be included in computing the retirement annuity of an officer or member. The conference substitute adopts the House provision.

DEPUTY CHIEFS

Section 110 of the House bill retained the provision of existing law which provides that deputy chiefs with 30 years of continuous service shall be placed in, and receive basic compensation at, the highest step in the salary class to which the position of deputy chief is assigned. Section 110 of the Senate amendment repealed this provision of law. The conference substitute adopts the House provision.

EDUCATIONAL SUBSIDIES

Section 113 of the Senate amendment authorized the Commissioner of the District of Columbia in the case of the Metropolitan Police force and the Fire Department of the District of Columbia, the Secretary of the Treasury, in the case of the Executive Protective Service, and the Secretary of the Interior, in the case of the United States Park Police force, to pay additional compensation for successful completion by an officer or member of educational course work leading to a degree in police or fire science or administration. The additional annual compensation would be \$200 for each 15 credit hours completed, except that such compensation could not exceed \$1,600. The House bill contained no such provision. The conference substitute provides that if an officer or member is eligible to receive payment or reimbursement under section 4109 of title 5, United States Code, for his tuition expenses for educational course work in police or fire science or administration, such payment or reimbursement shall be increased to cover all such officer's or member's tuition expenses. Currently, 90 per centum of such tuition expenses are covered under section 4109.

SALARY USED IN COMPUTATION OF RETIREMENT ANNUITY

Section 201 of the House bill provided that the retirement annuity of officers and members who first came on active duty after July 9, 1972, would be based on the highest annual rate resulting from averaging his basic salary for any three years of continuous service. The retirement annuity of officers and members on active duty on July 9,

1972, would be based on the higher of (1) a three-year average of his salary, or (2) his pre-July 9, 1972, salary increased by 17 percent. The Senate amendment contained no such provision thus retaining existing law which provides that the retirement annuity of an officer or member is to be based on the basic salary of the officer or member in effect on the date of his retirement. The conference substitute adopts the Senate position, retaining existing law.

The conferees further agreed that the Commissioner of the District of Columbia should conduct a full and complete study of the feasibility and cost of, and the effect on morale of the officers and members as a result of, adopting a system of computing retirement annuities using a three-year average salary rate (as provided in the House bill). The conferees agreed that the results of the study should include the views and opinions of the Secretary of the Interior and the Secretary of the Treasury, and should be transmitted to the Congress within six months after the date of the enactment of the bill.

MEDICAL EXAMINATIONS FOR OFFICERS AND MEMBERS RETIRED FOR DISABILITY

Section 202 of the House bill provided that an officer or member who is retired for a disability and who on or after July 9, 1972, is employed shall notify the Commissioner of his employment and shall undergo such medical examination of his disability as the Commissioner may prescribe. The Senate amendment contained no such provision. The conference substitute adopts the House provision.

TREATMENT OF UNUSED SICK LEAVE

Sections 201(a) (2) and (3) of the Senate amendment authorized unused sick leave to be used in determining the amount of and optional retirement annuity of an officer or member. It was also provided that the days of unused sick leave shall not be counted in determining eligibility for an optional retirement annuity. The House bill contained no such provisions. The conference substitute adopts the Senate provisions.

SURVIVORS LUMP SUM BENEFIT

Section 201(a) (4) of the Senate amendment expanded eligibility for the \$50,000 lump sum benefit payable upon the death of a member in the performance of duty to include a deceased member's parents and siblings who received more than one-half of their support from the deceased member. A parent or sibling would be eligible only if the deceased member is not survived by a spouse or child. The House bill contained no such provision. Existing law provides that only the spouse and the children who received more than one-half of their support from the deceased member are entitled to such benefit. The conference substitute adopts the Senate provision which is to take effect as of November 1, 1970.

RETIREMENT ANNUITY OF POLICE BAND DIRECTOR

Section 202 of the Senate amendment permitted the current police band director and his successors to retire under provisions of District of Columbia law which previously were limited to the band director in office in September of 1959. The House bill contained no such provision. The conference substitute adopts the Senate provision.

SALES TAX INCREASE

Section 302 of the Senate amendment increased the rate of the sales and use tax on laundry and dry cleaning services, sales of nonprescription drugs, and charges for textiles rentals from 2 percent to 5 percent. The House bill contained no such provisions. The conference substitute contains no such provisions.

INCREASE IN CIGARETTE TAX

Section 311 of the Senate amendment increased the tax on cigarettes from 4¢ per package to 6¢ per package. The House bill contained no such provision. The conference substitute contains no such provision.

THOMAS F. EAGLETON,
DANIEL K. INOUE,
CHARLES McC. MATHIAS, Jr.,
Managers on the Part of the Senate.

JOHN L. McMILLAN,
EARLE CABELL,
W. S. (BILL) STUCKEY, Jr.,
ANCHER NELSEN,
JOEL T. BROYHILL,
Managers on the Part of the House.

Mr. EAGLETON. Mr. President, I ask unanimous consent that the printing of the conference report as a Senate report be waived.

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

Mr. EAGLETON. I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

QUORUM CALL

The PRESIDING OFFICER. What is the will of the Senate?

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. 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.

INTERIM AGREEMENT ON LIMITATION OF STRATEGIC OFFENSIVE WEAPONS

The Senate resumed the consideration of the joint resolution (S.J. Res. 241) authorizing the President to approve an interim agreement between the United States and the Union of Soviet Socialist Republics.

Mr. FULBRIGHT. Mr. President, I was just called out of the Chamber by members of the press who asked me to comment upon a statement made by the junior Senator from Washington. I cannot quote him exactly, but members of the press told me they have a tape recording of what he did say. But the purport of the Senator's statement was that he has evidence that in the course of the Administration's negotiations for the interim agreement which is now under consideration, the Russians lied to the President of the United States and, I assume, to the negotiators. I believe the press said it was to the President, with regard to the number of missile submarines, particularly the Y-class submarines, which I understand is the most modern of their submarines; that the Russians said they had under construction or in being 48; whereas, they only had 42.

It is, of course, a serious charge that a

country has lied on a matter of this kind. I am not quite sure how significant it would have been in the final assessment as to what the overall mix would have been. But, in any case, I assume by the nature of press questions that they think this is a most serious charge. It raises very serious questions about the purposes of the junior Senator from Washington, whether he really is out to sabotage the approval of the interim agreement. I, of course, reserve judgment on that. I think that his proposal is inconsistent with a desire to go forward in SALT II.

But to make charges such as this reminds me somewhat of the effect of the U-2 incident on the Eisenhower conference with Khrushchev in Paris and the planned trip of President Eisenhower to Russia. It is always a source of great regret on my part that President Eisenhower did not go to Russia and did not make progress with Chairman Khrushchev in bringing about a detente with Russia at that time. I have often thought that we missed a great opportunity at that time to improve our relations. But now, for a second time, we appear to be on the road to improving our relations and I do not want to lose that road.

A few minutes ago, I read a press account of Mr. Peterson's highly optimistic report with regard to trade with Russia. I subscribe wholeheartedly to the need and his optimism. It would be a great tragedy if charges of the kind I have mentioned stir up the latent chauvinism and distrust of Russia to the point where the forward movement in the arms limitation agreements is stopped or diverted.

I shall ask the staff of the Committee on Foreign Relations to get in touch with the Central Intelligence Agency and ask them whether they have evidence of the charge made by the Senator from Washington.

Of course, I would hope that the President of the United States would take the occasion to clarify this situation—either explain it, deny it, or reconcile it. I do not know what he can do with it. He is in a position to know. I, obviously, am not in a position to say whether it is true or untrue. But the Committee on Foreign Relations will undertake to check on this report at the earliest opportunity.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 559. An act for the relief of Albina Lucio Z. Manluqui;

S. 889. An act to restore the postal service seniority of Elmer Erickson; and

S. 2704. An act for the relief of Rita Rosella Valleriani.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 10676) for the relief of Lester L. Stiteler.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that today, August 15, 1972, he presented

to the President of the United States the enrolled bill (S. 596) to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Congress within 60 days after the execution thereof.

SELECT COMMITTEE TO STUDY SECRET AND CONFIDENTIAL GOVERNMENT DOCUMENTS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 974, S. Res. 299.

The PRESIDING OFFICER (Mr. TAFT). The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 299) to establish a Select Committee to study questions related to secret and confidential government documents.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JAVITS. Mr. President, this measure was passed on the consent calendar last Friday, and at my request the action taken on it was vacated because the Senator from Nebraska (Mr. HRUSKA) wished to introduce a statement—I consider it a very important statement—respecting this measure, about which he had had serious doubts—and he still does.

He had not had an opportunity to prepare it, so we vacated the passage on the Consent Calendar.

Subsequently, the Senator from Nebraska inserted his statement, which will be found on page S13439 of the RECORD of August 14, 1972. We have talked with his office and he is agreed that the bill may now be passed, with his statement included in the RECORD.

So, Mr. President, I ask unanimous consent that the statement of the distinguished Senator from Nebraska (Mr. HRUSKA) with reference to Senate Resolution 299 be printed at this point in the RECORD.

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

STATEMENT BY SENATOR HRUSKA

The substance and the desirability of S. Res. 299 have been considered in this body on two previous occasions. One was on May 8, 1972, beginning at page 28005 of the Congressional Record. A second occasion was June 22 at pages 21980 and following.

Those colloquies, chiefly between this Senator and the Senator from New York (Mr. JAVITS), resulted in the referral of the resolution to the Government Operations Committee for its study and recommendation by a day certain. It has now been returned to the Senate for further consideration.

Mr. President, the Government Operations Committee in its report now before us amended the original resolution to extend the time for reporting from this special committee to February 15, 1972. Otherwise, the text of the resolution remains as it was on June 22.

Reference to the Government Operations Committee accomplished one objective, namely, it resolved a rather discouraging aspect of the matter in the following fashion: Senate approval of the resolution had been sought on a virtually summary and expedited

basis on the floor of the Senate. This undesirable effort was averted by the reference of the resolution to the Committee, whose report we now consider. This is in keeping with better, more deliberative, more established and more wholesome procedure.

Mr. President, my present position is that I shall defer to the judgment of the Government Operations Committee. I will not oppose the approval of the resolution, even though I find myself in respectful disagreement with the Committee's conclusions.

Objections which I voiced in June are still applicable. Some of them I shall restate and incorporate in these remarks.

The purpose of these present remarks is to make a record for future ventures of this kind into special or ad hoc committees some sound and wholesome reasons for preventing similar incursions into the provinces of standing committees with definitely assigned responsibilities.

Mr. President, the interest of this Senator in the general subject of secrecy, confidentiality and classification of government documents generally is of long-standing study and activity. My desires and goals are to render the development and the availability of these documents in an open and in a timely way consistent with the best interests of sound government. This means that there must be taken into consideration at least two fundamental doctrines: (I) Separation of Powers, and (II) Executive Privilege.

The history of both doctrines goes back to the beginnings of the Republic. I believe that the incorporation at this point of some of my remarks on June 22 will illustrate the reasons for my interest in S. Res. 299.

Mr. HRUSKA. I yield myself 10 minutes.

Mr. President, this resolution should be referred to a committee for regular processing. There are a number of reasons and elements that can be found in support of that statement.

It undertakes to establish a select committee to study and report on laws, rules and questions relating to secret, confidential, and classified Government documents. There was an inquiry into a specific situation as to the conduct of an individual Member of this body but the subject generally, basically, and fundamentally, has never been referred to or been considered by a committee.

The resolution contains no provision for funding. I do not know that that will be necessary but, at any rate, there is no provision or any consideration as to whether funding would be needed.

The subject is extensive. It is profound. It is complex. A cursory and fleeting examination and report by a short-lived select committee, as contemplated here, would necessarily be superficial and would serve no useful purpose.

The resolution, Mr. President, is a usurpation and an encroachment on the province and the jurisdiction of a standing committee, which would be fully justified in deeply resenting such intrusion. It is unseemly for the Senate to circumvent the functioning of the committee system in this fashion.

Now, Mr. President, it is suggested that the resolution arose and was brought about as a result of the closed-door session we had some weeks ago, when a Senator had received a document and breached, violated, imposed on, or exploited his immunity to the extent of publishing or seeking to publish that document. It presented a situation which would require, in the judgment of the Senator from New York and the co-sponsors of this resolution, the collective judgment of the Senate as to what should be done in such a situation, and that a smaller body than the Senate itself would be requested for that purpose, the purpose being not to consider legislation, but this particular situation. As I understand it, that is the thrust of the argument made on behalf of the resolution.

Well, Mr. President, the leadership can undertake an informal discussion of this particular situation on its own, in its role as a leadership organization on both sides of the aisle. It can summon to its assistance and to counsel it any Member of the Senate that it wishes. It can call upon the chairman or the ranking members of committees if it wishes, and formulate some program or some proposal that it can bring forward before a future executive session of the Senate. That is entirely within its power and jurisdiction. It is its prerogative right now.

It is said now that we have to do something, that we have to have a crutch, that we have to have a resolution of substance here, something substantive.

Well, Mr. President, that is the province of a standing committee. I suggested that the leadership on its own can get together and formulate a proposition of any kind they wish as to the particular conduct of a particular Senator under particular situations. That they can do. Then he would debate that in the Senate, either in open or in executive session, and go on from there.

But when it is to formalize an organization known as a select committee for the purpose of dealing with matters of substance, and dealing with rules and classified regulations that in here in this situation, then we get into the province of a standing committee with its expertise and authority. I say again that the standing committee that would be entitled to it would have reason and ground to be resentful of that kind of usurpation and intrusion. I do not say that they have, Mr. President. I think they have justification for it. There was no resentment in the heart of the chairman of the Government Operations Committee when he considered this. There was no resentment on my part that we were not given the matter to discuss and consider in the Judiciary Committee, nor in the mind of the chairman of the Judiciary Committee himself. No one got mad. But the point is we are repudiating and circumventing the functioning of the committee system in this fashion.

Why should it be considered by a standing committee? Because a standing committee has also had some exposure to the problem.

I should like to call attention to the fact that we developed 600 printed pages of testimony in the Subcommittee on Separation of Powers last year dealing with this entire subject. There have been hearings held last March in the Armed Services Committee in the House on this, on a bill that would set up a commission for the purpose of getting at this problem, H.R. 9853.

Of course it is a very deep, profound, and complex problem. But these committees have already been exposed to it. They have developed expertise, knowledge and experience in it. It is they who should be considering anything that goes into a substantive proposal in the nature of a rule or a law, or an interpretation of the law, and bring it back to the Senate for the purpose of handling it.

Mr. President, the question is asked, "What committee is it, and is there a committee that can handle the conduct of Senators under circumstances of this kind?"

My suggestion to that is again that the leadership can formulate some proposition and make it fair and present the issue in a particular case of a particular Senator. That is within their power. That is within the purview of their legislative duties. With regard to conduct beyond that of an individual, rules for general application, that is within the jurisdiction of the Government Operations Committee.

Mr. President, that is the way to handle a situation of this kind. The leadership needs to be called in on the question concerning to whom the Senator wishes to assign the duty of inquiring into the conduct of a par-

ticular Senator under particular circumstances. But when we leave that point, then we have any number of committees, as has been suggested, that would be eligible to consider the study and any specific measure or proposal.

It could be the Armed Services Committee if it is a proposition dealing exclusively or heavily with military secrets or weaponry or strategy, or documents of that kind.

It could be the Foreign Relations Committee if treaties are involved or documents relating to treaties.

It could be the Judiciary Committee where internal security is a matter that has been assigned and delegated to the Subcommittee on Internal Security.

It could be the Government Operations Committee whose authority cuts across and covers all departments and their operation and performance.

That is why this matter should be referred to a committee and let the leadership develop its own devices for the purpose of dealing with a particular situation.

Senate Resolution 299, now pending before the Senate for final action, would establish a select committee to study questions related to secret and confidential Government documents. It has never been referred to any committee and contains no provisions for funding.

There is pending before the Committee on Government Operations, of which the distinguished senior Senator from Arkansas (Mr. McCLELLAN) is chairman, a bill, S. 2965, to provide greater access to Government information, and for other purposes. Under its provisions, there would be established an independent disclosure board charged with the supervision and review of the entire Government classification system.

Senator McCLELLAN is unable to be present today. In view of the close relationship in the subject matter of these measures, he believes it would be appropriate to consider them both at the same time. Accordingly, he has asked me, on his behalf, to request that the resolution be referred to the Committee on Government Operations. We have been informed that the Committee on Rules and Administration would have no objection to the reference.

So, pursuant to this request, Mr. President, I ask unanimous consent on behalf of the senior Senator from Arkansas (Mr. McCLELLAN) that Senate Resolution 229 be referred to the Committee on Government Operations.

The substance and logic of the foregoing remarks remain applicable to this present situation. At a later time in the discussion on June 22, the Senator from California (Mr. TUNNEY) stated:

"Mr. President, I wonder if the Senator from Nebraska opposes the basic principle outlined in the resolution of the Senator from New York, that the Senate of the United States investigate through a delegation of authority to ten Senators or whatever number it might be, the various laws covering classification and the responsibilities of the individual Senators when matters that are classified come to them and their right to disclose such classified material to the American public.

"Does the Senator oppose the Senate, through a Committee, studying this matter and furnishing the Senate with some guidelines which individual Senators will be able to follow in the future?"

To this question by the Senator from California I made the following response:

"Mr. President, if the Senator will remember—perhaps he was not here when I made my remarks—I do not object to that. I think it would be notable for the majority leader, the minority leader, their assistants or deputies, any any number of Senators who want

to get together for the purpose of counseling and deliberating on a matter, to go into that. That is fine. However, the matter they should consider would be the particular conduct of a particular Senator under particular circumstances, such as we considered in executive session some time ago.

"However, as soon as we formalize that kind of body and charge it with the responsibility to come here with their findings and recommendations not only with respect to that type of situation, but also recommendations on laws relating to secrecy, confidentiality, and classification of classified documents and so forth, when you do that or seek to do it, then you are intruding upon the jurisdiction and the province of the standing committee. It should not be so, and this Senate should not do that; they should not do that. It is a reflection on that committee that they were not asked. If you want to do something, ask them and let them do it.

"In my experience here, on at least three occasions, we have gone into this matter in depth in the Committee on the Judiciary. The first time, in 1957 and 1958, under the leadership of the late and very lamented Senator Tom Hennings of Missouri, we struggled with that problem for the greater part of the summer and into the next year and turned up doing nothing. Why? It is that type situation, as pointed out in the testimony of Assistant Attorney General Erickson before the Committee on Armed Services in the House, that the thrust and burden depends on executive and administrative action, and their good faith in setting up rules that will be reasonable and accommodate the Senate and the House as much as possible without compromising those portions by way of secrecy necessary to conduct this Nation's affairs properly.

"We got stalemated because we reached that situation. There may be penalties for disclosing classified documents. But on these other matters we reached that conclusion. Four or 5 years later we went back and we reached the same conclusion and the same result. I venture to say we will come to that same conclusion again.

"I differentiate that from the situation where a particular Senator, acting in a particular fashion with particular documents comes into the Senate and, in the view of some Senators, either violates his immunity, abuses or exploits it. Some Members of this body might not like that and might want to take action not only to deal with that situation but also similar situations, following the precedent set in that case. That is a different thing. For that purpose I say there should be an informal meeting of the leadership. They have certain powers and responsibilities. They should meet and come here with a position paper or two, and supporting documents, and then let the Members of the Senate act upon that case and not try to raise this entire field which is very complex, very extensive and very profound, and it has all kinds of implications and ramifications which can be dealt with most effectively and properly by a standing committee that has acquired through its years of experience and literature some experience in that field.

"This Senator went into great detail on the ramifications of this type of procedure when Senate Resolution 299 was called up at an earlier time. I refer the Senator to my statement on the Senate floor on May 8, 1972, beginning at page 28005. The reasons why I oppose this resolution are set out at some length there. I will not take the Senator's time to repeat them now."

Mr. President, the foregoing remarks should be sufficient to delineate the area involved and some of the considerations which go into the vast, massive, comprehensive and complex problem involved.

It would be my hope that these remarks

together with the references made therein will be a foundation for considering any future and additional efforts to displace standing committees with declared and assigned powers and responsibilities by the formation of ad hoc or special committees which seem to invade that jurisdiction and that subject matter.

It is my hope that these remarks will serve that purpose.

Mr. JAVITS. Mr. President, under this resolution a committee of 10 Senators would be appointed, five from each party, under the leadership of the majority and minority leaders. The purpose of the committee simply would be to conduct a study and report to the Senate recommendations on questions relating to secrecy, confidentiality and classification of documents committed to the Senate or any Member and also to generally look at the laws and rules relating to secrecy and classification of Government documents.

We had an example of problems arising in this area in the case of the Senator from Alaska (Mr. GRAVEL). We all felt that there may be similar cases in the future, and it will be recalled that the entire issue was the subject of a secret session. I felt that I was more or less carrying out the will of the Senate that had been expressed at the secret session when I introduced this resolution shortly thereafter.

I wish to make it clear that the resolution does not give this Committee of Ten any legislative authority, nor does it prevent this committee from suggesting to the Senate that a measure be introduced or that a particular pending bill be passed. The jurisdiction of the standing committees of the Senate such as Government Operations or Judiciary, or other committees will not be affected by this committee. It simply is a way to get some advice as to what should be done about this vexing matter. The Senator from Nebraska (Mr. HRUSKA), when the matter was first debated, decided that he wished to refer the bill to the Government Operations Committee, a committee on which I am a member. It was so referred, with my agreement, with a date for reporting by August 7, 1972. The committee actually dealt with the matter on August 8 and found no objection to the resolution except that it directed me to amend it so that a report should be forthcoming to the Senate from the Committee of Ten on or before February 15, 1973. To demonstrate the committee's backing for that position, the Senator from North Carolina (Mr. ERVIN), the chairman, the Senator from Illinois (Mr. PERCY), the ranking minority member, joined me in that amendment.

I deeply appreciate the views and the feelings of the Senator from Nebraska (Mr. HRUSKA), and I am sure that they will receive a most profound consideration from this new ad hoc committee. I am very pleased and appreciative that the Senator has not interposed further objections so that the matter may now go forward and we may see what can be done along the lines contemplated by Senate Resolution 299.

Under all those circumstances, Mr. President, I hope that the Senate will look favorably on the resolution.

AMENDMENT NO. 1425

Mr. President, I call up my amendment No. 1425 and ask that it be stated.

The PRESIDING OFFICER (Mr. BENTSEN). The amendment will be stated.

The legislative clerk read as follows:

On page 2, line 2, after the comma, delete all that follows up to the first comma on line 3 and insert the following in lieu thereof: "by February 15, 1973."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York (Mr. JAVITS).

The amendment was agreed to.

The resolution, as amended, was agreed to, as follows:

S. RES. 299

Resolution to establish a select committee to study questions related to secret and confidential Government documents

Resolved, That there is hereby established a special ad hoc committee of the Senate to be composed of ten members, five from the majority and five from the minority. The majority leader shall be the chairman and the minority leader the cochairman. Of the remaining eight members, four will be appointed by the majority leader and four by the minority leader. Any member appointed under the provision of this resolution shall be exempt from the provisions of the Reorganization Act relating to limitations on committee service.

The committee shall conduct a study and report its findings and recommendations to the Senate, by February 15, 1973, on all questions relating to the secrecy, confidentiality, and classification of Government documents committed to the Senate, or any Member thereof, and propose guidelines with respect thereto; and, the laws and rules relating to secrecy, confidentiality, and classification, of Government documents, and the authority therefor.

Mr. JAVITS. Mr. President, I move that the vote by which the resolution was agreed be reconsidered.

Mr. BUCKLEY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

COMMENDATION OF SENATOR JOHN L. MCCLELLAN ON HIS SERVICE AS CHAIRMAN OF THE COMMITTEE ON GOVERNMENT OPERATIONS

Mr. ERVIN. Mr. President, I ask unanimous consent for the immediate consideration of a resolution which is cosponsored by the Senator from Arkansas (Mr. FULBRIGHT) and, with the exception of Senator McCLELLAN, the entire membership of the Senate Committee on Government Operations.

Mr. ALLEN. I ask that the resolution be stated at length.

The PRESIDING OFFICER (Mr. COOK). The resolution will be read in full.

The legislative clerk read as follows:

S. RES. 355

Whereas Senator John L. McClellan has been a member of the Committee on Government Operations and its predecessor, the Committee on Expenditures in the Executive

Departments, since January 14, 1943, longer than any other member, and has served as its chairman from January 10, 1949 to January 13, 1953, and from January 11, 1955 to August 2, 1972—longer than any other chairman; and

Whereas Senator McClellan was chairman of the Committee on Government Operations during years which saw a sweeping transformation and reorganization of the Government of the United States; and

Whereas Senator McClellan served as a member of the first and second Hoover Commissions, during which time he worked diligently to improve the structure and operation of the executive branch of the Government, and authored a number of bills to implement the Commission's recommendations; and

Whereas Senator McClellan was the author of the bill creating the General Services Administration gathering the Government's multi-billion-dollar business operations into one agency for greater efficiency and economy; and

Whereas Senator McClellan was the principal sponsor of the Federal Property and Administrative Services Act of 1949, which has provided for the donation of \$8 billion worth of Federal surplus property to the States for health and educational purposes; and

Whereas Senator McClellan sponsored and managed the legislation that led to the enactment of the Budget and Accounting Act of 1950 which modernized the Government's budget and accounting procedures; and

Whereas Senator McClellan guided to enactment the legislation that created two major new executive departments—the Department of Housing and Urban Development, in 1965, and the Department of Transportation in 1966; and

Whereas Senator McClellan, as Chairman of the Permanent Subcommittee on Investigations of the Committee on Government Operations, has been acclaimed nationally as a vigorous, able and effective investigator and has won a reputation for judicial impartiality and fairness; and

Whereas Senator McClellan conducted an investigation into corruption, gangsterism and racketeering and questionable financial practices in labor unions and anti-union practices by management which resulted in enactment of the landmark Welfare and Pension Plans Disclosure Act of 1958 and the Labor-Management Reporting and Disclosure Act of 1959; and

Whereas Senator McClellan investigated the operations of organized crime which led to the enactment of legislation to strengthen the hand of our law enforcement agencies in fighting the crime syndicates; and

Whereas Senator McClellan conducted a six year study of the development and production programs for the TFX aircraft which saved the Government and taxpayers untold millions of dollars; and

Whereas Senator McClellan resigned on August 2, 1972 as Chairman of the Committee on Government Operations to assume the Chairmanship of the Committee on Appropriations; Therefore, be it

Resolved, That the Senate expresses its warm affection for Senator McClellan, and its deep appreciation for his devotion to duty and for the outstanding service which he has rendered to the people of Arkansas, to the Committee on Government Operations, to the Senate and to the United States, by his great ability, initiative and statesmanship.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

There being no objection, the Senate proceeded to consider Senate Resolution 355.

Mr. JACKSON. Mr. President, it has been my privilege to serve on the Com-

mittee on Government Operations since I received my first committee assignment in the Senate, in January, 1953, and ever since that time I have served next to the distinguished senior Senator from Arkansas (Mr. McCLELLAN).

I am very proud of that association. We have been through some real battles together. I recall that the first big battle was the famous Army-McCarthy hearings in 1954 and the activity preceding that. I have worked with Senator McCLELLAN subsequent to that time on the various investigations of the committee—and also, of course, in connection with the many other activities that are within the jurisdiction of the Committee on Government Operations.

This committee, especially the investigating side, requires a chairman who has the kind of judicial temperament possessed by the able and distinguished Senator from Arkansas. He is a cool, able, forthright legislator and lawyer. He is the kind of Senator with whom one can disagree without his being disagreeable. He is the kind of Senator who, when he gives his word, keeps it. He is a man of great integrity. He is a man who has commanded the respect of the people of the Nation in the handling of some of the most difficult investigative matters ever to come before Congress.

It has been a rare privilege to have served with him on that committee these past 20 years—this is the 20th year.

I want to join my colleagues—as I have in this resolution—in honoring him and commending him for the great service he has rendered to the Nation and to his great State of Arkansas.

We have to face many problems in this body; and life is much easier in this body when one has the opportunity to work with, associate with, and, yes on occasion disagree with—as he would expect it—a Senator of the character, the integrity, and the ability of JOHN L. McCLELLAN, of Arkansas.

I am confident that in his new capacity as chairman of the Committee on Appropriations and as ranking member of the Committee on Government Operations next to its distinguished chairman, the senior Senator from North Carolina (Mr. ERVIN), Senator McCLELLAN will continue to lend to the Senate, to the committee, and to the country the kind of service that makes us all proud to serve in this body.

Mr. ERVIN. Mr. President, my first assignment upon coming to the Senate, 18 years ago, was to the Committee on Government Operations, so I can testify in full measure to everything that the Senator from Washington has said.

Mr. CHURCH. I should like to add that I am very much pleased that this resolution honoring Senator McCLELLAN has been submitted.

It was my privilege to serve on the committee that Senator McCLELLAN headed some years ago which looked into rackets in industry and labor. I was then a freshman Senator. I always appreciated the fair treatment that Senator McCLELLAN extended to me and the education that that experience brought to me, which was largely due to the distinguished chairman of that select com-

mittee. I am indebted to him for what I learned in a comparatively brief time about proper Senate procedures and the fair handling of investigations.

So I am pleased to add my compliments to the Senator from Arkansas on this occasion, and I express my appreciation to the Senator from North Carolina for having submitted the resolution.

Mr. GURNEY. Mr. President, all of us are familiar with the outstanding record of service which Senator McCLELLAN has achieved and which is outlined in this resolution of commendation. His service to the Nation and the Senate is reflected in the rollcall of his achievements. His name is historically associated with sound national leadership during the dangerous years of World War II, through the trying postwar confrontations, and throughout many years of peaceful domestic progress.

His record of accomplishment is indispensable to any discussion of the Committee on Expenditures in the Executive Departments, the Committee on Government Operations, the Hoover commissions and the permanent Subcommittee on Investigations. His role in the creation of the General Services Administration and in the passage of the Federal Property and Administrative Services Act of 1949 and the Budget and Accounting Act of 1950 point out his concern for efficiency and economy in Government; the creation of the Department of Housing and Urban Development and the Department of Transportation emphasize his concern for social justice and domestic needs; and his investigations into crime and into Government procurement contracts illustrate his basic concern for governmental honesty and integrity.

All of this is public record and is well recognized by Senators and by the informed citizens of the Nation. I should like, however, to supplement the resolution now before us by mentioning the fair and considerate treatment which Senator McCLELLAN has consistently afforded both majority and minority members of the Committee on Government Operations and the permanent Subcommittee on Investigations while serving as chairman of those groups.

As a first-term Senator, sitting with the minority on those two committees, I have experienced firsthand many instances of courtesy and fair play which might not have been expected from a lesser man.

I believe these little known daily acts of character performed with no rewarding publicity or personal recognition, reflect the true nature of this great statesman and gentleman, ever more than his public record of achievement.

I am pleased to have this opportunity to salute Senator JOHN McCLELLAN.

Mr. RIBICOFF. Mr. President, I join with my colleagues on the Government Operations Committee in commending Senator JOHN McCLELLAN on his 22 years of distinguished service as chairman of the committee.

It has been an honor for me to serve on the committee under the Senator's leadership for almost 10 years. This has been a period of great accomplishment

under the able direction of Senator McCLELLAN. Two new Government departments have been approved—Housing and Urban Development and Transportation. The Permanent Investigations Subcommittee, which he chairs, has also compiled a superb record of accomplishment, including the TFX investigation and the inquiry which led to the reform of military post exchanges.

Senator McCLELLAN has proven to be a fair and wise chairman. He is a leader in the Senate and the Nation. The list of his achievements for his State and the country, as recorded in our resolution, is highly impressive.

Senator McCLELLAN has served as chairman of the Government Operations Committee longer than any other Senator in the history of the committee. The Senate and the Nation owe a large debt of gratitude to this quiet man who has made such an outstanding record.

Though Senator McCLELLAN now leaves the chairmanship of the committee, he will remain one of its members. This is indeed fortunate for I know we all look forward to his guidance on the many problems which come before us. I know he will remain a valued member of the committee for many years to come.

Mr. PERCY. Mr. President, I regret deeply that business elsewhere in the Senate prevented my being in the Chamber in order to hear the remarks of my valued colleagues regarding Senator McCLELLAN.

I was proud to serve over the past few years on the committee with the Senator from Alabama (Mr. ALLEN), both of us as members of the Government Operations Committee, and to draft a resolution of appreciation and commendation to our distinguished past chairman for his services over a period of years to the Government Operations Committee.

I have served in the last 2 years as the ranking Republican member on that committee, and it has been my pleasure to work intimately with the Senator from Arkansas on the work of the committee, as well as serving with him on the Permanent Investigations Subcommittee of the Government Operations Committee.

I have seen his tenacity of purpose, I have seen his perseverance, I have seen his perception. He has been totally nonpartisan in the way that he has conducted the Government Operations Committee. I believe it is this imprint he has made on the committee's work that has been so valuable.

We have an oversight responsibility in connection with the entire Federal Government. We have the largest, the most effective, and the best trained investigative staff of any committee in the U.S. Senate. If there was one iota of partisanship in the conduct of our affairs, it would detract from the quality of our work. Whether it was under a Democratic or a Republican administration, the Senator from Arkansas carried forward his work in a nonpartisan way. I have greatly enjoyed working with Senator McCLELLAN and deeply regret his leaving the chairmanship, but I am pleased that he will still stay as the ranking Democratic member of the committee. Also, of course, we will work closely with

him in his capacity as Chairman of the Committee on Appropriations.

The resolution which the Senator from Alabama (Mr. ALLEN) and I have drawn, which has been presented and unanimously and enthusiastically approved by the Government Operations Committee, fully reflects my feelings about my distinguished friend and colleague Senator McCLELLAN.

Mr. JAVITS. Mr. President, for some years I have been a member of the Committee on Government Operations and of its Subcommittee on Investigations, and its acting ranking minority member, until, as the result of a most admirable reform of the seniority rule, I yielded that post to the distinguished Senator from Illinois (Mr. PERCY), as I now occupy a similar position on another legislative committee, the Committee on Labor and Public Welfare.

I pay great tribute to Senator McCLELLAN. I believe I am in a unique position to do so, because not only can I testify that he is a splendid Senator, as shown by the tremendous record outlined in this resolution, but, so far as I am concerned, speaking in a very personal sense, he has been a most interesting colleague and friend.

It is well known that on many questions the Senator from Arkansas and I disagree in terms of policy. His views toward the situation of our country and the actions that our country ought to take are very understandable, considering his background and the views of the people of his State. The issues which affect the people of his State would naturally be very different from those which affect the people of mine. But I have rarely met a colleague who was more understanding, and not only tolerant of dissent, but willing to give dissenters every opportunity to be heard, realizing how much dissent is a part of the American scheme, and that is the conflict of ideas which ultimately produces the best policy.

Senator McCLELLAN is personally solicitous in the provision of providing staff and other conveniences which a chairman may afford or withhold, giving the fullest opportunity for the development of the individual Senator in the work of the committee.

Notwithstanding his zeal in questioning witnesses and driving directly to what he felt was the best resolution of the public's business and the right of the public to know through the inquiries of congressional committees, he has been ever-sensitive to any suggestion respecting the consideration of matters in executive session before they are heard in public session. This was done so that we might be solicitous of the personal standing and reputation of individuals who might be charged and the individuals were then given an opportunity to appear and answer them.

In many other ways, he has shown not only great consideration but also great feeling for all the elements of the American system, and for that I pay him a personal and very warm tribute.

While Senator McCLELLAN remains as a member of the Government Operations Committee, he relinquishes his chair-

manship and moves onto a tremendous responsibility as chairman of the Committee on Appropriations, on which I also, for a time, had the honor to serve with him. I know that he will carry to that assignment the judicious consideration which has been so typical of him, as well as the evangelistic zeal which has heretofore distinguished him in committee and on the floor of the Senate. I think his elevation to the chairmanship augurs very well for the future of that fine committee.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

The preamble was unanimously agreed to.

TRIBUTE TO THE LATE RALPH TYLER SMITH

Mr. PERCY. Mr. President, it is my sad task today to report the passing of our former colleague and friend, Ralph Tyler Smith, who served in this body as the junior Senator from Illinois from September 1969 to November 1970.

I extend my deepest sympathy to his beloved wife, Mary, and daughter, Sharon.

Ralph Tyler Smith loved politics and devoted much of his life to service to the people of Illinois. He was appointed by Illinois Gov. Richard Ogilvie to fill the unexpired term of the incomparable Everett McKinley Dirksen. All of the Members have can appreciate what an extraordinary role that was to fill, but I know we would all agree that Ralph Smith undertook it with courage and ability.

Mr. President, the funeral services will be in Alton, Ill., tomorrow afternoon at 2 p.m. I will be absent from the Senate for the purpose of speaking at the funeral service and will, of course, express deep regret, on behalf of all my colleagues, at his passing to his wife and to his immediate family.

Ralph Tyler Smith came to the Senate well prepared and well skilled in the art of legislation. First elected as a State representative in the Illinois General Assembly in 1954, Ralph was reelected to that office for seven consecutive terms. In 1963, he was elected majority whip of that body and in 1967, he was elevated to the position of speaker of the house. During his years in the Illinois Legislature, he developed into one of the most able masters of the art of State legislation that Illinois has ever seen.

In addition to his expertise as a legislator, Ralph Smith brought to the Senate a keen knowledge of the people of Illinois, whom he had served for so long in the State. He was active in his home community of Alton in the Presbyterian Church, the Greater Alton Association of Commerce, the American Legion, Veterans of Foreign Wars, the Alton-Wood River, Madison County and Illinois State Bar Associations, and many other organizations.

His political work for the Republican Party in Illinois was vast. He was the downstate campaign manager in the successful gubernatorial campaign of Gov. Richard B. Ogilvie in 1968 and in my

own 1966 campaign for the Senate. Ralph Smith believed in the principles of the Republican Party and his efforts on behalf of the Party and its candidates in Illinois were unceasing. He was a tireless campaigner for his Republican colleagues, and, I might add, an effective one.

On many occasion Ralph Smith made known to our Governor and me that his life long ambition was to serve as a U.S. Senator.

In his brief term in the Senate Ralph Smith compiled a remarkable record. He lent his efforts to such diverse programs as the Coal Mine Safety Act, a \$20,000 limitation crop control payments, the Water Quality Improvement Act, a 15 percent increase in social security benefits, the Crime Control Act of 1969, and the repeal of the Gulf of Tonkin resolution. The legislative experience he gathered in his many years of service in the Illinois Legislature served him well here in the U.S. Senate and enabled him to serve Illinoisans as effectively in this forum as he had in the Illinois State capital and became one of the most effective legislators of our time. In my judgment his services in the U.S. Senate were among the happiest and most rewarding of his life.

Mr. President, I know that I speak on behalf of all the people of Illinois when I say that we feel we have lost a good friend with the passing of Ralph Smith. He was a native Illinoisan whose primary interest in life was serving the best interests of the people of his State. I know that the Members of the Senate will want to join Mrs. Percy and our family in extending their condolences to Mrs. Smith and their daughter Sharon in this time of sorrow.

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m. tomorrow.

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

ORDER FOR RECOGNITION OF SENATOR MOSS AND SENATOR TUNNEY TOMORROW; AND FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, following the remarks of the two leaders under the standing order tomorrow, the dis-

tinguished Senator from Utah (Mr. Moss) be recognized for not to exceed 15 minutes; that he then be followed by the distinguished Senator from California (Mr. TUNNEY) for not to exceed 15 minutes; after which there be a period for the transaction of routine morning business for not to exceed 15 minutes, with statements therein limited to 3 minutes.

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

ORDER TO RESUME THE UNFINISHED BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, at the conclusion of routine morning business tomorrow, the Senate resume the consideration of the unfinished business, Senate Joint Resolution 241.

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

ORDER FOR REDUCTION OF TIME FOR CONSIDERATION OF H.R. 14896 TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent with respect to the agreement previously entered into regarding H.R. 14896, the school lunch bill, that time on the bill be reduced from 3 hours to 1½ hours; and that time on any amendments in the first degree be reduced from 1 hour, as previously ordered, to 40 minutes.

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

Mr. ROBERT C. BYRD. May I say, Mr. President, that I have cleared this request, amending the time agreement on H.R. 14896, as previously entered, with the distinguished Senator from Minnesota (Mr. HUMPHREY), the distinguished Senator from Alabama (Mr. ALLEN), the distinguished Senator from Iowa (Mr. MILLER), and with other Senators on both sides of the aisle.

ORDER FOR CONSIDERATION OF NATIONAL SCHOOL LUNCH ACT AND LAYING ASIDE OF UNFINISHED BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at no later than 2 p.m. tomorrow, it be in order for the distinguished majority leader or his designee temporarily to set aside the unfinished business (S.J. Res. 241) and proceed to the consideration of the National School Lunch Act, as amended, H.R. 14896, and that the unfinished business remain in a temporarily laid aside status until final disposition of H.R. 14896 or until the close of business tomorrow, whichever is the earlier.

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

EXTENSION OF TIME FOR COMMERCE COMMITTEE TO FILE REPORT ON S. 2483

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Committee on Commerce have until midnight

Wednesday to file its report on S. 2483, the Metric Conversion Act.

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

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER (Mr. BENTSEN). The Senate will be in order. The Senator from West Virginia may proceed.

Mr. ROBERT C. BYRD. Mr. President, I thank the Chair.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 10 a.m. tomorrow. After the two leaders have been recognized under the standing order, the distinguished Senator from Utah (Mr. Moss) will be recognized for not to exceed 15 minutes; after which the distinguished junior Senator from California (Mr. TUNNEY) will be recognized for not to exceed 15 minutes; after which there will be a period for the transaction of routine morning business for not to exceed 15 minutes with statements therein limited to 3 minutes; at the conclusion of which the Chair will lay before the Senate the unfinished business, Senate Joint Resolution 241, a joint resolution authorizing the President to approve an interim agreement between the United States and the Union of Soviet Socialist Republics.

No agreements have been reached with

respect to time thereon or with respect to time on any amendment thereto.

At no later than 2 p.m. under the prior order, the distinguished majority leader or his designee will call up H.R. 14896, the National School Lunch Act, on which there is a time agreement allowing 1½ hours on the bill, the time to be equally divided; 40 minutes on amendments in the first degree, the time to be equally divided; and 30 minutes on amendments in the second degree, the time to be equally divided.

Yea-and-nay votes will occur. We understand that at least five proposed amendments to the bill will be called up, each of which will very likely require a yea-and-nay vote.

Following the disposition of H.R. 14896, the National School Lunch Act on tomorrow, the Senate will resume the consideration of the unfinished business (S.J. Res. 241), the interim agreement, or will go to other business. In either case, yea-and-nay votes may occur.

ADJOURNMENT TO 10 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and at 5:14 p.m. the Senate adjourned until tomorrow, Wednesday, August 16, 1972, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate August 15, 1972:

DIPLOMATIC AND FOREIGN SERVICE

Frank T. Bow, of Ohio, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Panama.

IN THE MARINE CORPS

The following-named (Naval Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Caldwell, John.

The following-named temporary disability retired officer for reappointment to the grade of lieutenant colonel in the Marine Corps, subject to the qualifications therefor as provided by law:

Gebser, Clarence U., XXXX USMC.

CONFIRMATIONS

Executive nominations confirmed by the Senate, August 15, 1972:

INTERNATIONAL ATOMIC ENERGY AGENCY

James R. Schlesinger, of Virginia, to be the Representative of the United States of America to the Sixteenth Session of the General Conference of the International Atomic Energy Agency.

The following-named persons to be Alternate Representatives of the United States of America to the Sixteenth Session of the General Conference of the International Atomic Energy Agency:

William O. Doub, of Maryland.

T. Keith Glennan, of Virginia.

Robert H. McBride, of New Hampshire.

Dwight J. Porter, of Nebraska.

James T. Ramey, of Illinois.

Herman Pollack, of Maryland.

HOUSE OF REPRESENTATIVES—Tuesday, August 15, 1972

The House met at 12 o'clock noon.

Rev. Wallace Chappell, McKendree United Methodist Church, Nashville, Tenn., offered the following prayer:

Eternal God, our Father, we are in Thy presence, conscious of the divisions that separate us: color, background, creed, party; yet we want to be made more conscious of those dedications that unite us: commitment to God, service to country, peace for humanity.

We want to be so aware of these lasting likenesses that the dedications will surpass the divisions, thus allowing us to contribute significantly to the brotherhood of our Nation and the freedom of our world. And this we pray in the name of Him who gave Himself for us all. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were com-

municated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on August 10, 1972, the President approved and signed bills of the House of the following titles:

H.R. 489. An act to approve an order of the Secretary of the Interior cancelling irrigation charges against non-Indian-owned lands under the Modoc Point unit of the Klamath Indian irrigation project, Oregon.

H.R. 1682. An act to provide for deferment of construction charges payable by Westlands Water District attributable to lands of the Naval Air Station, Lemoore, Calif., included in said district, and for other purposes;

H.R. 5721. An act pertaining to the inheritance of enrolled members of the Confederated Tribes of the Warm Spring Reservation of Oregon;

H.R. 6745. An act to amend section 122 of title 28 of the United States Code to transfer certain counties of the central division of the judicial district of South Dakota;

H.R. 11350. An act to increase the limit on dues for U.S. membership in the International Criminal Police Organization;

H.R. 12979. An act to amend title 28, United States Code, to authorize the recall of retired commissioners of the U.S. Court of Claims for temporary assignments;

H.R. 13435. An act to increase the authorization for appropriation for continuing work in the Upper Colorado River Basin by the Secretary of the Interior;

H.R. 14108. An act to authorize appropriations for activities of the National Science Foundation, and for other purposes; and

H.R. 15418. An act making appropriations for the Department of the Interior and re-

lated agencies for the fiscal year ending June 30, 1973, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3524. An act to extend the provisions of the Commercial Fisheries Research and Development Act of 1964, as amended.

The message also announced that the Vice President, pursuant to Public Law 92-352, appointed the following to the Commission on the Organization of the Government for the Conduct of Foreign Policy: Mr. SPONG and Mr. PEARSON, as members on the part of the Senate; and Mrs. Charles Engelhard and Mr. Frank C. P. McGinn, as members from private life.

TRIBUTE TO REV. WALLACE CHAPPELL

(Mr. FULTON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FULTON. Mr. Speaker, it is with great pleasure and honor that the House today opened its business session with a prayer by one of Nashville's most distinguished clergymen, Rev. Wallace Chap-