

to face up to the Russians when they threatened to put missiles in Cuba and made them back out. Unfortunately President Johnson did not have that kind of guts and after sending 550,000 American troops into Vietnam and with no bombing of supply lines or of supporting vessels from Russia, he accomplished nothing and worse than nothing!

President Nixon knew that the risk of serious confrontation was small and that all sources of these supplies had to be stopped, while at the same time he was bringing 500,000 of the 550,000 troops sent there by President Johnson, back to the States. This action on the President's part has been so effective that I am convinced and again, also millions of other Americans, that the present negotiations in Paris for an honorable peace would have been already successful if you had not sabotaged this meeting by offering to *crawl* to Hanoi and *beg* for the release of our prisoners of war, and to bring all American troops, etc., out in 90 days.

Although I have the greatest sympathy for the prisoners of war, this is a risk of war which they fully realize and I don't think many of them would subscribe to your suggestion which is a disgrace to the country and to thousands of men in many wars who have died for it.

In regard to the rest of your program. I

don't think anything of it and I am very sure under that program you could never have won the Democratic nomination if it had not been for the Kennedy family and their intelligent, well-oiled political organization built up over the years. I think when they supported you they felt Ted Kennedy would be the eventual candidate.

Of course the kids and women don't like war, but who ever did? Those who were drafted felt they had honorable responsibilities to their country to serve. As it was, to give amnesty and receive back into the country, honorably, those who ran away and let others *serve in their place*, is really a shocking suggestion.

Your principal appeal, besides Vietnam, to youth seems to be to legalize pot and abortion so they can have fun and do "their thing" and wait for hand-outs from the government to support these pleasures with no responsibilities to the country or to others. Manson is an example of what can happen when this selfish philosophy is condoned. I assume he is now being comfortably supported in jail—perhaps surrounded by his girl friends—as are many other murderers who will go on strike if the food and recreation aren't appealing!

Did you know from the News Media that in 1969 alone, more Americans were killed in this country or attacked than have been

killed or wounded in all the years of the Vietnam war up to that date—specifically, 14,500 murders, 36,500 rapes and 306,000 cases of aggravated assault by single individuals and it is worse today. Yet the "do-gooders" are concerned about the comfort of the prisoners—never mind the victims—so that at present the fear of prison or any inconveniences that might befall them there, are no deterrent to crime. They will be well fed, courteously treated and entertained so that prison is better than home.

Now to your economic program. Tax the hell out of the so-called Rich and Middle Class and hand it to the so-called Poor. I am all for helping the really destitute but not to feed out of *my fifty years* of hard work the insatiable appetite of your constituents whose battle cry is "We want more, more, more!" When the money is all pumped out of these who have managed to save anything. I suppose those "Gimmee Boys" will have to go to work. I want you to know I am not rich or even *middle class rich* I could easily be on your side for selfish reasons! I am a veteran of seventeen months with Rainbow Division in the first World War and proud of my country! I don't like hand-outs and welfare but you have expressed your ideas, so, best of luck.

Sincerely yours,

JOHN LAWRENCE.

## SENATE—Friday, September 8, 1972

The Senate met at 9 a.m. and was called to order by Hon. HARRY F. BYRD, Jr., a Senator from the State of Virginia.

### PRAYER

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

O God, our Father, whose we are and whom we serve, grant unto us all through this day to do not what we like but what we ought. Grant us the courage to do not our own will but Thy will as we understand it. Help us to do the right things even though we do not want to do them and are disadvantaged in doing them. Help us to set duty above pleasure and honor above expediency. Give us a good conscience and inner lives unafraid of Thy searching eyes. Grant us to labor with joyous hearts, never evading work we ought to do, never avoiding decisions we ought to make or shirking the responsibilities we ought to carry. So wilt Thou guide us through this day and at evening time may we know the deep contentment of work completed and duty done, through Him whose name is above every name. Amen.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The second assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,

Washington, D.C., September 8, 1972.  
To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. HARRY F. BYRD, Jr., a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,  
President pro tempore.

Mr. HARRY F. BYRD, JR., thereupon took the chair as Acting President pro tempore.

### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, September 7, 1972, be dispensed with.

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

### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Urban Affairs of the Committee on Banking, Housing and Urban Affairs; the Subcommittee on Labor of the Committee on Labor and Public Welfare; a special subcommittee of the Committee on the Judiciary; the Committee on the Judiciary; and the Committee on Commerce may be authorized to meet during the session of the Senate today.

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

### EXECUTIVE SESSION

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

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

The ACTING PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated.

### UNITED NATIONS

The second assistant legislative clerk read the nominations in the United Nations as follows:

Gale W. McGee, U.S. Senator from the State of Wyoming, to be a representative of the United States of America to the 27th session of the General Assembly of the United Nations.

James B. Pearson, U.S. Senator from the State of Kansas, to be a representative of the United States of America to the 27th session of the General Assembly of the United Nations.

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

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

### AMBASSADORS

The second assistant legislative clerk read the nominations of Ambassadors, as follows:

Hermann F. Ells, of Pennsylvania, a Foreign Service officer of the class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of Bangladesh.

Viron P. Vaky, of Texas, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Costa Rica.

Frederick Irving, of Rhode Island, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Iceland.

George W. Landau, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Paraguay.

Adm. Horacio Rivero, U.S. Navy, retired, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Spain.

Frank T. Bow, of Ohio, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Panama.

Joseph A. Mendenhall, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Malagasy Republic.

Talcott W. Seelye, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Tunisia.

#### NOMINATION OF JOSEPH A. MENDENHALL

Mr. BOGGS. Mr. President, it is with a great deal of pleasure and a sense of much satisfaction that I support the President's nomination of Mr. Joseph A. Mendenhall to serve as our Ambassador to the Malagasy Republic.

While the record of hearings of the Foreign Relations Committee and the official nomination both indicate that Mr. Mendenhall is a resident of the State of Virginia, we of Delaware claim him very much as our own.

Ambassador Mendenhall is a graduate of the University of Delaware, having received his bachelor of arts degree from our State university in the class of 1940. He has been a devoted alumnus and the entire State of Delaware is grateful to him.

From that time, Joe Mendenhall has served this country with great devotion and a pure sense of duty. Indeed, his first military assignments with the U.S. Army Air Force were in counterintelligence.

That beginning continued throughout his career, evolving into his Foreign Service officer status.

Today, with the confirmation of his nomination, he has reached the summit of service in the Foreign Service—the rank of ambassador.

Mr. President, the record of hearings of the committee and the comments of others will very clearly demonstrate the great value to the Nation of Joseph Mendenhall's prior service.

It is with great pride that I tell the Senate that his fine career is really just beginning. Our country will, indeed, be well represented by Ambassador Mendenhall.

To end on a personal note, I wish the Ambassador and his fine family a fruitful and pleasant tour of duty at this new post.

Mr. President, I ask unanimous consent to have printed in the RECORD a résumé of Ambassador Mendenhall's qualifications, which indicate his exceptional background to serve as our Ambassador to Malagasy.

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

#### JOSEPH A. MENDENHALL

Position for which considered: Ambassador to the Malagasy Republic.

Present position: Foreign Service Inspector.

Office address: Department of State, Washington, D.C.

Born: January 15, 1920, Blue Ball, Md.

Legal residence: Falls Church, Va.

Marital status: Married.

Family: Wife: former Leone Reiber. Children: Penelope, Priscilla, Anne.

Home address: Care of Department of State, Washington, D.C.

Education: A.B. 1940, University of Delaware; 1940-41, attended Harvard Law School; 1945-46, attended University of Pennsylvania, Korean and Far East Area Studies (U.S. Army auspices).

Language ability: Fluent French.

Experience:

Military: 1941-46, U.S. Army Air Force, captain (counterintelligence).

Government: 1946, Appointed FSO-6; 1946-49, Commercial/Economic Officer, Istanbul; 1949, FSO-5; 1949-51, Acting Assistant Chief of ECA Mission, Reykjavik; 1951-55, Economic Officer, then from 1953, political officer, Bern.

1952, FSO-4; 1955-59, Economic Officer, then from 1957, Officer in Charge of Viet-Nam Affairs, Bureau of East Asian Affairs; 1959-62, Chief of Political Section, Saigon; 1962, FSO-2; 1962-63, National War College.

1963-64, United Nations Adviser for Bureau of East Asian and Pacific Affairs; 1964, FSO-1; 1964-65, Deputy Director, Office of South East Asian Affairs and Chairman Viet-Nam Inter-Departmental Working Group; 1965-68, Director AID Mission and Counselor of Embassy for Economic Affairs, Vietnam; 1968-70, Deputy Assistant Administrator, then from 1969, Acting Assistant Administrator, AID/Bureau of Vietnam; 1970 to present, Foreign Service Inspector, Department.

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

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

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

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

#### LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

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

#### ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. The Chair recognizes the distinguished acting minority leader.

Mr. GURNEY. Mr. President, I have no business at this time.

The ACTING PRESIDENT pro tempore. Under the previous order, the distinguished Senator from New York (Mr. JAVITS) is now recognized for not to exceed 15 minutes.

#### WHY NOT A WORLDWIDE TREATY FOR THE PREVENTION OF HIJACKING?

Mr. JAVITS. Mr. President, I have taken the time this morning to call the attention of the Senate and of the country to a conference here in Washington which is taking place right now and has such a great opportunity to strike a blow for justice. It could provide the only memorial that the dead Israeli athletes, I believe, would want. The signs, at the moment, are not favorable for the attainment of this very limited objective which is being sought.

The occasion is the meeting of the Subcommittee of the International Committee on Civil Aviation which is an organ of the United Nations and which is trying to work out a treaty against plane hijacking.

This week, which has seen the barbarous murders in Munich, has also seen a checkered pattern of national indulgence in concerns with interests which

should be subordinate to the overriding interest which the world faces in regard to this matter, so as to leave even the most ardent believer, like myself, in the doctrine of international cooperation, profoundly concerned and even shaken.

Now, Mr. President, what is the meeting trying to accomplish?

The United States and Canada have proposed to a group of 17 nations a multilateral agreement, or treaty, which could be subscribed to by the principal nations of the world, which are the communications centers of the world, saying that any nation would be required to suspend air service with any other nation that did not punish or extradite airplane hijackers or saboteurs.

First and foremost, Mr. President, the treaty should be expanded to include the harboring of terrorists, giving them sanctuary, money, a place to train, and an opportunity to operate. Indeed, it is precisely the same kind of piracy which we encounter in hijacking.

Mr. President, I urge that the United States and Canada submit these proposals to the 17 nations as an addition to the treaty or to the proposed multilateral agreement.

What has been the reception, inasmuch as the world has suffered enough hijacking and the mortal danger to passengers and property, in many cases already realized in deaths and destruction of property, jeopardizing the whole civilized system of transportation for all mankind?

We see, first, that the Soviet Union opposes the hijacking pact.

That is the news of September 5, 1972. "The Soviet Union sharply opposed today," says the report, "a United States-Canadian proposal for an international convention"—and then it goes on to describe that convention.

What is the reason why the Soviet Union opposes that convention?

Well, the Soviet Union says that the sanctions—to wit, cutting off air communications from any such violating nation should be determined by the United Nations Security Council.

That is just a convenient way of stalling the whole undertaking and making it meaningless. The Soviet Union knows as well as we do that a veto by any one nation in the United Nations Security Council will kill off any hope of exercising any sanctions whatever against a nation, no matter how flagrant the offender.

What is the French and the British attitude, Mr. President?

How could we possibly believe that two such great civilized nations as France and Britain would seek or move for a nonacceptance of this kind of agreement? What is the reason for it?

We find the answer, again, in one of the dispatches, that "Britain is concerned with what might happen to its airlines in the Middle East," says the dispatch.

France is concerned about being forced to boycott Algeria, which has hosted hijackers, and other African colonies with which France still maintains strong economic ties.

How quickly mankind can forget the bloody history resulting from this kind



of chauvinism reflected by these arguments.

So, Mr. President, it is absolutely essential to speak out against and to condemn any such narrow nationalism and to do one's best to call the attention of the people of the world, including the peoples of these countries, to what is being done and said in their name.

Mr. President, in addition to the other countries which oppose action, those on the list in opposition, there is also the country of Egypt. Mr. President, this is a nation whose Prime Minister had the gall to tell the world in connection with the massacre that occurred at the Lod Airport outside of Tel Aviv at the hands of agents of Arab terrorists and to proclaim and brag about the fact that this was their mission. The Prime Minister applauded the fact that at last a way had been found to defeat Israel.

Mr. President, what has been found is a way to destroy mankind's sense of security and to introduce anarchy into the affairs of mankind. That is all that has been found.

So, Mr. President, because I so deplore the loss of the opportunity which is here presented in this international subcommittee meeting going on right now in Washington in which there is still a week remaining to do something, I urge the United States to give the utmost consideration to acting unilaterally, if international action is not possible, to exclude any country from any communication with us if that country offends mankind and morality by harboring or receiving hijackers or harboring, aiding, or giving sanctuary to such terrorists in their countries.

We are a very considerable force in the world. I think that all of the efforts to depreciate our importance to the whole world ultimately turns certainly toward matters that are economic and social. That includes mainland China and the Soviet Union as well.

The fact remains that this country has 50 percent of the production capacity of all mankind and is so far ahead of the production of man on earth that it almost boggles the imagination. We are a moral people and a decent people.

Mr. President, it is time that other nations of the world realized that the United States is deeply serious about this matter and that we cannot accept, even if somehow other nations strain their moral fiber to do so, the position of some of these nations. They must be condemned rather than approved by mankind and by all the people of the world.

We cannot accept any act of barbarism, lawlessness, or politics by murder in days when all sovereign nations subscribe to the United Nations Charter and seek a place in the world among civilized men and women. The countries that take this position will become accomplices to terrorism.

So, whether my voice is heard or not, I am expressing myself because that is the solemn duty and privilege of a U.S. Senator.

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

Mr. JAVITS. I yield.

Mr. GURNEY. Mr. President, I have

listened carefully to the remarks of the Senator from New York. And I subscribe wholeheartedly to everything he has said.

Political terrorism is on the rise all over the world. It now manifests itself outside of the immediate area concerned because of jet travel and present day communications. We have seen it in the south and in Latin America where we have had political assassinations. It has touched every continent in the world.

We are a small nation. We are connected with jet travel and communications to countries all over the world. It is now obvious, I think, to all of us, as the distinguished Senator from New York has pointed out, that the only way we can tackle this problem is by all nations of the world rising in indignation and securing agreement to tackle this kind of act of barbarism and to do something about it.

I think the Senator has performed a fine service in bringing this matter to the attention of the Senate and the world this morning.

Mr. JAVITS. Mr. President, I thank the Senator from Florida for his kind remarks.

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

Mr. JAVITS. I yield.

Mr. PERCY. Mr. President, shortly following the atrocity committed at the Lod Airport outside of Tel Aviv, I introduced in the Senate a resolution calling for just such a procedure, not to include just the hijackers, but within the scope of the authority of this convention to take into consideration any act of terrorism that takes place at any international airport or anyplace where tourists or people move in free international travel and who would be subject to this kind of terrorism.

Mr. President, I ask unanimous consent that at the conclusion of my remarks, a copy of Concurrent Resolution 85, which I submitted on June 19, 1972, be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 1.)

Mr. PERCY. Mr. President, I feel that with the week left this is certainly a most appropriate time to take action. I commend the distinguished Senator from New York for once again reminding this convention that the world is waiting to see what will happen.

It would be a tragedy if we were to let this week go by without taking action.

Mr. President, I realize that certain nations have raised objections now. But I feel that this Nation, almost two centuries ago, did take unilateral action to see that the high seas were protected from piracy. We have a great responsibility now, as a nation whose international aircraft probably flies more miles abroad than any other nation, to see that we bring every moral force to bear to see that this problem is resolved. And this is the time to do it. The times are getting much worse, not better.

Certainly, we should remind humanity that as we move in international cooperation in so many areas, all men should have the simple right to move about the world on international carriers

without fear. In this regard we must act in union with the other nations of the world. Certainly action is called for at this time.

I commend the Senator for bringing to our attention and to the attention of the Nation what our responsibility is at this moment in history.

#### EXHIBIT 1

#### S. CON. RES. 85

Concurrent resolution relating to negotiations to prevent acts of terrorism at international airports.

*Resolved by the Senate (the House of Representatives concurring).* That it is the sense of the Congress that the President should, at the earliest practicable date, undertake negotiations with the governments of all other countries in which international commercial airports are located with a view to achieving an agreement among all such countries and the United States for the initiation and carrying out of such actions as may be necessary and appropriate to protect against or prevent the commission of acts of violence or terrorism at international airports which are related to international civil aviation.

SEC. 2. It is further declared to be the sense of the Congress that the President should, through official representatives of the United States, present to appropriate international organizations for consideration the matter of acts of violence or terrorism at international airports which are related to international civil aviation, including consideration of appropriate actions to protect against or prevent such acts.

SEC. 3. It is further declared to be the sense of the Congress that any agreement or other arrangement entered into by the United States and other countries pertaining to acts of violence or terrorism committed at international airports and related to international civil aviation should include provisions requiring all parties to any such agreement or arrangement to—

(1) consider such acts as extraditable offenses, but provide that in any case where extradition is not possible that the trial be conducted in the country in which the person or persons alleged to have committed such acts are apprehended;

(2) provide for the immediate apprehension and extradition of persons alleged to have committed such acts to the country in which such acts were committed; and

(3) afford certain safeguards to insure that any person accused of committing such acts will receive a fair trial.

Mr. JAVITS. Mr. President, I am very grateful to the Senator from Illinois for his remarks. I will examine his resolution with the hope of being able to join with him.

Mr. President, let us not let such misguided nationalism protect the hijackers. Let us have no euphoria about the United Nations. It has a fine purpose. I believe in it deeply. I have been a delegate to it. I believe that we should support and serve it. It has limitations, and one of them is that it finds it hard to take decisive action in these matters which involve the great superpowers. So, multilateral agreement is essential. I hope that the United Nations will take parallel action. But some action should come out of this conference going on in Washington right now.

I believe that if nothing else can help and if we get no agreement, then, we can enter into an agreement multilaterally with other nations of similar mind, even without a treaty, to cut off communication with nations harboring hijackers

and murderers who murder for political terror.

Mr. President, I ask unanimous consent to have certain articles printed in the RECORD at this point.

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

[From the New York Times, Sept. 5, 1972]

**SOVIET OPPOSES HIJACKING PACT; OTHERS HESITANT—BRITAIN AND FRANCE EXPRESS SERIOUS DOUBTS OVER PLAN TO CURB AIR PIRATES**

(By Robert Lindsey)

WASHINGTON, Sept. 4.—The Soviet Union sharply opposed today a United States-Canadian proposal for a new international convention that would require signatory nations to suspend air service with any nation that did not punish or extradite airplane hijackers or saboteurs.

Britain and France, while professing to be open-minded on the proposal, said they had serious doubts about it, during the opening day of a conference here of 17 nations convened to write a new international treaty to deal with air piracy.

On the basis of the reaction of these and other nations, it was evident that the United States faced a tough diplomatic battle in its efforts to win approval of an agreement that would break considerable new ground in international law. It would provide for multilateral sanctions by a group of nations against an individual country, something that can now be imposed only by the United Nations Security Council.

#### WOULD CONSIDER AMENDING

Even Canada, co-author of the proposed treaty, indicated that she was willing to consider an alternative approach—amending an existing convention rather than drafting a new one—despite United States objections that the air piracy problem demanded a specific new treaty and that amending existing ones could take too long.

The conference was opened by John A. Volpe, the Secretary of Transportation, who said, "We have long recognized that the elimination of shelters is essential to the ultimate control of the hijacking problem. No nation can do that job alone."

"Piracy on the high seas came to an end when the ports of call were closed to the plunderers of ships. Piracy in the skies will die the same death when the doors of welcome are universally slammed on hijackers around the world," Mr. Volpe added.

#### PUBLIC SESSIONS VOTED

The United States won an early round in the conference when, after a 30-minute debate, the delegates voted 9 to 5 to have the proceedings conducted in public. American delegates hope the public exposure will make it more difficult for nations to oppose anti-hijacking measures. The countries that wanted the proceedings closed were the Soviet Union, Egypt, Chile, France and Britain.

Under the proposed convention, a non-partisan jury of international investigators would be established to determine if nations had lived up to the principles of three existing treaties—the Tokyo, Hague and Montreal Conventions.

These treaties require countries promptly to return hijacked planes, crewmen and passengers, and to either punish or extradite individuals involved in hijacking and aviation sabotage. If the jury concluded that the treaties had been violated, a second panel of international representatives would then decide what sanctions, if any, should be imposed. A joint boycott of air service to the country is the maximum penalty proposed.

The meeting is being held by a subcommittee of the Legal Committee of the International Civil Aviation Organization, an

agency of the United Nations. It is expected to last two weeks and is being held at the State Department. If the delegates agree on a proposed convention, it would go to the full legal committee, then the governing council of the civil aviation group, and finally to a conference of world nations.

George Vilkov, the chief Soviet delegate, said his country did not object per se to requiring extradition of hijackers if such a provision was attached as a protocol to one of the existing three treaties. But he asserted that the proposed new convention "would contravene the basis of international law" and the United Nations Charter and would be unacceptable—and therefore ineffective—to the majority of nations because of the requirements for joint sanctions.

Alternately stabbing his index finger in the air and taking off his glasses to wave them while he made a point, the Russian diplomat declared that only the United Nations Security Council should have the right to impose sanctions.

"This would be unprecedented, to take one convention, set it aside from all the rest and give it special privileges," he said. "If we develop such a convention, it will be unacceptable to other nations, simply a dead letter."

[From the New York Times, Sept. 6, 1972]

**PARLEY REJECTS HIJACKING TREATY—UNITED STATES-CANADIAN PROJECT FOR PENALIZING NATIONS AIDING AIR PIRATES REBUFFED**

(By Robert Lindsey)

WASHINGTON, Sept. 5.—Delegates to a 17-nation conference here rejected today United States-Canadian efforts to negotiate an international anti-hijacking treaty based on a draft proposed by the two nations.

The move for nonacceptance was led by France and Britain and supported by the Soviet Union and Egypt.

Faced with what appeared to be certain defeat of the proposed treaty if it came to a vote, the two North American nations acquiesced in a French proposal to start writing a new treaty from scratch, after debates on what "principles" should be included.

The delegates have eight working days left before the conference is scheduled to end.

Israel so far has been the only country to give the treaty plan full support. France, Britain, the Soviet Union, Brazil, Spain and Egypt are opposed outright or have deep reservations to accepting any convention that would require joint international sanctions.

Sources close to the United States delegation attributed the resistance to the proposal from France and Britain to unhappiness over what would amount to a fundamental departure from current standards of international law on the matter of sanctions, plus certain self-interests.

"I think the British are concerned with what might happen to their airlines in the Middle East," one American source said.

Another said France was concerned about being forced to boycott Algeria or other former African colonies with which it still maintains strong economic ties.

The Soviet Union, arguing the joint sanctions should be imposed only by the United Nations Security Council, offered its own proposal for dealing with hijackers. This is a proposed annex to the existing Montreal and Hague Conventions, which call on signatory powers either to punish or extradite hijackers and aircraft saboteurs, that would require extradition in all cases.

"It's nothing, a smokescreen," an official said of this proposal. "Anything that would prevent a nation from giving political asylum in all cases has no chance of getting any place, and they know it. They're scared of anything that would level sanctions outside

of the United Nations; they don't want to give up any sovereignty."

Today's rejection was a significant setback for the United States and Canada, which had drafted a treaty under which signatory nations would collectively halt commercial air service to any country that did not punish or extradite hijackers, or did not promptly release hijacked planes, crewmen and passengers.

Instead of discussing the specific provisions of the proposed draft the delegates will now explore broader questions of how to deal on a multilateral basis with cases of hijacking and aircraft sabotage. Representatives of several delegations privately forecast that the discussions could easily bog down in rhetoric.

Sources in the United States delegation said they still had hopes that the conference would produce a draft with a chance both of being accepted by other countries and of being more effective than existing international conventions in deterring hijackings. But one official told a reporter, "It's not going to be easy."

The proposed convention was first offered 18 months ago at a meeting of a legal subcommittee of the International Civil Aviation organization, an agency of the United Nations. Because of its sensitive, unusual provisions for taking joint international action against erring nations, the proposal was shelved.

But its authors felt it had a better chance of being accepted now because of intervening incidents of hijacking and aerial sabotage and the one-day strike by thousands of international airline pilots in June to protest what they called government inaction in dealing with hijackers. The conference was called by the civil aviation group, largely as a result of that demonstration.

[From the New York Times, Sept. 7, 1972]

**BRITAIN OFFERS PARTLY MODIFIED PROPOSAL FOR TREATY AGAINST PLANE HIJACKING**

(By Robert Lindsey)

WASHINGTON, Sept. 6.—Britain offered a partial formula today for drafting a new international treaty on hijacking. United States officials said that it might help overcome some of the most difficult diplomatic hurdles to a new treaty.

Although the proposal provided delegates to an international conference here with a new avenue for discussions, several delegates stressed that there were still major obstacles in the way of an agreement.

One United States delegate, Franklin K. Willis, said:

"This proposal possibly could be a way to break a two-year logjam; it may provide a way to bring the group to a consensus. But there's a lot of work to do."

Under an alternative draft proposed by the United States and Canada, international machinery would have been established by which nations could collectively withhold air service to any country that did not live up to three international treaties dealing with hijacking—the Tokyo, Hague and Montreal Conventions.

#### THE BRITISH PROPOSALS

Britain's proposal today suggested elimination of wording in the United States-Canadian draft that referred to violations of the three treaties and inclusion instead of language that would bring the new treaty into play whenever there was "a threat to the safety of international civil aviation."

In essence, these treaties require nations either to extradite or punish hijackers and others involved in crimes against aircraft, and to return with promptness planes, crewmen and passengers involved in hijackings.

One difficulty in curbing hijacking in the past has been that many nations that have been favored as destinations by hijackers do



not adhere to these treaties. Thus, they have been ineffective in cases where these countries have been used as refuge by hijackers.

One of the most contentious aspects of the United States-Canadian draft has been that it would require signatory countries to impose sanctions against any other country that did not punish or extradite hijackers or otherwise deal sternly with them—that is, not just those nations that sign the treaty. Some countries have objected to taking action against nations for violation of treaties that they had not signed.

Under this wording, nations could collectively act against a country regardless of whether it had adhered to the three existing treaties.

#### FACT-FINDING BOARD

The British proposal calls for appointment of a fact-finding board of nations that would establish whether there was a "threat" to the safety of international civil aviation. It stopped short of proposing any further steps, saying this could be taken up in later discussions.

This question delayed until later the discussion of the sensitive issue of what sanctions would be imposed and how they would be brought into force.

The Soviet Union and some other countries are reluctant to accept treaties that would require them to act against other countries outside the framework of the United Nations Charter. Under the Charter, joint sanctions can be levied only by the United Nations Security Council, where the permanent members, including the Soviet Union, have a veto power.

Seventeen nations were invited to the conference here, a meeting of the legal subcommittee of the International Civil Aviation organization, a specialized agency of the United Nations.

Although the incidents yesterday in Munich involving Arab terrorists dominated the coffee-break conversation of the delegates here, there is no evidence that it had speeded up progress on efforts to write a new treaty. Britain said it had drafted the proposal before the Munich killings.

#### ROGERS SPEAKS TO GROUP

At noon today, Secretary of State William P. Rogers appeared before the group and said the "tragic events that occurred in Munich underscore the necessity for action now" in drafting the convention.

"At this conference we need to remember that the Munich attackers sought to commandeer, to hijack, if you will, an aircraft to make their escape," Mr. Rogers said. "The international community must take firm and prompt action to effectively prevent air piracy."

M. R. Mok of the Netherlands, the conference chairman, when asked what effect the events in Munich has had on the proceedings, said:

"It's difficult to say, but it certainly will not have a negative effect. It demonstrated that such acts of terrorism have not come to an end. In the past the terrorists acted against civil aviation; yesterday it was against athletes; tomorrow, it may be civil aviation again."

Several professional airline pilots, whose one-day work stoppage over much of the world on June 19 was a major reason for convening of the conference, have let it be known privately to reporters here that they are discussing taking a similar action again if there is not substantive progress in dealing with hijacking on an international diplomatic basis.

[From the New York Times, Sept. 7, 1972]

#### HIJACKING UNCURBED

A consummate example of the fuzzy governmental thinking that leaves ordinary people vulnerable to fanatic terror the world over is now unfolding at a seventeen-nation con-

ference in Washington. Thanks to diplomatic foot-dragging by the Soviet Union and France, a joint United States-Canadian proposal for establishing legal machinery to deal multilaterally with air hijackers is in danger of disappearing into the morass of good ideas that might have been.

The proposed treaty, drafted after nearly two years of on-again, off-again consideration, provides for international sanctions—including joint commercial air boycotts—against any country which harbors hijackers or which fails to release plane, crew and passengers promptly and either punish or extradite the perpetrators of any air terrorism. After all that has happened in the world's air lanes in the last two years, this treaty would seem to be the least that responsible governments owe to their citizens. If anything, the proposed sanctions are too conditional, too full of loopholes, to be reliable deterrents.

France's reluctance is born of its chronic fear of doing anything that might trouble its Arab friends; and Arab Governments have long glorified hijacking of unsuspecting air passengers as an appropriately heroic activity for their so-called freedom fighters. The Soviet delegates to the International Civil Aviation Organization complain that sanctions can come only from the United Nations Security Council, with its political weight and big-power veto privileges.

United States supporters of the proposal argue that it is precisely because of the political pressures operating on the Security Council that air hijacking needs to be treated as a technical, criminal problem. The toughest cases are the politically inspired hijackings, and these are the ones with which the Security Council would have the hardest time coping.

Perhaps Secretary of State Rogers' unscheduled appeal to the I.C.A.O. meeting yesterday, amid the pall of the Munich terror, will bring the fastidious diplomats to rise above their narrowly and falsely conceived national interests. Britain, after early objections to the United States-Canadian proposal, seemed yesterday to agree that tough international machinery is needed. . . .

#### ALLEN J. ELLENDER

Mr. SYMINGTON. Mr. President, in the some 20 years it has been my privilege to represent the people of Missouri in the Senate, there was no Senator for whom I had greater respect and affection than I did for the late great Senator from Louisiana, Allen Ellender.

To me Allen was always an inspiration. The Senate will never be the same without him. His passing is not only a tragic loss to the Congress and the people of Louisiana, but also to the citizens of this Nation and all other nations who believe that the world's future rests on good will and understanding.

I ask unanimous consent that a copy of my letter to his son be inserted at this point in the RECORD.

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

WASHINGTON, D.C.,  
September 5, 1972.

Dr. ALLEN J. ELLENDER,  
Houma, La.

DEAR Dr. ELLENDER: It would be difficult indeed for me to express to you the sadness that remains as the result of the loss to the Senate and the nation of your father, my colleague and friend.

When I first came to the Senate many years ago, one could only be immediately impressed with the clarity of his vision on issues which at that time were far from popular—such issues as the importance of re-

ducing Government spending; also his voice in the wilderness of that time about the fact it would be to America's interest to achieve a better relationship with the other Super Power.

How right he was in both cases.

Allen Ellender was a statesman in the finest sense of that word. He was also a host who represented, in unmatched fashion, the hospitality of the South he loved.

And he was a true and loyal friend.

Because of the long and outstanding public service of your father, the United States is a better land in which to live. His capacity for hard work, his high character, his often expressed pride in you and your family, set standards of what America is all about that few could equal, and none will ever surpass.

My wife and I were devoted to your father. She has asked to join me in expressing to you our deep sympathy in your loss.

Sincerely,

STUART SYMINGTON.

#### ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. ROBERT C. BYRD). Under the previous order, the Senator from Texas (Mr. BENTSEN) is recognized for not to exceed 15 minutes.

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

Mr. BENTSEN. Mr. President, I yield to the distinguished majority leader.

#### ESTABLISHMENT OF A SURVIVOR BENEFIT PLAN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1032 (S. 3905).

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

The legislative clerk read as follows:

Calendar No. 1032 (S. 3905) a bill to amend chapter 73 of title 10, United States Code, to establish a survivor benefit plan, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The Senate proceeded to consider the bill which had been reported from the Committee on Armed Services with an amendment to strike out all after the enacting clause and insert:

That chapter 73 of title 10, United States Code, is amended as follows:

(1) The title of the chapter is amended by adding "SURVIVOR BENEFIT PLAN" after "PAY", and by inserting the following after the revised title:

"Subchapter	Sec.
"I. Retired Serviceman's Family Protec-	
tion Plan.....	1431
"II. Survivor Benefit Plan.....	1447
"Subchapter I.—Retired Serviceman's Family	
Protection Plan"	

(2) Subchapter I is amended as follows:

(A) Sections 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1444 (a) and (c), 1445, and 1446 are each amended by striking out "chapter" wherever it appears and inserting in place thereof "subchapter".

(B) Section 1443 is repealed and the corresponding item in the subchapter analysis for that section is stricken.

(C) Section 1444(b) is repealed and the catchline and subchapter analysis item for section 1444 are each amended by striking out "reports to Congress";

(3) The following new subchapter is added after section 1446:

**"Subchapter II.—Survivor Benefit Plan"**

"Sec.

"1447. Definitions.

"1448. Application of Plan.

"1449. Mental incompetency of member.

"1450. Payment of annuity: beneficiaries.

"1451. Amount of annuity.

"1452. Reduction in retired or retainer pay.

"1453. Recovery of annuity erroneously paid.

"1454. Correction of administrative deficiencies.

"1455. Regulations.

"§ 1447. Definitions

"In this subchapter:

"(1) 'Plan' means the Survivor Benefit Plan established by this subchapter.

"(2) 'Base amount' means—

"(A) the amount of monthly retired or retainer pay to which a person—

"(i) was entitled when he became eligible for that pay; or

"(ii) later became entitled by being advanced on the retired list, performing active duty, or being transferred from the temporary disability retired list to the permanent disability retired list; or

"(B) any amount less than that described by clause (A) designated by that person on or before the first day for which he became eligible for retired or retainer pay, but not less than \$300; as increased from time to time under section 1401a of this title.

"(3) 'Widow' means the surviving wife of a person who, if not married to the person at the time he became eligible for retired or retainer pay—

"(A) was married to him for at least two years immediately before his death; or

"(B) is the mother of issue by that marriage.

"(4) 'Widower' means the surviving husband of a person who, if not married to the person at the time she became eligible for retired or retainer pay—

"(A) was married to her for at least two years immediately before her death; or

"(B) is the father of issue by that marriage.

"(5) 'Dependent child' means a person who is—

"(A) unmarried;

"(B) (i) under 18 years of age; (ii) at least 18, but under 22, years of age and pursuing a full-time course of study or training in a high school, trade school, technical or vocational institute, junior college, college, university, or comparable recognized educational institution; or (iii) incapable of supporting himself because of a mental or physical incapacity existing before his eighteenth birthday or incurred on or after that birthday, but before his twenty-second birthday, while pursuing such a full-time course of study or training; and

"(C) the child of a person to whom the Plan applies, including (i) an adopted child, and (ii) a stepchild, foster child, or recognized natural child who lived with that person in a regular parent-child relationship.

For the purpose of this clause, a child whose twenty-second birthday occurs before July 1 or after August 31 of a calendar year, and while he is regularly pursuing such a course of study or training, is considered to have become 22 years of age on the first day of July after that birthday. A child who is a student is considered not to have ceased to be a student during an interim between school years if the interim is not more than 150 days and if he shows to the satisfaction of the Secretary of Defense that he has a bona fide intention of continuing to pursue a course of study or training in the same or a different school during the school semester (or other period into which the school

year is divided) immediately after the interim. Under this clause, a foster child, to qualify as the dependent child of a person to whom the Plan applies, must, at the time of the death of that person, also reside with, and receive over one-half of his support from, that person, and not be cared for under a social agency contract. The temporary absence of a foster child from the residence of that person, while he is a student as described in this clause, will not be considered to affect the residence of such a foster child.

"§ 1448. Application of plan

"(a) The plan applies to a person who is married or has a dependent child when he becomes entitled to retired or retainer pay unless he elects not to participate in the plan before the first day for which he is eligible for that pay. If a person who is married elects not to participate in the plan at the maximum level, that person's spouse shall be notified of the decision. An election not to participate in the plan is irrevocable if not revoked before the date on which the person first becomes entitled to retired or retainer pay. However, a person who is not married when he becomes entitled to retired or retainer pay but who later marries, or acquires a dependent child, may elect to participate in the plan but his election must be written, signed by him, and received by the Secretary concerned within one year after he marries, or acquires that dependent child. Such an election may not be revoked. His election is effective as of the first day of the month after his election is received by the Secretary concerned.

"(b) A person who is not married and does not have a dependent child when he becomes entitled to retired or retainer pay may elect to provide an annuity to a natural person with an insurable interest in that person.

"(c) The application of the plan to a person whose name is on the temporary disability retired list terminates when his name is removed from that list and he is no longer entitled to retired pay.

"(d) If a member of an armed force dies on active duty after he has become entitled to retired or retainer pay, or after he has qualified for that pay except that he has not applied for or been granted that pay, and his spouse is eligible for dependency and indemnity compensation under section 411(a) of title 38 in an amount that is less than the annuity the spouse would have received under this subchapter if it had applied to the member when he died, the Secretary concerned shall pay to the spouse an annuity equal to the difference between that amount of compensation and 55 percent of the retired or retainer pay to which the otherwise eligible spouse described in section 1450(a) (1) of this title would have been entitled if the member had been entitled to that pay based upon his years of active service when he died.

"§ 1449. Mental incompetency of member

"If a person to whom section 1448 of this title applies is determined to be mentally incompetent by medical officers of the armed force concerned or of the Veterans' Administration, or by a court of competent jurisdiction, any election described in the first sentence of subsection (a), or subsection (b), of section 1448 of this title may be made on behalf of that person by the Secretary concerned. If the person for whom the Secretary has made an election is later determined to be mentally competent by an authority named in the first sentence, he may, within 180 days after that determination revokes that election. Any deductions made from retired or retainer pay by reason of such an election will not be refunded.

"§ 1450. Payment of annuity: beneficiaries

"(a) Effective as of the first day after the death of a person to whom section 1448 of this title applies, a monthly annuity under section 1451 of this title shall be paid to—

"(1) the eligible widow or widower;

"(2) the surviving dependent children in equal shares, if the eligible widow or widower is dead, dies, or otherwise becomes ineligible under this section; or

"(3) the natural person designated under section 1448(b) of this title at the time the person to whom section 1448 applies became entitled to retired or retainer pay, if there is no eligible beneficiary under clause (1) or (2).

"(b) An annuity payable to the beneficiary terminates effective as of the first day of the month in which eligibility is lost. An annuity for a widow or widower shall be paid to the widow or widower while the widow or widower is living, or, if the widow or widower remarries before reaching age 60, until the widow or widower remarries. If the widow or widower remarries before reaching age 60 and that marriage is terminated by death, annulment, or divorce, payment of the annuity will be resumed effective as of the first day of the month in which the marriage is so terminated. However, if the widow or widower is also entitled to an annuity under this section based upon the marriage so terminated, the widow or widower may not receive both annuities but must elect which to receive.

"(c) If, upon the death of a person to whom section 1448 of this title applies, the widow or widower of that person is also entitled to compensation under section 411(a) of title 38, the widow or widower may be paid an annuity under this section, but only in the amount that the annuity otherwise payable under this section would exceed that compensation.

"(d) If, upon the death of a person to whom section 1448 of this title applies, that person had in effect a waiver of his retired or retainer pay for the purposes of subchapter III of chapter 83 of title 5, an annuity under this section shall not be payable unless, in accordance with section 8339 (1) of title 5, he notified the Civil Service Commission that he did not desire any spouse surviving him to receive an annuity under section 8341(b) of that title.

"(e) If no annuity under this section is payable because of subsection (c), any amounts deducted from the retired or retainer pay of the deceased under section 1452 of this title shall be refunded to the widow or widower. If, because of subsection (c), the annuity payable is less than the amount established under section 1451 of this title, the annuity payable shall be recalculated under that section. The amount of the reduction in the retired or retainer pay required to provide that recalculated annuity shall be computed under section 1452 of this title, and the difference between the amount deducted prior to the computation of that recalculated annuity and the amount that would have been deducted on the basis of that recalculated annuity shall be refunded to the widow or widower.

"(f) An unmarried person who elects to provide an annuity to a person designated by him under subsection (a)(3), but who later marries or acquires a dependent child, may change that election and provide an annuity to his spouse or dependent child. A change of election under this subsection is subject to the rules with respect to execution, revocation, and effectiveness set forth in the last three sentences of section 1448 (a) of this title.

"(g) Except as provided in section 1449 of this title or in subsection (f) of this section, an election under this section may not be changed or revoked.

"(h) Except as provided in section 1451 of this title, an annuity under this section is in addition to any other payment to which a person is entitled under any other provision of law. Such annuity shall be considered as income under laws administered by the Veterans' Administration.



"(1) An annuity under this section is not assignable or subject to execution, levy, attachment, garnishment, or other legal process.

**"§ 1451. Amount of annuity**

"(a) If the widow or widower is under age 62 or there is a dependent child, the monthly annuity payable to the widow, or widower, or dependent child, under section 1450 of this title shall be equal to 55 percent of the base amount. However, when the widow has one dependent child, the monthly annuity shall be reduced by an amount equal to the mother's benefit, if any, to which the widow would be entitled under subchapter II of chapter 7 of title 42 based solely upon service by the person concerned as described in section 410(1) of title 42 and calculated assuming that the person concerned lived to age 65. When the widow or widower reaches age 62, or there is no longer a dependent child, whichever occurs later, the monthly annuity shall be reduced by an amount equal to the amount of the survivor benefit, if any, to which the widow or widower would be entitled under subchapter II of chapter 7 of title 42 based solely upon service by the person concerned as described in section 410(1) of title 42 and calculated assuming that the person concerned lived to age 65. For the purpose of the preceding sentence, a widow or widower shall be considered as entitled to a benefit under subchapter II of chapter 7 of title 42 even though that benefit has been offset by deductions under section 403 of title 42 on account of work.

"(b) The monthly annuity payable under section 1450(a)(3) of this title shall be 55 percent of the retired or retiree pay of the person who elected to provide that annuity after the reduction in that retired or retiree pay in accordance with section 1452(c) of this title.

"(c) Whenever retired or retiree pay is increased under section 1401a of this title, each annuity that is payable under this section, or section 1448(d) of this title, on the day before the effective date of that increase shall be increased at the same time by the same total percent. The amount of the increase shall be based on the monthly annuity payable before any reduction under section 1448(d) or 14450(c) of this title, or subsection (a) of this section.

**"§ 1452. Reduction in retired or retiree pay**

"(a) The retired or retiree pay of a person to whom section 1448 of this title applies who has a spouse, or who has a spouse and a dependent child, and who has not elected to provide an annuity to a person designated by him under section 1450(a)(3) of this title, or who had elected to provide such an annuity to such a person but has changed his election in favor of his spouse under section 1450(f) of this title, shall be reduced each month by an amount equal to 2½ percent of the first \$300 of the base amount plus 10 percent of the remainder of the base amount. As long as there is an eligible spouse and a dependent child, that amount shall be increased by an amount prescribed under regulations of the Secretary of Defense.

"(b) The retired or retiree pay of a person to whom section 1448 of this title applies who has a dependent child but does not have an eligible spouse, shall, as long as he has an eligible dependent child, be reduced by an amount prescribed under regulations of the Secretary of Defense.

"(c) The retired or retiree pay of a person who has elected to provide an annuity to a person designated by him under section 1450(a)(3) of this title shall be reduced by 10 percent plus 5 percent for each full 5 years the individual designated is younger than that person. However, the total reduction may not exceed 40 percent.

"(d) If a person who has elected to participate in the Plan has been awarded retired

or retiree pay and is not entitled to that pay for any period, he must deposit in the Treasury the amount that would otherwise have been deducted from his pay for that period, except when he is called or ordered to active duty for a period of more than 30 days.

"(e) When a person who has elected to participate in the Plan waives his retired or retiree pay for the purposes of subchapter III of chapter 83 of title 5, he shall not be required to make the deposit otherwise required by subsection (d) as long as that waiver is in effect unless, in accordance with section 8339(1) of title 5, he has notified the Civil Service Commission that he does not desire any spouse surviving him to receive an annuity under section 8341(b) of title 5.

"(f) Except as provided in section 1450(e) of this title, a person is not entitled to any refunds of amounts deducted from retired or retiree pay under this section unless the amounts were deducted through administrative error.

**"§ 1453. Recovery of annuity erroneously paid**

"In addition to other methods of recovery provided by law, the Secretary concerned may authorize the recovery, by deduction from later payments to a person, of any amount erroneously paid to him under this subchapter. However, recovery is not required if, in the judgment of the Secretary concerned and the Comptroller General, there has been no fault by the person to whom the amount was erroneously paid and recovery would be contrary to the purposes of this subchapter or against equity and good conscience.

**"§ 1454. Correction of administrative deficiencies**

"The Secretary concerned may, under regulations prescribed under section 1455 of this title, correct or revoke any election under this subchapter when he considers it necessary to correct an administrative error. Except when procured by fraud, a correction or revocation under this section is final and conclusive on all officers of the United States.

**"§ 1455. Regulations**

"The President shall prescribe regulations to carry out this subchapter. Those regulations shall, so far as practicable, be uniform for the armed forces, the National Oceanic and Atmospheric Administration, and the Public Health Service. Those regulations shall—

"(1) provide that, when the notification referred to in section 1448(a) of this title is required, the member and his spouse shall, before the date the member becomes entitled to retired or retiree pay, be informed of the elections available and the effects of such elections; and

"(2) establish procedures for depositing the amounts referred to in section 1452(d) of this title."

Sec. 2 The chapter analysis of subtitle A and the analysis of part II of subtitle A of title 10, United States Code, are each amended by amending the item relating to chapter 73 by adding "Survivor Benefit Plan" after "Pay".

Sec. 3. (a) The Survivor Benefit Plan established pursuant to clause (3) of the first section of this Act applies to any person who initially becomes entitled to retired or retiree pay on or after the effective date of this Act. An election made before that date by such a person under section 1431 of title 10, United States Code, is canceled. However, a person who initially becomes entitled to retired or retiree pay within 180 days after the effective date of this Act may, within 180 days after becoming so entitled, elect—

(1) not to participate in such Survivor Benefit Plan if he is married or has a dependent child; or

(2) to participate in that Plan, if he is a person covered by section 1448(b) of title 10, United States Code.

(b) Any person who is entitled to retired or retiree pay on the effective date of this Act may elect to participate in the Survivor Benefit Plan established pursuant to clause (3) of the first section of this Act before the first anniversary of that date. However, such a person who is receiving retired or retiree pay reduced under section 1436(a) of title 10, United States Code, or who is depositing amounts under section 1438 of that title, may elect before the first anniversary of the effective date of this Act—

(1) to participate in the Plan and continue his participation under chapter 73 of that title as in effect on the day before the effective date of this Act, except that the total of the annuities elected may not exceed 100 percent of his retired or retiree pay; or

(2) to participate in the Plan and, notwithstanding section 1436(b) of that title, terminate his participation under chapter 73 of that title as in effect on the day before the effective date of this Act.

A person who elects under clause (2) of this subsection is not entitled to a refund of amounts previously deducted from his retired or retiree pay under chapter 73 of title 10, United States Code, as in effect on the day before the effective date of this Act, or any payments made thereunder on his behalf. A person who is not married or does not have a dependent child on the first anniversary of the effective date of this Act, but who later marries or acquires a dependent child, may elect to participate in the Plan under the fourth sentence of section 1448(a) of that title.

(c) Notwithstanding the provisions of the Survivor Benefit Plan established pursuant to clause (3) of the first section of this Act, and except as otherwise provided in this section, subchapter I of chapter 73 of title 10, United States Code (other than the last two sentences of section 1436(a), section 1443, and section 1444(b)), as in effect on the day before the effective date of this Act, shall continue to apply in the case of persons, and their beneficiaries, who have elected annuities under section 1431 or 1432 of that title and who have not elected under subsection (b)(2) of this section to participate in that Plan.

(d) In this section, "base amount" means—

(1) the monthly retired or retiree pay to which a person—

(A) is entitled on the effective date of this Act; or

(B) later becomes entitled by being advanced on the retired list, performing active duty, or being transferred from the temporary disability retired list to the permanent disability retired list; or

(2) any amount less than that described in clause (1) designated by that person at the time he makes an election under subsection (a)(2) or (b) of this section, but not less than \$300;

as increased from time to time under section 1401a of title 10, United States Code.

(e) An election made under subsection (a) or (b) of this section is effective on the date it is received by the Secretary concerned, as defined in section 101(5) of title 37, United States Code.

(f) Sections 1449, 1453, and 1454 of title 10, United States Code, as added by clause (3) of the first section of this Act, are applicable to persons covered by this section.

**Sec. 4. (a) A person—**

(1) who, on the effective date of this Act is, or within one calendar year after that

date becomes, a widow of a person who was entitled to retired or retainer pay when he died;

(2) who is eligible for a pension under subchapter III of chapter 15 of title 38, United States Code, or section 9(b) of the Veterans' Pension Act of 1959 (73 Stat. 436);

(3) whose annual income, as determined in establishing that eligibility, is less than \$1,400;

shall be paid an annuity by the Secretary concerned unless she is eligible to receive an annuity under the Survivor Benefit Plan established pursuant to clause (3) of the first section of this Act. However, such a person who is the widow of a retired officer of the Public Health Service or the National Oceanic and Atmospheric Administration, and who would otherwise be eligible for an annuity under this section except that she does not qualify for the pension described in clause (2) of this subsection because the service of her deceased spouse is not considered active duty under section 101(21) of title 38, United States Code, is entitled to an annuity under this section.

(b) The annuity under subsection (a) of this section shall be in an amount which when added to the widow's income determined under subsection (a) (3) of this section, plus the amount of any annuity being received under sections 1431-1436 of title 10, United States Code, but exclusive of a pension described in subsection (a) (2) of this section, equals \$1,400 a year. In addition, the Secretary concerned shall pay to the widow, described in the last sentence of subsection (a) of this section, an amount equal to the pension she would otherwise have been eligible to receive under subchapter III of chapter 15 of title 38, United States Code, if the service of her deceased spouse was considered active duty under section 101(21) of that title.

SEC. 5. Section 3(a) (4) of the Act of August 10, 1956, chapter 1041, as amended (38 U.S.C. 857a(a) (5)), and section 221(a) (5) of the Public Health Service Act, as amended (42 U.S.C. 213a(a) (5)), are each amended to read as follows:

"Chapter 73, Retired Serviceman's Family Protection Plan; Survivor Benefit Plan."

SEC. 6. Title 38, United States Code, is amended as follows:

(1) Section 415(g) (M) is amended to read as follows:

"(M) payments of annuities elected under subchapter I of chapter 73 of title 10."

(2) Section 503(17) is amended to read as follows:

"(17) payments of annuities elected under subchapter I of chapter 73 of title 10."

Mr. BENTSEN. Mr. President, I ask unanimous consent that Senators ALLOTT, TUNNEY, MONDALE, and WILLIAMS may be listed as cosponsors of this legislation.

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

Mr. BENTSEN. Mr. President, this bill S. 3905 might be termed the "widow's equity bill." What we are trying to do here and what I think we accomplished is a phaseout of some of the inequities in survivor benefits for retired military service personnel compared to those of civil servants. S. 3905 was unanimously reported by the Committee on Armed Services. A similar survivor benefit bill, H.R. 10670, has passed the House.

Mr. President, I was chairman of the Special Subcommittee on Survivor Benefits, which considered this legislation. Survivor benefits has been and continues to be an area of paramount importance to career military personnel. This legis-

lation, if enacted, will affect over 800,000 present military retirees and their dependents, in addition to all future retirees and their dependents.

One of the first questions one might ask, when we are faced with a substantial deficit in our budget, is how much it is going to cost. If we take the cumulative figures over the first 5 years it will be found that in the funding of this survivor benefit for dependents there will be a net excess of about \$400 million savings to the Government, over the expenditures for payments to the dependents of retirees. It will be the year 1992 before there would be a net cumulative cost to the Government in funding these dependents' benefits. I will discuss the full cost of S. 3905 in more detail at a later point.

#### SUCCESSFUL HEARINGS

The special subcommittee held hearings on all legislative measures dealing with this important matter, and received testimony from the Department of Defense, Senator BEALL, and associations representing military members on active duty and in retirement. In addition, the subcommittee received a substantial amount of written testimony on the bill which was included in the record of the hearings and which proved to be of great help to the subcommittee members and staff.

I believe that the subcommittee's hearings were thorough and complete. I might also add, Mr. President, that the hearings represented the culmination of many months of intense preparation on the part of the committee staff and the Department of Defense. Some of the actuarial information, for example, required more than 7 months to complete and was received by the committee a short time ago.

#### THREE PRESENT SYSTEMS OF SURVIVOR COVERAGE FOR MILITARY RETIREES

Before proceeding to discussion of the committee's recommended changes to S. 3905, it would be well to point out that the military retirees may presently be covered under three survivor benefit systems: First, social security; second, dependency and indemnity compensation; and third, retired serviceman's family protection plan—RSFPP.

Let me briefly outline what these three systems include:

First. Social security provides payments to widows with children under the age of 18 or age 22 if in school. No benefits under social security are payable when the widow is under age 62 and has no dependent children. Generally, social security payments range from \$186 per month, payable at age 62 for a widow of an E-5, sergeant, without dependent children to \$599 per month payable at any age to a widow of an O-2, first lieutenant, who has three dependent children.

Second. Dependency and indemnity compensation—DIC—is payable to survivors of a retiree who dies of a service-connected cause. DIC rates range from \$184 to \$469 depending on pay grade.

Third. Retired serviceman's family protection plan—RSFPP—is an actuarially sound, that is, self-financing system,

which permits a retired member under certain conditions to cover his survivors for up to 50 percent of his retired pay.

#### BASIS FOR CHANGE IN MILITARY SURVIVOR BENEFIT SYSTEM

It should be pointed out that the three systems discussed above may, in fact, not cover a large number of survivors of military retirees. For example, no social security payments are payable when a widow of a retiree is under age 62 and has no dependent children. Dependency and indemnity compensation is only payable in those relatively few cases in which a retiree's death is determined to be service-connected. Finally, the retired serviceman's family protection plan—RSFPP—is providing coverage for only 15 percent of military retirees. High cost and complexity are given by the military retirees as reasons for not choosing the RSFPP system which was established in 1954 for existing and future retirees. The result of the present system of survivor benefit coverage for military retirees is that many widows will receive no income resulting from her husband's military retired pay. In many cases, there will be an income gap from the time the widow's last child is no longer dependent until reaching social security eligibility at age 62.

The foregoing comments have only summarized the principal elements of military survivor benefit coverage. There is available to each member a detailed committee report setting forth many tables and analyses relating to this issue.

#### CIVIL SERVICE SURVIVOR BENEFIT SYSTEM

Much of the motivation to revise the military retiree survivor benefit program stems from a comparison of the military benefit program with that of the Federal civil service retiree plan. In point of fact, S. 3905 along with many of the other bills introduced on survivor benefits have been patterned after the Federal civil service survivor benefit system.

#### BASIC THRUST OF THE LEGISLATION

In substance, S. 3905 provides that beginning with enactment, a present retiree would have 1 year to elect into the plan. All future retirees, that is, those retiring after enactment, would be automatically covered unless they elect not to be covered. In payment, the retiree will have deducted from his retired pay 2½ percent of the first \$3,600 of retired pay per year plus 10 percent of the remainder in order to provide up to 55 percent of retired pay coverage.

The amounts to be received by military survivors under S. 3905, the 2½-percent and 10-percent deduction, and the 55 percent of retired pay benefit are identical to the survivor plan for those in the civil service retirement system. It should be observed, as I will discuss later, that although the deductions formula is the same, the impact on survivors in terms of cost and benefits will be somewhat different due to the differences between the civil service and military retirement systems.

The monthly amounts to be received by survivors will depend, of course, on the retired pay of the retiree. The monthly payments to widows would range from



\$143 per month for a widow of an E-5—sergeant—with 20 years of service to \$1,237 per month for the widow of an O-10—general—with 38 years of service.

#### COST TO THE INDIVIDUAL

In terms of the cost to the individual, under S. 3905, the following should be noted with respect to the extent to which deductions from retired pay cover the cost of the benefits. The average member who retired prior to January 1, 1957, pays a smaller percentage of the total cost of his survivor benefit than does the average future retiree who begins his military service after December 31, 1971. Payments for those retired prior to January 1, 1957, would, on the average, cover about 22 percent of the cost of the survivor benefit program with the Government assuming the remainder of the cost. Deductions from the retired pay of members who enter on the retired rolls today will, on the average, cover about 56 percent of the cost of their survivor benefits. For future retirees, that is, for those beginning military service after December 31, 1971, deductions from retired pay will cover about 63 percent of the cost of their survivor benefits.

Thus, Mr. President, in general the older retiree benefits more under this survivor benefit program than his younger counterpart in terms of contributions made and benefits paid.

#### COST OF THE ENTIRE SYSTEM—DISBURSEMENT—ACTUARIAL

There are two basic methods of showing the cost of the proposed survivor benefit plan.

One method is the disbursement analysis which provides cost data on a year-by-year basis. This method is sometimes called the dollar-in-dollar-out system. The second method involves actuarial analysis and assigns cost to the year in which liability is incurred. Since payments under this program may not be made for 10, 20, or perhaps 50 years later, the amount of the payment under the actuarial analysis is discounted at an assumed interest rate to express it in current dollars.

#### DISBURSEMENT ANALYSIS

Under disbursement cost, the survivor benefit plan in S. 3905 would result, making certain assumptions, in over \$1 billion accumulated savings to the Government by 1981. That is, deductions from retired pay would exceed benefits paid by that amount. Under the same assumptions, by 1992, the cumulative cost to the Government would be \$239 million, that is, in that year the cumulative amounts paid into the system would be less than the benefits paid out—by \$239 million. Again, under the same assumptions, the net cumulative cost to the Government by the year 2025 would be \$11.3 billion.

#### ACTUARIAL COST ANALYSIS

In terms of actuarial cost, the Government would incur a \$5.2 billion liability under the S. 3905 for past military service costs. Past service costs are defined as future benefits payable which are attributable to service performed in the past. This \$5.2 billion figure means that if the Government were to stay current with its liabilities, it would have to

appropriate immediately \$5.2 billion and put this in a fund earning 3½ percent. This would then be sufficient to cover the net additional cost of the past service liability.

#### COMMITTEE RECOMMENDED CHANGES TO S. 3905

The committee recommends that S. 3905 be changed in three major areas:

Deletion of the attachment provision, Adoption of the Department of Defense recommendation for providing coverage for dependent children, and

Adoption of the Department of Defense recommendation concerning members who work in and subsequently retire from civil service and waive military retired pay to increase civil service retirement benefits.

The committee also concluded that other major provisions of S. 3905 should be maintained. These provisions are:

The minimum income guarantee of \$2,100 per year for current widows of retirees,

The method of social security integration, and

Application of the plan to active duty personnel who are eligible to retire for longevity (20 years).

I would like now to review the rationale for the committee's action on S. 3905.

#### ATTACHMENT OF RETIRED PAY

S. 3905 included a provision that the retired pay of a member of the uniformed services shall be subject to attachment of up to 50 percent of retired pay to comply with the order of a court of competent jurisdiction in favor of a spouse, former spouse or children. The committee recommends deletion of the attachment provision for two major reasons:

If the attachment provision were included in this bill, it would make an exception of military retired pay by providing that it alone, among all Federal pays and annuities would be subject to attachment. The committee felt that this would be an unfair and unwarranted discrimination against the military retiree.

An attachment provision is extraneous to the question of survivor benefit legislation and as such, the attachment provision and all of its ramifications could not be evaluated to the extent appropriate or desirable.

The committee believes that, although the attachment provision may be justified in many instances, it should be addressed from the perspective of its applicability to all Federal pays and personnel.

#### COVERAGE FOR DEPENDENT CHILDREN

Coverage is provided for dependent children under S. 3905 in the same manner as for the spouse—at the same monthly cost and at the same level. However, when the children reach age 18—or 22 if in school—their eligibility terminates. On the other hand, just as with the member who covers the spouse, the member who covers children under S. 3905 must contribute to the plan for life, even though, in most cases, the eligibility for the benefits to children would be limited at most until they reach age 22. The provision in S. 3905 would make

the application of the plan to the children prohibitively costly, with some members who insure only dependent children paying over three times the value of the benefits.

The committee believed the survivor plan should include a provision for covering dependent children; however, it believed the Department of Defense recommendation would be more appropriate as a method of accomplishing this objective. The Department recommended that the basic plan in the bill apply to the spouse.

For a slight additional charge—above the charge for spouse coverage—the member would cover the spouse and dependent children. If the spouse were to become ineligible, benefits would then flow to the children. If there were no spouse, the member could cover the children alone. The cost of dependent children's coverage in both cases would be based on the actuarial cost of providing benefits and would terminate when the children were no longer eligible for benefits. Since the plan is based on an actuarial cost, there would be no cost to the Government except for the cost of administering the provision; further, it would not be prohibitive in terms of individual member cost.

#### APPLICATION OF PLAN TO MILITARY RETIREES WHO LATER RETIRE FROM THE CIVIL SERVICE

Military retirees who after retirement work in the Federal civil service and subsequently become eligible to retire from the civil service may waive their military retired pay and use their military years of service to increase their civil service benefits. S. 3905 would not allow a duplication of survivor benefits from the military and civil service plans based on the same years of service. S. 3905 does, however, require the member to continue to contribute to the military survivor benefit plan, but prohibits him from receiving benefits under the military survivor benefit plan.

The committee agreed that duplication of benefits should be precluded, that is, a member should not be able to receive survivor benefits from both the military and civil service survivor benefit plans. On the other hand, the committee also believes that duplication of contributions should be eliminated, that is, that the member continue to pay into the military survivor plan even though he could receive no benefits from it. The committee, therefore, recommended that S. 3905 be changed to allow a military retiree, who waives his military retired pay to increase civil service retirement benefits, to cease contributing to the military survivor benefit plan during the time his waiver of retired pay is in effect. In this way, a military retiree would not be required to contribute to a plan from which his survivors could not benefit.

#### GUARANTEED INCOME OF \$2,100 PER YEAR FOR PRESENT WIDOWS OF RETIREES

S. 3905 provides a guaranteed income of \$2,100 per year to those who were widows of retirees prior to enactment of the proposed legislation. In effect, if the widow in question had an income from all sources—both public and private—of

less than \$1,400 per year, the Department of Defense would supplement her income up to \$1,400 per year; the widow would then receive a veterans pension from the Veterans' Administration which would bring her income up to \$2,100 per year.

The committee believes this is a provision that is needed now, and it is the minimum provision that is acceptable in terms of providing some benefit to these widows. Using any standard for comparison, \$2,100 per year can only be viewed as the lowest payment that would maintain any kind of livable income. The committee concurred with the House and the Department of Defense in this recommendation.

#### COST OF GUARANTEED INCOME PROVISION FOR CURRENT WIDOWS

The first year cost of the guaranteed income provision for widows is estimated to be \$47 million, with approximately the same yearly cost over the next 5 years. After that point the costs will be reduced gradually each year as eligible widows die until sometime after the year 2000 when the last eligible widow dies. It should be noted that the cost data on this program is not precise as very little is known about present widows who might be eligible for this program.

#### SOCIAL SECURITY INTEGRATION

S. 3905 provides that the full amount of social security attributable to military service be offset from the 55-percent level of survivor benefits after widow's age 62. The Department of Defense advocated using only one-half of the social security attributable to military service as the offset from the widow's annuity.

#### FULL OFFSET OF SOCIAL SECURITY PROVIDES A PLAN MORE COMPARABLE WITH CIVIL SERVICE

The committee believes that a plan more comparable with the civil service plan is achieved if the full amount of social security attributable to military service is offset from the widow's annuity after age 62.

One of the principal impacts of the difference between the full and half offset of the social security attributable to military service is shown in the difference of the cost of the survivor benefit plan under each of these offsets. Implementation of a one-half offset of the social security would result in an additional cost to the Government of \$2½ billion by the year 2000 and over \$16 billion by the year 2020.

In addition, if the portion of the cost of the survivor benefit plan paid for by the military member's contribution is compared to the portion of the cost paid by the civil servant for his survivor benefits, the full offset of social security under the military plan provides a more comparable plan. Under the civil service survivor benefit plan, the member's contributions pay for 60 to 62 percent of the total cost of the benefits under the plan. Assuming that the military member pays for one-half of his social security benefits attributable to military service through his social security contributions, the military retiree would pay for 62.7 percent of the cost of the benefits under the plan if a full social security offset were taken. If a half offset were taken, the member would pay for only 55.8 of

the cost of benefits. Thus, the full offset of social security more nearly equates the military member and the civil servant in terms of what they pay for the total cost of their survivor benefits. The committee urged that the full offset method of social security integration be retained in S. 3905. The House strongly endorsed the full offset method in their report on H.R. 10670.

#### APPLICATION OF SURVIVOR BENEFIT PLAN TO ACTIVE DUTY PERSONNEL WHO ARE ELIGIBLE FOR RETIREMENT

S. 3905 provides that the spouse of a service member, who was eligible to retire for longevity—after 20 years of service—but dies on active duty, will receive 55 percent of what the member's retired pay would have been had he been retired. This payment will recognize that dependency and indemnity compensation—DIC—is payable to the spouse of the member dying on active service by offsetting the DIC from the 55 percent of retired pay annuity. For example, the spouse of a major—O-4—with 21 years of service would receive \$108.89 under this provision in addition to a DIC payment of \$272 for a grand total of \$380.89—which is what 55 percent of the major's retired pay would have been.

#### RELATION TO CIVIL SERVICE

Although this provision has no counterpart in the civil service plan, it is generally comparable to the provisions made for survivors of civil service personnel who die on active service. The committee felt that this provision would eliminate the "penalty" to survivors of active duty personnel who are retirement eligible vis-a-vis their counterparts who chose to retire. In other words, under this provision there would be no penalty to survivors of members who remained on active duty after reaching retirement eligibility.

#### COST OF RETIREMENT ELIGIBILITY PROVISION

It should be noted that the member in retirement would pay for his survivor benefit plan whereas the member on active duty would not. The committee was aware of this but still felt it wrong to penalize the survivors of members who remain on active duty after being retirement eligible. The estimated annual cost of this provision is about \$725,000 per year, increasing thereafter to a maximum of \$20 million per year.

#### OTHER RECOMMENDATIONS

In addition to these major provisions of the survivor benefit plan, there are a number of other changes to improve the technical quality of the bill and to simplify administration. These changes are included in the committee's substitute draft bill with our report on S. 3905.

A number of changes in the Internal Revenue Code are also necessary to insure that the tax treatment of contributions and benefits under the retired serviceman's family protection plan is applicable to the proposed legislation. These changes have been sent to the appropriate Senate and House committees by the Department of the Treasury.

#### CLOSING COMMENT

Mr. President, in closing I would like to express my appreciation to Chairman STENNIS for appointing me chairman of

the special subcommittee. In addition, I would like to thank the other special subcommittee members, Senators BYRD and THURMOND, along with the members and the staff of the full committee for their very valuable assistance and interest in this extremely complex and important subject area.

I urge passage of S. 3905 as amended by the committee.

Mr. President, I ask unanimous consent that the Senator from Florida (Mr. GURNEY) also be shown as a cosponsor of the bill.

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

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

Mr. BENTSEN. I yield.

Mr. GURNEY. The Senator from South Carolina (Mr. THURMOND) is necessarily absent from the Senate today. Had he been here he would have made a statement on the bill. I ask unanimous consent that his statement be included in the RECORD.

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

#### STATEMENT BY SENATOR THURMOND

I was a member of the subcommittee which prepared this legislation and have been a long time supporter of improved survivor benefit legislation.

However, since I am a retired officer and it is possible my family might benefit from this bill I wish the record to show that on final passage of the bill, if I had been present and voting, I would have voted "present."

Mr. TOWER. Mr. President, I support the passage of S. 3905, the survivors' benefits bill. This bill has been long overdue in its consideration and passage and I am gratified that we finally have its enactment in sight.

Basically, the legislation will provide for our servicemen the kind of survivors' benefits members of the civil service have enjoyed for several years. The bill, similar to H.R. 10670, allows a serviceman to designate up to 55 percent of his retirement pay as payment for his wife and dependents should he die. This program is low-cost, compared to earlier efforts such as the Retired Serviceman's Family Protection Plan—RSFF. Its high cost and complexity resulted in only 15 percent of the military retirees participating.

I am happy to see that one change was made in S. 3905 from the comparable House bill H.R. 10670. The Senate committee removed the provisions concerning attachment of retired pay from the bill. The basic rationale was that either all Federal pay should be subject to attachment or none. I agree that an exception to current guidelines on attachment should not be made.

With the passage of S. 3905, the wives and dependents of our military men can finally rest secure in the knowledge that they can be provided for. It is with shame that we in Congress must admit our past neglect of the men who defend this Nation. To have allowed this condition to persist, to have delayed for so long proper consideration of measures to correct this neglect, is inexcusable. It is ironic to note that the very men who defended our Nation bravely cannot themselves defend the security of their loved ones after re-



tirement. They cannot because we have not let them. The military men of America look to us in Congress to provide for them and their families. We cannot, we must not, let them down. We have in our hands the tools, S. 3905, with which they can provide for their families after retirement. It is our duty to give them that legislation.

Mr. GOLDWATER. Mr. President, I speak not merely to thank the chairman of the Armed Services Committee (Mr. STENNIS), the chairman of the special subcommittee which heard testimony on the bill to provide survivors benefits (Mr. BENTSEN), or the author of the amendment which created this legislation, the Senator from Maryland (Mr. BEALL), or for myself, but for all military people in this country both retired and not retired, who have always been concerned about what would happen to their wives and families should they pass on.

The survivors benefit bill has been a prayer of every serviceman for years, and the fact that now that all is required is the President's signature to bring this into being causes a moment of rejoicing for all those loyal people who have so well served their country and are serving. We have reason to be proud of the Senate today for the action it has taken.

I am particularly pleased with the interest Senator STENNIS, as chairman of the committee, is showing on personnel matters, because the whole matter of retirement for military personnel needs a complete review. The system needs a complete overhaul to modernize it and to bring it up to the standards that other civil servants expect and enjoy.

Mr. BENTSEN. Mr. President, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of H.R. 10670 and that the Senate proceed to the immediate consideration of that bill.

The PRESIDING OFFICER. The clerk will state the House bill by title.

The legislative clerk read the bill (H.R. 10670) by title, as follows: An act to amend chapter 73 of title 10, United States Code, to establish a Survivor Benefit Plan, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. BENTSEN. Mr. President, I move that H.R. 10670 be amended by striking all after the enacting clause and inserting in lieu thereof the text of S. 3905 as reported.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

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

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question, Shall it pass?

The bill (H.R. 10670) was passed.

Mr. MANSFIELD. Mr. President, how much time is left under the 15 minutes?

The PRESIDING OFFICER. There is no time left.

Under the previous order, the Senator from Idaho (Mr. CHURCH) is recognized for 15 minutes.

Mr. MANSFIELD. Mr. President, will the Senator from Idaho yield not to exceed 2 minutes to the Senator from Maryland?

Mr. CHURCH. I yield.

Mr. BEALL. Mr. President, I thank the majority leader and the Senator from Idaho for their consideration.

I am sorry I was not aware of the fact that this particular piece of legislation was coming up this morning, because I had had an interest in it and I wanted to take this opportunity to express to the Senator from Texas and the chairman of the Armed Services Committee my appreciation, and the appreciation of many widows across the country, for bringing this legislation to the floor today and seeing to it that it was favorably considered by the Senate.

Senators may remember that some time ago, when I offered the House-passed version of the bill as an amendment to the Defense Procurement Act, the chairman of the Armed Services Committee graciously agreed to the consideration in the committee of the widow's equity bill, recognizing that it was a matter of great importance to large numbers of people across the country. As a result of that consideration and the appointment of the subcommittee, of which the distinguished Senator from Texas (Mr. BENTSEN) was chairman, and the consideration of the matter by the subcommittee and by the full Armed Services Committee, this legislation has been brought to the floor today, and I am happy it has been passed, because my association with this legislation goes back to the time when I was a Member of the House of Representatives and served on the original subcommittee appointed in that body by the late Mendell Rivers to consider this subject matter.

I am sorry I was not aware of the fact that the bill was coming up at this appointed time this morning, but I appreciate this opportunity to make these brief comments on the legislation.

I ask unanimous consent that the testimony I presented before the subcommittee of the Armed Services Committee on this legislation be printed at this point in the RECORD.

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

STATEMENT OF SENATOR J. GLENN BEALL, JR., BEFORE THE SENATE ARMED SERVICES SUBCOMMITTEE ON SURVIVORS BENEFITS, AUGUST 8, 1972

Mr. Chairman, I want to thank you and the members of the Subcommittee for allowing me to testify on HR 10670. I also want to congratulate the Chairman of the full Committee, Senator Stennis, for naming this Subcommittee to consider this high priority legislation.

The subject of your hearings today and tomorrow is of utmost importance and urgency to the men and women, both active and retired, of the Armed Forces. This legislation, often referred to as the "Widow's Equity Bill", provides for a permanent survivors benefit plan for dependents of retired military personnel. Retirees under this program will be able to leave up to 55% of their re-

tired pay to their survivors. The bill also provides for a minimum income maintenance program for present widows, for whom the new program would come too late and whose needs in many cases are desperate.

On January 27, 1971, I introduced S. 325, a bill similar to H.R. 10670. Forty members of the Senate cosponsored this legislation with me. In addition, Senator Bentsen has introduced a bill on the same subject.

The Fleet Reserve Association in April 1969 completed an excellent study entitled "Widow's Equity". This study helped to spotlight the lack of an equitable survivor annuity program for military retirees. Legislation was introduced in the 91st Congress to implement the study's recommendations. This legislative interest and the support of military and Veterans organizations, as well as the many moving letters received by Members of Congress, resulted in the creation by the then Chairman of the House Armed Services Committee, L. Mendell Rivers, of a Special Subcommittee on Survivor Benefits under the capable leadership of Congressman Otis Pike and the Ranking Minority Member, Charles Gubser. I was pleased to be named to this Subcommittee and in my judgment, they did an excellent job both in analyzing the problem and in recommending a legislative solution. The Subcommittee's work included seven days of open hearings and five days of executive session.

The final product of the Subcommittee's careful deliberations was a report issued October 1, 1970 entitled "Inquiry Into Survivor Benefits". An examination of this study will demonstrate the thoroughness with which the Subcommittee examined this subject.

The Subcommittee's conclusion was that the benefits available to survivors of retired personnel were woefully inadequate.

In January 1971, I introduced S. 325 on the Senate side and H.R. 984 was introduced on the House side to implement the recommendations of the Special Subcommittee. The House Armed Services Committee again held hearings on H.R. 984 on August 2, 1971. As a result of the hearings and the recommendations of the Administration, which supported the necessity for a survivor benefits program, H.R. 10670, a clean bill, was unanimously recommended to the full House by the House Armed Services Committee.

HR 10670 was then passed by the House of Representatives on October 21, 1971 by a vote of 372 to 0.

I know the Armed Services Committee has had both a tremendous Committee and Senate floor work load. Now that the Committee's legislation backlog has been cleared, I urge this Subcommittee and the full Committee to give this legislation the priority consideration it deserves and merits. Time is running out. The recess for the Republican Convention and Labor Day will begin shortly, the subsequent political campaign and the heavy agenda of unfinished business will then face the full Senate.

Because I feared the Survivors Benefits legislation was going to get lost, I introduced the Survivors Benefits bill as an amendment to the Military Procurement legislation, which recently passed the Senate. While I do not believe that it is good practice to circumvent the normal legislative procedure, I have made a commitment to the military men and women in my State and the Nation to do everything I can to secure Senate action and final enactment of a Survivors Benefit Program this year. As a result of the floor colloquy I had with Chairman Stennis, Senator Thurmond and Senator Goldwater of the Senate Armed Services Committee and other members of the Senate, I did not press the amendment at that time. I was assured that hearings would be held and persuaded that the Armed Services Committee indeed did plan to move on the legislation. Senator

Thurmond's statement that the Subcommittee "will report back to the Committee and it will be acted to the Senate this year", was particularly reassuring. In addition, Chairman Stennis said, "If they (the Subcommittee) reports the bill to the full Committee, I will certainly see that the full Committee has a chance to pass on it".

The Survivors Benefits Program to be enacted, needs prompt action by this Subcommittee.

While I know of the busy schedules of each of the Members of this Subcommittee, I strongly urge this Subcommittee to complete these two days of hearings, proceed to Executive Session this week in an effort to report this legislation to the full Committee before the recess, or certainly no later than the first week following the reconvening of the Congress. If the Subcommittee does not move expeditiously, we will risk losing the legislation this year.

Mr. Chairman, I believe that it would be a tragedy if after years of examination of this subject by the various military association; if after the careful inquiry and report of the House Special Subcommittee on Survivors Benefits; if after the further examination and unanimous recommendations of the House Armed Services Committee followed by the unanimous vote by the House of Representatives; if after the endorsement by the Defense Department; and the most recent endorsement by the President reiterating in his Older Americans Message of March 23, 1972, that the Senate of the United States failed to enact this legislation.

The tragedy of our failure to act can be illustrated by a call I had received in early 1971 from a Maryland constituent.

This lady, the wife of a Navy enlisted man, called me and expressed her gratitude for my introduction of S. 325 and conveyed how much she thought there was a need for such a measure. In the late Fall of the same year, the same lady again called my office. This time, however, she was very distraught. She told me that little did she know when she called earlier how important the Widow's Equity Bill would be for her. She explained that her husband had a heart attack and was now lying in a hospital bed in critical condition. She asked about the status and chances of early passage of the legislation.

Unfortunately, I had to advise her that, although the legislation had passed the House of Representatives, no action would be taken by the Senate in 1971. In the beginning of this year this same lady called me advising me that her husband had passed away and that the "Widow's Equity Bill" would be "too late for her". I explained that there was a provision in the bill providing a minimum income maintenance to present widows. Notwithstanding the fact that the survivor benefits program was too late for her, she said she prayed that Congress would act so that other widows would not find themselves in similar financial circumstances.

This story indicates why we cannot allow this year to go by and not act on this legislation. We must make certain that there are no more military wives and families for whom this legislation will come "too late".

I know that the Administration and the Defense Department's recommendations are for liberalization of the House bill. For the most part, their suggestions are constructive and I have little, if any, problems with them. But it is late. If we want a bill, we need to move and move quickly. If making substantive changes will jeopardize final enactment, I feel certain that I speak for the military personnel, both active and retired, when I urge passage of the House passed bill with one exception.

I urge deletion of the garnishment provision. This section provided for the attachment of up to 50% of military retired or retainer pay in order to comply with court orders in conjunction with divorces or separa-

tion proceedings. This is a controversial provision. It was opposed by the Administration on the grounds that it was extraneous to the Survivor Benefit Bill and that "if there is sufficient reason to attach retired pay, the same reason undoubtedly exists for attachment provisions applicable to other federal pays and annuities. Accordingly, the broader subject of attachment of all federal pays and annuities for support of dependents may well deserve Congressional attention as a matter in its own right".

This is precisely what has happened. As my colleagues are probably aware, the Senate Finance Committee has added to H.R. 1, the Welfare Reform Bill, a provision providing for the attachment of the pay of all federal employees, including the military, both active and retired. Thus, H.R. 1 would seem to be the appropriate vehicle for the Senate to work its will on the attachment provisions and whatever that will is, it will be applicable to federal employees across-the-board.

Most Americans would be surprised, as were many Members of the Congress, to learn that the widow of a retired military man does not automatically receive part of the earned retirement pension her husband was receiving at the time of his death. Thus, for example, should a military retiree pass away a day after his retirement, the surviving dependents would not be entitled to a penny of his retirement pension. The surprise of the American public and the Congress to learn of this situation is minor compared to the shock of the widow of these cases, many of whom, according to the Department of Defense's testimony, do not realize that the retired pay stops immediately upon the death of the military retiree.

In such a situation, the only benefit that the military retiree's widow would have, assuming that the death was not service connected, that the widow was not yet eligible for Social Security, and that her husband was among the 85% of Armed Forces personnel who do not participate in the retired serviceman's protection plan—RSFPP—are those paid by the Veterans' Administration program. Under the Veterans Program, the widow must meet a "needs test", and if eligible she then would receive only a meager pension varying from \$17 to \$87 per month. This pension is not a special provision for career servicemen's dependents but is available to dependents of any Veteran who served three months or thirty years.

The lack of basic survivor protection for retired career personnel is a serious shortcoming in the benefits available for those who elect to make serving their country their career. Basic survivor protection is usually a standard feature in employee fringe benefits. The Federal Civil Service employees, for example, can assure his surviving spouse 55% of his Federal retired pay.

This survivor benefit is automatic unless the employee in writing elects not to participate in the survivor annuity plan. This lack of survivor benefits is a particularly serious problem because of the relatively early retirement of career military personnel.

A military retiree, if he lives the normal life expectancy, may spend in retirement one and one-half times the number of years he served on active duty. Congress has not been blind to the need of the career military man to provide a portion of his pension for survivors. In 1953, Congress enacted the retired serviceman's family protection plan—RSFPP—an optional, self-supporting, actuarially sound, survivor annuity program. The program has not worked. The most telling indictment of the RSFPP Program is that during the 18 years it has been part of our national laws, and despite the adoption of seven amendments, only 15 per cent of those eligible have elected to participate. The participation rate of enlisted retiree, who may need it the most, is only 10%. The widows of

85% of the military retirees have no claim to a portion of their husband's retired pay.

The primary reason for this low participation rate is that the RSFPP Program is prohibitively expensive for the serviceman. Unlike the survivors' annuity program available to the Federal Civil Service employees, the Federal Government does not contribute to the RSFPP. As a result, the military retirees have to pay between 2.5 and 5 times for equivalent survivor benefits as the Civil Service retiree. I ask unanimous consent that tables depicting this disparity be printed at this point in the Record. (Exhibit A)

In addition to the fact that the retired serviceman's family protection plan is too expensive, the complexities of the program have also deterred greater participation. RSFPP then by any yardstick, must be judged a failure. It is clear that a new plan is needed.

Mr. Chairman, the Nation is aware of the great sacrifices made by the Nation's career military men and the great debt we owe to them. Their daily duty is the defense and security of the Nation. The country is probably not as aware of the sacrifices and demands of the military wife.

The old saying that "behind every successful man is a successful woman" has a special truth for military wives. Long separations and months of loneliness and frequent changes in duty stations and the necessary family uprooting that often follows, are among the many problems with which the career serviceman's wife must cope. Added to this is the fear in the mind of the military wives that their husbands may not return at all. After standing alongside their husbands throughout their military careers, these brave and special breed of women are not presently assured of a single cent of the retired pay of their husbands.

Mr. President, I am convinced that the survivor annuity program is important for the all-volunteer army concept to which the military has been moving under the leadership of President Nixon and Secretary Laird. The Congress, and particularly this Committee, in cooperation with the Administration, has taken steps to help make the all-volunteer army possible by substantially increasing the military pay and other fringe benefits which are necessary preconditions if we are going to attract and retain sufficiently skilled manpower for National defense requirements.

The career military man shares the universal desire to provide adequately for his surviving loved ones after his death. The lack of such survivor benefits is a glaring weakness in the benefits presently available to the professional soldier. The adoption of a survivors' benefit program will help make the military more attractive as a career, and thus help move the country toward our goal of an all-volunteer Armed Forces.

Mr. Chairman, the case of the Maryland constituent, which I cited earlier, as well as the inequities of the present program, are compelling reasons why the Senate must act this year. This bill will make it possible for retired military personnel to leave up to 55% of their retirement pension at a reasonable cost to their loved ones, so that they might better enjoy the freedom and prosperity of this great Nation for which they and their spouse are in no small part responsible.

In closing, I want to applaud Chairman Stennis for creating this Subcommittee and the Members for assuming the responsibilities for serving on this Subcommittee. The eyes and hopes of the career soldiers and sailors, both active and retired, and their loved ones are on you and the Senate.

They are counting on us. They have never let us down. We must not let them down. I urge prompt and favorable action on this priority legislation by the Subcommittee and the full Committee so that a survivors' benefits plan will be signed into law this year.



TABLE I.—COMPARISON OF COSTS OF RETIRED PERSONNEL SURVIVOR ANNUITY PLANS—MILITARY VERSUS CIVIL SERVICE

Grade	Years at service	Age at retirement	Survivors annuity payable (monthly)	Military deductions (options 1 and 4 at 1½%)	Civil service deduction for the same annuity	Grade	Years at service	Age at retirement	Survivors annuity payable (monthly)	Military deductions (options 1 and 4 at 1½%)	Civil service deduction for the same annuity
Staff sergeant.....	20	40	\$86.42	\$12.71	\$3.93	Colonel.....	30	52	\$461.42	\$107.00	\$61.40
Technical sergeant.....	24	44	120.75	20.94	5.49	Do.....	30	60	449.06	131.72	69.15
Master sergeant.....	30	50	201.88	43.77	14.21	Do.....	30	65	440.56	148.71	57.60
Do.....	30	60	195.15	57.24	12.98	Major general.....	30	54	600.09	148.03	86.61
Do.....	30	65	191.46	64.62	12.31	General.....	30	56	749.23	196.25	113.72
Major.....	24	46	256.96	48.23	24.22	Do.....	30	60	738.98	216.75	112.86
Lieutenant colonel.....	26	48	330.65	66.84	37.62						

TABLE II.—COMPARATIVE COSTS OF CENTS PER DOLLAR OF COVERAGE

Annual annuity	Dollars cost per year		Cents per dollars of coverage	
	RSFPP	Civil service	RSFPP	Civil service
Man 55, wife 53:				
10,000.....	3,764	1,548	37.6	15.5
8,000.....	2,521	1,185	37.6	14.8
6,000.....	1,890	821	37.6	13.7
4,000.....	1,260	457	37.6	11.4
2,000.....	630	94	37.6	4.7
1,000.....	315	45	37.6	4.5
Man 60, wife 58:				
10,000.....	3,764	1,548	37.6	15.5
8,000.....	3,011	1,185	37.6	14.8
6,000.....	2,258	821	37.6	13.7
4,000.....	1,505	457	37.6	11.4
2,000.....	753	94	37.6	4.7
1,000.....	376	45	37.6	4.5

Mr. BENTSEN. Mr. President, will the Senator from Idaho yield me 30 seconds?

Mr. CHURCH. I yield to the Senator from Texas.

Mr. BENTSEN. Mr. President, I ask unanimous consent that Senate bill 3905 be indefinitely postponed.

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

#### ORDER OF BUSINESS

The PRESIDING OFFICER. The Senator from Idaho is recognized.

(The remarks of Mr. CHURCH and Mr. NELSON when they submitted amendments to be proposed by them to the Revenue Sharing Act are printed in the routine morning business section of the RECORD under the appropriate heading.)

#### THE TRUTH ABOUT THE RECORD OF THE 92D CONGRESS

Mr. MANSFIELD. Mr. President, on Wednesday, September 6, the headline writer for the Christian Science Monitor put it best: "Nixon Picks His Target: Democratic Congress."

With increasing momentum, the President has chosen to take on the Congress this election year in his drive for a second 4-year term as the head of this Nation's Government.

I have seen the reports of these statements, some issued by him personally, others by various bureaucrats downtown and all with a single objective—to point the finger at Congress for the administration's own failings, for its own commissions of misfeasance and nonfeasance in the area of the economy, the environment, social needs, health and welfare, and all the rest of the many critical neglects this Nation still continues to suffer.

In early 1969, Attorney General John Mitchell recommended that one "would be better informed, if instead of listening to what we say—watch what we do." I hope the American people will follow this advice. It is a most revealing experience to compare the platitudes and generalities of the rhetoric with the foot-dragging, side-stepping and often adamant resistance to any attempt to implement those stated policies. Between the sweetness of the statements and the specifics of their proposals lies the darkest of shadows—a shadow that at times bears no resemblance to its original object.

I sincerely hope the American people will take this advice handed by the former Attorney General and make the comparison. Back in Montana, our original settlers have a characteristically wise expression about such discrepancies; the Indian refers to this activity as speaking with a forked tongue. The charge that Congress has not moved in the areas of the environment, consumer protection, health, education, and problems of the cities is simply without foundation. In fact, the record shows that Congress, in the opinion of the administration and the President, has sought to do too much.

With all due respect, it must be said that the finger has been pointed in the wrong direction. The neglect for failing to address promptly and adequately such vital concerns as health and welfare reform, tax reform, recession and inflation, and environmental needs rests in one spot and one spot only—at the front door of the White House.

It is not often that this Senator rises to answer unfounded allegations. But never before has it been so justified. The record of this administration is one matter. And their positions on the issues and approaches to the problems of the country can be held validly and honestly. But when the position on the environment is to go slower; when in the field of education it is to do less; when in the field of health care and hospital construction it is to reject Congress as seeking too much, then let this record speak for itself. To endeavor to conceal the record as the election approaches and blame Congress for administration policies cannot be tolerated and this Senator cannot sit idly by and permit such duplicity.

Let us begin with the economy. A good place to start is the record of skyrocketing costs, increasing unemployment, and increasing welfare rolls.

It was the Congress that recognized the dire plight of the economy and en-

acted the authority for proposed controls over prices and wages. It was the Congress by itself that opened the door to nearly a million new jobs in the public sector in the areas where assistance is needed—policemen, firemen, hospital workers, and so forth. For more than a year the President turned his back on wage and price action. For more than a year the economy continued to stagnate and suffer. As for jobs, the administration thought so much of finding new sources of employment that the President vetoed the bill to put the unemployed to work, a bill designed to keep the American citizen off the welfare rolls and on the Nation's payrolls. And what has this lack of economic initiative meant to the American consumer? For one thing, food prices have risen at a rate of nearly 5 percent a year—a record for the century. Rents have been climbing at an annual rate of about 4 percent—another record. By the end of 1971 there were well over 5 million Americans without work. Still, on June 29th of last year, the President vetoed the emergency jobs bill Congress passed, thereby depriving the willing and able-bodied American from gainful employment. The jobless situation remains virtually unchanged today in spite of the glowing rhetoric.

The recitation of such economic mismanagement could go on and on. But let us be honest; the congressional initiatives that in the past received White House scorn or rejection are today the only effective tools that are being used in the fight to shore up this Nation's ailing economy. Rather than play it with partisan breast-beating, I would instead commend those members of the minority in both the House and Senate who joined in voting for proposals to help stabilize the Nation's financial and economic crisis in the face of the administration's unequivocal opposition.

And what about the so-called spendthrift label with which this administration seeks to tag the Congress? No charge could be more outrageous. This is a Congress that, in the Nixon years to date cut a total of \$14.5 billion from the spending requests of this Republican administration. There is no mistake. For 1970, 1971, and 1972, his administration requested program expenditure funds of \$458.4 billion. In response the Congress has granted only \$443.9 billion—a difference of \$14.5 billion. No rational American can turn a savings of \$14.5 billion into a spendthrift charge no matter how hard he tries. What this Congress has done—and once again in the face of administration opposition—has been to devote savings cuts taken from wasteful

and unneeded military and foreign spending to vital domestic programs such as education. Indeed, Congress invested more than \$2 billion in the education of American youth over and above what the President sought. In part, the President vetoed this investment, saying it was inflationary to spend such sums on America's future.

But it was not inflationary to spend such sums when the President asked for a billion dollars to bail out failing and mismanaged railroad and aircraft companies. Nor was it inflationary for the administration to ask for billions more to develop the dubious and unneeded supersonic transport.

But these are only a few examples of misplaced priorities on the part of this administration. There is the environment. And this issue raises particular concern to me, simply because it was just a few days ago that the President himself was reported to have blamed the Congress for "inaction" with regard to the environment saying that:

The Members of the Senate and the House are simply not keeping pace with the concern of the citizens throughout the nation for positive action.

This Orwellian charge deserves the stiffest response. In the interest of fair play, I hesitate to raise the outlandish record this administration has compiled against environmental legislation proposed by Congress. But the President was surely aware of how steadfast has been the opposition and resistance of his agencies.

They have refused outright to spend millions already authorized and appropriated for environmental protection.

Congress appropriated three times more than the President asked for sewage treatment assistance alone.

National water quality standards have been flatly opposed.

All versions of the Environmental Class Action Act have been opposed.

The administration sent up a weak Toxic Substances Control Act and consistently opposed all efforts to strengthen it. Its opposition to premarket review of new chemical substances has hurt this legislation badly.

It has opposed new lead paint poisoning legislation and has requested pathetically low amounts of money to carry out the grant authority of existing law.

It has opposed all ocean mammal protection legislation which has been initiated by Congress.

It opposed original pure drinking water legislation.

The administration opposed the goal of clean water by 1985—1 year beyond 1984.

It opposed the goal of clean auto engines by 1975.

The administration has opposed new requirements for the FDA to monitor food for harmful pollutants.

It opposed the tough Port and Waterways Safety Act amendments that Congress passed to help insure safer and cleaner waters, free from obnoxious pollution by steamships and oil tankers.

In short, it is a record of out and out opposition—a refusal to make industry clean up for what industry terms prog-

ress and what in reality has meant pollution—in the air we breathe and in the water we drink.

Even today, conferees are meeting on a new and tough water pollution bill hovering under the veiled threat of another administration veto.

It has been an outrageous record, a record of administration resistance every step of the way making what environmental progress Congress finally made seem enormous by comparison. To endeavor now to blame Congress for the administration's failings in this area is simply ludicrous. The hearings were held. The administration witnesses appeared. Letters were written. And the record of opposition has been made.

But protecting privileged corporate interests in the field of the environment has been minor when one considers this administration's resistance to tax reform.

It was Congress in 1969 that conceived and executed the first major equitable revision of our tax laws since their inception and the task was performed over the strenuous opposition of the Nixon administration. In all, the 1969 Tax Reform Act implemented \$6.6 billion in tax reforms and \$9.1 billion in cuts, mostly for taxpayers in the lower and middle-income brackets.

The law included a 5-percent reduction in all tax brackets, a low income allowance to remove 21 million poor families from the tax rolls and an increase in the personal exemption to \$750.

But the tax fairness Congress attempted to establish by the 1969 reforms were only to be eroded last year when the administration changed by executive fiat the depreciation rules which, in effect, reduced the corporation tax rate by a significant percentage. In addition, business tax credits worth \$8 to \$9 billion a year were pushed through last year under the guise of helping stimulate an economy that was then only using 75 percent of present capacity.

Tax reform and a more equitable distribution of the tax burden is simply not a policy of this administration.

Indeed, the President has expressed his outright opposition to the proposal I offered along with WILBUR MILLS. It would have assured the most careful examination of over 54 tax loopholes designed mostly to benefit only those individuals and corporations making the most money in our society.

For too long, in my judgment, the middle-income taxpayer has borne too much of the burden and it is now clear beyond question that this administration will refuse to take any steps to correct that imbalance.

Congress suffers still another misdirected charge raised in recent days. It is that it has failed to address itself properly to the administration's four major legislative requests—welfare, reorganization, health insurance, and revenue sharing.

The first priority was to be welfare. Yet, it was the administration and not Congress that asked that welfare be set aside to consider first the phase I proposals last session and then revenue sharing most recently. Moreover, it has been members of the President's own

party who have blocked this measure so often in committee. So if the welfare rolls which have grown so enormously during the economic mismanagement of the past 4 years are to be brought into check, the administration must exert more authority and influence over its own party members.

As for health, the administration record is equally indefensible. It has been written for posterity in the Presidential veto of four major health bills over 4 years—one for each year of the President's term. The utter neglect for health needs was demonstrated first by his veto of \$1.26 billion in funds that were to be used in large measure for the Nation's health needs back in 1970. The major Hill-Burton hospital construction bill was next vetoed, and but for the willingness of Congress to override the President's rejection, millions more for health facilities would have been lost.

In December of 1970, the President again showed his opposition to health needs by vetoing the bill that would have provided \$233 million for medical schools and hospitals. And most recently he vetoed this year's added appropriations for the entire HEW health program. It has been only in the face of total administration opposition that Congress has endeavored to provide for those needs, and any statement otherwise is to be buried by the President's own veto messages on health.

The story for the reorganization proposal is about the same.

The President asked for pie in the sky, a huge reorganization, which was impossible to consider in toto, certainly impossible to consider in one Congress. I say this, approving of what the President has recommended, but suggesting that he slice it into pieces and give us a shot at one particle at a time.

Beyond the rhetoric, I have detected little interest by the administration in pushing even its own party members on this matter. Indeed, I have detected little genuine interest from any quarter inside the Government or out. I would say, also, that if as much pressure for reorganization were exerted by the administration here as it was for aid to the mismanaged Lockheed Corp., or to the mismanaged Pennsylvania Railroad, the result might well be different.

Revenue sharing is now before the Senate. It will pass.

One cannot have it both ways, making the difficult decisions that the responsibility of leadership requires.

One cannot seek congressional approval of the interim agreement in the limitation of strategic arms—an agreement that can bring sanity to an arms race that has been out of control for so many years—and then ignore the effect of seeking more resources for increased arms spending.

One cannot advocate the terms of the agreement and as well advocate support of an amendment that would undermine its impact and meaning.

One cannot deplore the deterioration of the environment and then fail to implement the commitment Congress has enacted into law to remedy this condition.



One cannot advocate a fairer tax system in this country and oppose every effort by Congress to change the present system of glaring inequities.

One cannot deplore the inadequate health services available in our society and then veto congressional efforts to meet these needs.

One cannot advocate greater attention to the education of our youth and then veto a measure that would rechannel additional resources to this great investment in the future.

One cannot deplore the growing welfare rolls and then veto a measure that provides hundreds of thousands of jobs in vitally needed areas of public service employment, thus putting people to work and off the so-called dole.

One should not—but apparently one can—because this is the record of this administration—an administration espousing economic policies of too little, too late, that have caused the national debt to jump by nearly \$110 billion since it has been in office. And it would have been even higher had Congress not pared back the budget requests.

So the record is clear. I believe we should judge this administration by its own standard; not by its words but by its actions.

One must realize that in a political environment just as in an advertising campaign, there is an enormous gulf between the claim and the product. I hope the product will be viewed and not purchased on the basis of the claim alone.

Mr. SCOTT. Mr. President—

Mr. MANSFIELD. Mr. President, how much time do I have left?

The PRESIDING OFFICER (Mr. ALLEN). Six minutes remain to the distinguished majority leader.

Mr. MANSFIELD. I will yield as much of that time to the distinguished Republican leader as he desires.

Mr. SCOTT. I thank the distinguished majority leader and I express my condolences to him for the difficult chore which he has so valiantly and generously undertaken, of defending an impossible postulate; namely, how a party which has been in the majority for 90 percent of the time over the past 40 years expects the executive department of the other party to clean up the stygian mess in 4 years. There will be and there has been ample replication to all the statements made by the distinguished majority leader.

He and I have the greatest affection and mutual respect for each other. He has to make these statements and I have to make mine. The issues have to be made because the distinguished majority leader's candidate is totally unable to make his own or to make them stick. There is no glue in the candidate of the opposition, thus someone has to stand up and try to postulate and establish the issues.

Mr. President, not 1 cent has been spent by this administration that a Congress of the other party has not approved.

Not one program has been enacted that the majority party has not, somehow, put its imprimatur upon.

Prior to the beginning of this administration, none of these things of which

the distinguished majority leader complains had been done. He now says that many of them have been done but have not been done well enough. That, of course, one must concede because we all fall short of perfection, especially in divided government.

But this administration has submitted the broadest possible measures ever submitted in the history of this Nation to deal with ecology, to clean up our air, our waters, and to deal with solid wastes.

This administration has proposed and has administered and has dealt with the problems of our veterans, of highways—

The PRESIDING OFFICER. The 3 minutes of the Senator have expired.

Mr. SCOTT. May I ask the distinguished majority leader, may I have the remaining 3 minutes?

Mr. MANSFIELD. Yes, indeed.

Mr. SCOTT. This administration has dealt with the problems of our veterans, of education, of housing, highways, mass transit, and of the many other complicated requirements of our citizenry. It has spent more money for these programs than any previous administration.

Thus, Mr. President, I think it is proper to ask, if there was not or is not today an adequate dealing yet with the ecology, why did not previous administrations deal with it at all? Why did it suddenly become a problem now?

If these matters are so serious, why did not the previous administrations deal with them?

If the people of this country have been deprived of their rights to a wise, benevolent, and beneficent Federal Government, why did not previous administrations do the things this administration has done and is doing?

I believe that the answer is, because the candidate of the opposition is shorn of issues—perhaps self-shorn of issues—putting about the country pattering nonsense.

It would seem to me that he must have champions. He could have no better champion than the distinguished majority leader. Indeed, the construction of the presentation of the issues is appealing because it offers to us an opportunity to reply point by point. Those replies will be made.

Thus, I congratulate my good friend, the distinguished majority leader, for having taken on an onerous chore, a hopeless task and obligation which no one is more willing to assume in his party's service but which, at the same time, is hardly fair to him, since his party has had control of the country for most of the past 40 years.

If the country lies uncured of its ills, it is because the "physician" has failed to prescribe the proper remedies.

Mr. PERCY. Mr. President, will the distinguished Senator from Pennsylvania yield?

Mr. SCOTT. Does the distinguished majority leader mind if I yield to the Senator from Illinois?

Mr. MANSFIELD. No.

Mr. SCOTT. I yield.

Mr. PERCY. Mr. President, I am sympathetic with the distinguished majority leader's impatience with progress, or the lack thereof, on some of the legislation

before the Senate. I would be the first to admit that I have on occasion been critical of some aspects of the administration's legislative program and its handling thereof, but I must rise to speak on one special point on which I have specific knowledge, and that relates to proposals for the executive reorganization of government.

This administration took the bit in its teeth. It did what other administrations simply did not have the courage to do. It thought through this whole problem which has been studied since the original Hoover Commission, followed by the Heineman Commission report and the last commission that was appointed by President Nixon, the Ash Commission, which sent to Congress four magnificent pieces of legislation which would update—

The PRESIDING OFFICER. The time of the distinguished majority leader has expired.

Mr. SCOTT. Mr. President, what is the situation now?

Mr. MANSFIELD. Let us have the morning hour now.

#### TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER (Mr. ALLEN). At this time, in accordance with the previous order, the Senate will now proceed to the transaction of routine morning business for not to exceed 15 minutes, with statements therein limited to 3 minutes.

Mr. SCOTT. Mr. President, on the bill, I yield myself 5 minutes—

Mr. MANSFIELD. This is morning business now.

Mr. SCOTT. Oh, yes, morning business. Mr. President, I ask for recognition.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 3 minutes.

Mr. MANSFIELD. Will the Senator from Pennsylvania allow me to interject there, before the Senator from Illinois goes off into the wild blue yonder—

Mr. PERCY. I intend to be quite specific—

Mr. MANSFIELD. That is what I want the Senator to do. Just what did the President do in the way of Government reorganization? By bureau and by department.

Mr. PERCY. The President could not have been more specific. He has sent us four separate pieces of legislation dealing with the creation of four new departments that would consolidate functions of the executive branch of Government, modernize and streamline it, and eliminate much of the overlapping and confusion that we now experience.

Mr. MANSFIELD. Specifically, what would he eliminate?

Mr. PERCY. Many separate uncoordinated functions in the executive branch as it is now constituted backed up by in-depth studies by the Ashe Commission. Specifically the administration has been practical for instance about the fact that we cannot create a Department of Economic Activity overnight and this session, Congress consolidate the Labor Department with the Commerce Department because that was proposed by Pres-

ident Johnson and it was quickly dropped like a hot potato. So we started out with a Department of Community Development, which has less vested interests against change. It would combine HUD and the Department of Transportation, and take over certain nonfarming activities from the Department of Agriculture. The administration sent that legislation up with three other reorganization bills and I sponsored them at the request of the administration. I do so because I believe in the principle that is behind the legislative proposals.

The House is way ahead of us as of today. It has finished its hearings on this first bill and has reported it out of committee. It has asked the Rules Committee for scheduling. I understand Chairman HOLIFIELD came over here to find out what the Senate intended to do. We have had hearings also. The administration has testified eloquently. The administration said that this legislation was so important, that it would request Cabinet officers to assign highest priority on their time for this particular program. Yet we simply seem unable to move any further at this stage in the Senate.

This first bill is one where there is not a great deal of opposition. It has streamlined functions so as to consolidate many of our present dispersed activities. This is a very specific piece of legislation. We can get it under way now. The administration has done its part. The House has done its part. But the Senate has simply not done its part. There is nothing we seem able to do at this stage.

As a member of the Government Operations Committee, I can assure the distinguished majority leader that we have tried to clear our schedule of other pending matters. The Government Operations Committee has had a full schedule this session; to mention just a part of our program, reorganization bill No. 1, the product safety agency bill, the drug abuse bill, the consumer protection agency bill, have all been reported out. We are able now to concentrate on executive reorganization. We have, in the Senate, the responsibility to move on this now. I must report to the distinguished majority leader that the administration in my judgment has assigned high priority to executive reorganization. The President has spoken out for it a number of times. Cabinet officers, BMB and White House staff, have been ready and willing to do anything they can to expedite it. It is the Senate that stands today as a barrier to action.

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

Mr. PERCY. Mr. President, I ask for recognition in my own right.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 3 minutes.

Mr. PERCY. Mr. President, I would conclude simply by saying that the ranking minority member of the Subcommittee on Executive Reorganization of the Committee on Government Operations, is in the Chamber. I should like to ask him, on my time, to comment as to whether anything I have said is not fac-

tual and get right down to the nitty-gritty of the problem.

In this case, the administration has been, I think, exemplary in what it has done, and the House under Chairman Holifield's leadership has moved with great dispatch. Yet the Senate has simply not been able to get the bill out.

We simply cannot justify now our not moving ahead on what, as the President has said, is urgent national business; namely, to reorganize effectively the executive branch of the Government.

I yield now to my distinguished friend, the Senator from New York.

Mr. JAVITS. Mr. President, the fact is that we have not proceeded to the reorganization bill in our committee. The fact is also that we have been thoroughly occupied with the consumer protection bill. There may have been an opportunity for a week or two to do something on this. However, as the Senator from Illinois says, Members are preoccupied with conventions and other matters.

If there is a purpose on the part of the leadership to see that this reorganization plan or bill goes forward, I would certainly wish to state that there is nothing that I know of that stands in the way. And I will loyally cooperate quickly and effectively with the Senator from Connecticut (Mr. RIBICOFF), the chairman, in any hearings or in executive session to get out a bill within this Congress.

No one knows whether it can be handled. No one knows what Members will do about it specifically. However, certainly as far as clearing the decks and getting ready to go ahead and do it, I am willing to do so.

Mr. PERCY. Mr. President, I would report to the majority leader that it is my understanding that Representative HOLIFIELD's present frame of mind would be something along this line:

I have no intention of asking the Rules Committee to act or push this matter to the floor of the House if the Senate intends to do nothing about it.

The Senate thus is the barrier at this time.

In fairness I feel obligated to protect what I feel is a very fine performance in this particular area by the administration and by the House and to a point on where I think we have fallen down for the number of reasons that I have enumerated.

Mr. MANSFIELD. Mr. President, I sympathize with what the distinguished Senator from Illinois has just said. I cannot shed any crocodile tears over any delay in the Senate or the House or Congress as a whole for that matter, because the Senator did not go into all of the specifics which the President requested in his reorganization proposals. And the Senator knows that I am in favor of what the President has advocated and that under the best of circumstances it would be an impossibility to bring about the type of government reorganization which this administration has requested.

Does the Senator think that the farmers are going to stand by while the Department of Agriculture is either abolished or merged into another new Cabinet position? Does the Senator think that the business men of the country are

going to stand by—and the Senator from Illinois had a fine record as a good business man—while the same thing happens to the Department of Commerce?

The Senator is aware of the pressures which are put upon the Congress all the time from those two Departments, just to mention two out of many that are included in the President's program.

The Senator is very much aware of the lobbyists who would descend upon his committee and upon the Congress if this proposal were to be carried out in the original context the President advocated.

Let me reiterate. I am 100 percent behind the President's desire to bring about an executive reorganization. However, I am practical enough, I think, and realistic enough, I know, to understand that we cannot take all of this in one fell swoop and accuse Congress of doing nothing.

I did not notice any great effort on the part of the Senator's subcommittee to face up to this problem. I heard very little about this from the administration over the past 3 years, but over the past several weeks it has become a part of the four-part package. There has been too much protesting, I am afraid, on the Republican side. There has been too much looking back at the previous administration rather than at the 4 years of this administration. And I would suggest that what we ought to do, even if it is a political year, is to get away from the hyperbole and the half truths and lay the facts out for the American people to see.

Mr. President, certainly no better advice could be followed than that given us by the former Attorney General of the United States, Mr. Mitchell, who in early 1969 said and recommended:

One would be better informed if, instead of listening to what we say, watch what we do.

Mr. President, that is good advice. Let us lay all the facts on the table, not only as far as the legislative record of the Senate is concerned, but also as far as the record of the Congress and the administration both are concerned.

May I tell my friends on the other side of the aisle that when Congress is attacked, the Republicans are attacked just as much as the Democrats. We cannot divide this body. It has 100 Members. And many of you helped to pass legislation which the President vetoed. Many Senators urged that much more be done. And I would suggest that before Republicans attack the so-called Democratic-controlled Congress—and I use that word in quotes—they look at the mote in their own eyes and again just tell the truth and lay all of the cards on the table. It will hurt no one and the country will benefit.

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

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

Mr. ROBERT C. BYRD. Mr. President, I yield my 3 minutes to the distinguished majority leader.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. PERCY. Mr. President, I ask unanimous consent that, following my



comments, I be permitted to have printed in the RECORD a chronology of the factual events with respect to the introduction of the executive reorganization bills and a brief summary of those bills and what the House and Senate has done, so that we have it clearly on the record and that we do so in the interest of—

Mr. MANSFIELD. Truth.

Mr. President, I appreciate that. However, will the Senator make sure that all the specific recommendations contained in the executive reorganization proposal are included?

Mr. PERCY. I will most certainly do so. I can certainly report that the administration recognized that it would be "pie in the sky" really to ever feel we could do in one session of Congress the total job they asked us to do. That is why I urged the administration to adopt the concept of breaking the legislation into parts that were readily discernible, definable, more digestible, and on which special hearings could be held. The President changed his reorganization concept in one instance as a result of our hearings and other objections raised, paring out of the Department of Agriculture only those things for the Department of Community Development that involve housing and related matters, matters that are not directly related to the economic activity of the production of foods and fibers to be resumed to the Department of Agriculture.

Mr. MANSFIELD. Was not that changed in the past year or so?

Mr. PERCY. In the last 6 months, I think it has helped to remove certain objections of farmers.

But I specifically stated at the outset of my comments and I limited myself to this particular aspect of the problem of which I had firsthand knowledge. I am not attempting to comment on the full range of broad-based charges against Congress, because I do feel in certain areas the administration could have helped us more, and we do have a joint responsibility.

I am aware of the day-by-day task the leadership has, and we would not want to throw sand into the legislative machinery at this late date that would get us involved in a long-winded debate on anything other than must legislation, but I feel we could have accomplished more and we could now accomplish more with a part of the executive reorganization problem, and as the Senator from New York pointed out, pick up that small part and make some rapid progress. If it looked as if we were going to move on the Community Development Department bill, then the House would, I think, take action on that also, because they have 99 percent of their work finished on it.

Mr. MANSFIELD. The Senator is correct when he suggested taking it segment by segment because the overall proposal is too much. Even a boa constrictor could not swallow that much.

Mr. PERCY. I thank the majority leader and I thank the assistant majority leader for generously yielding time.

Mr. President, as I promised the distinguished majority leader, I ask unanimous consent that the following brief chronology of congressional authority on

the President's executive reorganization proposals be printed in the RECORD:

First, a statement I made on April 1, 1971, 17 months ago, upon the introduction of these bills in the Senate, as well as statements by Senators RIBICOFF and JAVITS;

Second, a history of Senate committee hearings on these bills; and

Third, a history of House committee hearings on these bills.

At the moment the House Government Operations Committee has reported H.R. 6962, the Department of Community Redevelopment bill, but the Senate Government Operations Committee has not yet gone to markup on this bill. I think we should and can in the immediate future.

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

[From the CONGRESSIONAL RECORD, April 1, 1971]

#### EXECUTIVE REORGANIZATION PROPOSALS

By Mr. Percy (for himself, Mr. Ribicoff, Mr. Scott, Mr. Griffin, Mr. Javits, Mr. Bennett, Mr. Brock, Mr. Anderson, Mr. Dominick, Mr. Gurney, Mr. Jordan of Idaho, Mr. Mathias, Mr. Moss, Mr. Mundt, Mr. Roth, and Mr. Saxbe):

S. 1430. A bill to promote more effective management of certain related functions of the executive branch by reorganizing and consolidating those functions in a new Department of Community Development, and for other purposes. Referred to the Committee on Government Operations.

By Mr. Percy (for himself, Mr. Ribicoff, Mr. Scott, Mr. Griffin, Mr. Javits, Mr. Bennett, Mr. Brock, Mr. Anderson, Mr. Dominick, Mr. Gurney, Mr. Jackson, Mr. Jordan of Idaho, Mr. Mathias, Mr. Moss, Mr. Mundt, Mr. Roth, and Mr. Saxbe):

S. 1431. A bill to promote more effective management of certain related functions of the executive branch by reorganizing and consolidating those functions in a new Department of Natural Resources, and for other purposes. Referred to the Committee on Government Operations.

By Mr. Percy (for himself, Mr. Ribicoff, Mr. Scott, Mr. Anderson, Mr. Griffin, Mr. Javits, Mr. Bennett, Mr. Brock, Mr. Dominick, Mr. Gurney, Mr. Jordan of Idaho, Mr. Mathias, Mr. Moss, Mr. Mundt, Mr. Roth, and Mr. Saxbe):

S. 1432. A bill to promote more effective management of the executive branch by reorganizing and consolidating certain related functions of the Government in a new Department of Human Resources, and for other purposes. Referred to the Committee on Government Operations.

By Mr. Percy (for himself, Mr. Ribicoff, Mr. Scott, Mr. Griffin, Mr. Javits, Mr. Bennett, Mr. Brock, Mr. Dominick, Mr. Gurney, Mr. Jordan of Idaho, Mr. Anderson, Mr. Mathias, Mr. Moss, Mr. Mundt, Mr. Roth, and Mr. Saxbe):

S. 1433. A bill to promote more effective management of certain related functions of the executive branch by reorganizing and consolidating those functions in a new Department of Economic Affairs, and for other purposes. Referred to the committee on Government Operations.

Mr. PERCY. Mr. President, before proceeding, I ask unanimous consent that Mr. Robert Vastine, minority counsel for the committee on Government Operations, be permitted to be present on the floor of the Senate during the consideration of this matter today.

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

Mr. PERCY. Mr. President, I take great pleasure in introducing today specific legis-

lative proposals to implement the President's plans to restructure the executive branch.

I am pleased that my distinguished colleague from Connecticut, the Chairman of the Subcommittee on Executive Reorganization of the Government Operations Committee (Mr. Ribicoff) is joining me as principal cosponsor of these four landmark bills. We welcome the decision of the chairman of the Government Operations Committee, the senior Senator from Arkansas (Mr. McClellan), to hold comprehensive hearings on these bills by the full committee.

I particularly wish to mention the cosponsorship of my distinguished colleague, the Senator from New York (Mr. Javits), who is ranking member of both the Labor and Public Welfare Committee and the Executive Reorganization Subcommittee of the Government Operations Committee. Senator Javits has made the field of human betterment and resources his life work. His expertise and understanding in this field will be especially valuable when we consider the bill creating the Department of Human Resources. I know that the Senator from New York will take a leadership role in this legislation.

I wish to note also the cosponsorship of these four bills by the Senator from Utah (Mr. Moss), a member of the leadership as Secretary of the Senate Democratic Conference and author of a bill on natural resources, and by the Senator from New Mexico (Mr. ANDERSON), the able chairman of the Committee on Aeronautical and Space Sciences. The Senator from Washington (Mr. JACKSON), chairman of the Committee on Interior and Insular Affairs and second ranking majority member of the Committee on Government Operations, is cosponsoring the bill for a Department of Natural Resources. Their cosponsorship helps insure that this vital legislation will be regarded as bipartisan in every sense of the term. I also wish to note the cosponsorship of the distinguished Senator from Pennsylvania (Mr. SCOTT), the minority leader; the Senator from Michigan (Mr. GRIFFIN), the assistant minority leader; the Senator from Idaho (Mr. JORDAN), a senior member of the Committee on Interior and Insular Affairs; the Senator from Utah (Mr. BENNETT), ranking member of the Committee on Finance; the Senator from Colorado (Mr. DOMINICK), a senior member of the Committee on Labor and Public Welfare; our esteemed colleague the Senator from Ohio (Mr. SAXBE); and every Republican member of the Government Operations Committee, including Senators MUNDT, GURNEY, MATHIAS, ROTH, and BROCK, whose cosponsorship indicates that this very high priority legislation of the President should be assured of receiving expeditious and thoughtful handling by the Senate.

The need for reorganizing the executive branch has received extensive bipartisan recognition through the years. A succession of Presidential advisory commissions on Government organization, serving at the request of Presidents Roosevelt, Truman, Eisenhower, and Johnson, has recommended governmental reform. President Nixon is to be particularly commended for acting on the recommendation of his council on governmental organization—the Ash Council—in formulating and submitting to Congress these bold proposals.

To many these sweeping plans for altering the structure of Government may seem unnecessary. We have grown accustomed to working with departments and agencies that have seemed almost permanent fixtures of American Government. We have come almost automatically to conceive and legislate new programs, both great and small, within the framework of the existing departments. We frequently add new departments and agencies. Rarely do we eliminate any. As a consequence, we have perhaps been too slow to see that the resulting structures hinder the

fulfillment of the very programs created to solve the pressing problems of our society.

This is why we need to rethink our present governmental structure. Our objective is simple: We want to make Government work for people. We want to make sure that Government services are actually delivered, that taxpayers' dollars are spent well and most efficiently, that Government works as swiftly as possible to help people by solving their problems. Behind the dry prose in which these reorganization bills are couched is an overwhelmingly important, vital purpose: To show the American people that their Government can work effectively to solve the urgent problems that we see everywhere around us. If we can achieve this purpose we can answer positively the great question in the minds of so many Americans about the ability of their Government to serve them.

In the weeks ahead, we will be exploring these proposals and alternatives. While I fully accept the theory and the need for a reorganization along the lines proposed in these bills, I want to stress that I do not consider them to be in any sense final. They contain controversial changes. In hearings on the bill we undoubtedly will modify, refine, and attempt to improve these measures.

These bills would create new Departments of Community Development, Natural Resources, Human Resources, and Economic Affairs out of seven existing Departments and five agencies. The theory for the creation of these four new departments stems from the management concept that like functions should be grouped in functionally related organizations:

The Department of Community Development would gather together the broad range of programs to improve the physical, social and economic environment of our communities.

The Department of Natural Resources would improve conservation and management of our natural resources by grouping together Government programs that are now widely dispersed.

The Department of Human Resources would group together programs for the development and well-being of people.

The Department of Economic Affairs would combine Government programs for small and minority business, major programs for farm commodities, intercity transportation, and economic reporting.

Implementation of a reorganization of the executive branch along the lines proposed in these bills will bring several benefits.

One of the most significant is that Government programs will be implemented at levels closer to the people. Under these bills, regional centers will be established in 10 major cities across the country for each of the four new departments. A regional director, responsible to each new Secretary in Washington, will represent each department and expedite action on local problems. This will make it easier for people with problems to get Government help in solving them.

Another benefit is that decisions can be made more immediately at lower levels. Today too many issues reach the Chief Executive's desk for decision. By creating more rational decisionmaking structures, interagency disputes which now escalate to the White House for arbitration will be settled more quickly.

Less costly Government will be another benefit of this legislation. The reorganization of Government activities proposed in these bills will not automatically mean a reduction in Government programs, budgets, or personnel. In the transfers to the new departments, most of the present programs are expected to remain intact. However, merging related programs will enable them to operate more efficiently. As Roy Ash, chairman of the President's Council on Executive Organization, has noted, more logical consolidation of existing programs may eventually

lead to a cost saving of at least \$5 billion annually.

Mr. President, I have discussed some of the potential benefits of these bills. At the same time, I believe we must face squarely some of the problems they will raise.

One is the issue of size, since the new departments will be very large. But as Roy Ash has written:

The manageability of an agency is directly related to its own integral structure—the way authorities and responsibilities are distributed within it and the means established for interlinking and controlling these.

Size alone is no detriment of efficiency. We all know many small agencies are inefficient; some larger ones are thought to function well. For example, many small- and medium-sized businesses go bankrupt, while A.T. & T., a company with over 1 million employees and annual sales of \$17 billion in 1970 is soundly and efficiently managed.

Another problem is that of the relocation of personnel and agencies from the existing to the new organizational structures. This raises real human and organizational problems that we must seriously consider. No one wants to create needlessly an environment of insecurity and disorganization; this can result in demoralization and it can hurt the functioning of the existing agencies. I would point out, however, what I believe to be a major provision in each bill; that each person transferred under any of the bills cannot be separated or reduced in grade or compensation for 1 year after he is transferred. This provision should provide a strong measure of security to the personnel of reorganized departments. It gives ample time to establish new structures to accommodate existing employees without separation.

More efficient, more responsive, less costly Government operation is a compelling need. I hope that we can respond positively, creatively, energetically, and wisely to satisfying this need.

Mr. President, I take pleasure in sending to the desk four bills that will implement the President's reorganization of the executive branch of the Federal Government.

Mr. PERCY. Mr. President, I am happy to yield to the distinguished Senator from Connecticut, who is the chairman of the Subcommittee on Executive Reorganization of the Committee on Government Operations and the principal cosponsor of this monumental measure.

Mr. RIBICOFF. One of the great problems we face in the executive branch, in Congress and in the country is that we are so concerned with the day-to-day problems which press upon us that we give too little attention to the overwhelming problems that will confront this Nation in the future. We have an obligation, since we are proposing such a monumental reorganization, to assure that we are setting up a governmental structure that is suited to handle the problems of the future.

I would expect that in the hearings, the Members of Congress and the public will have their own ideas as to reorganization and as to the proper priorities for the country.

Knowing our committee, those of us on it are most anxious not only to cooperate with the President but also to assure that independently, from our own experiences, we will come up with proposals that we believe will move the country forward and accomplish a much more effective and efficient Government.

I look forward to the hearings, but results will not come overnight. When we reorder a government the size of the United States, there are many things to consider.

I look forward to working with the distinguished Senator from Illinois and members of the executive branch and will try to present to this body reorganization legislation that will be meaningful for the future of the Nation.

Mr. President, I am pleased to join the senior Senator from Illinois in cosponsoring legislation to reorganize the seven domestic program departments into four new super-Cabinet posts.

The President deserves great credit for proposing this monumental restructuring of the executive branch. Never before in our history has such a massive reorganization of domestic departments been presented.

I have long believed that the Federal Government needs a drastic overhaul. The present departmental organization has resulted in uncoordinated planning, piecemeal programs, and administrative chaos.

This is a critical time in our Nation's history. In recent years new programs have been oversold to the American people, and then have failed to meet their stated goals. The public has become disillusioned and dissatisfied with Government and lacks confidence that we can solve our social and economic problems.

Therefore, one of our central tasks must be to restore confidence in Government. Reorganization of the executive branch is a vital step in this direction which will allow us to change the way we do things, and do them better.

These bills should be the subject of full and complete hearings. We will want to examine not only this legislation, but also every reasonable alternative. One of these alternatives, for example, is establishment of a separate Department of Education. On Monday, I will introduce a bill for such a Department which, I believe, deserves serious consideration.

Undoubtedly, the hearings will produce many other constructive suggestions for changes, improvements and substitutes for the President's legislation. We should consider all these ideas with an open mind.

In the next 30 years, our country will face a myriad of difficult problems. By reorganization, we have an opportunity to structure our Government to meet these challenges. We must ensure that the reorganization bills we adopt will solve the problems of the future, not merely correct the mistakes of the past.

Mr. PERCY. Mr. President, at this time I yield to my distinguished colleague from New York.

Mr. JAVITS. Mr. President, there have been introduced into the Senate today, on behalf of the administration, the four bills which constitute the President's proposed reorganization of the Federal executive branch.

I join as a cosponsor of these bills as ranking minority member of the Executive Reorganization Subcommittee of the Senate Government Operations Committee.

I am very pleased that these bills are not on a take-it-or-leave-it basis. They are not reorganization plans; they are proposed laws. I have no doubt they will be amended. Indeed, I reserve my judgment and the right to introduce amendments, certainly in the area of human resources.

Our people are rightly concerned about the failure of our governmental structures to fit today's needs. Many of the findings of the President's Commission on Executive Reorganization validate and support that concern.

Therefore, I strongly support the general objectives of the Commission which simply and concisely stated is to make our Federal system work more effectively. Related functions of Government should indeed be brought together in order to bring about more effective and efficient management of our Federal programs.

I believe that the President's proposals will generate a constructive and far reaching discussion on the best way to organize the domestic activities of the Federal Government. I therefore intend to reserve judgment on the details of the proposed legislation especially as to Human Resources, and to



contribute my own views and amendments on this subject from time to time.

As ranking minority member of the Senate Labor and Public Welfare committee, I have a particular interest in the proposed reorganization of the Department of Health, Education, and Welfare into the Department of Human Resources. My interest and legislative record in this area has long been established. I therefore intend to go over this particular proposal most carefully and reserve the right to propose such amendments as may be proper.

Certainly, the President has been bold and proposed a major plan to make the Federal Government more efficient. It will engender enormous debate. I have joined in cosponsoring these bills as the ranking minority member of the subcommittee because I wish to stimulate this debate and arrive at a conclusion in this matter. The Government very definitely needs reorganization in several areas, and that is the central thrust of these bills.

#### SENATE HEARINGS ON EXECUTIVE REORGANIZATION PROPOSALS—S. 1430, S. 1431, S. 1432, AND S. 1433

S. 1430 (Percy and 14 cosponsors)—H.R. 6962 and H.R. 6964:

To promote more effective management of certain related functions of Exec. Br. by reorganization and consolidation of functions in a new Department of Community Development.

4/19/71—comments requested from Chmn., Comm. Agric., Labor, Banking and Sel. Com. on Sm. Bus.

Hearings—May 25, 26, June 22, Nov. 16, 17, 18, 1971; Apr. 11, 12.

S. 1431 (Percy and 15 cosponsors)—H.R. 6959:

Creation of a new Department of Natural Resources.

4/19/71—comments requested from Chmn. Armed Ser., Atomic Ener., Interior, Comm., Pub. Wks.

Hearings—May 25, 26, June 22, Aug. 5, 1971. S. 1432 (Percy and 14 cosponsors)—H.R. 6961:

Creation of a new Department of Human Resources.

4/19/71—comments requested from Comm., Labor, Banking, Finance and Judiciary.

Hearings—May 25, 26, June 22, 1971. S. 1433 (Percy and 14 cosponsors)—H.R. 6960 and H.R. 6965:

Creation of a new Department of Economic Affairs.

4/19/71—comments requested from Chmn. Rules, Aero and Space, Interior, Agric., Pub. Wks., Labor, Banking and Finance.

Hearings—May 25, 26, June 22, 1971.

#### HOUSE HEARINGS ON EXECUTIVE REORGANIZATION PROPOSALS—H.R. 6959, H.R. 6960, H.R. 6961, AND H.R. 6962

Overview hearings on all 4 bills held: June 2, 3, 7, 8, 14, 16 and July 7, 8, 22, and 27, 1971.

Hearings on H.R. 6962, Department of Community Development held: November 3, 9, 11—1971.

January 25, 27; February 7, 8, 29; March 1, 2, 9, 13, 14, 21, 27; April 11, 1972. H.R. 6962 reported by House Government.

Operations Committee May 25, 1972.

#### INTERIM AGREEMENT ON LIMITATION OF STRATEGIC OFFENSIVE WEAPONS—PROCEDURE

Mr. SCOTT. Mr. President, on the time of the assistant majority leader, may I raise a question on the interim agreement? I think the record should show that the distinguished majority leader and I are giving serious consideration to what we must do next week if we

cannot have an agreement or time limitation, and we include the possibility of cloture. The membership should be so advised.

Mr. MANSFIELD. The Senator is correct. We have discussed this over the past few days, and if there is no momentum, if this stalling continues, we will introduce a joint cloture motion and hope we can move ahead.

Mr. SCOTT. I thank the Senator, because there is stalling going on.

#### EXTENSION OF PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, may I be recognized for 3 minutes?

The PRESIDING OFFICER. The time for routine morning business has expired.

Mr. MANSFIELD. Mr. President, I hate to do this, being in this position, but I ask unanimous consent that the time for the transaction of routine morning business be extended for 3 minutes.

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

#### MONTANA, CANCELLATION OF SAFEGUARD, AND IMPOUNDED HIGHWAY TRUST FUNDS

Mr. MANSFIELD. Mr. President, through the alertness of the Montana Highway Department and my colleague, Senator METCALF, it has come to my attention that last month the U.S. District Court for the Western District of Missouri in a case entitled "State Highway Commission of Missouri against John A. Volpe, Secretary of Transportation, and Casper W. Weinberger, Director of the Office of Management and Budget," held that the Secretary could not withhold highway trust funds obligatory authority from the State of Missouri on reasons related to the prevention of inflation of wages and prices in the national economy.

The court stated that the intent of Congress, as expressed in the Federal Aid Highway Act, was clear and unambiguous: that these funds could not be withheld for any reason except as specified within the act itself.

The distinguished Senator from Oklahoma (Mr. BELLMON) has spearheaded efforts in this body to mandate the release of impounded highway trust funds. His bill, S. 3877, to achieve that goal is currently pending before the Committee on Finance. Senator METCALF and I have expressed our interest in obtaining the release of impounded funds to promote employment in Montana to offset massive unemployment following cancellation of construction on the ABM site in north central Montana.

The Senate should be aware of this court decision in Missouri because it does relate to our deliberations of Senator BELLMON's bill. He proposes to offer the same intent as an amendment to the debt ceiling bill if that bill comes before this body prior to consideration of S. 3877.

In my own State of Montana, the administration has withheld authority for

nearly \$50 million in highway funds. That represents roughly a 35-percent reduction in the highway construction program in Montana during the last 2 years, as pointed out by my colleague on August 3. Since this reduction follows on the heels of the removal of a commitment for \$189 million in construction on the Safeguard system in Montana over the next 3 years, the Montana economy has been dramatically depressed and unemployment has soared.

It is my understanding that the administration has also withheld highway trust fund authority from other States. Therefore, I believe my colleagues will want to know about this recent court decision. It is disappointing that the administration should have taken this action of impounding highway trust funds solely on the grounds of preventing inflation. I can think of better ways for combating inflation. To name but two, the administration could reduce the levels of our troop commitments in Europe or end our costly involvement in Vietnam.

I hope that in view of this court decision the administration will reconsider its attitude and action with regards to the highway trust fund so that this important contribution to our national economy can go forward. Senator METCALF and I have asked for the release of \$33.7 million in highway trust funds for Montana; we have asked for the immediate release of \$8.5 million for commitment to projects within the five-county area adversely affected when ABM construction was halted, with the further release of \$13.2 million after the first of the calendar year also for commitment in the five-county north central Montana area. Our requests have been modest. If this court decision is upheld on appeal, the administration will have no alternative to the release of all funds to Montana and the other States of the Nation.

I ask unanimous consent to place the findings of the court in the RECORD at this point as well as recent statements on this subject made by my distinguished colleague, Senator LEE METCALF.

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

[In the United States District Court for the Western District of Missouri, Central Division, Civil Action No. 1616]

THE STATE HIGHWAY COMMISSION OF MISSOURI, PLAINTIFF, v. JOHN A. VOLPE, SECRETARY OF TRANSPORTATION OF THE UNITED STATES, AND CASPER W. WEINBERGER, DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET OF THE UNITED STATES, DEFENDANTS

FORMAL JUDGMENT CONFIRMING JUDGMENT FOR PLAINTIFF ORALLY RENDERED AND ENTERED JUNE 19, 1972, ISSUING WRIT OF MANDAMUS, INJUNCTION AND FOR DECLARATORY JUDGMENT

Now on this 19th day of June 1972, this civil action was called for trial on the amended complaint pursuant to notice and order setting the action for trial. The plaintiff appeared by its counsel, Robert L. Hyder, Esquire, and Michael McCabe, Esquire. The defendants appeared by their counsel, Stuart E. Schiffer, Esquire, and Kenneth Cranston, Esquire.

Counsel for the defendants suggested the succession of Casper W. Weinberger to the

original defendant George Shultz as Director of the Office of Management and Budget of the United States. Thereupon on motion of counsel for defendants, it was ordered pursuant to Rule 25(d), F.R.Civ.P., that Casper W. Weinberger be, and he was, in his official capacity, substituted as party defendant for the original defendant George Shultz.

The second, third and fourth defenses of the answer of defendants were taken up, submitted and denied. In this connection it was concluded that (1) the plaintiff does not lack standing to maintain this action, (2) the Court does not lack jurisdiction over the subject matter of the action and (3) the complaint does not fail to state a claim upon which relief can be granted.

On the initiative of the Court the unnumbered last paragraph of the first defense of the answer was stricken as redundant, surplusage, and an impermissible form of qualified general denial in the context of the pleadings in this case.

With approval of the Court the parties stipulated that the record of the evidentiary hearing and arguments of June 24, 1971, in this cause be considered as part of the argument and evidence offered this day on the amended complaint without prejudice to any objection, motion, argument, legal contention and factual contention therein made, so that it should not be necessary for any party to reoffer at the trial any evidence offered on June 24, 1971.

Then this action was called for trial by the Court, without a jury. Plaintiff and defendants answered ready for trial. Opening statements were made by counsel for the plaintiff and defendants. Evidence in chief of the plaintiff was offered and received. The plaintiff rested. Then the defendants moved for dismissal under Rule 41(b) F.R.Civ.P., on the ground that on the facts and the law plaintiff is not entitled to relief, which motion was denied. The defendants offered evidence in chief and rested. The plaintiff rested without offering evidence in rebuttal. The issues were thereupon submitted by the parties for decision. Thereupon the following findings of fact and conclusions of law were made by the Court:

#### JURISDICTION

On the subject of jurisdiction it was found and concluded that the Court has jurisdiction to hear and determine the issues under each of the following statutes independently:

(1) Section 1361, Title 28, U.S.C.A., relating to actions in the nature of mandamus to compel an officer of the United States to perform a duty owed to the plaintiff.

(2) Chapter 7, Title 5, U.S.C.A., judicial review of administrative agencies, including Sections 702, 703, 704, 705 and 706.

#### VENUE

On the subject of venue it is found that venue of this action is properly laid in this district and that the defendants do not claim lack of venue.

#### REMEDIES AVAILABLE

The remedies available under Section 1361, Title 28, U.S. include mandamus, prohibitory injunction, mandatory injunction and declaratory judgment in the nature of mandamus.

The remedies available under Chapter 7, Title 5, U.S.C.A. include (1) holding unlawful and setting aside of agency action that is arbitrary, an abuse of discretion, or otherwise not in accordance with law or in excess of statutory jurisdiction, authority, limitations or short of statutory right (§ 706) and (2) any form of legal action including declaratory judgment and writs of prohibitory or mandatory injunction (§ 703). Cf. *Citizens to Preserve Overton Park v. Volpe*, 401 U.S. 402, 28 L.Ed. 2d 136, 91 S.Ct. 814.

On the question of finality of the agency

action under review, and exhaustion of administrative remedies, it is found and concluded that the agency action under review is final and that unexhausted administrative remedies exist. Cf. § 704, Title 5, U.S.C.A.

On the question of adequacy of other remedies at law, it is found and concluded that plaintiff has no remedies in court at law or otherwise except those available in this action.

#### STANDING TO MAINTAIN THIS ACTION

Under federal law, the Constitution of Missouri and the statutes of Missouri, the plaintiff has standing to maintain this action as the state agency invested with exclusive and plenary powers and duties on behalf of the State of Missouri to receive and administer all federal highway funds and apportionments. Sections 226.010 to 226.190 R.S. Mo. inclusive, particularly Sections 226.020, 226.150, 226.190 R.S. Mo.; Sections 29, 30(a) and 30(b), Article 4, Constitution of 1945; Section 101, Title 23, U.S.C.A., defining "State highway department."

#### DECISION ON THE MERITS

In order to accelerate the construction of the Federal-aid highway systems, including the National System of Interstate and Defense Highways ("System" hereinafter) and to provide for the prompt and early completion of the entire System simultaneously, the Congress of the United States enacted, and has from time to time amended, Title 23, United States Code, a comprehensive Federal-Aid Highway Act ("Act" hereinafter). Title 23, U.S.C.A.

To insure continuing adequate federal-aid moneys for completion of the System, Congress created the Highway Trust Fund ("Fund" hereinafter). Historical Note, § 120, Title 23, U.S.C.A. The defendant Secretary of Transportation of the United States ("Secretary" hereinafter) has been given the functions, powers and duties to administer the Fund in accordance with the Act, which provides a comprehensive plan and precise standards for apportioning the Fund annually, and for obligation of the Fund by state highway commissions in accordance with the Act. Sections 101 to 215 inclusive, Title 23, U.S.C.A.

Anticipating the possibility of executive or administrative impoundment or withholding of the apportioned Fund for legally impermissible reasons, Congress undertook to avoid such unauthorized action by making its intent clear and unambiguous in paragraph (c) of § 101, Title 23, U.S.C.A., which reads as follows:

"(c) It is the sense of Congress that under existing law no part of any sums authorized to be appropriated for expenditure upon any Federal-aid system which has been apportioned pursuant to the provisions of this title shall be impounded or withheld from obligation, for purposes and projects as provided in this title, by any officer or employee in the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the Highway Trust Fund to defray the expenditures which will be required to be made from such fund."

Paragraph (c) is now a part of the Act, Title 23, U.S.C.A., and is to be read and construed in the context of the comprehensive plan for administration of the Fund and the Act. Even if paragraph (c) were absent, the intent of the Act would be the same.

The record establishes without controversy that the Secretary with the approval of his co-defendant has from time to time by administrative action effectively withheld from the plaintiff, The State Highway Commission of Missouri ("Missouri" hereinafter),

the obligation of sums lawfully apportioned to the State of Missouri from the Fund. Presently Missouri is forbidden by administrative action of the Secretary from obligating over \$80,000,000 of the apportionment for the fiscal year 1973. (Apportioned funds for a coming fiscal year may be obligated in the preceding fiscal year under the Act.) The practice of ordering the withholding of obligation of parts of the apportionments has continued for a number of years, without reference to any fixed period of time. Often the withholding was done on a quarterly basis. Presently the withholding is fixed on an annual basis.

The effect of this practice, and of the current withholding of obligation by Missouri of prior apportionments and a large part of its apportionment from the Fund for the fiscal year 1973, has caused great and incalculable injury to Missouri because of continuing inflation of highway costs, and interruption of efficient obligation of the funds apportioned to Missouri. Missouri has provided proof of this injury beyond the customary burden of proof by a preponderance of the evidence.

As a part of this proof, Missouri has established that it is and has been able, ready and willing, and desires and has desired, to obligate its apportionment from the Fund but is and has been prevented from doing so by the defendant Secretary, with the approval of his co-defendant Director. In this connection Missouri has proven that presently and in the past it has developed plans and projects which would be approved under the Act, and regulations made pursuant thereto, except for the withholding of the obligational authority by the Secretary. Therefore Missouri is entitled to relief if the action of the Secretary in withholding from obligation is unauthorized, without his discretion, arbitrary or otherwise illegal.

The Secretary claims that the law invests in him discretion to withhold from time to time authority for Missouri to obligate its unexpended apportionments. The Secretary concedes that the apportionments can readily be paid by the Fund from the ample moneys presently therein. If the Secretary lawfully possessed the discretion he claims Missouri should be given no relief. It has been concluded, however, that the current, as well as the past and possible future, withholding of obligational authority for the reasons relied on by the Secretary has been, is and will be, unauthorized, and without the lawful discretion of the Secretary.

The reasons advanced by the Secretary for the current and past withholding of obligational authority are foreign to the standards and purposes of the Act and the Fund. The reasons relied on are related to the prevention of inflation of wages and prices in the national economy. These reasons are impermissible reasons for action which frustrates the purposes and standards of the Act, including but not limited to those in Section 109, Title 23, U.S.C.A. Therefore it is not within the discretion of the Secretary to withhold obligational authority from Missouri, and judicial relief should be granted to Missouri. *Citizens to Preserve Overton Park v. Volpe*, 401 U.S. 402, 28 L. Ed. 2d 136, 91 S. Ct. 814, § 706, Title 5, U.S.C.A.

The appropriate relief to which Missouri is entitled includes prohibitory or mandatory injunction, and declaratory judgment. § 703, Title 5, U.S.C.A. It also includes mandamus. § 1361, Title 28, U.S.C.A. Missouri has no other adequate judicial or administrative remedy except this action. Therefore judgment will be entered granting an injunction, a writ of mandamus and a declaratory judgment.

#### JUDGMENT GRANTING INJUNCTION

It is therefore

Ordered and adjudged that the defendants and each of them and their subordinates be,



and they are hereby, enjoined and restrained now and in the future from withholding from Missouri, directly or indirectly, any authority to obligate its apportionment of Highway Trust Fund, for the fiscal year 1973 for any reason or reasons relating to the prevention or control of inflation in the national, regional or local economies, or in wages or prices in the nation, or any region or locality therein, or any combination of such reasons.

#### JUDGMENT GRANTING WRIT OF MANDAMUS

For the foregoing reasons, in addition and independently, it is hereby further

Ordered and adjudged that the defendant John A. Volpe, and his subordinates, be and they are hereby, commanded to annul and revoke by official act in writing the current announcements, orders, directives, limitations, regulations and other official written and printed documents and evidences of withholding of authority of Missouri to obligate its apportionment from the Highway Trust Fund for the fiscal year 1973.

#### DECLARATORY JUDGMENT

For the foregoing reasons, it is hereby further

Declared and adjudged that the currently effective, and past official actions of the Secretary of Transportation, and his subordinates, in withholding authority from Missouri to obligate any apportionment from the Highway Trust Fund for reasons related to the prevention or control of inflation in the national, regional or local economies, or in wages and prices in the nation, or any region or locality therein, is unauthorized by law, illegal, in excess of lawful discretion and in violation of the Federal-Aid Highway Act.

#### RETENTION OF JURISDICTION

It is further

Ordered that this Court retain jurisdiction of this action for the purpose of making and entering such further orders and judgments and taking other judicial action necessary, or desirable, to implement and enforce the judgments herein, and any one or more of them.

#### ORDER ON COSTS

It is

Ordered that each party bear its or his own costs in this Court.

WILLIAM H. BECKER,  
Chief Judge.

Kansas City, Missouri, August 7, 1972.

#### PROHIBITION OF IMPOUNDMENT OF HIGHWAY TRUST FUNDS

Mr. METCALF, Mr. President, I wish to extend my appreciation to the Senator from Oklahoma (Mr. BELLMON) for introducing S. 3877, a bill to prohibit the impoundment of funds from the highway trust funds which have been apportioned and appropriated. I hope the Committee on Finance can expedite handling of the bill so we may take early action upon it. I was prepared to support the Senator from Oklahoma when he offered an amendment to the debt ceiling legislation to achieve the same purpose. I will support his bill when it is reported to the Senate, and if need be, I will support his amendment when the debt ceiling legislation is again under consideration. However, I fervently hope we may be able to act upon his bill long before the debt ceiling legislation is again before us.

My concern for early action is extensive unemployment in Montana as a direct consequence of Federal actions.

During the last 2 years, the highway construction program in Montana has been reduced about 35 percent. The immediate consequences of that employment reduction by the Office of Management and Budget were not immediately felt because simultaneously, additional employment was being created through construction of the ABM system.

However, this year both events came together to create an employment crisis in Montana. The steady reduction in the highway construction program is now painfully

apparent in Montana because of the ABM construction cancellation, a result of the administration's SALT agreements with the Soviet Union.

Mr. President, in both of these situations, unemployment in Montana has been a direct consequence of Federal programs. When the orders to cease construction of the ABM system in Montana were received, over 1,000 workers were dumped into the labor market with only 1 day's severance pay. Those 1,000-plus workers were directly involved in construction of the ABM system, while at least another 1,000 indirectly involved lost their jobs in the wake of cancellation of ABM construction.

Employment statistics for one county alone tell the consequence. In May, Liberty County's unemployment rate was less than 4 percent; 1 month later the unemployment rate was 9 percent. That increase in unemployment has been similarly felt throughout the State of Montana.

Many efforts have been made to alleviate that unemployment crisis. One of the efforts undertaken is the result of superb cooperation by the Montana Highway Department and its very able director, Mr. H. J. Anderson. Working closely with the congressional delegation and the Governor's office, the Montana Highway Department has identified highway construction projects for letting this fiscal year which would entail the release of \$21.7 million in Federal funds within the five-county area most directly affected by cancellation of ABM construction. Some of these projects were scheduled for 1976, but have been advanced to generate employment now for the hundreds of workers displaced by Federal action. It has done so with a considerable investment of manpower and time. In addition, the Montana Highway Department has advanced two projects within the affected area for a special letting this month and will fund those with available funds.

It is incumbent upon the Federal Government to take action to alleviate the unemployment crisis in Montana generated by Federal actions. The Office of Management and Budget has over \$48 million impounded which has been apportioned and appropriated for Montana. Senator MANSFIELD, Congressman MELCHER, and I have asked for the release of \$33.7 million, which we have been advised the State could match for immediate use this fiscal year.

The Office of Economic Adjustment in the Department of Defense has suggested the immediate release of \$8.5 million for projects within the five-county area which can be let during the rest of the calendar year, with further reference to the release, after the first of next year, of an additional \$13.2 million, for projects which can be let during the first half of calendar year 1973.

The apparent justification cited by the administration for impounding highway construction funds is that such impoundment serves as a curb to inflation. Regardless of the figure asked for release to Montana, that release could not be construed as inflationary. The ABM construction program would have entailed the expenditure of \$210 million in Montana during the next 3 years. The immediate release of an additional \$8.5 million for Montana would still leave our highway construction program with less funding than available during the fiscal year. Even the release of the entire \$21.7 million for the five-county area would leave Montana's total highway construction program less than it was 2 fiscal years ago. Indeed, the release of the \$33.7 million the congressional delegation has asked would leave the highway construction program roughly at the level of 2 years ago. The release of the entire \$96 million allotted to Montana for highway construction is less than the total which would have been spent on the ABM construction and the highway construction programs as proposed by the Office of Management and Budget.

In view of these circumstances—an unemployment crisis generated by Federal action and the fact that the release of additional highway construction funds to Montana is noninflationary—I do not understand why the Office of Management and Budget hesitates to grant the request of the Montana congressional delegation.

If Senator BELLMON's bill were law today, many hundreds of Montanans would be engaged in productive work, work that is needed for the national interest. It clearly has been the congressional intent that these highway trust funds be committed and used. The failure of this administration to use funds duly apportioned and appropriated has caused economic chaos in Montana and elsewhere. The speedy passage of Senator BELLMON's bill will greatly reduce that economic chaos.

#### FUNDS FOR HIGHWAY CONTRACT PLACEMENT IN MONTANA

Mr. METCALF, Mr. President, the Montana Senators support the administration in its efforts to promote world peace, especially the international agreements entered into by the President and the Soviet Union. This we do knowing full well that the cancellation of the one Safeguard project has created a tremendous economic impact in our State—the only area which is immediately affected by these international agreements.

The administration has a very definite responsibility in assisting the people and communities of north central Montana. Several agencies of the Federal Government have already responded to this need and the people of the area are most appreciative. The greatest need is to provide jobs to absorb the unemployment created by the stoppage of this huge contract. The most immediate possibility which has come to the attention of the Montana delegation is the highway construction program. The State of Montana has some \$19 million worth of highway projects which could be placed under contract immediately if the Department of Transportation would release the funds to Montana.

Senator MANSFIELD and I earlier this month made an appeal to the Secretary of Transportation asking that Federal funds be released to the State either from a reallocation of funds for this current fiscal year or the release of moneys held by the Office of Management and Budget. The response from the Secretary of Transportation is something less than encouraging.

Mr. President, I ask unanimous consent that at this point in my remarks Senator MANSFIELD's and my letter of June 5 and the Secretary's response be printed in the RECORD.

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

U.S. SENATE,

Washington, D.C., June 5, 1972.

HON. JOHN VOLPE,  
Secretary, Department of Transportation,  
Washington, D.C.

DEAR MR. SECRETARY: The State of Montana was slow to proceed with the construction of the Interstate Highway System in the early years of the program but now advises it is in a position where they can proceed rapidly in completing this construction only to find that they do not have the federal funds with which to proceed. At the present time, our State has utilized all 1972 authority obligations and, if funds were available, they could let contracts for some nineteen million dollars worth of construction before the end of this fiscal year.

We would appreciate knowing if the Department intends to assess the amount of the federal highway funds unobligated in the fifty states for a possible reallocation prior to June 30th. If this is done, we ask that Montana be given special consideration. The highway construction program has been of

considerable economic importance to the State. It can be an even more important instrument in stabilizing the State's economy at a time when we are attempting to respond to the economic chaos created by the recent announcement by the Administration to suspend construction of the Safeguard Project in northcentral Montana. An accelerated highway construction program could absorb a considerable number of the work force which anticipated employment for the Safeguard.

The difficulties created by the suspension of the Safeguard Project are the responsibility of the Department of Defense and we believe that the Administration has a responsibility to assist the people of Montana in adjusting to this situation. This assistance can best come from non-military sources. The release of additional highway funds to the State of Montana is, in our estimation, the most immediate source of financial aid. Your cooperation would be most appreciated.

With best personal wishes, we are

Sincerely yours,

MIKE MANSFIELD,  
U.S. Senate.  
LEE METCALF,  
U.S. Senate.

SECRETARY OF TRANSPORTATION,  
Washington, D.C., June 21, 1972.

Hon. MIKE MANSFIELD,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MANSFIELD: We are responding to your letter of June 5, co-signed by Senator Metcalf, concerning obligation authority available for the Federal-aid highway program in Montana during the fiscal year 1972.

As you know, the Federal-aid highway funds authorized by the Congress and apportioned to the States in accord with Title 23, U.S.C., are released for obligation in accord with budgetary requirements and economic stabilization programs in effect since 1966. Ceiling limitations for the program are set by the Office of Management and Budget.

A total of \$52.9 million has been made available to Montana for obligation during the current fiscal year and these funds have been nearly all obligated. We regret that the funds available for obligation are insufficient to permit Montana to proceed more rapidly with completion of its Interstate System as an offset to suspension of the Safeguard project.

As discussed in your letter, we are taking steps to redistribute the fiscal year 1972 obligation authority that will not be used by some States. However, we have determined that all but a very few States will make full use of their funds, as has Montana, and that the amount available for redistribution will be very minimal.

We will endeavor to release additional obligating authority to Montana if it is possible to do so from the funds available for redistribution. Otherwise we have no additional obligating authority that can be made available to Montana for the fiscal year 1972.

Obligating authority for the fiscal year 1973 is being released to the States in total effective July 1, 1972. Montana's share of the total \$4.4 billion is \$46.3 million, and this release will permit the State to proceed with its program more promptly than if the funds were to be made available on a quarterly basis.

You may be sure that we will make additional obligating authority available to Montana whenever possible.

Sincerely,

JOHN A. VOLPE.

Mr. METCALF, Mr. President, this situation prompts me to express great concern about the administration's handling of the Nation's highway program. The Congress has consistently increased the authority for high-

way construction yet the administration, through the Office of Management and Budget, has reduced the highway program while highway funds continue to accumulate in the trust fund. In the current fiscal year, \$52.9 million were made available to Montana for obligations. I am now advised that during the next fiscal year, Montana's share will be reduced to \$46.3 million. This reduction comes at a time when the State could easily expand its highway construction program.

Senators know, of course, that the motorists of the Nation pay gasoline taxes which are channeled into the highway trust fund. These moneys are piling up and are not being used for their intended purpose. By the end of fiscal year 1971, the trust fund accumulated \$3.586 billion, by the end of fiscal year 1972 it will have accumulated \$4.391 billion and it is estimated that by the end of fiscal year 1973, the fund will contain \$5.128 billion. The highway trust fund is, in fact, lending money to the general fund and collecting \$200 million interest. The administration is using the highway fund as a financing device rather than for highway construction. It would seem that the citizens of the Nation can, with justification, request a reduction in the gasoline tax if they are not to realize the benefits for which the tax is collected.

In addition, I do not like reports I have been receiving that the Federal highway authorities are placing far greater emphasis on urban construction at the expense of highways in rural States. I need not remind Congress that in many of our cities, they are resisting freeway and highway construction. It would seem that the time has come for Congress to reassert some of its authority over the highway construction program.

I respectfully suggest that the Senate Committees on Public Works, Finance, and Appropriations have a responsibility to review the usage of highway construction funds and the goals of the Nation's highway program.

#### COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

##### REPORT OF EMERGENCY LOAN GUARANTEE BOARD

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report of the Emergency Loan Guarantee Board, covering the period August 9, 1971, through July 31, 1972 (with an accompanying report); to the Committee on Banking, Housing and Urban Affairs.

##### REPORT OF COMPTROLLER GENERAL

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Training and Equipping the Army National Guard for Maintaining Order During Civil Disturbances," Department of the Army, dated September 8, 1972 (with an accompanying report); to the Committee on Government Operations.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LONG, from the Committee on Finance, without amendment:

H.R. 3786. An act to provide for the free entry of a four octave carillon for the use of Marquette University, Milwaukee, Wis. (Rept. No. 92-1106).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H.R. 12638. An act for the relief of Sgt.

Gary L. Rivers, U.S. Marine Corps, retired (Rept. No. 92-1101).

By Mr. HRUSKA (for Mr. McCLELLAN), from the Committee on the Judiciary, with an amendment:

S. 750. A bill to provide for the compensation of persons injured by certain criminal acts, to make grants to States for the payment of such compensation, and for other purposes (Rept. No. 92-1104).

By Mr. HRUSKA (for Mr. McCLELLAN), from the Committee on the Judiciary, with amendments:

H.R. 15883. An act to amend title 18, United States Code, to provide for expanded protection of foreign officials, and for other purposes (Rept. No. 92-1105).

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

S. 3822. A bill authorizing the city of Clinton Bridge Commission to convey its bridge structures and other assets to the State of Iowa and to provide for the completion of a partially constructed bridge across the Mississippi River at or near Clinton, Iowa, by the State Highway Commission of the State of Iowa (Rept. No. 92-1102).

By Mr. WILLIAMS, from the Committee on Banking, Housing and Urban Affairs, with an amendment:

S. 3939. A bill to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes (Rept. No. 92-1103).

By Mr. RIBICOFF, from the Committee on Government Operations, without amendment:

S. 3970. A bill to establish a Council of Consumer Advisers in the Executive Office of the President, to establish an independent Consumer Protection Agency, and to authorize a program of grants, in order to protect and serve the interests of consumers, and for other purposes (Rept. No. 92-1100).

#### EXECUTIVE REPORTS OF COMMITTEES

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

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

Frank D. McCown, of Texas, to be U.S. attorney for the northern district of Texas.

By Mr. PASTORE, from the Committee on Commerce:

Thomas B. Curtis, of Missouri, to be a Member of the Board of Directors of the Corporation for Public Broadcasting.

By Mr. SPONG, from the Committee on Foreign Relations, without reservation:

Executive J, 92d Congress, second session, Protocol Amending the Single Convention on Narcotic Drugs, 1961, signed for the United States at Geneva on March 25, 1972 (Executive Report No. 92-33).

#### 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. RIBICOFF (for himself, Mr. JAVITS, and Mr. PERCY):

S. 3970. A bill to establish a Council of Consumer Advisers in the Executive Office of the President, to establish an independent Consumer Protection Agency, and to authorize a program of grants, in order to protect and serve the interests of consumers, and for other purposes. Referred to the Committee on Government Operations.

By Mr. SCOTT:

S. 3971. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross



income amounts of disaster relief loans canceled pursuant to laws of the United States. Referred to the Committee on Finance.

By Mr. HUMPHREY (for himself and Mrs. EDWARDS):

S.J. Res. 265. A joint resolution to provide grants for Allen J. Ellender fellowships to disadvantaged secondary school students and their teachers to participate in a Washington public affairs program. Referred to the Committee on Labor and Public Welfare.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCOTT:

S. 3971. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income amounts of disaster relief loans canceled pursuant to laws of the United States. Referred to the Committee on Finance.

Mr. SCOTT. Mr. President, President Nixon has recently approved legislation to grant victims of the floods numerous benefits, among which is a so-called "forgiveness" of up to \$5,000. The tax laws have been amended to allow taxpayers to deduct this year's losses from last year's taxes, thus generating a refund. However, the tax laws will count as taxable income any forgiveness granted pursuant to a disaster loan. For example, a homeowner who receives a \$10,000 disaster loan must only pay back the second \$5,000—the first \$5,000 is, in essence, a grant; and as such it is taxable.

I am, today, introducing a bill to exclude from gross income amounts of disaster relief loans canceled pursuant to existing disaster aid laws. In this way, the Government is not placed in a position of giving money with one hand and taking it away with the other. The forgiveness feature of the law will have its full impact and the victims of these terrible tragedies will be able to readjust more quickly.

By Mr. HUMPHREY (for himself and Mrs. EDWARDS):

S.J. Res. 265. A joint resolution to provide grants for Allen J. Ellender fellowships to disadvantaged secondary school students and their teachers to participate in a Washington public affairs program. Referred to the Committee on Labor and Public Welfare.

#### ALLEN J. ELLENDER FELLOWSHIPS FOR YOUTH

Mr. HUMPHREY. Mr. President, throughout my years in public life, I have believed that one of the key responsibilities of any public servant is to see that our system of Government is open to the participation of young people. I believe in this principle not only because the young deserve this opportunity, but because our Nation surely needs their talent, their enthusiasm, and the benefit of their ideas. It is for this reason that I was particularly proud to have cosponsored the measure that gave 18-year-olds the right to vote. And, it is for this reason that I have a very special interest in a program which is aimed squarely at bringing young people into close contact with the American government system—the Close Up program.

Close Up is a nonprofit, nonpartisan forum on the involvement of youth in government. The basic method of the program is simple: to bring young people to Washington to see our government firsthand; to meet people in government; to see government in action. But the result is the important thing, and the result is a genuine understanding and appreciation of the nature of our system of government and its opportunities.

For Close Up is designed to demonstrate to today's youth that Government is not an inflexible, impersonal machine. Rather, Government is made up of people who are indeed willing and anxious to talk to the public which they serve. Close Up introduces its participants to the very real chances for effective and constructive involvement in the dynamics of Government. And it exposes the opportunities for constructive change within the system in the best possible way: By showing Government as it is, rather than by asking people to accept anyone's word for it.

With this central theme of understanding through involvement and exposure, Close Up has brought to Washington during its full first year more than 2,700 students and teachers from communities throughout the country for 7 days of intensive seminars, dialogs, and discussions with Senators, Congressmen, Supreme Court Justices, Government agency officials, lobbyists, media personnel, and many other individuals active in the Federal Government. It has been my privilege to have addressed several of these Close Up programs, and let me tell you that their message is a good message, a fair message, and a message well learned. These students are the most interesting, enthusiastic, and vibrant that I have ever met.

But this is not the most unique aspect of this Close Up program. If I may quote the words of our beloved and distinguished colleague, Senator Allen J. Ellender, who gave many hours to the development and success of this program and its concept, it can help explain why this program is so worthy of attention. In a February 1972 report to his constituents, Senator ELLENDER said:

The Close Up concept differs from that of other programs in that a broad cross section of young people is brought to Washington. . . . Close Up does not necessarily take the top scholars from only a few high schools. Nor do only those who can afford to pay for the trip participate in Close Up. . . . By awarding participation grants to economically disadvantaged youths and combining these students with those who can afford to pay the program tuition themselves, a unique environment for learning has been created. . . . For the first time ever, many of these students work together with students of different ethnic, religious, and economic backgrounds.

During the first year alone, Close Up has committed and provided 1,050 financial assistance grants to create this unique atmosphere. And, in addition, one-quarter of the remaining 1,700 participants were involved in a variety of community efforts to raise their own grant money.

This alone makes Close Up a unique

program. But the aspect of the program that is most intensely significant to me and I believe to the whole country, is the fact that this sense of community and feeling of camaraderie does not end on the plane trip home. The Close Up experience moves whole communities. I personally have seen this in the creation and execution of the Minneapolis-St. Paul program which brought more than 200 Minnesotans to Washington.

These were not 200 students from a special place or a particular school. They came from virtually every high school—public, private, and parochial—in the community area, and just as important, they came together, to take part in the Close Up program in Washington. Upon return home, students and teachers alike formed committees to look into community problems, sent delegates to both State party conventions, and through such actions and others, began to make the Close Up spirit the spirit of the community.

This type of experience did not stop at the borders of my own State. The same spirit was created in each city where Close Up went. Here are some of the results:

Houston—a Close Up program patterned after the national program is being set up within the public school system to study State and local government.

Miami—Close Up participants received the equivalent of one credit in government for their participation in the program.

New Orleans—several follow-up meetings have taken place. Steering committees have been appointed; a nucleus of young people encompassing the entire metropolitan area has begun to work together.

Broward County, Fla.—Participants have formed an action club in which they hope to donate their services to needy Americans (particularly in migrant camps).

Tulsa, Okla.—A new course of study has been added to a high school curriculum called "American Realities," which will encompass a Close Up type of experience and will culminate in the national Close Up program.

Atlanta—In the metropolitan Atlanta Close Up program, 90 high schools representing 11 public school systems, private, and parochial schools, worked together throughout 4 weeks of their program.

Communities have grasped this concept with enthusiasm, well recognizing the vital importance today of enabling young people to build their own sense of community and country. Large and small newspapers have responded with generous words of encouragement. Mayors have declared Close Up Day and Week for their city. Businesses, large and small, have contributed to increase area or community participation; individuals throughout a community have helped make the broad cross section of participation a reality.

Close Up is more than an educational experience. It is a human experience, where all participants are truly equal. There are no rich and poor; no black

and white; no shunned minority. There are only people trying to learn about people. It is for that reason that I am inspired by the progress of this organization and am honored to serve on its board of advisers. Close Up truly has done what so many of us are seeking to do to make this a more humane society.

Let me again quote the man who was an integral part of the fabric of the Close Up idea. Said Senator Ellender, when asked about Close Up:

I have seen the program accomplish its central theme of understanding through involvement and exposure. By the end of its first year of operation, 2,500 young people will have been brought to Washington for a week-long, intensive look at the governmental system that many of them had thought to be unresponsive. I think they have learned that the system is flexible and that it shall continue to do great things for America. Close Up has shown them that government is made up of people just like themselves . . . people have a sincere concern for the future of this country. The input of our young people into the future course of the United States is most important. Close Up delegates now have insight into the problems and promises of American government. Their contributions in the years to come will be invaluable in maintaining what is now the best government that any nation can offer.

Mr. President, I believe that the most fitting tribute to Senator Ellender, in recognition of his outstanding record of service to his State and the Nation, would be the establishment of a living memorial, the Allen J. Ellender Fellowships, for the participation of teachers and disadvantaged youth in this Washington public affairs program.

The joint resolution which I am introducing today would establish this fellowship program. The Commissioner of Education is authorized to make grants—subject to certain limitations and informational requirements—to the Close Up Foundation, a public tax exempt foundation supporting the Close Up program which is registered in the District of Columbia as a nonprofit corporation, to provide up to 1,500 full-cost fellowships to high school teachers and disadvantaged students to participate in these nonpartisan and highly successful educational forums.

The Foundation, which has no permanent endowment, would continue to encourage communities and businesses and other private sources to provide additional assistance to students in need, thereby also promoting total community involvement in this vital citizenship education endeavor.

The modest investment by the Federal Government, authorized in this joint resolution in the name of a distinguished colleague who devoted his life to public service, will assure the broad-based participation of youth, rather than the selection of the privileged few, thereby strengthening a fundamental foundation of American democracy. I believe the merit of directing Federal assistance to meet an important national educational need through a qualified nonprofit organization has been well established under other Federal grant programs providing fellowships to cover educational travel and conference costs, as for ex-

ample, for the promotion of the arts and humanities, for health services research and to meet special educational resources needs, and for various educational programs administered by the Smithsonian Institution.

Mr. President, the scope of the Close Up program and the enthusiasm of communities which have sent their young people to its Washington forums, are well documented in numerous letters and newspaper articles which have been brought to my attention. I ask unanimous consent, Mr. President, that the text of the joint resolution and a selection of letters and articles be printed in the RECORD at the conclusion of my remarks.

I am particularly pleased to announce that this joint resolution has been co-sponsored by Senator ELAINE S. EDWARDS, of Louisiana. I am also inviting a number of other Senators who have addressed Close Up groups, or are on the board of advisers of the Close Up forum, or from whose States large groups of high school students and teachers have come to Washington under this excellent program, to join in sponsoring this legislation to establish the Allen J. Ellender Fellowships.

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

#### S. RES. 265

Whereas Allen J. Ellender, a Senator from Louisiana and President Pro Tempore of the United States Senate, had a distinguished career in public service characterized by extraordinary energy and real concern for young people and the development of greater opportunities for active and responsible citizenship by young people;

Whereas Senator Ellender provided valuable support and encouragement to the Close Up Foundation, a nonpartisan, non-profit foundation promoting knowledge and understanding of the Federal Government among young people and their educators; and

Whereas it is a fitting and appropriate tribute to the beloved Senator Ellender to provide in his name an opportunity for participation, by students of limited economic means and by their teachers, in the program supported by the Close Up Foundation: Now, therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the Commissioner of Education (hereinafter referred to as the "Commissioner") is authorized to make grants in accordance with the provisions of this joint resolution to the Close Up Foundation of Washington, District of Columbia, a nonpartisan, nonprofit foundation, for the purpose of assisting the Close Up Foundation in carrying out its program of increasing understanding of the Federal Government among secondary school students, their teachers, and the communities they represent.

(b) Grants received under this joint resolution shall be used only for financial assistance to economically disadvantaged students and their teachers who participate in the program described in subsection (a) of this section. Financial assistance received pursuant to this joint resolution by such students and teachers shall be known as Allen J. Ellender Fellowships.

SEC. 2. (a) No grant under this joint resolution may be made except upon an application at such time, in such manner, and accompanied by such information as the Commissioner may reasonably require.

(b) Each such application shall contain provisions to assure—

(1) that not more than 1,500 fellowship grants are made to economically disadvantaged secondary school students, and to secondary school teachers, in any fiscal year;

(2) that not more than one secondary school teacher in each such school participating in the program may receive a fellowship grant in any fiscal year; and

(3) the proper disbursement of the funds of the United States received under this joint resolution.

SEC. 3. (a) Payments under this joint resolution may be made in installments, in advance, or by way of reimbursement, with necessary adjustments on account of underpayment or over payment.

(b) The Comptroller General of the United States or any of his duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to any grant under this joint resolution.

SEC. 4. For the purpose of this joint resolution, the term "secondary school" means a day or residential school which provides secondary education, as determined under State law, except that it does not include any education beyond grade twelve.

SEC. 5. There are authorized to be appropriated not to exceed \$500,000 for the fiscal year ending June 30, 1973, and for each of the two succeeding fiscal years to carry out the provisions of this joint resolution.

THE ST. PAUL PUBLIC SCHOOLS,  
OFFICE OF THE SUPERINTENDENT,  
St. Paul, Minn., August 7, 1972.

Mr. STEPHEN A. JANGER,  
Director of Special Programs, Close-Up  
Washington, D.C.

DEAR MR. JANGER: I have just had the opportunity to review the comments of a member from our staff relative to the participation in the Close-Up program by students from St. Paul Schools. I am immensely impressed by his report and by the outstanding experience given many of our young people. I know that you and your associates will appreciate reading the report I have received from Mr. Donald Sonsalla who coordinated the activities of the Close-Up program.

Please accept the thanks of the members of our Board of Education and the St. Paul School District for your very worthwhile contribution to the education to many of our students. We look forward to a broader participation by this community in the coming year and we are pleased to extend our endorsement and our support.

Once again, you have our special thanks for all your help.

Sincerely,

GEORGE P. YOUNG,  
Superintendent of Schools.

AUGUST 3, 1972.

The St. Paul Public Schools had an opportunity to have students participate in a program called "Close-Up" during the 1971-72 school year. The outcome of our participation was far reaching and meaningful.

"Close-up", a non-profit organization in Washington, D.C., offered a program of an in-depth study of the federal government by high school students. The format on the surface seemed simple. Students spend one week in Washington, D.C. viewing, talking, discussing, and living government.

The implementation of this seemingly simple concept of knowing the government by an in-depth study was masterfully accomplished by "Close-Up", but with the added dimensions of practicing human relations.

"Close-Up" presented their program to the St. Paul schools in the late fall of 1971. The presentation and offer of participation was also given to the Minneapolis public school



system as well as the private and parochial schools in the St. Paul-Minneapolis area. In all thirty one high schools were invited to participate.

The "Close-Up" program was a week in Washington, D.C. with room, board, and air fare for a cost of \$335.00. "Close-Up" gave three grants to each school to cover the cost of one teacher and two students. Students beyond the two per school paid their own cost.

The thirty one schools, along with "Close-Up" representatives, registered students for the in-depth study of government. When the students spent the week in Washington, D.C. the following was noted:

1. Transportation was arranged flawlessly via reputable commercial airline.
2. Lodging and food was arranged in a leading Washington suburban motel of international fame.

3. "Close-Up" staff consisted of professional people with advanced degrees and a masterful knowledge of government.

4. Preparation was evident; there was no "lost" feeling and the agenda for the week was well-prepared.

Some of the activities for the "Close-Up Week" in Washington, D.C. were:

1. Meet representatives of foreign nations regarding international affairs.

This was accomplished at the Johns Hopkins School of Advanced International Studies.

2. Visit the Smithsonian Institute.
3. Discussion with His Excellency Ebenezer Moses Debrah, Ambassador of Ghana.

4. Discussion with Mr. Oberwitter of the Environmental Protection Agency.

5. Discussion with representatives of the Department of State.

6. Discussion with Mr. Ted Tetzlaff, Assistant Director of the Office of Legal Services.

7. Discussion with Congressman Karth.
8. Performance at Ford's Theatre.

9. Discussion with Mr. Joe Ross and Mr. David Rinzel of the Department of Justice.

10. Visit the F.B.I.
11. Visit Arlington Cemetery.

12. Visit the Pentagon.
13. Discussion with Congressman Frenzel.

14. Discussion with Mr. Del Lewis, Administrative Assistant to Congressman Walter Fauntroy.

15. Discussion with Senator Mondale.
16. Discussion with Senator Humphrey.

17. Discussion with Congressman Fraser.
18. Discussion with Common Cause representatives.

19. Discussion with Republican and Democratic party national leaders.

20. Discussion with Mr. Dick Duncan, news editor of Time Magazine.

21. Observe Congressional Committee meetings.

22. Observe the House and Senate in action.

The activities called for students and teachers from the St. Paul and Minneapolis public and private schools to know and understand each other. A remarkable thing happened. Human relations became a reality. Students of various economic, racial, religious backgrounds and make up joined together. The joining together did not stop once "Close-Up" week ended in Washington, D.C. The true meaning of "Close-Up" continued. Students had a truer grasp of the federal government.

Science "Close-Up Week" in Washington, D.C. ended in March the students have been meeting once a month. Some of the accomplishments have been:

1. Social gathering, just good interplay between students of different backgrounds, race, and religion.

2. Become active in political campaigns.

3. Become delegates to their parties conventions.

4. Plan a fund raiser to send more students in 1972-73 to "Close-Up".

5. Plan a Minnesota "One Day Close-Up" with political workshops and a Mondale-Hansen debate.

6. School exchange program where students spend a day in another school.

7. Give volunteer help to social agencies.

"Close-Up" has made a difference to the St. Paul School System. Students have had the opportunity to better know our government, but more important, to know each other since thirty-one public and private schools participated. The students now plan programs to help the community.

DONALD SONSALLA,  
Principal, Central High School.

SOCIAL STUDIES DEPARTMENT,  
MOUNT CARMEL ACADEMY,  
New Orleans, La., February 1, 1972.

Mr. STEVEN JANGER,  
Director, Special Programs, Close-Up, Washington, D.C.

DEAR MR. JANGER: On behalf of the Close-Up participants from the New Orleans area, let me take this opportunity to thank every member of the Close-Up organization for a unique contribution to civic education. The week in Washington presented a balanced, informative investigation of the federal government impossible to achieve through conventional schooling.

The Close-Up concept of preserving the racial and economic balance of the city within its student groups is particularly laudable. Many students and teachers mentioned to me that they enjoyed this aspect of the program. Needless to say, this balance would not be possible without the generous support you offer in the form of student and teacher grants.

It was gratifying to all of us that members of the busy Louisiana delegation in Congress would take the time to address the group. We are especially pleased to note the support given the Close-Up program by Senator Ellender.

Please continue your fine efforts in this area. Those of us in the New Orleans area look forward to participating in a similar program next year.

Sincerely,

ROBERT L. DUPONT.

METROPOLITAN FOUNDATION OF ATLANTA,  
Atlanta, Ga., May 14, 1972.

Mr. STEPHEN A. JANGER,  
Director of Special Programs, Close-Up Foundation, Washington, D.C.

DEAR MR. JANGER: Let me take this opportunity to tell you how pleased we are that Atlanta could participate in the Close-Up program this year. Close-Up has so many benefits to bestow, short- and long-range, that it is hard to say what meant the most to Atlanta.

I suppose that we got most excited about a most unique result of our participation—the building of a sense of community in the 5-county metro Atlanta area, a feeling that we are all a part of what happens to our area and to our country. Certainly Close-Up brings the students of our area into a fertile environment, into an ethnic and economic conglomeration that creates its own excitements and understandings. On an individual growth scale on an individual motivation and interest scale, Close-Up gets results beyond expectation.

But for us, Close-Up accomplished the beginning of something we could not begin ourselves—the personal, individual identification of the student with the destiny of his city and region. We are committed as a foundation to the preservation of a free society, and we recognize that it all begins with a cooperation founded in this sense of community. Some persons call its opposite "alienation" and we have seen many cities teeter because of its alienated peoples. Close-Up makes people feel a part of a meaning-

ful process. It gives these kids a handle on their own destinies.

Close-Up gives Atlanta a chance to lick the urban crisis.

We're looking forward to participating again next year, and building on these good beginnings. Thanks, Steve—and thanks to your excellent staff.

Best personal regards.

FRANK ROBINSON,  
Executive Director.

HOUSTON, TEX.,  
July 5, 1972.

Mrs. MARGERY KRAUS,  
Close Up Program Director,  
Washington, D.C.

DEAR MRS. KRAUS: I would like to take this opportunity to thank you and all the Close Up staff for allowing Houston area high school students and teachers the opportunity to see how our government really operates. I cannot begin to tell you the impact the program has had on my students.

Close Up is a program for all students. It is truly a rewarding experience for me to see my average students genuinely interested in our government. This interest may best be noted in our students wanting to form a local Close Up program in Houston. Many students expressed this desire, and therefore we teachers who participated in Close Up are organizing such a program in which students will meet in seminars with governmental leaders in every phase of our local government. This local program would have never been conceived without the enthusiastic participation in Close Up of some 40 high schools in the Houston area. Certainly the community interaction which resulted from this participation has led us to a local program which hopes to model itself after the national Close Up program.

It is only in a program like Close Up that all aspects of the community are "thrown together". Students of all backgrounds, both financially and culturally find themselves discovering just how our government really operates, and further find that many of their interests are the same and that the barriers are not really so great. It just takes something to get us all together and Close Up with its energetic staff and dynamic program got it "all together" for Houston.

Sincerely yours,

JAMES H. LYONS,  
Government Teacher,  
Sam Houston Senior High School.

DADE COUNTY, FLA.,  
August 1, 1972.

Mr. STEPHEN A. JANGER,  
Director of Special Programs, Close Up,  
Washington, D.C.

DEAR MR. JANGER: In February of 1972, over 200 students and professional staff persons from Dade County participated as one of a number of selected communities in a national CLOSE UP program. During the 2 one-week sessions, the teachers and students were provided experiences designed to achieve a greater understanding of a human as well as operational side of our national government.

As citizens of this nation, learning gained from these experiences should prove among the most favorable and unforgettable which the participants will have.

In addition to the obvious educational benefits, it is notable and significant that some of the students in our community who otherwise may never have even met, were provided the opportunity to live, work, and learn together for a week in our nation's Capital. If this alone were the chief gain of the CLOSE UP program, it would be no small matter. Also, I personally was quite pleased and impressed with the manner in which the three sectors of our educational community (public, private, and parochial)

worked together to achieve Miami's participation.

None of this would have been possible if it weren't for the three scholarship grants awarded to each secondary school. Our gratitude goes out to the CLOSE UP Foundation for marshalling community resources to obtain financial backing for the scholarships, and especially for underwriting the balance of needed funds to cover tuition and transportation costs of all grant recipients.

Dade County response to the 1972 CLOSE UP program was overwhelmingly favorable: from school board members, administrators, teachers, students, parents, and media representatives. I earnestly hope that the CLOSE UP program continues and would be pleased if it becomes possible for the Miami area to participate again.

Sincerely,

JAMES A. FLEMING,  
Social Studies Consultant, Dade  
County Public Schools.

[From the Florida Times-Union, Jacksonville, Fla., Sept. 30, 1971]

#### "CLOSE-UP" IS EFFECTIVE EDUCATION

The "Close-Up" week of study in the national capital in which a fortunate group of students from Duval County public and private high schools will take part in November will provide a comprehensive, in-depth look at the functioning of the federal government, with some of the key men in its operations as instructors.

The week of seminars, panel discussions, lectures and guided individual study, bringing students face to face with those who run the complex business of government is light-years removed in purpose and results from the traditional "spring student tours" limited to cursory visits to points of interest and having a group picture taken with the district's congressman.

Most important, participation will not be limited to those students who can afford the cost of the trip. Two students and one teacher from each participating school will have their expenses underwritten by the Close-Up Foundation, which sponsors the program and hopes to raise the \$308 per person cost for these participants by local subscriptions.

The foundation sponsored students will be selected by each individual school. In addition, the program is open to a limited number of students able to pay their own fee.

The program is still new, having been launched just a year ago, but its conception, designed to pack a wealth of meaningful experience in a tight week-long schedule for the students, has aroused keen enthusiasm among educators and students all across the country.

It provides a learning experience which could not possibly be more "relevant" to high school students who more than ever in the nation's history are keenly aware of the urgent national problems dealt with every day by the men they will meet and talk with face to face.

It offers not only invaluable authoritative instruction in current affairs, but equally worthwhile guidance to those students who take seriously their responsibility of the voting franchise and the other obligations of full citizenship on which they are about to enter.

Finally, the program will bring additional returns as those who have shared in the program return to their schools and share their experiences with their fellow students.

The plan offers a rewarding, constructive channel for the intellectual energies of today's students aware of the nation's serious and pressing problems, and eager to make their own contribution to their solution. It merits strong public support.

[From the New Orleans State Item, Nov. 18, 1971]

#### STUDENTS TO DESCEND ON DISTRICT OF COLUMBIA (By Ray Lincoln)

Notice has been served on Washington, D.C., officialdom that three battalions of New Orleans area students, armed with sharp, questioning minds and an impenetrable shield against evasive answers, are preparing to descend on the nation's capital in a reconnaissance mission aimed at the very heart of the federal government.

The only likely casualties will be youthful misconceptions about federal machinery and policy-making and perhaps the composure of a government bureaucrat or two.

Strategy and logistics for the confrontation will be provided by Close Up, a national organization describing itself as "a non-partisan nonprofit forum on the involvement of youth in government."

The program, now in its second year, will send delegations of New Orleans area high schoolers to Washington in three groups for week-long courses in the substance of national government.

"Substance" is what distinguishes the Close Up expeditions from run-of-the-mill student trips to Washington, which typically settle for a hushed, awe-struck obelance to the mortar-and-stone trappings of government.

Today's adolescents, of course, have no reluctance to put the time-honored verities of American government under their unsentimental microscopes. Close Up, sponsored locally by The States-Item, strives to increase the magnification and, hopefully, sharpen the focus.

Beneficiaries of the program in the metropolitan area, including students from public, private and parochial schools in several parishes, will be divided into three groups. The first will be in Washington Dec. 5-12, the second Dec. 12-19 and the third Jan. 9-16.

Approximately 70 area schools have agreed to participate in the project, which got off the ground successfully last year with four communities around the nation taking part. This year about double that number will be involved, with the three weeks mentioned devoted exclusively to the Louisiana delegates.

Participation in each school will vary with individual ability to pay the \$342 total cost per student, although the national organization is providing three financial assistance grants per school, one of which is used to send a faculty member.

The other two may be awarded in full to two students or divided among several applicants.

Officials of the bipartisan-supported group hope to attract as wide a socio-economic cross-section of students as possible, but with limited resources the organization is counting on local foundations and individual donors to provide the funds needed to allow low-income students to make the trip.

Participation is limited to 220 students in any one week.

The first local delegation, composed of students from 19 schools, is now being coordinated by Dreux Van Horn II, a teacher at St. Martin's Protestant Episcopal School in Jefferson Parish. Van Horn and the 10 or so St. Martin's students who are signed up for Close Up are drawing up a list of pertinent questions for the government officials effect of the under-21 vote, and they're looking forward to the opportunity to confront some of the federal officials who help determine policy in those areas.

In addition to seminars and question-and-answer sessions with representatives of the executive branch, students will meet with senators and representatives, labor and political party officials, the Capitol press, and representatives of the judicial branch.

Schedules, which will leave little room for trivial concerns, emphasize two-way communication between the youths and the officials. Tours of national monuments, buildings and sites will be included, but the standard breezy civics-book discourses on "how our government works" will be minimized.

Sponsors feel those are the primary factors in the enthusiastic student reaction to the program during its initial stages.

Coordinators of the second and third waves of New Orleans area students will be Robert Dupont, Mount Carmel Academy (Dec. 12-19) and Ken Werther, Brother Martin High School (Jan. 9-16).

[From the Gwinnett (Ga.) Daily News, Mar. 29, 1972]

GWINNETT INDUSTRY, BUSINESS, GOVERNMENT  
HELP: \$8,200 RAISED, ADDS 41 STUDENTS TO  
STUDY TOUR OF WASHINGTON, D.C.

(By Ed deMotte)

Business, industry and government—combining their efforts through the Gwinnett Chamber of Commerce—have provided \$8,200 to help some 41 high school juniors from the county get to Washington during the next two months for a seven-day, closeup look at government and the people who run it.

These will be an additional eight teachers and 16 students whose expenses will be paid by private grants from Close Up, a private, nonprofit and nonpartisan organization in Washington which conducts the program to give young people an intensive, firsthand look at the U.S. government, its leaders, and outside forces that affect government.

"The youngsters are up at 7 a.m. each day during the week's program," said Steve Janger, director of special projects for Close Up, "and their last session usually ends at 10:30 each night."

"During the long hours we get them together with congressmen, cabinet members, lobbyists, newspapermen, government agency representatives, and a lot more."

Janger explained that Close Up differs from other student programs in that it seeks students from all levels of both income and ability, even challenging the anti-establishment student, the one who may hold the government in contempt.

"To this kind of student," he adds, "we say that contempt before examination is stupid. If he wants to be a rock-thrower, a hollerer or screamer, that's fine, but at least be one who is informed."

"We're asking students to take a look at government, to do it in their own fashion and then make up their minds. They don't just return home and forget their Washington experience. Kids have formed community action groups in some of the cities, and they are working through the organizations to achieve certain goals and sponsor special programs."

State Senator Jimmy Mason, chairman of the Chamber of Commerce Governmental Affairs committee, observed that such an experience for a cross-section of Gwinnett youth should certainly contribute to an informed electorate and is most timely as 18-year-olds begin to exercise their vote.

Chamber Education Chairman B. B. Harris, who is also principal of the Harris school in Duluth, commented too on "the teeth such a trip will put in normal classroom, text book and visual aid instruction we are offering students in their regular curriculum."

Local businesses as well as the Chamber of Commerce, which helped rally the support to triple Gwinnett's participation in the program, came in for generous praise from J. W. Benefield, superintendent of education.

"Many of these better-informed youngsters," he suggested, "will one day be employees or at least neighbors of these spon-



soring firms and the ultimate contribution to our community and local government is inestimable."

At the Chamber's suggestion, contributing firms and agencies grouped their support in the form of \$200 partial scholarships to be applied toward each student's total expense of \$302 for the week in Washington, including air transportation.

The Board of Education and the County Commissioners each contributed \$500 to the fund and private businesses which gave full \$200 scholarships are as follows:

Brand's Pharmacy; Brown Lumber Co.; Clairmont Development Co.; Dolco Packaging, Inc.; Hannon, Meeks & Bagwell; K-Way Grocery; Lovable Co.; Mason Bros. Construction Co.; Norcross Supply Co.; Owens of Georgia; Parsons;

Peachtree Corners; Peachtree Door, Inc.; Puckett Paving Co.; E. R. Snell Contracting; Sperry and Hutchinson Co.; Warren Contracting Co.; Vantress Farms;

Bank of Duluth, Brand Banking Co.; Buford Commercial Bank; C&S Bank of Norcross; First National Bank of Lawrenceville; Gwinnett Federal Savings & Loan; Gwinnett Bank & Trust Co.; Gwinnett Commercial Bank; Gwinnett County Bank; Bee Jay Realty, Caswell Realty, Boyd Duncan & Associates and Jim Hood, Inc.

Combining partial contributions for additional scholarships were:

Fulton Federal Savings & Loan; Hamby & Lyle Construction Co.; David H. Kistner; Saul's; J. J. Baggett Oil Co.; W. H. Ferguson & Sons; Reynolds Oil Co.; Central Gwinnett Motors; Gwinnett Sales & Service, Hayes Chrysler-Plymouth; Nash Chevrolet; John Hutchins Realty; Tucker Real Estate Co.; Proctor Square Realty; Bona Allen Co.; W. N. Shadburn; Simpson Drugs; and Chicopee Mills.

[From the Houston Chronicle, Oct. 31, 1971]

#### CLOSE UP TO CAPITAL: AREA STUDENTS FIND GOVERNMENT A GROOVY TRIP

(By M. M. Patterson)

Government is turning out to be a groovy trip for hundreds of Houston high school students.

A program offering a week-long look at the federal government in action in Washington, D.C. evoked so much enthusiasm among about 300 participating area students last year that more than 400 are following in their footsteps in two sessions, one beginning today and running to Nov. 7, and from Nov. 7 to Nov. 14.

#### \$358 PRICE TAG

Apparently nothing, not even the \$358 price tag, can stand in the way of the sophomores, juniors and seniors from 40 public, private and parochial schools here who are determined to fly to Washington in the Close Up program based at the capital.

Close Up, which began just last year is a nonprofit, nonpartisan organization with such opposing political luminaries on its board of advisors as U.S. Sens. J. William Fulbright, D., Ark., and Barry Goldwater, R., Ariz.

#### NATIONAL BOARD

Also serving on the national board are Sen. John G. Tower, R., Texas, Rep. Robert C. Eckhardt, D., Houston, and a Houston teacher, Mrs. Nan Dupont of Bellaire High School.

Money for the students comes from parents, student earnings, local industries, businesses, service clubs and private citizens. Each young person's fee pays for transportation, food, lodgings and activities.

"Some 10 percent of the students going this year solicited their own sponsors," said Miss Judy Maguire, city coordinator for the program and a teacher at Reagan High School. "Contributions have ranged from \$1

and \$5 donations in door to door efforts to the \$716 check an oil company gave us."

#### TWO FREE TRIPS

She said Close Up donates two free all expense paid trips for financially deserving students and one for a teacher in each participating school. The rest must find their own funds for what is usually their first visit to Washington.

The trip, however, is definitely not a sight-seeing tour, Miss Maguire explained about the school board approved Close Up program.

"Each day you hit a different branch of the government," explained Mark Nelson, 1523 Heights Blvd., a senior at Reagan who went on the trip last year. "The main thing is you get to ask questions of senators and congressmen and people in places like the State Dept. and the Supreme Court."

#### BREAKFAST WITH ARCHER

This year Houston students will meet with a Washington representative of a labor union to discuss the wage-price freeze. They also will attend sessions with officials from the Office of Economic Opportunity, the Dept. of Justice and the Pentagon. One morning they will breakfast with U.S. Rep. Bill Archer of Houston and hear other Texas representatives and senators. Last year Senator Tower, Supreme Court Justice Byron R. White and CBS newsman Marvin Kalb talked with the students.

"When I first went to the sessions last year, I thought it might be mostly just speakers giving boring lectures," said Joe Billy of 1620 Airline Dr., another senior at Reagan. "But they only talked for 15 minutes out of every hour and we asked questions the rest of the time."

#### INFORMAL SESSIONS

Another Reagan senior who attended last year, Barbara Hernandez of 1003 Archer St., stressed there are no academic requirements for the program other than passing grades and that sessions are informal.

Teachers approve the program, too.

"I've been teaching government here for eight years, but I learned a lot on the trip myself," said Miss Maguire, who is going again this year.

"And students who went before speak up more in class and explain to the others."

At least one former participant is already getting involved in the political process, she said. Karl Doerner, 18, went on the Close Up trip last year from Lamar High School. Now he is running for the Houston school board in the Nov. 20 city election.

"Some of us are starting a voter registration project for 18-year-olds through the Rotary-sponsored Interact Club at school," said Nelson.

[From the Tulsa Daily World, Jan. 28, 1971]

#### TULSANS DUE FIRST "CLOSE UP" LOOK AT CAPITAL

(By Ronald E. Butler)

A group of Tulsa educators will meet Thursday to work out plans for citywide participation in a new program called "Close Up" which offers students a week's intensive study of American government in Washington.

Instead of just touring the major buildings at the Capital, the students will be involved in Seminars with leading government officials and the faculty of Johns Hopkins University.

To participate, many students will be asked to provide their own transportation and tuition costs, about \$348 per student. But a campaign is being planned to raise funds to provide scholarships for at least three students from each Tulsa high school.

The "Tulsa Week" in Washington March 14-21 will lead off Close Up's series of week-long sessions and officially open the program's work.

The Tulsa students will be first to try the

program because of Steve Janger, coordinator of special programs for Close Up. A native of Oklahoma City and a University of Oklahoma graduate, Janger said he wanted an Oklahoma community to be the first and found Tulsa's educators receptive to the program.

The cities of Fort Lauderdale, Fla. (Broward County Public Schools) and Houston will have their weeks after Tulsa.

Janger said Close Up tries to avoid the standard fare students get on tours of Washington. Instead it is lots of study and interaction with those who know government. The hope is that enough will be learned about the government to convince young people that it is possible to activate change within the "system."

"We want to show that contempt before examination is pretty stupid," said Janger. "The idea is that if you're going to be a rock thrower, you ought to be an informed rock thrower."

The project focuses on high school students who are interested in government and of average ability because it is these youngsters who could become the college student rock throwers if they don't know enough about the true functions of government to reject the sloganeering of radical organizations.

Close Up lists a notable and diverse group of advisers. Included are U.S. Sens. J. William Fulbright, Frank Church, Barry Goldwater, John Tower and Birch Bayh, a number of congressmen and numerous leaders of state and national government, political parties, ethnic groups and minorities. Oklahoma Lt. Gov. George Nigh also is an adviser.

"We've got every notch on the political spectrum represented," said Janger. "What other organization has brought Fulbright and Goldwater together?"

"This meeting Thursday will be our first big step in the direction of finalizing plans for Tulsa. The mechanics get started then to mobilize community support."

The meeting, set for 4 p.m. at the Education Service Center, will be with teachers from the 13 Tulsa private, public and parochial high schools. The teachers (and their principals) will coordinate Close Up at their respective schools.

The teachers will be asked to organize a coordinating committee to decide details of the Tulsa operation. Janger said it is not certain how many Tulsa students will go.

Close Up charges a tuition of \$225, which includes meals, lodging and instructional fees, but not transportation. Janger said that transportation by charter flight from Tulsa to Washington round trip will run about \$123 per student, for a total cost of \$348.

Most of the students going will pay their own way, but there will be from 39 to 52 students making the trip on scholarships to be provided through a Tulsa fund-raising drive. The 13 teachers also will go by scholarship.

The scholarship quota at each school will be one teacher and three students, with one student as an "alternate" to go along if there is enough money to finance four at each school. With four at each school (including teacher) the total cost would be \$18,096, and with the alternates going the cost would be \$22,620.

Janger said he met in December with members of Tulsa's business and civic community to seek their support. A public solicitation from the general community may be chosen as a way to raise additional funds, he said.

In addition to the students going on scholarships, any other student whose family can pay the costs will be able to go. In Fort Lauderdale about 270 students may be making the trip, but Janger stressed that Tulsa could set any goal desirable.

He said it will be up to the local organizers

to determine whether the participation is limited to seniors, juniors or sophomores. Dr. Gordon Cawelti, superintendent of schools, has turned coordination of the program over to W. Leroy Tharp, administrative director of secondary schools.

Cawelti has endorsed the program heartily. "It's kind of a real world experience which is excellent for students, and I'm hopeful we can get pretty wide-spread participation," Cawelti said. "It's better than the typical tour of the nation's Capitol in that it affords a close-in look at the politics of national government."

"We're doing as much as we can to get large numbers of youngsters from each of the high schools to participate. We feel there are a number of families that can support the program themselves, and there could be a number of scholarships for students less able to support the cost."

Principals at each high school in Tulsa have further information and application forms, or will have them soon, said Janger.

Close Up's organizers say America's future may depend on how much youngsters really know about their own government before they leave their hometowns for college, where they will be exposed to highly vocal views from every quarter.

The program attempts to equip the youngsters with hard, incontrovertible information about the mechanics of this nation's government. It is hoped that the students will then share this information with their classmates.

"While in Washington, the students will be involved in head-to-head discussions with the congressmen, senators, committee staffers, administration figures, judges, lobbyists, reporters, politicians, ambassadors and plain concerned citizens who contribute to the daily complexity that is our government," a Close Up brochure states.

#### ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 2567

At the request of the Senator from Nebraska (Mr. HRUSKA), the Senator from Illinois (Mr. PERCY) was added as a cosponsor of S. 2567, to facilitate prosecutions for certain crimes and offenses committed aboard aircraft, and for other purposes.

S. 3410

At the request of the Senator from Colorado (Mr. ALLOTT), the Senator from Tennessee (Mr. BAKER) was added as a cosponsor of S. 3410, to amend chapter 5, United States Code, to revise the special pay structure relating to members of the uniformed services, and for other purposes.

S. 3905

At the request of Mr. BENTSEN, the Senator from Colorado (Mr. ALLOTT), the Senator from California (Mr. TUNNEY), the Senator from Florida (Mr. GURNEY), and the Senator from New Jersey (Mr. WILLIAMS) were added as cosponsors of S. 3905, to amend chapter 73 of title 10, United States Code, to establish a survivor benefit plan, and for other purposes.

S. 3922

At the request of Mr. PERCY, the Senator from Colorado (Mr. DOMINICK) was added as a cosponsor of S. 3922, a bill relating to employment of inmates in Federal and District of Columbia penal and correctional institutions.

#### SENATE RESOLUTION 362—RESOLUTION TO CONVENE AN INTERNATIONAL CONVENTION TO RESOLVE THE CRISIS OF INTERNATIONAL TERRORISM

(Referred to the Committee on Foreign Relations.)

Mr. GURNEY. Mr. President, in the wake of the slaughter of 11 members of the Israeli Olympic team, I am submitting a resolution that would urge the President to call for an international convention to deal with the mounting problem of international terrorism.

Mr. President, this latest episode at Munich is certainly not the first incidence of international terrorism nor is it the most bloody. However, because of the circumstances under which it took place, it has focused public attention, as never before, on a problem desperately in need of resolution. The nations of the world—America included—cannot afford the continuation of incidents like the Lod Airport massacre, the hijacking of aircraft from one nation to another, or the slaughter at Munich. Just as one skyjacking begets another, terrorism, if unchecked, promotes more terrorism. The time has come to take action, to spotlight the problem and do something about it.

In contemplating the possible consequences of the killing of the 11 Israeli Olympians, I am reminded of the history of skyjacking. Up until the 1960's, it was practically unheard of. Then a plane was hijacked and ordered to Cuba—successfully. The result was that, almost before we knew it, the idea caught on and plane after plane was being taken to Cuba.

Lately, a new wrinkle has been added—hijacking involving political or financial ransom, with the culprit often attempting to parachute to safety. The first time it was tried, a hijacker parachuted from the plane over Nevada and disappeared with \$200,000. Subsequently, there has been a rash of skyjackings—either for financial profit or to obtain a political objective or both. Most of these efforts have been unsuccessful, but the attempts continue spurred on by the initial success and by the publicity each such attempt generates.

The same trend can be seen in the development of terrorist activity. Once an individual or group perpetrates an act of terror, achieves an objective, or attracts wide public attention, other terrorists seek to get on the bandwagon. We can see the effects in Vietnam, in the Middle East, in Northern Ireland, and even here in the United States. Only when the terrorists realize they will fail, that the penalty will be heavy and that there will be no easy sanctuary to flee to, or operate from, will this type of activity subside. Those nations which condone terrorism, and which allow terrorists to operate, unimpeded, from their territory, must share the responsibility—and the blame—for the consequences.

It is in the interests of all nations to curb the growth of international terrorism. If lunatics are able to achieve one objective through planned violence, what

is to stop them from using the same tactics for other purposes—such as overthrowing existing governments or disrupting the economic, social, and political life of a nation. The result of unchecked international terrorism can only be international anarchy and that helps no one but the terrorists. A conference to explore ways and means of reducing the menace can only be of benefit to all concerned.

Just convening such a conference would put would-be terrorists on notice that people are no longer going to stand idly by and permit this terrorism to continue unchecked.

If, after convening the conference, the participants agreed to pool their information and coordinate their investigatory activities with regard to terrorists, a great deal more could be accomplished.

And, finally, any steps toward establishing guidelines for handling international terrorism or in deciding how to deal with nations that provide a sanctuary for terrorists and/or a base for continuing terrorist activity would contribute greatly toward resolving this problem.

People around the world have been shocked by what has happened at the XX Olympiad. However, if the expressions of shock and remorse are not followed up by a resolution to crack down on such activity in the future, the nations of the world will be inviting a repeat performance. In the hope that there is near unanimity that the time has come to do something, I introduce this resolution and urge the Senate to pass it as soon as possible. The sooner we act, and the nations of the world act, the quicker we can halt the suffering that international terrorism generates.

The resolution reads as follows:

#### SENATE RESOLUTION 362

Whereas, there exists today an international traffic in acts of terrorism, and Whereas, the injury caused by such acts is shared by all nations, and

Whereas, this problem must be resolved by all nations acting in concert: Therefore be it Resolved, That it is the sense of the Senate that the President request the immediate convening of an international convention to resolve the problem of international traffic in acts of terrorism.

#### FEDERAL REVENUE SHARING ACT—AMENDMENTS

AMENDMENT NO. 1494

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

Mr. NELSON submitted an amendment intended to be proposed by him to the bill (H.R. 14370) to provide payments to localities for high-priority expenditures, to encourage the States to supplement their revenue sources, and to authorize Federal collection of State individual income taxes.

AMENDMENT NO. 1495

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

Mr. CHURCH (for himself and Mr. NELSON), submitted an amendment in-



tended to be proposed by them jointly to the bill (H.R. 14370), supra.

#### AMENDMENT NO. 1496

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

Mr. NELSON (for himself and Mr. CHURCH), submitted an amendment intended to be proposed by them jointly to the bill (H.R. 14370), supra.

Mr. CHURCH. Mr. President, in the company of the distinguished Senator from Wisconsin (Mr. NELSON), we are today submitting two amendments designed to help pay for the revenue sharing bill now before the Senate.

The amendments would accomplish this through a measure of tax reform plugging certain loopholes in the Internal Revenue Code. If enacted, they would raise nearly \$4 billion a year in additional revenues.

It is nothing less than fiscal folly, Mr. President, to pass this huge revenue sharing bill without raising a dime to pay for it. The Federal Government has no revenue to share, only mounting debts. It is foolhardy to go further into debt, borrowing the billions this bill would give away to State and local governments.

The revenue sharing bill would appropriate approximately \$29.5 billion for distribution during a 5-year period and, in addition, would authorize supplemental funds totaling \$4 billion for an approximate total of \$33.5 billion.

The Senate will demonstrate an irresponsibility equal to that of the Nixon administration if we approve this bill without raising the revenues with which to finance it.

The budget is already hemorrhaging out of control; deficit spending is running rampant; the Federal cupboard is bare.

During President Nixon's 4 years in the White House the Federal debt will have risen by more than \$100 billion, an amount that greatly exceeds the combined increase under our four previous Presidents, Truman, Eisenhower, Kennedy, and Johnson.

I cannot vote for this revenue-sharing measure, Mr. President, unless we show the gumption to pay for it.

Accordingly, I send to the desk, on my own behalf and that of the Senator from Wisconsin (Mr. NELSON), the two amendments, and ask that they be printed.

The PRESIDING OFFICER (Mr. BENTSEN). The amendments will be received and printed, and will lie on the table.

Mr. CHURCH. I ask unanimous consent, Mr. President, to have printed in the RECORD a short explanation which I have prepared of each of the two amendments.

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

#### EXPLANATIONS

##### 1. STRENGTHEN THE PROVISIONS OF THE MINIMUM TAX

Although the Tax Reform Act of 1969 adopted a minimum tax on income derived from tax preference provisions, it has many shortcomings. As a result, it is still possible for the very rich to pay little or no tax. The minimum tax is defective because it contains

unnecessary exemptions and because its tax rate of 10 percent is unreasonably low. The proposed amendment would make three major changes in the tax treatment of the four major tax preference items—stock options, bad debts, depletion, and capital gain—of the minimum tax. First, it would repeal the provision of existing law that allows regular income taxes to be deducted from these tax preference items. Second, it would lower the present \$30,000 exemption to \$12,000. Finally, it would increase the minimum tax rate from 10 percent to 50 percent of the regular income tax rate that would otherwise apply. The tax treatment of the other items of tax preference in the minimum tax provision would not be changed. Yield: \$1.9-billion.

##### 2. REPEAL THE ASSET DEPRECIATION RANGE SYSTEM (ADR) ALLOWING FOR A 20-PERCENT INCREASE IN DEPRECIATION ALLOWANCE ENACTED IN 1971

As a result of tax changes approved in 1971, businessmen can now take depreciation on their plant and equipment at a rate of 20 percent faster than before, without regard to the actual useful lives of their assets. This tax change, which the Administration first attempted to achieve by quietly changing tax regulations, will cost the Treasury 27.5 billion during the decade of the 1970's. Before 1971, the tax laws already provided for generous accelerated depreciation allowance. Also, in 1971, Congress restored the much enacted 7 percent investment tax credit to stimulate investment. The ADR system was, therefore, a costly and unnecessary tax windfall to businesses using depreciable assets. Originally, ADR was justified on the grounds that it would stimulate the economy. ADR has been in effect for over a year and the evidence does not support such a conclusion. Yield: \$1.8-billion.

Mr. NELSON. Mr. President, the distinguished Senator from Idaho (Mr. CHURCH) has submitted two amendments on behalf of both of us, one of them relating to the repeal of the asset depreciation range system, and the other relating to a minimum tax, both of which we are sponsoring together.

I now send to the desk an additional amendment in my own behalf respecting a reduction of the percentage depletion rates on oil, gas, and certain other minerals.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. NELSON. Mr. President, these amendments to H.R. 14370 would, if enacted responds to the much-pronounced but little honored call for tax reform. Also, these amendments offer a means of paying in large part the presently proposed revenue-sharing program. We must provide the funds for the revenue-sharing program for otherwise we will be taking away the money provided by this bill, by higher taxes or higher interest rates. Certainly Congress and the President intends revenue sharing to be a reality, not a ruse.

If we are to provide for a new program of revenue sharing, we must provide for its financing. To do less, would be irresponsible. We must provide the money to pay for this program otherwise we are deceiving the States and cities and adding to the national debt.

One of the main arguments against revenue sharing has been that there are no revenues to share. The fiscal 1972 deficit was about \$23 billion. Estimates for the fiscal 1973 deficit range from \$30

to \$40 billion. And the recent Brookings study of the Federal budget concludes that there will be a substantial budget gap even when we return to full employment. Under these circumstances, many people wonder whether this is the time to embark on a new program costing the Federal Government \$30 billion over the next 5 years.

These amendments would meet this argument head on. They would raise \$4.1 billion in 1973, and increasing amounts thereafter—enough to finance 80 percent of the revenue-sharing program. It would allow us to provide funds to State and local governments without a large increase in the national debt. I would think that everyone would welcome this opportunity to stem the growing national debt without denying funds to students or the poor.

This approach would greatly reduce the cost of revenue sharing. For if the Federal Government borrows the funds to be distributed to State and local governments—as it will have to unless steps are taken to finance the new program—there will be a substantial interest charge. Indeed, it has been estimated that over the next 5 years the interest cost would be over \$5 billion. Most of this cost is avoided if the amendments are adopted.

Of course, the argument for tax reform goes far beyond the question of additional revenues. It is also a matter of fundamental equity.

Tax reform has now become one of the most important issues in the Nation. The Federal income tax system is widely regarded as a national disgrace. According to Treasury figures, there were 1,338 Americans who earned \$50,000 or more in 1970 but paid no income tax at all; 106 individuals with adjusted gross incomes exceeding \$200,000 paid no Federal income tax in 1970. Incredibly, three taxpayers with adjusted gross income of more than a million dollars each pay no income tax at all.

In addition, there is a substantial number of people who do not pay their fair share of taxes. The same inequity applies to corporations. More than 40 percent of U.S. corporations paid no Federal income tax at all in fiscal 1970.

Disclosure of tax loop holes such as these has led to a new round of popular protest against tax injustice. Throughout the country, taxpayers are insisting on reform to insure that every citizen bears his fair share of the Nation's taxes.

The Congress owes it to the Nation to respond. It has the opportunity to enact meaningful reforms now and thereby lay the groundwork for the sort of comprehensive tax reform that should be our highest priority next year.

These amendments deal with areas where the need for reform is greatest:

The first amendment would substantially reduce the depletion allowance available to the oil industry, which enabled the 20 largest oil companies to pay Federal income taxes at the rate of less than 9 percent in 1970.

The second amendment would significantly strengthen the provisions of the minimum tax, which Congress passed in 1969 to reduce the windfall tax benefits available to individuals and corporations.

Finally the third amendment would repeal the accelerated depreciation speed up—ADR—passed last year as part of the Revenue Act of 1971. Even before the 1971 act was passed, a number of the Nation's largest corporations were already using accelerated depreciation to reduce their taxes to the vanishing point. There is no justification for the additional speedup enacted in 1971; it should be terminated now.

I ask unanimous consent that a brief explanation of the three amendments and their revenue gain be printed in the RECORD at this point.

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

**SUMMARY OF TAX REFORM AMENDMENTS TO H.R. 14370 TO BE OFFERED BY SENATOR GAYLORD NELSON**

**1. STRENGTHEN THE PROVISIONS OF THE MINIMUM TAX**

Although the Tax Reform Act of 1969 adopted a minimum tax on income derived from tax preference provisions, it has many shortcomings. As a result, it is still possible for the very rich to pay little or no tax. The minimum tax is defective because it contains unnecessary exemptions and because its tax rate of 10 percent is unreasonably low. The proposed amendment would make three major changes in the tax treatment of the four major tax preference items—stock options, bad debts, depletion, and capital gain—of the minimum tax. First, it would repeal the provision of existing law that allows regular income taxes to be deducted from these tax preference items. Second, it would lower the present \$30,000 exemption to \$12,000. Finally, it would increase the minimum tax rate from 10 percent to 24 percent for corporations, and from 10 percent to half of the regular income tax rate for individuals. The tax treatment of the other items of tax preference in the minimum tax provision would not be changed by this amendment.

**2. REPEAL THE ASSET DEPRECIATION RANGE SYSTEM (ADR) ALLOWING FOR A 20-PERCENT INCREASE IN DEPRECIATION ALLOWANCE ENACTED IN 1971**

As a result of tax changes approved in 1971 businessmen can now take depreciation on their plant and equipment at a rate of 20 percent faster than before and without regard to the actual useful lives of their assets. This tax change, which the Administration first attempted to achieve by quietly changing tax regulations, will cost the Treasury 27.5 billion during the decade of the 1970's. Before 1971, the tax laws already provided for generous accelerated depreciation allowance. Also in 1971 Congress restored the much enacted 7 percent investment tax credit to stimulate investment. The ADR system was, therefore, a costly and unnecessary tax windfall to businesses using depreciable assets. Originally, ADR was justified on the grounds that it would stimulate the economy. ADR has been in effect for over a year and the evidence does not support such a conclusion.

**3. REDUCE THE MAXIMUM DEPLETION RATE FROM 22 TO 15 PERCENT**

The present law allows oil producers and producers of certain other minerals and metals to receive 22 percent of the gross income from their wells or mineral deposits tax-free, so long as it does not exceed 50 percent of the net income. As a result, the cost of the average well or mineral property is being recovered many times. The proposed amendment would merely reduce the maximum depletion allowance to a more reasonable rate.

**1973 Revenue Gains of Senator Nelson's Tax Reform Amendments to H.R. 14370**

[In billions of dollars]

1. Strengthening the minimum tax	\$1.9
2. Repeal the asset depreciation range system (ADR)	1.8
3. Reduce the maximum depletion allowance from 22 percent to 15 percent	.4
<b>Total</b>	<b>4.1</b>

Mr. NELSON. Acceptance of these amendments will not end the need for more thoroughgoing tax reform. Earlier this year, along with 11 other Senators, I introduced legislation (S. 3378) to close a large number of other loopholes. But these amendments to H.R. 14370 can and should be passed now. The reforms recommended here have been the subject of extensive debate in recent years. They are widely known and understood. They have received detailed hearings in Congress in connection with the Tax Reform Act of 1969 and the Revenue Act of 1971. There is no excuse for not doing at least this much this year.

I ask unanimous consent that the text of the amendments be printed in the RECORD at this point.

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

**AMENDMENT No. 1494**

At the end of the bill insert the following:

**TITLE IV—INTERNAL REVENUE CODE AMENDMENTS**

**SEC. 401. REDUCTION OF PERCENTAGE DEPLETION RATES ON OIL AND GAS AND CERTAIN OTHER MINERALS**

(a) Section 613(b)(1) of the Internal Revenue Code of 1954 (relating to percentage depletion rate on oil and gas wells and certain other minerals) is amended by striking out "22 percent" and inserting in lieu thereof "15 percent".

(b) The amendment made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

**AMENDMENT No. 1495**

At the end of the bill insert the following:

**TITLE IV—INTERNAL REVENUE CODE AMENDMENTS**

**SEC. 401. REPEAL OF ASSET DEPRECIATION RANGE SYSTEM**

(a) Section 167(m) of the Internal Revenue Code of 1954 (relating to the Asset Depreciation Range System) is repealed.

(b) Section 167(a) of such Code (relating to a reasonable allowance for depreciation) is amended by adding at the end thereof the following:

"Such reasonable allowance shall be computed, subject to the provisions of Revenue Procedure 62-21 (except for the provisions for the reserve ratio test) as in effect on January 1, 1971, on the basis of the expected useful life of property in the hands of the taxpayer."

(c) The amendment made by subsection (a) shall apply to property placed in service after December 31, 1971. The amendment made by subsection (b) shall apply to taxable years ending after December 31, 1971, but shall not apply to property placed in service by the taxpayer during the calendar year 1971 if an election has been made to have the provisions of section 167(m) of the Internal Revenue Code of 1954 apply to such property.

**AMENDMENT No. 1496**

At the end of the bill insert the following:

**TITLE IV—INTERNAL REVENUE CODE AMENDMENTS**

**SEC. 401. MINIMUM TAX FOR TAX PREFERENCES**

(a) Section 56 of the Internal Revenue Code of 1954 (relating to imposition of the minimum tax for tax preferences) is amended by redesignating subsections (b) and (c) as (d) and (e), respectively, and by striking out subsection (a) and inserting in lieu thereof the following new subsections:

"(a) IN GENERAL.—In addition to the other taxes imposed by this chapter, there is hereby imposed for each taxable year, with respect to the income of each person, a tax equal to the sum of—

"(1) the tax on such person's category I tax preference income (computed under section (b)), and

"(2) the tax on such person's category II tax preference income (computed under subsection (c)).

"(b) CATEGORY I TAX PREFERENCE TAX.—For purposes of subsection (a) (1), the tax on a person's category I tax preference income is 10 percent of the amount (if any) by which—

"(1) the sum of the items of tax preference set forth in paragraphs (2), (3), (4), (5), and (10) of section 57(a) in excess of the category I exemption, is greater than

"(2) the sum of—

"(A) the taxes imposed by the chapter for the taxable year (computed without regard to this part and without regard to the taxes imposed by sections 531 and 541) reduced by the sum of the credits allowable under—

"(i) section 33 (relating to foreign tax credit),

"(ii) section 37 (relating to retirement income),

"(iii) section 38 (relating to investment credit),

"(iv) section 40 (relating to expenses of work incentive program), and

"(v) section 41 (relating to contributions to candidates for public office); and

"(B) the tax carryovers to the taxable year.

For purposes of this subsection, the category I exemption is \$30,000 minus the amount of the category II exemption that the taxpayer elects to use.

"(c) CATEGORY II TAX PREFERENCE TAX.—For purposes of subsection (a) (2), the tax on a person's category II tax preference income is—

"(1) in the case of a corporation, 24 percent of the amount (if any) by which the sum of the items of tax preference set forth in paragraphs (6), (7) (8), and (9) of section 57(a) exceeds the taxpayer's category II exemption, and

"(2) in the case of a taxpayer other than a corporation, a tax, on the amount (if any) by which the sum of the items of tax preference set forth in paragraphs (6), (7), (8), and (9) of section 57(a) exceeds the taxpayer's category I exemption, equal to one-half of the tax which would be imposed under section 1 by treating the amount of such excess as the taxable income for the taxable year.

For purposes of this subsection, the category II exemption is the amount, not exceeding \$12,000, that the taxpayer elects (at such time and in such manner as the Secretary or his delegate prescribes by regulations) to use for the taxable year."

(b) Section 56 (d) of such Code, as redesignated by subsection (a) (relating to deferral of tax liability in case of certain net operating losses), is amended to read as follows:



**"(d) DEFERRAL OF TAX LIABILITY IN CASE OF CERTAIN NET OPERATING LOSSES.—**

**"(1) IN GENERAL.—**If for any taxable year a person—

**"(A)** has a net operating loss any portion of which (under section 172) remains as a net operating loss carryover to a succeeding taxable year, and

**"(B)** has items of tax preference taxable under subsection (b) or (c) for the taxable year,

then an amount equal to the lesser of the tax imposed by subsection (a) or 10 percent (or such percent as may be determined under regulations prescribed by the Secretary or his delegate) of the amount of the net operating loss carryover described in subparagraph (A) shall be treated as tax liability not imposed for the taxable year, but as imposed for the succeeding taxable year or years pursuant to paragraph (2).

**"(2) YEAR OF LIABILITY.—**In any taxable year in which any portion of the net operating loss carryover attributable to the items of tax preference described in paragraph (1) (B) reduces taxable income, the amount of tax liability described in paragraph (1) shall be treated as tax liability imposed in such taxable year in an amount equal to 10 percent (or such percent as may be determined under regulations prescribed by the Secretary or his delegate) of such reduction.

**"(3) PRIORITY OF APPLICATION.—**For purposes of paragraph (2), if any portion of the net operating loss carryover described in paragraph (1) (A) is not attributable to the items of tax preference described in paragraph (1) (B), such portion shall be considered as being applied in reducing taxable income before such other portion."

(c) Section 56(e) of such Code, as redesignated by subsection (a) (relating to tax carryovers) is amended—

(1) by striking out paragraph (2) and inserting in lieu thereof the following:

**"(2)** the sum of the items of tax preference set forth in paragraphs (2), (3), (4), (5), and (10) of section 57(a) in excess of the category I exemption for the taxable year,"; and

(2) by striking out "subsection (a)" in the last sentence and inserting in lieu thereof "subsection (b)".

(d) Section 58 of such Code (relating to rules for application of the minimum tax) is amended—

(1) by striking out "\$30,000 amount specified in section 56 shall be \$15,000" in subsection (a) and inserting in lieu thereof "\$30,000 and \$12,000 amounts specified in section 56 shall be \$15,000 and \$6,000, respectively";

(2) by striking out "\$30,000 amount" in subsections (b) and (c) and inserting in lieu thereof "\$30,000 and \$12,000 amounts";

(3) by striking "\$30,000" in subsection (c) and inserting in lieu thereof "\$30,000 or \$12,000, as the case may be,";

(4) by striking out subsection (g); and

(5) by adding at the end thereof the following new subsection:

**"(h) Election Not To Claim Tax Preferences.—**In the case of an item of tax preference which is a deduction from gross income, the taxpayer may elect to waive the deduction of all or part of such item, and the amount so waived shall not be taken into account for purposes of this part. In the case of an item of tax preference described in section 57(a) (9), the taxpayer may elect to treat all or part of any capital gain as gain from the sale or exchange of property which is neither a capital asset nor property described in section 1231, and the amount treated as such gain shall not be taken into account for purposes of this part. An election under this subsection shall be made only at such time and in such manner as is described in regulations promulgated by the Secretary or his delegate, and the making of such election shall constitute

a consent to all terms and conditions as may be set forth in the regulations as to the effect of such election for purposes of this title."

(e) The amendments made by this section shall apply to taxable years beginning after December 31, 1971.

**AMENDMENT NO. 1500**

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

Mr. PERCY. Mr. President, very heavy emphasis has been placed, throughout our discussions of H.R. 14370 and amendments thereto, on the fiscal plight of the States and localities. This plight is made clear by data on State and local general expenditures, which between 1955 and 1970 rose almost three times in current dollar terms—from \$33.7 billion to \$131.3 billion. During the same period State and local revenues rose from \$31.1 billion to \$130.8 billion. This has required dramatic increases in State and local taxes—in income taxes, sales taxes, and, very prominently, in property taxes.

Real property taxes supply the bulk of local government revenues. Of total local government tax revenues of \$38.8 billion in 1970, local governments obtained \$32.9 billion from property taxes, compared to only \$7 billion in 1950. State governments received \$1 billion from property taxes in 1970.

The burden of property taxes is acutely felt throughout the country. Excessive property taxes are driving our older citizens from their homes, and farmers from their farms. The need for property tax reform is demonstrated by such entrenched practices as:

Underassessment of large mineral, commercial and industrial properties;

Unnecessary and unfair exemptions for certain groups;

Indiscriminate creation of special taxing districts in which all property is free from tax, or taxed at very low rates;

Federal or State government property, including government land or buildings, which is leased to private commercial and industrial users, but which is not taxable by local jurisdictions;

Property owned by local jurisdictions which is leased for industrial and commercial use but is tax-free because still owned by the jurisdiction;

Exemptions for classes of homeowners regardless of the income or assets of such persons;

Administration of the tax by unprofessional, part-time assessors; and

Fragmentation of States into hundreds, even thousands, of taxing jurisdictions.

For much too long a time we in the Federal Government have turned aside constituent complaints about unfair and excessive property taxes, considering them to be purely and irremediably a local matter. We must now face this issue directly. We are now in the process of enacting a really revolutionary program that will give to the States and the localities large amounts of essentially string-free money for their use as they see fit. We have broken, for these States and localities, the link between revenue raising and spending. Critics of revenue sharing have claimed, with some validity,

that it will foster a spirit of irresponsibility among such local governments: that there will be no felt awareness by them that the money they are given to spend is actually money raised—through Federal individual income taxes—from their own citizens.

Thus I think the Federal Government has a right and an obligation to require property tax reform. This would help accomplish two purposes. First, it would help eliminate the very substantial inequities that exist in property taxation within the States. Second, it would help make sure that local governments are using the fairest, most equitable, and most efficient techniques by which to raise local property tax funds.

If reformed, property taxes can be fair, efficient, and progressive. What is needed is competent, objective and uniform application of the tax in order to broaden the base, open the system to public scrutiny and easy appeal, and establish uniform statewide assessment, accounting, and management systems. I hope and expect that these reforms will result in lower property taxes for homeowners.

At the same time we must encourage States to implement programs of relief to elderly and other low-income property taxpayers for whom rapidly escalating property tax costs have become unbearable, punitive burdens.

Thus I am submitting, with Senator MATHIAS, an amendment to H.R. 14370 to create a new title IV to be called the Property Tax Assistance and Reform Act of 1972.

This new title establishes a program of grants to the States, to be administered by the Secretary of Housing and Urban Development, equal to 50 percent of the amount spent by States as property tax relief for elderly and other low-income homeowners and renters. Several States, including Wisconsin, Minnesota, California, Vermont, and Kansas, and most recently Illinois, have enacted such State programs. These tax relief payments are usually called "circuit breakers" because they enable the State to step into the system to assist poor homeowners and renters to meet their tax bills.

Such a program works as follows: For example, if the property tax bill of an elderly person exceeds 8 percent of his income, that person then becomes eligible for relief in the form of a grant from the State. Maximum grants would be limited to \$300. Over an income of \$3,000, the maximum grant would drop by \$5 per each additional \$200 of income. For example, if an elderly property owner has an income of \$3,000 and his property tax exceeded 8 percent of his income, the State would pay the excess up to \$300. If the property owner has an income of \$3,200, the maximum State payment would be \$295. An elderly household with income over \$15,000 would not be eligible.

Such a program would also include renters. About 25 percent of one year's rent applies to property taxes. Hence, seniors and other low-income renters would be eligible for rebates on 25 percent of their rents.

This would not be a tax forgiveness scheme. The assessment is made, and the tax is levied, as usual. The citizen then

applies for a rebate from the State for the excess amount of tax. Property tax circuit-breaker programs would in no way be limited to the amounts stated in the bill.

In order to qualify for such Federal grants, however, the States must implement certain basic tax reforms. Such reforms have been proposed by the Advisory Commission on Intergovernmental Relations. Their utility has been asserted in hearings held by Senator MUSKIE, who as chairman of the Subcommittee on Intergovernmental Relations of the Government Operations Committee, has held several sets of hearings on this issue beginning last May. They are, in my view, badly needed. Senator MUSKIE has assured me and Senator MATHIAS that he plans to continue these hearings and that these proposals will be fully considered.

Essentially, all these reforms are directed at the assessment side of the property tax collection process, not at the setting of property tax rates, which would remain an entirely local prerogative. This title provides that the States would have to move to implement the following reforms to be eligible for Federal grants:

Establish a system of State supervision of property tax assessment by the counties and other localities;

Establish a program for training and certification of those individuals charged with assessment and administration of the real property tax in the localities, in order to develop a highly professional corps of assessors;

Establish a uniform system of real property tax assessment rolls, billing practices, and related administrative practices and records;

Establish systems under which individual taxpayers will be supplied with statements, not later than 60 days before the date on which payment of that tax is due, which disclose the assessed value of the property, the percentage of value at which the property is assessed, and the rate of tax at which the property is taxed. Such statements shall also include the results of comprehensive assessment ratio studies of the assessment and taxation of property in the taxpayer's neighborhood;

Undertake annual assessment ratio studies of the average level of assessment, the degree of assessment uniformity, and overall compliance with assessment requirements for each major class of real property in each county or other political subdivision in the State, in order to insure that property tax evasion is curtailed; and

Define the base for real property taxation, and clearly establish what classes of property are to be exempt from taxation. Very important is a requirement that the State determine the total assessed valuation of real property in each excepted class and make that information available to the public, so that, in many cases for the first time, States will know how much their exempt properties are costing real revenue.

A key requirement is that States must establish a system of appeals from the determinations of assessors which will provide for prompt, efficient disposal of

such appeals. Citizens should be able to appeal the assessment, rate of tax, or exemption from tax of their own property or any other real property, if he can demonstrate that the challenged assessment, rate of tax, or exemption adversely affects him. If such challenges are successful, States may be authorized to assess the property, set the rate of tax, or provide or withdraw the exemption without the consent of local officials.

These are the essential reforms required to insure that States bring their property tax systems into conformity with modern standards of equity and sound administration. The property tax, apart from the tariff, is perhaps our oldest tax. In theory, and in practice, it remains in many, if not most, States in the same form it took in the 19th century. Once intended to be a tax levied by the States, State governments have over the years allowed the administration of the property tax to devolve to the lowest levels of local government.

In Illinois, more than 1,400 separate jurisdictions levy property taxes. There are rampant disparities of tax between jurisdictions that are immediately adjacent to each other. This "balkanization" of tax jurisdictions is one of the reasons why homeowners are bearing such terribly high property taxes, while at the same time we hear reports of industrial, commercial, and other properties being exempted from tax, or being grossly underassessed, and it is a major reason for this title. More than enough examples of such abuses have been brought to light by Senator MUSKIE's subcommittee's hearings, to which Senator METCALF has contributed to such a great extent, to justify the reforms set forth in this title.

Thus the purpose of this legislation is double. It is first to give States an incentive to reform their property taxes. It is second to give States an incentive to expand or to implement "circuit breaker" programs of property tax relief for low-income homeowners, including particularly the elderly. These are two critically important objectives.

But we believe that the central justification for the bill remains the fact that we now have an obligation, stemming from the imminent enactment of a major revenue-sharing program, to ask the States to implement the best, most equitable tax systems, they can devise. We ask them to modernize rigorously the management and administration of the basic tax which finances local government operation. The result, we believe, will be a more equitable real property tax which ends tax favoritism for the politically influential, brings more presently exempt property into the tax base, and thus enables communities to lower their property tax rates, particularly for homeowners.

I ask unanimous consent that a statement by the distinguished Senator from Maryland (Mr. MATHIAS), together with an insertion, be printed in the RECORD.

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

STATEMENT BY SENATOR MATHIAS

I am pleased to join with the Senator from Illinois (Mr. PERCY) in submitting an amend-

ment to the historic revenue sharing bill before the Senate at this time. The purpose of this amendment is to encourage and assist state and local governments to reform their property tax systems so that they are more fair, equitable and responsive to the needs and resources of all Americans.

One of the purposes of revenue sharing is to improve the overall tax system of the United States by using the federal income tax, which is the best tax system we have yet devised, to finance general projects of state and local governments. This is in reality fundamental tax reform. Another goal of revenue sharing is to provide state and local governments with the funds they need to adequately respond to the needs and expectations of our citizens.

To reach these goals of revenue sharing, however, we must look beyond the provisions of this bill as it stands before us today and examine other parts of our tax and revenue system. Most importantly, we must examine the complex system of state and local property taxes. Widespread dissatisfaction with the current system of property taxes was brought home very strongly to me last January, when I held public hearings in Towson, Maryland, on the need for property tax reform. Public officials of all levels of government and citizens from all walks of life came forward at those hearings with example after example of the inadequacy of the current property tax system, and yet experts told us that Maryland has one of the best property tax systems in the United States.

Since those hearings, I have tried to develop legislation which will lead to the reform in property taxes which we so urgently need. The result of those efforts is the amendment which the Senator from Illinois and I are introducing today.

This amendment would provide grants to states to reform their property tax administration, would provide relief to low-income individuals who are burdened with soaring property taxes, and would enable each taxpayer in America to know whether the property taxes which he pays are his fair share of the overall tax load.

I think this amendment speaks for itself, and I hope each of my colleagues will find the time to read it and will give it the enthusiastic support which I firmly believe it deserves. I add certain material for printing in the RECORD.

STATEMENT OF SENATOR CHARLES McC. MATHIAS, JR., AT HEARINGS IN TOWSON, MD., ON PROPERTY TAX REFORM

Mr. MATHIAS. I have called these hearings to solicit the advice and counsel of Maryland citizens and public officials on a subject which is justly receiving increased attention throughout our country: the very high rate of local property taxes and the effect of these taxes on American citizens and on the use of America's land.

The tax on land and buildings is the oldest major tax in America—and one of the most important. Nationally, these taxes provide some \$38 billion a year to American governments. As a revenue producer, the property tax is exceeded only by Federal income and social security taxes. It is used by over 70,000 local government units and by 23 state governments. It produces 40 per cent of the revenues raised by these governments and two-thirds of the revenues raised by local governments.

Throughout America, property taxes finance 54 per cent of local government costs for education, 41 per cent of their costs for health care, and 30 per cent of their costs for welfare.

In the last 15 years, property taxes have doubled.

Two hundred years ago in an agrarian society in which an individual's income and wealth was usually directly related to the



amount of land he owned, real property seemed an appropriate basis for taxation. A farmer with a large amount of land could afford to pay more tax than a farmer with a small amount of land.

Today, of course, only a small percentage of Americans derive their income and wealth directly from land or other real property. And so it should not surprise us that to many citizens the philosophical legitimacy of a very heavy tax on real property seems obscure, while its inequities and inadequacies seem very clear.

The great Chief Justice of the U.S. Supreme Court, John Marshall, stated in a leading decision 152 years ago, "The power to tax is the power to destroy". Today, for millions of our citizens, soaring property taxes are destroying the American dream of owning one's home.

Two letters which I have recently received underscore the urgency of this problem. One is from Mr. Frederick P. Babcock of 10771 Kinlock Road, Silver Spring, Maryland. He writes:

"Mrs. Babcock and I heartily agree with the position taken by President Nixon with regard to the necessity of tax relief for the elderly. . . . There is no argument about the fact that real estate taxes are so high that they are a great burden upon all taxpayers and especially on the elderly. A major reason for this is the tremendous increase in school taxes in recent years. . . . We agree that in the interest of keeping America strong, a good school system must be maintained, and therefore everyone should help to pay the cost. However, we also feel that some serious consideration should be given to relieving the elderly of at least a part of the school tax. . . ."

Another letter comes from Mr. and Mrs. William S. Gossard of 953 View Street, Hagerstown, Maryland. They write:

"At present our family is involved in a very serious financial crisis in the form of an increase of \$3,800 property tax assessment that will result in a \$15.00 per month increase in our house payment. This 30 year old house was purchased in December 1970. . . . At the time of purchase we didn't even take the optional mortgage insurance because we felt we couldn't afford the additional expense to our payment.

"We are a family of seven with one wage earner and a net income in the neighborhood of \$11,000 per year. We purchased this home one year ago because the price seemed right for our income and the house seemed sufficient for our family. In the twelve months we have occupied this residence we have faced a constant increase in all utilities in this area. Needless to say, along with increased rates at local hospital and medical facilities, clothing expenses, food expenses and the like, it has been a constant struggle and an increasing strain on our budget!"

The experiences of these homeowners are shared by thousands of other Marylanders.

The Governor's Study Commission on Tax Structure (the Mills Commission) stated in its report of January, 1971.

"Property taxes impair citizens' ability to provide housing, and further increase would worsen the problem, especially in Baltimore City where the property taxes are highest and housing conditions are among the worst in the state."

The burden of the property tax is felt by the tenant as well as the homeowners—and by the owners of real property other than homes.

The public dissatisfaction with the property tax stems not only from the amount of the tax but also from several other factors. First, the amount of the tax varies according to who owns the property, where it is located, and what it is used for. Property owned by any agency or government, churches or certain educational or philanthropic foundations is not taxed. In some cities these exemptions mean that 50 per

cent of the property within the core area of the city is tax-free, which means, in effect, that the tax rate on the remaining property must be doubled.

In some states, the law provides special relief if the property is owned by senior citizens or veterans or new industries.

In Maryland, we provide that land used for farming should be taxed at a rate different from land used for other purposes. The justification for this provision is that it prevents the farmer from being taxed out of business, that it preserves open green spaces, and accordingly, that it improves the environment of the general community. But now some Marylanders allege that this provision must be rewritten to prevent abuse by persons who are not bona fide farmers. Others feel it should be repealed entirely. Others feel its provisions should be liberalized to encourage the preservation of open space by persons who are not farmers.

The amount of tax varies also between local jurisdiction, according to the revenue needs and the resources of the jurisdiction, the frequency, skill, and fairness of value assessment, and the diligence of tax collectors.

A number of other criticisms have been leveled at the property tax. Economists tell us that the tax is regressive, that the poor pay a higher percentage of their income in property taxes than the affluent. A study by the Brookings Institution in Washington showed that taxpayers who earn less than \$4,000 carry twice the burden, in terms of their available resources, as taxpayers who earn more than \$15,000. The regressive nature of the property tax should be of special concern since property taxes have doubled since the late 1950's.

The soaring rates of the property tax evidences another of its shortcomings. Revenues from the property tax, unlike revenues from the income tax, do not increase significantly as our economy grows. As a result, governments which depend on revenues produced by the property tax must ask for frequent increases in the rate of the tax to meet their higher costs of education, welfare, transportation, parks, and other services.

Recently some Americans have also alleged that our current system of local property taxes does violence to land itself. The local property tax, coupled with local zoning authority, is said to frustrate county, state, and regional land use planning, to encourage the wrong type of development in the wrong place at the wrong time.

One report based on research conducted for a Senate subcommittee recently stated "Property taxation has a major effect on patterns of land use and this effect is of great significance in any effort to revive and improve the metropolitan environment". The property tax, the report states, helps to encourage a pattern of development in which "expansion is irregular and disordered, with subdivisions, shopping centers, and factories springing up far from the perimeter of the urbanized area. . . . Leapfrogging of development . . . requires that public improvements and services be extended to islands of settlement far from the city, resulting in increased costs to both the individuals personally involved and the entire metropolitan community".

In summary, the local property tax in America appears to be inequitable to the taxpayer, inadequate as a provider of revenue to local governments, and destructive of any rational planned approach to metropolitan growth.

Accordingly, a number of alternatives have been suggested, including reform of property tax administration, repeal of the current exemptions from the tax or the granting of new exemptions, a uniform state-wide property tax, replacement of the property tax by other state taxes or by a federal tax.

It has been suggested to President Nixon

that he should ask Congress to enact a federal value-added tax to replace the local property tax. Revenues from the federal tax would be given to state and local governments on the condition that they reduce the amount of their property tax. Other persons in Washington have suggested that revenues from an increase in federal income tax should be used to offset local property taxes.

There are also a number of bills designed to foster a better pattern of metropolitan growth and overcome the adverse effects on land use of factors such as America's current system of local and state property taxes. Last year, I introduced the National Land Use Policy Act, S. 2554. This bill would establish a systematic and comprehensive national land use policy which would coordinate the efforts of local, state, and federal agencies. The bill recognizes that the primary responsibility for land use planning must continue to rest with state and local governments, but it responds to the increasingly evident need for coordinated, long-term planning. The bill would provide the Secretary of the Interior, Rogers Morton, the power to provide grants to states to aid them in developing acceptable land use plans and the means and manpower to implement these plans. Hearings on this bill have been held by the Senate Interior Committee and I am hopeful that its proposals will be enacted by the Congress during the coming session. I would be happy to provide any interested person with a copy of this bill.

Ladies and gentlemen, I appreciate very much your attendance here this morning and your willingness to give me the benefit of your experience in this important area. I know that some of you would like to be able to reflect longer on this complex subject and gather more information on which to form your final judgment. But I appreciate your sharing your current thoughts with me and I hope that you will continue to keep me informed in the future.

#### AMENDMENT NO. 1502

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

Mr. TAFT submitted an amendment intended to be proposed by him to the bill (H.R. 14370), supra.

#### AMENDMENT NO. 1504

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

Mr. CHILES submitted an amendment, intended to be proposed by him, to House bill 14370, supra.

#### AMENDMENT NO. 1505

Mr. ROTH (for himself and Mr. TUNNEY) submitted an amendment intended to be proposed by them jointly to the bill (H.R. 14370), supra.

#### INTERIM AGREEMENT ON LIMITATION OF STRATEGIC OFFENSIVE WEAPONS—AMENDMENTS

##### AMENDMENTS NOS. 1498 AND 1499

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

Mr. MUSKIE, I am, for myself and Senators CRANSTON, HART, STEVENSON, and SYMINGTON, submitting two amendments to the Jackson amendment (No. 1406) to Senate Joint Resolution 241, the interim agreement on offensive weapons systems.

The operative clause of the Jackson amendment reads as follows:

The Congress recognizes the principle of United States-Soviet 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.

As Senator JACKSON has explained, "levels of intercontinental strategic forces" refers to numbers of ICBM's, SLBM's, and intercontinental bombers, taking into account the total payload—throw-weight—capabilities of such forces.

While these are vital elements of the overall strategic balance, they are by no means the only factor that must be taken into account in measuring the relative strength of the United States and the Soviet Union. There are many other vital factors such as numbers of warheads, accuracy, megatonnage, survivability, deployment, technical reliability, geographic factors, and the overall quality of weapons systems that must be considered in any measure of the nuclear balance of power.

I believe that the objective of our policy in future arms control negotiations must be to stabilize the arms race on the basis of equality in the deterrent capabilities of the United States and the Soviet Union. It is only on such a basis that both powers will feel sufficiently secure to refrain from further strategic arms build-ups. I cannot imagine a more important goal of U.S. policy than the achievement of this kind of equilibrium that preserves our security, guarantees the sufficiency of our defense, and frees us from the dangers and debilitating expense of a spiraling arms race.

The purpose of each of my amendments is to urge the President to seek a future treaty that preserves an overall equality, taking into account all relevant factors that make up the strategic balance. It may well be that our negotiators will want to propose general numerical parties either overall or in particular categories of strategic weapons systems, but I do not believe we should prejudice the negotiations and require them to do so. Rather than placing our negotiators in a sort of straitjacket during the next round of negotiations, I believe we should advise them only on the objective of achieving overall equality in U.S.-Soviet deterrent capabilities and allow them flexibility in identifying the means which will best achieve that objective. Such flexibility, after all, permitted negotiation of the interim agreement which clearly serves our interests and preserves an overall equality during the period of the agreement even though it does not provide for numerical equivalents.

My amendments would therefore strike the language of the Jackson amendment which reads "not limit the United States to levels of intercontinental strategic forces inferior to the limits provided for the Soviet Union," and replace this phrase with language that urges the maintenance of an overall equality. I have introduced two amendments with the same purpose—a short, simple amendment and a longer one which sets out the factors that could be considered in measuring the strategic balance. The second amendment is an elaboration of the first. I ask unanimous consent that these two amendments be printed in the RECORD at this point.

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

#### AMENDMENT No. 1498

On page 2, line 12, strike out the word "not" and language following up to and including the word "Union" on page 2, line 14, and insert in lieu thereof: "maintain an overall equality between the United States and the Soviet Union in nuclear strength and guarantee the sufficiency of U.S. defense".

#### AMENDMENT No. 1499

On page 2, line 12, strike out the word "not" and language following up to and including the word "Union" on page 2, line 14, and insert in lieu thereof: "maintain an overall equality between the United States and the Soviet Union in nuclear strength, taking into account such components as numbers of delivery vehicles, numbers of deliverable warheads, accuracy, throw-weight, gross and equivalent megatonnage, technical reliability, geography, deployment, survivability, overall quality of weapons systems, and other factors, recognizing that inequalities in individual components of the nuclear balance are acceptable providing that the overall balance of nuclear power is preserved".

#### AMENDMENT No. 1501

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

Mr. SYMINGTON submitted an amendment intended to be proposed by him to amendment No. 1406 to 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.

#### FEDERAL ADVISORY COMMITTEE ACT—AMENDMENT

##### AMENDMENT No. 1497

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

Mr. METCALF submitted an amendment intended to be proposed by him to the bill (S. 3529) to prescribe certain standards and procedures governing the establishment and operation of advisory committees in the Federal Government, and for other purposes.

#### FEDERAL-AID HIGHWAY ACT OF 1972—AMENDMENT

##### AMENDMENT No. 1503

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

Mr. WEICKER submitted an amendment intended to be proposed by him to the bill (S. 3939) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code and for other purposes.

#### ADDITIONAL COSPONSOR OF AN AMENDMENT

##### AMENDMENT No. 1445

Mr. KENNEDY. Mr. President, I wish to express my appreciation for the decision of the distinguished Senator from Minnesota (Mr. HUMPHREY) to join with the Senator from Michigan (Mr. HART) and the Senator from Maryland (Mr. MATHIAS) as a chief cosponsor of amendment No. 1445 to Senate Joint Resolution 241, the resolution of approval of the interim agreement.

Senator HUMPHREY long has been one of the Senate leaders in the area of arms control and disarmament. He was the principal author of the Senator resolution in 1963 encouraging President Kennedy to seek a limit on nuclear testing.

The introduction of that resolution was followed within weeks by the announcement of a moratorium on our nuclear weapons testing by the President; and a few short months later, the partial Test Ban Treaty was ratified by this body.

It is hoped that the history of this amendment, urging the President to announce a moratorium on nuclear testing and to offer a new proposal to the Soviet Union for a comprehensive test ban treaty, will be similar.

Therefore, it is with great appreciation that I ask unanimous consent to add the name of the distinguished Senator from Minnesota as a cosponsor of the amendment.

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

#### NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Antonin Scalia, of Virginia, to be Chairman of the Administrative Conference of the United States for a term of 5 years, vice Roger C. Cramton, 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 Friday, September 15, 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.

#### ADDITIONAL STATEMENTS

#### KILLING OF MEMBERS OF ISRAELI OLYMPIC TEAM—LETTER FROM SECRETARY OF SENATE TO SECRETARY OF STATE TRANSMITTING SENATE RESOLUTION 358

Mr. MANSFIELD. Mr. President, I submit a letter from the Secretary of the Senate, the Honorable Francis R. Valeo, to the Secretary of State, the Honorable William P. Rogers, transmitting Senate Resolution No. 358, adopted on September 6, 1972, as directed by the Senate in this resolution.

I ask unanimous consent that the letter be printed in the RECORD.

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

SEPTEMBER 8, 1972.

HON. WILLIAM P. ROGERS,  
Secretary of State,  
Department of State,  
Washington, D.C.

DEAR MR. SECRETARY: I am forwarding herewith Senate Resolution 358, adopted by the United States Senate on September 6, 1972, expressing the profound sorrow and deep



alarm of the Senate in connection with the events surrounding the killing of eleven members of the Israeli Olympic team participating in the Twentieth Olympiad at Munich.

It will be deeply appreciated if you will arrange for appropriate transmittal of these sentiments and expressions.

With kindest regards,  
Sincerely yours,

FRANCIS R. VALEO,  
Secretary of the Senate.

#### SENATOR MCGOVERN'S FOREIGN POLICY

Mr. HRUSKA. Mr. President, in a shocking departure from reality, Senator GEORGE MCGOVERN is now portrayed as willing to turn over all of Southeast Asia to communism without so much as firing a return shot. This revelation came forth from a Newsweek interview with Senator MCGOVERN's chief foreign policy adviser, Harvard law professor Abram Chayes.

According to Chayes, MCGOVERN would tip over friendly governments in Laos, Cambodia, and South Vietnam, and dismantle our Thai bases on the way out. And if it comes down to all of Southeast Asia, Chayes says that is expendable, too. If this represents Mr. MCGOVERN's views, then his foreign policy is certainly the most bizarre of any in recent history.

What GEORGE MCGOVERN proposes is no less than an Asian Munich—a surrender of principles and peoples so callow as to make Neville Chamberlain appear a latter-day statesman.

The answer to Mr. MCGOVERN is simple enough. It is that as long as men love freedom, they are not going to participate in the wholesale destruction of sovereign nations. And as long as Americans have a vote, they will not elevate to office men whose statesmanship has been forged on the anvil of surrender.

Mr. President, I ask unanimous consent that excerpts from the question-and-answer session between Mr. Chayes and reporters in Paris, as they appear in Newsweek for September 11, 1972, be printed in the RECORD.

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

#### WHAT MCGOVERN "CAN LIVE WITH"

And at a dinner last week in Paris attended by French officials and four journalists, including Newsweek's Arnaud de Borchgrave, Chayes presented his pull-no-punches assessment of the U.S. role in Southeast Asia. His blunt words were all the more significant because they presumably reflected MCGOVERN's own views—or at least, the foreign policy advice that the Democratic candidate is likely to receive from his top aides. Excerpts from the question-and-answer session between the reporters and Chayes:

Q. You say you would cut off all military aid to Saigon as soon as the MCGOVERN Administration takes over. But what if the North Vietnamese also insist that the United States cease all economic aid to the South Vietnamese regime before the prisoners are returned?

A. Well, we'll cut that, too, then. We're not interested in keeping any presence there at all.

Q. What if Hanoi then insists that we must dump Lon Nol in Cambodia and Souvanna Phouma in Laos—releasing, say, 100 American prisoners to sugarcoat the pill?

A. I don't think Hanoi will want Communist regimes in Cambodia and Laos, at least

not right away. But if it does, then we'll have to dump Lon Nol and Souvanna Phouma, too.

Q. And what happens if Hanoi says we must dismantle all bases in Thailand before they will release the rest of the prisoners of war?

A. We can live with that, too. After all, Thailand is already making deals with Peking.

Q. Are you saying that if he is elected, MCGOVERN would be prepared to abandon not only all of Indochina but the other nations of Southeast Asia as well?

A. We don't belong there.

#### CENTENNIAL COMMEMORATION OF NATIONAL PARK SYSTEM

Mr. MCGEE. Mr. President, this year the Nation celebrates the centennial commemoration of the national park system in this country. The celebration centers around Yellowstone National Park in northwestern Wyoming—the first area to be so designated as a national park.

In a recent edition of the Sunday Star and Daily News, writer Murray Olderman masterfully painted a verbal picture of two national parks in Wyoming—Grand Teton and Yellowstone.

Wyomingites take great pride in these two national parks, particularly in the overwhelming majesty and beauty of the Jackson Hole country.

I ask unanimous consent that Mr. Olderman's article of August 27, 1972, be printed in the RECORD.

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

#### NATIONAL PARK SERVICE IS ROUNDING OUT A CENTURY

(By Murray Olderman)

JACKSON HOLE, WYO.—It's 6 o'clock in the morning when Gary McLaren gets up, and the first thing he does is head for the living room in his cottage at Moose Junction.

Through the picture window he looks over the broad basin of Jackson Hole; then abruptly rising before his eyes is the majestic Grand Teton, the tallest white-encrusted pyramidal peak of the Teton Range.

The ritual is the same every day. Gary never tires of the panorama.

"Every time I look," he says, "it's beautiful. It's like I want to make sure the mountains are still there. I never take them for granted. They're still as interesting as the first time I saw them."

That was 20 years ago when District Ranger Gary McLaren first took up his post at the headquarters of the Grand Teton National Park.

Twenty-eight miles to the north of him on Highway 89, separated only by a narrow belt of forest land, lies Yellowstone National Park, the granddaddy of them all. Yellowstone was the first national park in the world and remains essentially 3,400 square miles of wilderness.

This is the centennial year. The occasion will be commemorated Sept. 18-27 with the Second World Conference on National Parks, to be held at both Yellowstone and Grand Teton, with delegates from more than 90 countries attending.

Here one can still drink pure water directly from the Snake River or glacial-fed Jackson Lake, through which the Snake flows.

Here is also where Gary McLaren once started out in a pickup truck from Moose Junction and by the time he got to Jenny Lake at the base of the Grand Teton, seven miles away, the whole truck was full of discarded beer cans.

That was 15 years ago. Now 15 to 20 people do nothing all summer in the park but pick up roadside litter. Two trucks, in 12-hour shifts, are out constantly patrolling for waste. "Now," says Gary, "many of the people are demanding of the country the right to go out and tear it up."

Preserving the natural state has been his life. Gary was born and raised in the Rockies of Colorado, where his dad was a park ranger for 36 years.

He has two brothers in the park service, one at the Grand Canyon, another at Rocky Mountain National Park.

Gary, who served with the 10th Mountain Division in Italy during World War II, has been a ranger more than half his life. He is 49.

At Grand Teton, he's in Resources Management and Visitor Protection, a euphemism for a ranger cop. His territory is 310,000 acres.

Through it last year passed 3.2 million visitors (1972 figures are up 30 percent).

And yet a visit here is the reaffirmation of nature untrammelled despite the incursion of man.

It is bolstered by the tranquility of a raft float on calm stretches of the Snake as it winds through the sagebrush of the Jackson Hole country in this northwest nook of Wyoming under the serene granite of Mount Moran with its year-round glaciers, and the other Teton.

"Through mistakes made in places like Yosemite," says McLaren, "we've been able to see what's going on and avoid them. For instance Yosemite proved to all parks that people like to have side distance in camping."

So the same grounds at Signal Lodge remain rustic and secluded.

When the ground is denuded, as at String Lake, campers are forbidden and the area reverts to nature.

"The hippies," says McLaren, "came in with the idea they would stay all summer and forced the park to lower camp stays from 30-day to 14-day limits on one site."

From the window of his small office at the Visitor Center, Robert Woody can see the steam rising in progressively bigger puffs. Through it a spray of water jumps in spurts ever higher until it reaches a summit of 130 feet.

At 1:05 p.m., Old Faithful has erupted, just as it has every 65 minutes since an intrepid trapper named John Colter, trying to elude hostile Indians, first stumbled upon the geyser back in 1810.

It is Yellowstone's most famous phenomenon, one of 3,000 geysers in the park. And around it has risen virtually a summer urban community to accommodate the 25,000 daily visitors who observe its regular gushing.

Woody, a tall, slender, studious-looking North Carolinian, is the ranger in charge of the Old Faithful station. He has been here since last October.

"This park is one of the best examples of wilderness left in the U.S.A.," says Woody, whose park service has also included the Everglades in Florida and the Civil War battlegrounds of Vicksburg and Antietam.

"People coming here should get away from the windshield experience." Meaning they should get off the 500 miles of road and onto the 1,000 miles of trails.

Yet this also leads to one of the hazards associated with national parks. One man has already been killed by a bear in Yellowstone while camping at an unauthorized spot.

"There is a reluctance of people to respect danger associated with wild animals," says Woody.

"They'll completely encircle a bull bison. I can appreciate their enthusiasm, but it's dangerous."

For himself, Woody best appreciates the winter where the snow gets so deep the roads are closed and the only way into Old Faithful is by oversized snowmobiles, called snow coaches.

Some 25,000 people manage to get into the park's interior in a winter.

"With the big push in environmental awareness," he says, "people have come to take a more appreciative view of parklands. All you've got to do is ride down the highway and see it."

In a day of riding through the park, along the crest of the Grand Canyon of the Yellowstone, through the bubbling mud flats, past endless miles of forest and meadow, only one stray piece of paper was seen.

A ranger who spends all his time here gets an entirely different perspective of life.

"Where else," muses Woody, "can you walk outside the front door and see a herd of elk? Or be late for dinner because there's a buffalo grazing outside your vehicle and you have to wait for him to go away?"

Department of Interior film shown in special theaters surrounding Old Faithful closes on the following note:

"A complete natural experience is what Yellowstone is all about."

Nature has its danger for man. Deep in the Otter Body snow field under the crest of Grand Teton lies a body entombed forever because in this country the glaciers cling to the mountain all year long.

The victim was one of a party of 14 mountain climbers stranded during a surprise August snowstorm.

There is a ranger force in the Grand Teton National Park which specializes in mountain rescues.

Last year alone, six people were killed on the mountain, three of them while glissading—a hazardous form of skiing down a glacier, without skis.

Even in the winter when blizzards buffet the highest crags, hardy souls brave the climate in climbing attempts.

"We're proposing," says Glenn S. Everhardt, "that 110,000 acres of our park be placed in the wilderness mountain range."

Everhardt is Grand Teton park superintendent. He's not consciously trying to deter mountain climbers. They'll keep coming, for the usual nonreason. The purpose is to preserve the virginal quality of the land.

"We have," says Everhardt, a good clean park." And people know it.

Since 1951, when visitor figures were first compiled, the traffic has risen from 640,000 to more than three million a year.

They have brought attendant problems. "We have a lot of cars," says Everhardt. "Are we going to continue construction of roads and parking areas, or are we going to use auxiliary methods, such as busing?"

Busing? Where man is concerned, some problems, it seems, are universal.

#### A TRIBUTE TO KURT WEILL, COMPOSER, ON THE 37TH ANNIVERSARY OF HIS ARRIVAL IN THE UNITED STATES

Mr. JAVITS. Mr. President, in the painful history of persecution and uprooting through history, there are many examples of contributions made by talented men and women to the cultures of their adopted lands. But there are only a few of those whose creative resources were of such power that, like giants, they were able to straddle continents—one foot on European soil, the other on American, past and future merged into their genius. In science one thinks of Albert Einstein. In music, Kurt Weill—one of this country's most distinguished adopted sons, who first arrived in New York City, 37 years ago on September 10, 1935.

Considered by many critics to be one of the outstanding theater composers of this century, Weill collaborated with some of the finest lyricists and poets ever

to write for the musical theater of the Western world—Bertolt Brecht, Maxwell Anderson, Paul Green, Langston Hughes, Ira Gershwin, Ogden Nash, Alan Jay Lerner. His "Threepenny Opera" is one of the most performed musical works in theater history, and few composers have so bridged the cultures of the old world and the new in works ranging from musical comedies, operettas, and operas to symphonies, cantatas, and ballets.

Weill was born on March 2, 1900, in Germany, of distinguished Jewish heritage. His musical education was in the rigorous classical tradition, and by the time he was 30, he was recognized as one of Germany's foremost musicians. But because his art was in open collision with Nazi ideology, and because of his Jewish origin, Weill was forced to flee overnight from Berlin in March 1933. His scores were publicly burned in front of the State opera house, and his music was banned forever by the Third Reich. Together with his wife, Lotte Lenya—the eminent interpreter of his songs and an actress today admired over much of the world, Weill escaped to France. Two years later, at the invitation of Director Max Reinhardt, who had come to America also to escape the Nazis, Weill and Miss Lenya came to live in the United States. Weill spent the remaining 15 years of his life in his adopted country, becoming a U.S. citizen in 1943 and making a major contribution to the American musical theater.

In the years since his death in 1950, Kurt Weill's music has grown in popularity, and, indeed, in recent years his genius and international stature have begun to be fully revealed and recognized. At the Kennedy Center last season, a production of Weill's last work, "Lost in the Stars," a passionate protest against racism enjoyed both critical and popular acclaim.

On October 1 a new production will open at the Theatre DeLys in New York, paying tribute to Weill's life and genius. In connection with this production, "Berlin To Broadway With Kurt Weill," a series of commemorations are planned, with the participation of Miss Lenya, distinguished artists of the theater, the Christopher Street Association, the city of New York, and the Federal Republic of Germany. I am honored to pay tribute today to this distinguished adopted son on the anniversary of his arrival in the United States 37 years ago.

#### RICH MINE OF SOCIAL INFORMATION IN FILES OF FEDERAL COMMUNICATIONS COMMISSION

Mr. HARTKE. Mr. President, I ask unanimous consent to have printed in the RECORD a report given to the board of trustees of the Broadcasting Foundation of America by its president, Mr. Seymour N. Siegel, who for many years was head of New York City's Municipal Broadcasting System.

Mr. Siegel calls to our attention a rich mine of social information residing in the files of the Federal Communications Commission. These files, which are a public record but largely unused, are accumulated by the Federal Communications Commission as broadcasters, in re-

newing their licenses, conform with the requirement known as "The ascertainment of community problems, needs, and interests."

It is clear from Mr. Siegel's report that this mass of information illuminates what the public itself thinks our Nation's major problems are, and by inference in what areas it demands governmental action. These files apparently represent a reflection of the people's will and deserve examination by policymakers and all those who execute policy.

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

WHAT'S WRONG WITH NEW YORK?—BROADCASTERS'-EYEBROW OF THE COMMUNITY THEY SERVE PROVIDES POTENTIALLY MAJOR SOCIAL INFORMATION BONUS DIVIDEND

(By Seymour N. Siegel)

Within the past several months, 54 radio and television broadcasting stations in metropolitan New York have been going through, what was for some, a traumatic process; license renewal procedures. Part of the preparation for submitting an application for the renewal of a broadcasting station license to the Federal Communications Commission is what is known as "the ascertainment of community problems, needs and interests." This entails eyeball-to-eyeball meetings with numerous community leaders on the part of the individual program decision-makers at each broadcasting station. It is an FCC-imposed requirement that station managers personally meet with, and talk over community problems with leaders in education, medicine, law, the clergy and politics, as well as social, health and welfare agency managers. This must be done in the same ethnic mix which is called for by the census tracts.

It guarantees that the operators of broadcasting stations have personally exposed themselves to the views of community leaders and groups, who in turn, have at least one opportunity in every three years, to sensitize managers of the electronic media to the individual problems, needs and interests of their constituencies. Community leaders get to know at least one decision maker at each station and presumably would call on him or her, if ever there seemed to be a need for air time.

As a result of these numerous personal meetings and conferences, each broadcaster draws up a profile of what he considers to be the major problems of New York and the surrounding metropolitan area. He then decides what programs he will present in the next three years to meet these community needs through broadcasting. On the basis of these promises he may get his license to broadcast renewed. His promises are subjected to close scrutiny the next time around, especially by potentially competing citizen groups. As one wag has put it "you build yourself a box, and the Commission nails you into it."

This procedure must be completed within the immediate six months prior to the date to file a renewal application. The first several months of 1972 have been busy ones, indeed, for New York broadcasting managers, who had simultaneously to mind the store, and subject themselves to a kind of masochistic exercise when many of the younger, more activist, sometimes self-appointed, so-called community leaders did not hesitate to give them the benefit of their ideas.

Many of the broadcasters were happy to have an opportunity for face-to-face meetings with top community figures. Most station managers do not live in the city and do not vote there. Most of their martini and luncheon time is spent with their peers and with advertising agency people in clubs or posh restaurants or at their desks. Daily commutation removes a great many of them from the city's night time life, and week ends in the country preclude getting a handle



on the core of the city's problems. There is also a definite pecking order among the stations, and most broadcasters feel that they do not enjoy the social and political contacts with the community, which their opposite numbers on the newspaper side are reputed to have. Most will tell you they found the ascertainment process an exhilarating experience. They learned something about the nuts and bolts of city life and are making determined efforts and good-faith commitments to help meet some of these problems.

Though most of the top level of politicians, educators, professional men and women and community leaders presumably presented identical views to different station managers, the broadcasters place varying values on such views and made differing judgments on what is wrong with New York. The results, taken together, are a concentrate of urban pathology. As social scientists, the broadcasters could make their surveys but the question immediately arises as to how effective broadcasting could be in meeting what are in many instances essentially societal problems.

Channel 2 (WCBS Television) for example, considers that there are 15 major problem areas in the greater New York metropolitan community. With 13 decision makers in the station's management personally interviewing almost a thousand community leaders, the Columbia Broadcasting System flagship station presented the following problem areas in alphabetical order, if not in order of community-expressed priority.

1. Arts and culture. The writer of the station's application considered the problems of the insuring of the viability and survival of the arts in the face of New York's reputation as a communications and publishing capital. He considered the major national cultural institutions in the city and the need to strengthen long-term financing of cultural institutions. The effects of crime, prostitution and urban blight on the Broadway Theatre, the public budget crunch and its effect on the curtailment of library and museum services and the general lack of economic support for the arts were emphasized.

2. Crime, justice and penology. Drug-related crimes, especially burglary and mugging was underlined. The increase in lawlessness and the growing acceptance of petty criminality and mounting violence is seen as a heavy tax on the police force. The greatest frustration seemed to be the inability of the law enforcement agencies to deal with "crime in the streets." The corruption of some of the police and some public officials and the clogging of the courts were viewed with deep concern. The failure to provide equal justice to the poor and the existence of brutalizing conditions in prisons and jails were considered as failures of our society.

3. The drug epidemic seemed to be the most alarming problem, as symptomatic of a broader social malaise. Drug users in the school population were held responsible for downgrading of education received by all of the citizens. The drug traffic is seen as pervasive and destructive in its effect on the quality of life for all citizens. Likewise it is the facilitative influence in the corruption of police and other public servants. Many community leaders, according to the CBS profile, sought to deal with the drug problem as a medical, rather than a criminal problem, and advocated legalization of both hard and soft drugs.

4. Great concern was expressed about problems of the economy. Both business and labor leaders are worried about competition from abroad and the inability of American industry to match costs and prices for imported goods. Chronically high unemployment precludes utilizing the talents of youth, veterans and minorities. The inordinate power and restrictive policies of unions were cited as causative factors. The rise of consumerism is perceived as meddlesome and irresponsible by some leaders and seen by others as long overdue. Worry was expressed by the growing

inefficiency of American industry and the lack of competence in the economy.

5. The educational system was a cause of great dissatisfaction as many leaders were reported to have pointed to the general societal misinterpretation of the nature of education and its role in a democracy. Many doubts were expressed concerning the quality of education provided by the system. The failure to teach basic skills such as reading and arithmetic, the failure to motivate students to participate fully in the life style of the American majority and the rising tax costs of education were the basis of a taxpayers revolt. The declining productivity and the increase of unionization of teachers were items of great concern. Educational bureaucracy was considered top-heavy and debilitating. Political meddling in district school boards has been brought about by both decentralization and not enough of it. The failure of teachers to understand the life style and legitimate aspirations of inner-city students was cited.

The need for more relevant vocational, educational emphasis was expressed by several interviewees. A better relationship between private and public colleges and universities was pointed out as a current problem.

6. Ecological and environmental problems and needs predominated in a group of community leaders. Conservation of air quality and water resources received a great deal of attention. An immediate problem of considerable and growing importance was the matter of solid waste disposal. The mounting problem to balance energy generating with consumer needs received a high priority. The development of manufacturing and transport in such a manner as to bring about less destruction of natural resources was given more than passing attention. Conservation efforts in preserving wetlands, seashore and green belts around the metropolitan area were objectives of general concern.

7. In the area of government and politics there was universal concern for how the structure and financing of the system affect individuals. The conflicts of interest between city and state, ambiguities of Federal jurisdiction in urban areas, relationships between the inner city and the suburbs and the relationship of political parties to government and the citizen appeared to be a source of considerable concern.

A lack of parity in financing and influence among the political parties, their frequent failure to delineate issues or to field the best qualified candidates with a vision extending beyond personal or parochial, political or patronage considerations, were the concern of most good government people.

The ostensible lack of communication and coordination among the 1400 disparate political entities in the region and the consequent lack of regional planning was highlighted as an outstanding need.

The mounting costs of government, especially due to union pressures, was the basis of considerable concern. New York City's Pension Plans were described as highly inflationary and unduly burdensome on the taxpayers. Inadequate budgetary controls over city expenditures and resultant poor planning was frequently mentioned. A great many leaders called for local government and political parties alike, to become more responsive, more accessible and more accountable.

A need for campaign-spending reform, financial disclosure laws and strong conflict-of-interest statutes was forcefully mentioned. Coordination at all government levels was indicated frequently as a matter of concern and new watchdog structures were called for. New independent agencies were suggested to perform the investigative function of regulatory agencies and to monitor government spending.

8. In the field of public health, grave concern was expressed that, despite the much vaunted leadership of the United States in

scientific research, its record in the delivery of health care and medical services to its citizens rank far below that of many other industrial nations. In the inner cities, the infant survival rate seems to be far below national averages and disease rates and the availability of health services are likewise below average. While attention is being paid to dramatic surgical techniques, such conditions as poor nutrition, inadequate dental care, preventive medicine, venereal disease, sickle cell anemia and lead poisoning go almost unnoticed. The high cost of medical services as well as the lack of availability of hospitals, clinics or private care in many areas was remarked upon. There is a shortage of funds and personnel for the care of the mentally ill, the retarded, the handicapped, the aged and those with long term illnesses. Abortion reform laws have already over-burdened the hospital system and the costs of abortion must be reduced. The shortage of physicians, nurses and paraprofessionals as well as the lack of support of biomedical research, are important problems.

9. Housing was perceived as a major problem throughout the metropolitan area. Low and middle income housing seems to be in chronic short supply. The pressures of population, the exodus to the suburbs and the failure of the city to establish an effective program to hold back deterioration were cited as important. Concern was expressed over the rent strike movement and the radicalization of residents of upper income. The unionization of service employees, mounting real estate taxes and tenant disaffection, all play a role in the increasing abandonment of existing housing by landlords seeking desirable return on their investments. Fear of low-income public housing and restrictive zoning practices are factors inhibiting new housing outside the city. The lack of overall housing policy for the city and the region, a need to reconsider zoning policy, to inhibit unplanned urban sprawl, to break down de facto segregation in the suburbs, to provide adequate housing for the elderly, all were seen to have high priority.

10. Welfare and poverty were recognized as critical problems. The inability of the city to sustain the enormous burden of welfare costs laid upon it and the negative effect on the city's ability to deliver other services all emphasized the need to transfer the cost of welfare as a national problem to the Federal government.

11. Race relations seem to be the single most important problem facing the metropolitan area and the country as a whole. The growing polarization among the races due to the rise of the level of expectations on the part of Blacks and Puerto Ricans in the late Sixties which was not matched by rapid enough change, was pointed to as the cause.

The Vietnam war was mentioned by many leaders as having diverted both funds and attention from the problems of the cities. The nation as a whole and its individual citizens lack a sense of long term commitment to the solution of the problem according to many community leaders.

Tightened economic conditions have brought about evidence of White backlash because of the seeming upward movement of minority groups which, some community leaders said, were apparently receiving preferential treatment. The need for a greater understanding by one group with another was called for. Specific issues such as busing, scattersite housing and one acre zoning all seemed to have a racial component.

12. The panel generally expressed dissatisfaction with the quality of life in the city. City life was described as abrasive, graceless and alienated. The apathy of individuals or groups toward the needs of other segments of the society was remarked upon. The breakdown of moral and ethical values and the inability of citizens to cope with change were items of some import. Some leaders spoke of the necessity to counteract what they de-

scribed as a growing parochialism and isolationism. They called for a development of the awareness of the global nature of certain problems, and of a world outside, consistent with New York's increasing role as an international center. There was widespread recognition of the need to develop leadership at the community level to re-connect people with the institutions which shape their lives and to work toward the empowerment of the powerless.

13. With an uncertain economy, the need for increased governmental services, the burden of welfare and the rising costs in education, taxation was perceived as a major problem. Local taxation sources, chiefly the property tax, and the sales tax seemed to be close to their limits. Revenue sharing by the federal government was felt to be essential. Specific tax reforms to close tax loop holes and to do away with regressive taxes and to provide tax relief for the elderly and for those who bear the burden of the cost of higher education was called for. Concern was expressed over the effect of recent court decisions declaring local property taxes unconstitutional when they result in inequality in the educational system. The efficacy of alternative revenue producing systems such as off-track betting and city lotteries was questioned.

14. The need for a coordinated system of transportation was cited by many. Inadequacy of service, maintenance and equipment had an adverse effect on mass transit and was considered to present a major problem. Increased fares and the defeat of the New York State Bond Issue generates the necessity to find alternates to use as a support of mass transit. Other problems came to the fore, including airport ground travel inadequacies, air traffic control and the necessity to solve the 4th jet port dilemma, and the decline of the New York waterfront.

15. The liberalization of New York's Divorce laws, the effect of abortion reform changes and attitudes toward the historical role of the sexes, particularly among the young, and the increased activity of the Womens' Liberation movement have all tended to increase the awareness of the necessity for re-examining the status of women in the society. Community leaders mentioned the necessity for assuring equality of employment opportunity for women, of increasing day care facilities and for working toward the greater participation of women in public life.

Channel 4 (WNBC-TV) interviewed only about 350 Community Leaders, but in addition employed the R. H. Bruskin Associates of New Brunswick, New Jersey to conduct a survey among the public, seeking to ascertain whether a problem was very serious, serious or no problem at all. The research firm set forth the following categories of problems from which a statistical sample of residents of the metropolitan area made choices:

1. Vietnam.
2. Air pollution.
3. Conservation of natural resources.
4. Taxes.
5. Safety in the streets.
6. Care of the aged.
7. Community health problems.
8. Rent control.
9. Welfare programs.
10. Drugs in the schools.
11. Quality of education.
12. Adoption and foster care.
13. Consumer information and protection.
14. Employment.
15. Womens' rights.
16. Gun control.
17. Juvenile crime and vandalism.
18. Non-violent protests.
19. Union wage demands.
20. Television service.
21. Strikes by public employees.
22. Cost of medical and hospital care.
23. Rehabilitation of narcotic addicts.
24. Acceptance of Puerto Ricans.
25. Pornography and obscenity.

26. Cooperation in city and local government.

27. Noise pollution.

28. Urban and regional planning.

29. Pollution control.

30. Ghetto living conditions.

As a result of the station's ascertainment efforts, the following local, national and international problems seem to be of the greatest concern to the needs and interests of the public served by Channel 4.

1. In the field of narcotics, the control of drug traffic, drugs in the schools, rehabilitation of narcotic addicts and the use of marijuana were all considered top priority.

2. In the field of urban and regional planning, items such as transportation, municipal services, city, state and federal government relationships were picked.

3. In the area of crime, juvenile vandalism, violence, safety in the streets, organized crime, gun control and the possession of explosives were mentioned.

4. In the field of health and welfare, rising medical and hospital costs, care of the aged, welfare programs, consumer information and protection, were highlighted.

5. In the area of ecology and the environment, the pollution of air, water and noise, the disposal of garbage and waste and the conservation of natural resources, were emphasized.

6. In the field of the economy, the lack of job opportunities and unemployment, the rising cost of living, and taxes were the items to watch.

7. Costs of education, its quality and the lack of facilities took most attention in general.

8. In the field of housing, the lack of public housing, continued existence of ghetto conditions as well as increased rentals were the major concerns examined in the survey.

9. Minority employment and business opportunities, the very acceptance of minorities, equal rights, and minority identities all came up in problems having to do with race or ethnic divisions.

10. Insofar as Southeast Asia is concerned the conflict in Laos, Cambodia and Vietnam as well as the prisoners of war issue and the problems of returning veterans were all mentioned.

Channel 4 in its program proposals to meet all of these problems remains, wedded to the more traditional program breakdown which was required in renewal applications of past years.

NBC's proposals to meet community problems were in the areas of public affairs, instructional programming, agricultural, and religious programming.

In the public affairs sector WNBC-TV will continue to present "Open Circuit", with the Chairman of the New York City Human Rights Commission, Eleanor Holmes Norton. There will continue to be presented "Man in Office", "Direct Line", "Speaking Freely", "Station to Station", and "Not for Women Only", and the station will continue to present documentaries and network originations such as "Meet the Press", "Today", "Comment" and "Chronology".

In the educational or instructional area the program proposals to meet community needs include "Library Lions" (The New York Public Library), "Zooorama" (in cooperation with the San Diego Zoo), "See for Yourself" a children's program (using the Bank Street College of Education as the consultant), "Take a Giant Step", "Mr. Wizard", and "Watch your Child".

To meet the needs of agricultural viewers, "Across the Fence", offered Saturday mornings, and "Agriculture U.S.A." produced by the NBC station in Los Angeles will be offered.

In the religious field "TV Sunday School", "TV Hebrew School", "The Maryknoll World", and "From Now on" are designed to meet these needs.

At Channel 7 (WABC-TV) about thirty-two executives interviewed community leaders. Everyone from the Vice-President

and General Manager to Account Executives were involved in meeting with some 371 leaders. In addition a personal interview survey was commissioned by a research organization, community affairs luncheons with civic, governmental and minority leaders were held, and numerous letters were sent to a cross section of community leaders. Furthermore, requests were made on the air to viewers asking that they inform the station of community problems of concern. WABC-TV also pointed out in its application that personnel in the station were members of local organizations and professional groups. The station also made an intense analysis of mail and telephone calls from viewers.

Local problems in order of priority were identified by Channel 7 as:

1. Crime.
2. Housing.
3. Drugs.
4. Education.
5. Unemployment.
6. Transportation.
7. Racism.
8. Taxes.
9. Money.
10. Welfare.
11. The environment.

State problems included again, in order of priority:

1. Finances and Taxes.
2. Education.
3. Welfare.
4. Crime.
5. The relationship between state and city.
6. Revenue-sharing.
7. Drugs.
8. Housing.
9. Mass Transit.
10. Unemployment.
11. Discrimination and racism.
12. Urban affairs.

National problems were headed by:

1. The Vietnam War.
2. New priorities.
3. Welfare.
4. The economy.
5. Revenue-sharing.
6. Racism.
7. Urban affairs.
8. Unemployment.
9. Crime.
10. Education.
11. Drug abuse.
12. The credibility gap.

Responses from Blacks and Puerto Rican leaders were analyzed separately, and significant differences in emphasis seemed to be apparent. These leaders agreed that crime, drugs, housing, education, unemployment and poverty were the most important problems in the metropolitan area. White leaders, on the other hand, felt that these could be solved with additional resources, mainly, money. White leaders emphasized revenue-sharing at State and National levels and stressed the need for "reorientation of our priorities". The minority leaders characterized the important problems as crime, housing, drugs, education, unemployment and poverty as surface manifestations of basic and insidious problems of racism. "The System" is exclusionary and exploitive. Minority distrust explains concerted drives toward "community control" of schools, welfare programs and other essential services. The more moderate, pleaded for the establishment "to give us the resources but let us do it ourselves". Among the militants, the statement became a demand "to rectify historical grievances" and to do it now. The overriding concern of inner-city groups revealed a deep feeling about the problems of the deteriorating urban ghettos, including crime, housing, drugs, education, unemployment and racism. They feel they are underrepresented and outvoted in state legislatures.

Insofar as the perception of National problems are concerned, the most basic concern was the Vietnam War. The need for new priorities, welfare, the economy, and revenue



sharing are almost equally vehement in the expression of these leaders.

In the Fall of 1971, Herbert Kay Research Inc. conducted a survey of the general public for WABC-TV where some 2200 adults who were 18 years or older, and were heads of households, were offered a list of 31 problems from which to choose what were "especially serious" problems.

Here an area probability sample was employed, and the ethnic mix approximated the census. For example 9% were German Americans, 8% were Puerto Ricans, 12% were Irish Americans, 16% were Italian American, 13% were Jewish, 3% were Polish Americans and 39% were none of these. The most important national problems from the point of view of the ethnic groups were listed as the Vietnam War, inflation and the cost of living, drugs and narcotics, race relations, crime in the streets and unemployment.

Inflation and the cost of living were mentioned most frequently by those least likely to suffer from its effects. Whites and college graduates singled this out more often than non-whites or persons of lesser education.

The most important state problems were listed as taxes, drugs, crime in the streets, and the high costs and abuses of welfare followed by unemployment, pollution, race relations, corrupt politicians, and other social problems.

In New York City, drugs are most frequently mentioned, followed by crime in the streets and taxes. Most pressing problem to the white sample were taxes.

Insofar as local area problems were concerned, drugs, dope, crime in the streets, high taxes and other social welfare problems were mentioned.

An interesting subdivision of the study was a section devoted to the public reaction to government services. The public was asked whether or not the government was doing a job well, poorly or didn't know. The most negative public response was in the areas of welfare, recreation for teen-agers, old-age care, recreation for the elderly, the courts, public schools, parking facilities, jails and subways and buses.

In New York City, only fire-fighting and parks and museums were considered by this sample as being handled well by the municipality.

WABC's profile of the area's problems contains considerable dramatic hyperbole.

"Local governments are experiencing growing inability to fund necessary basic services locally", says the report. "Services in general have deteriorated markedly and there seems to be a pervasive attitude that the quality of life has declined significantly. All major areas of life seem to be affected. Educational levels in the area schools continue to drop at a disturbing rate. Unemployment remains high. Drug abuse is reaching epidemic proportions. Housing is shockingly and disgracefully inadequate. Crime, much of it drug related, continues to increase. There's an increasing tendency on the part of dissident groups to consciously ignore the orderly process of lawful behavior. Mass transportation is inadequate and what exists is far from acceptable."

"Pollution, particularly, air pollution is a serious problem in the metropolitan area. Area welfare rolls are rising at an alarming rate. Health care for many residents, particularly the poor and mentally ill are shamefully inadequate. Tensions persist among area minorities. Corruption has been discovered in several sectors of municipal government. All these problems continue to affect the people residing in the metropolitan area."

The basic theme which permeates the thinking of persons from all levels of society concerns "the quality of life". In these difficult times, fundamental soul-searching appears to be taking place and many people are asking the questions "Where are we?" "Where are we going?" "Why?"

Significantly the answers are often based on philosophical considerations and are articulated most often as a need "to reorganize our priorities as a nation, as a state, as a city and as individuals". Specific problems such as crime, drugs, unemployment and housing are viewed merely as symptomatic of a far deeper illness.

"As a practical matter it is visible symptoms with which we must often deal, but in doing so, we cannot lose sight of the fact that they are all interrelated to, and are part of an overall and more basic malaise".

Insofar as drugs are concerned, this is a two-fold problem. The first aspect is drug abuse, and the effects on the individual. The other dimension is the resultant criminal activity of addicts desperately in need of substantial sums to support their habit. "The New York City area has the dubious distinction of being the drug capital of the country".

"The Federal Bureau of Narcotics estimates that thefts for illicit drugs reach billions of dollars a year. The solution to various dimensions of the drug problem must be found and implemented soon as the price for our failure both in terms of human suffering and in crimes committed by drug users is too high to continue paying for it".

"The cost of eliminating slums should not be viewed as a burden", but rather as an investment in the health and welfare of all the people of the community. In view of the dissension among federal, state and city housing administrators, the enormous complexity of the problem and the economics of residential construction in New York, "the housing situation will undoubtedly get worse in the New York metropolitan area before it gets better", says the WABC report.

"Insofar as education is concerned, the problems of the educational system must be solved if the future of our society is not to be jeopardized". Even more energy must be expended in coping and remedying the defects in the areas of our educational systems.

"The old method of running transportation systems in greater New York are not working, and new ways will have to be found to keep mass transportation and people on the go".

In urban areas fear for one's own personal safety has become virtually a way of life. The same fear is reaching out into suburban areas. "Crime knows no geographical boundaries."

The rate of unemployment in the New York City area (6.7% for whites, and 7.6% for blacks) is considered very serious indeed. It is interesting to note that of the 570,000 jobs at the three levels of government include an increase of 160,000 government jobs since 1960. The salary scales for municipal employees in New York City have reached or surpassed their equivalence in private industry, according to the survey.

The funding and taxation available to local government is insufficient to meet the bills. There is no doubt that local, state, and government taxes will go higher, but the big question is how this is spent. The essential challenge of government is to determine the priorities in the spending of money.

In order to clean the streams, get pure drinking water, freshen the air, and dispose of the trash, \$10,000,000 will be needed in the next twenty years which means \$25 for each man, woman, and child in the region.

Racial issues are obviously of considerable concern. "Equality per se does not now exist in the metropolitan area". Hostility and bitterness toward whites predictably follows. Increasing militancy is seen from increasing numbers of black leaders.

"Much needs to be done by men of good will to rectify real injustices". The process of changing the hearts and minds of people is a long and difficult one. Society must change the actions and outward manifestation of human prejudice wherever possible by example, normal suasion and the enforcement of law.

The financial drain of welfare payments continues to be a major budgetary problem for both state and New York City. The problem is a growing one and solutions must be found.

"The centralization and creation of super agencies have resulted in deterioration insofar as the response of government is concerned". Increasing cynicism by the public toward government is an obvious phenomenon.

"The Vietnam War has long been a divisive force in the community".

Inflation in the New York area has exceeded the national average. The wage earner is squeezed and sees "no light at the end of the tunnel".

The WABC report points out that outward migration is not new and population movements from the inner city to the suburbs seems to have leveled off. The Kerner report on civil disorders warned about two Americas. "The City is becoming Black and suburbia becoming predominantly White". "New York City", says the report, "is rapidly becoming the haven of the very rich and the very poor. There is no denying that much business is moving out, adding to the city's unemployment problem". Middle income residents face soaring rents, rising transportation costs, increased taxes of all types, air and water pollution, and a growing crime rate . . . "more than a million on welfare at the present time, and its cost is a growing burden".

"Traffic throttles city life. Mass transportation is inadequate and getting worse. Drug abuse and the resultant increase in crimes have driven citizens out of the city limits. Serious defects in urban educational systems cause consternation among city-dwelling parents. The way of life is the product of industrialization and consequent urbanization of our society. Urban life is unquestionably undergoing a period of neglect".

WNEW-TV (Channel 5) authorized a general survey by the Opinion Research Corporation of Princeton, New Jersey. This was a telephone interview type of survey involving 2000 individuals in 18 counties. The results of public choice almost monotonize what community leaders have been saying to other stations.

"Hard drugs are moving to the suburbs . . . There is too much drug abuse . . . Drugs force children to steal . . . There is too much drug addiction in the area."

Increase in crime and a lot of robberies, robbing and mugging, breaking into people's homes, juvenile delinquency and an increase in the number of burglaries in the area were all underlined.

Taxes are too high . . . Property and school taxes altogether too high . . . Taxation is not fair to those who have no children in school . . .

Schools are crowded. Not enough money is available to spend on education; too many schools for the amount of people and they want more. A split session in High School is still not big enough to handle all the children. The improvement of schools is an important need; financial aid to schools and school finances are matters of great concern.

Housing has become a problem among middle class people. The high rents in apartments generally, and there is the complaint that there is plenty of housing for low-income families but not sufficient housing for middle and high income families.

Insofar as air and water pollution is concerned, the water is getting more and more polluted . . . There is contaminated water and it tastes disgusting . . . Water pollution and the damp burning of refuse is a pair of ecological problems which bother the public.

Public transportation is sadly lacking where there are no trains or buses. Transportation needs without an automobile leaves people lost.

Garbage collection and sanitation pick-ups are not carried out neatly. There are inadequate facilities, the lack of cleanliness, and there is the general criticism that the Sanitation Department is not doing its job.

Unemployment, police protection, the high cost of living, and racial problems as well as the high cost of renting, local government and the need for better administration and the elimination of political corruption are all mentioned.

When asked whether or not these various problems are going to get better, or get worse, or stay the same, in almost all cases the majority of respondents felt that the problems were going to get worse.

A subdivision of a survey was devoted to youth and young people who are in grade school and high school. Among these very young, the top 5 problems were drugs, pollution, crime, traffic problems and recreation.

WNEW's community leaders survey involved some 761 leaders from 27 counties.

WNEW-TV set forth a wide variety of comparative computer-generated tables by various breakdowns. In essence, the application is a veritable statistical abstract. There are 41 tables and all sorts of combinations and permutations. In a way these are ponderous sets of figures which delineate concerns along demographic dimensions, but provide extremely valuable comparisons.

The most serious local problems according to the WNEW community leader survey, are the economy, drugs, crime, housing, education, government, youth, transportation, ethnic problems, growth, apathy, welfare, health, communication and ecology.

Economy is the number one problem, and ranks well above the average, with Blacks and at the local government level. Drugs are a significant concern to females, Blacks and Spanish-speaking communities. Crime is the major concern of governmental leaders at all levels. Housing is a major concern of Blacks and Puerto Ricans. Education is a major concern of Puerto Ricans. The writer of the WNEW application emphasizes that the mounting drug problem compounded by its move to the suburbs and the ever-increasing crime rate are the major concerns of the people and their community leaders. For the community leaders, the economy dominates all other considerations. The third ranking most serious local problem for the general public is taxes—too many and too high—and the tax structure.

On problems at the state level, there's a unanimity of thought on the most important problems and needs. Taxes are too high—they are a major concern involved with the economy. The lack of funds and the plague of fiscal problems which present a financial conflict to government is a big frustration. Drugs, and crime, along with environmental protection, public transportation, and schools stack up as major issues for the general public. Women leaders view problems of housing, welfare and health as far more pressing State problems than male leaders.

On the National level, the War, of course, is the major issue. The economy and inflation rates second.

WNEW-TV proposes to meet most of these problems through the presentation of "Mid-day Live" where the general manager of the station appears regularly. There is a monthly program entitled, "Alternatives".

WNEW will continue to offer "Wonderama", the "David Suskind Show", and "You, The Citizen", a monthly special.

With regard to the radio stations operating in the New York metropolitan area, the community surveys reflect almost a uniformity of common concern. A wide range of problems exist which are by no means restricted to crime, drug addiction and the usual catalogue. These problems are real and important and the stations do not minimize them. There are also great needs culturally

and in entertainment, which the stations hope to meet by their programming.

WHN is proposing a one hour a week program touching crime, drug abuse, human relations, environment, economic problems, health problems of the aged, cultural and recreational facilities, etc. This program is planned twice a week to be carried at 11 PM to midnight. The other method started by WHN is in the form of one minute public service announcements, five minute reports, and news reporting.

WADO proposes to continue broadcasting for the Spanish-speaking community, primarily, and does not intend to meet the larger communities' needs.

WLIB suggests that it continue broadcasting primarily to the Black community on such matters as ghetto resident problems, Black views, human resources administration reports, community action forum on housing, problems in public education, telephone conversation programs, drug abuse and news specials.

WQXR, the radio station of the New York Times, proposes a five minute point-of-view program to broad spectrums of groups, organizations and interests allowing them to express their views. Another program proposed by WQXR is "Insight", a nightly half-hour news and public affairs analysis, and it also proposes to carry the "Casper-Citron Interview" program. The majority of its schedule will continue to be classical music and news from the New York Times.

WOR will continue its current series of concentrating one day a month for a day long broadcast on one New York community. "Rambling With Gambling", which is a talk show, "The Martha Deane Show", "The McCann's At Home", "The Arline Francis Show" are all interview discussion programs. Jack O'Brian's "Critics Circle", is an interview discussion program. The station serves Long Island with a weekly discussion featuring officials from nearby counties.

WHOM is basically a Spanish-oriented station with the theme "The Unique Romantic Sound", and it proposes "Unfinished Business" where community leaders express their views on local community problems. It offers also "Community Billboard", items of interest to the Latin American community; "The People's Voice" where day-to-day problems are discussed; "Moral Rescue", which is a youth participation program and; "Puerto Rican Panorama", a round table discussion on the Commonwealth and Puerto Rican residents in New York.

At WEVD the foreign language programming will continue in Yiddish, Hebrew, Italian, Japanese, German, Lithuanian, Greek, Polish, Gaelic, Scandinavian, Turkish and others. The station proposes to continue with "Victor Riesel Interviews", a weekly discussion with leading National and State figures on health problems. The station offers "Ombudsmen", which is a program of interviews on the City conducted by Assemblyman Seymour Posner of the Bronx. "You and the Law", is a bi-monthly series, "Science", is a monthly survey; "Speak Out", is a monthly report under the auspices of the State Division on Human Rights.

At WABC-Radio, the proposal is for a heavy diet of top 40 Rock Music, News every half-hour, and such programs as "Report Card 72" and "School Scope" which is a weekly series of an instructional nature for young students; "Attention New York", a 15 minute weekly program with commentary and interview on minority problems; "Perspective New York", a weekly half-hour program reporting on significant events. The WABC-Radio Press Conference where newsmen question top newsmakers from the Tri-State area, and "Conference Call" a three hour Sunday Night program discussing subjects of concern to young adults provide the public service offerings suggested by WABC.

WNBC-Radio proposes to regularly serve the need for information on actions of the National, Legislative, Judicial, and Executive branches of the Federal Government; United States Military and Diplomatic action outside the United States; the activities of the United Nations; and the exploration of outer space. The station proposes to devote 3 hours a week to such topics as are concerned with the problems of Latin American communities, the "WNBC Suburban Report", "These Are Your Schools", "The Soul of Reason", which is a discussion of Black Urban problems; and it also proposes a series of Mini-Docs which are one minute vertical documentaries. A five minute program on religious problems is entitled "In Contact". The largest percentage of programming projected seems to feature middle-of-the-road music and sports.

WNEW-Radio also offers middle-of-the-road music and news on the half-hour. It proposes to continue its weekly program "News-Closeup" and offers one minute reports and vignettes on minority problems and needs. It has an extensive ski reporting service and financial reporting service. Short reports on developments in the Arts and Sciences are contained in a series of programs entitled, "Yale Reports".

WCBS is proposing a continuation of its continuous News Format. It also proposes to broadcast "Community Report" which are short reports five times a week on social problems. It offers a report on the drug scene which is a three-minute report every day and it continues its policy of offering editorials and the broadcast of replies to such editorials. It offers a program entitled "What's New in Business?" which is a Sunday Morning Report. It also is proposing two-minute reports entitled, "Consumer Inquiry" and it will continue to present "Washington Week", a weekly review of events from the Nation's Capital as well as the "Eric Sevareid Analysis". A program designed for the young wife and the homemaker is entitled, "Today's Woman".

WMCA is suggesting the continuation of its telephone talk shows on a wide range of subjects which permit listeners and radio personalities to discuss in detail matters of concern to those on the phone.

WBNX will continue to offer Spanish programs including music, news interviews, and community affairs as well as Italian programs and does not suggest any traffic coverage.

WINS will continue to offer its continuous news from the Associated Press, The United Press International, The Police Wire and Weather Sources.

WPOW is on a 50 hour a week schedule because of its limited license and offers morning religious programs in English while afternoon hours are devoted to foreign language programs, including Polish, Greek, Czech, Ukrainian and it involves large quantities of music, talk, interviews and public affairs.

WWRL will continue to present Soul Music, Rhythm and Blues, and Jazz, as well as news and traffic reports intermittently.

There would appear to be an amazingly high degree of correlation between the conclusions of the broadcasters and the results of professional studies by academic social scientists and social workers. For example, from the conclusions of the latest and deepest study under the auspices of the prestigious Community Service Society of New York, the following brief quotation is almost precisely parallel to the judgments of New York's broadcasters. It also may provide an explanation of the results obtained by the license renewal surveys.

"The primary trend in New York City is one of increasing deterioration . . . the situation in New York City is not only a matter of persons with problems, but rather one of whole areas with social ills. Most of those



ills, for example, the concentration of drug addiction, of poverty, of separated women, and high proportions of births out-of-wedlock, are not recent in origin . . . such afflicted areas have existed for at least twenty years . . . many of the areas have been badly afflicted for a longer time . . .

"The social problems of New York City are worsening; they are reaching crisis proportions . . . large portions of the city are steadily deteriorating; more and more children are being born out of wedlock and entering a peer environment characterized by drug abuse and other deviant behavior."

"They enter a school system they fear and distrust, or what is even worse, they do not enter the system in any meaningful way, rarely attending school physically or mentally. When age, boredom or failure causes them to break what little commitment there was to the school system, they go on. Some try without skills or reading ability to enter a job market no longer needing unskilled workers; some just go to the street and try to 'make it' in other ways."

The problem of residential segregation is severe in New York City; if there is insufficient income, the problem of finding a residence is almost insoluble; without money, marriage also becomes a luxury. The cycle begins again and still another generation of babies will be born out-of-wedlock."

"The failure and resentments recently seen in attempts at 'community control' and 'participation of the poor' have just begun to reveal the surface peak of the iceberg which is social disorganization."

"There is a relationship between lack of political participation in the larger society and poverty ghettoization. Those neighborhoods with the greatest need do not register to vote. Non-voting is but a symptom of a general lack of participation in community life in ghetto areas. The traditional way into the system for an ethnic minority is enlightened block voting, and this traditional way needs encouragement."

When the Federal Communications Commission made community needs-ascertainment a requirement for broadcast license renewal, it wrought much better than it knew. No other federal agency has created a social information system of the magnitude and extent of the timely reports from the entire country on a continuing basis gathered by the Communications Commission. No matter how critical one might be about the details of the procedure, and there are many reservations about the great duplication of effort in the major markets, the end result, if taken together represents a continuous temperature-taking of American society not otherwise available.

Most political leaders have created their own internal communications systems with their constituencies. The sorrow and pity of it all however, is that the Congress, the managers of the Presidential political campaigns, local and state office holders, state and local governments allow this truly major gathering, tabulation and analysis effort to lie as a fallow mother lode buried on the shelves of storage areas in the Federal Communications Commission in Washington.

What is even stranger is the failure of normally highly promotional-minded broadcasters to use the product of this resource expenditure and this major effort for residual uses other than license renewal, however vitally important that is. There appears to remain a residual reluctance, among station staffs, at least, to reveal the contents of an application because of the legitimate fear of competing strike applications. The easiest way to have an instant meeting with the general managers of most stations is to walk in off the street and request an opportunity to inspect the public file.

But, the ingenuity of individual broad-

casters in the ascertainment process, the numerous outside professional surveys and the overall conclusions as well as the various combinations and permutations of social statistics produced by a Metromedia Channel 5 in New York for instance, could be one of the single most valuable tools for Government, for Legislators, and for those with power to correct societal problems. No greater public service could be rendered by broadcasters, above the use of their facilities to hammer away with editorials and informational broadcasting to the community about the community, then to specifically and affirmatively distribute the end products of their ascertainment surveys to their Legislators, Governors and Social Health and Welfare agencies. For political campaign issues and for social research by the academic community, there would seem to be no greater untapped, neglected, major social-information resource than the public files of the broadcasters of the United States.

#### THE PETROLEUM INDUSTRY AND TAXATION

Mr. HANSEN. Mr. President, a recent newspaper advertisement entitled "I say let's keep the campaign honest. Mobilize 'truth squads' . . ." ended with an admonishment to 'think twice before swallowing all this baloney about large corporations not carrying their fair share of the tax burden.'

One of the industries most frequently singled out for not carrying their fair share of the tax burden is the petroleum industry which only 3 years ago took an added rap of some \$600 million a year under the Tax Reform Act of 1969.

And even as the industry's net earnings shrink and its total tax load increases, the cry continues for another pound of flesh.

In view of the growing dependence of the United States on foreign-produced oil and gas and the diminishing rate of domestic exploration and development for these vital fuels, it is my opinion that the industry must have more incentives rather than continual harassment and the uncertainties of future tax policies.

A study made annually by Chase Manhattan Bank says that the industry is not earning enough to expand toward meeting the world's energy needs.

The Washington Star recently carried an article summarizing the Chase Manhattan financial analysis of the petroleum industry and I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks.

Another most interesting study was made by the Petroleum Industry Research Foundation, Inc., for the purpose of providing "an answer to the often debated question of how the tax burden of the domestic oil and gas industry compares with that of other U.S. corporations."

In addition to computing the comparative tax burdens, the scope of the study was enlarged to include an analysis of the impact of the Tax Reform Act of 1969 on the domestic petroleum industry. This was done through a special questionnaire in which a representative group of companies were asked to compute the effects of the new tax legislation, using their 1970 tax return year as a base.

Mr. President, the results of that study clearly refute the charge that the petroleum industry is not paying its fair share of taxes. In fact the industry, as it has been saying for some time, is paying more per dollar of revenue in domestic taxes than any other industry group.

For the 3-year period 1967-69 the petroleum industry paid 6 cents per dollar of revenue while the average tax burden for the Internal Revenue Service classification, "All Mining and Manufacturing Corporations" was 5.6 cents and the average for all U.S. business corporations was about 4.7 cents per dollar of revenue.

Without reference to the basic concept of depletion allowance for all minerals, it seems clearly evident that the petroleum industry pays more than its share of taxes even after depletion allowance.

Also it must be obvious by now that the only way this country will avoid the hazards of foreign control of a substantial percentage of U.S. energy requirements will be through a much greater domestic exploration and development effort and that effort can succeed only with a massive infusion of money. Unless the industry is able to generate such funds through an improved capital expenditures as related to profits ratio, there is little likelihood that the declining trend in domestic exploration and development and rapidly escalating dependence on insecure foreign sources of oil and gas will be reversed.

Mr. President, I ask unanimous consent that the summary of the tax study made by the Petroleum Industry Research Foundation, Inc., be printed in the RECORD.

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

#### SUMMARY OF FINDINGS

(a) The U.S. petroleum industry's total tax obligations on its domestic earnings, operations and properties amounted to \$3.4 billion in 1970. Of this, federal income tax obligations represented the largest single item, amounting to \$1.3 billion or 40% of the total. In addition, domestic excise and sales taxes on gasoline and other oil products amounted to \$10.5 billion.

(b) Comparable data for other industries are not yet available from the Internal Revenue Service for 1970. However, data for the years 1967-1969 show that while the petroleum industry's federal income tax obligation represented a smaller share of gross revenue or net earnings than that of U.S. industry in general, the share of the various other direct taxes (excluding sales and excise taxes) was significantly higher for the petroleum industry than for the average of other U.S. industries.

(c) The U.S. oil industry's tax burden, as measured by the ratio of total domestic taxes (excluding sales and excise taxes) to total domestic revenues, amounted to 6.0¢ per dollar of revenue for 1970 and averaged 5.8¢ per dollar of revenue for the three year period 1967-1969. The average tax burden for the Internal Revenue Service classification, "All Mining and Manufacturing Corporations" was 5.6¢ while for the IRS classification, "All U.S. Business Corporations" it was about 4.7¢ per dollar of revenue for these same three years.

(d) The above tax burden ratios show that the petroleum industry's lower effective income tax rate relative to other U.S. industries is more than offset by its relatively higher burden of other direct taxes (exclusive of

excise and sales taxes). Hence, the total tax burden carried by the domestic petroleum industry is above the average for both. All U.S. Mining and Manufacturing Corporations and All U.B. Business Corporations.

(e) If excise and sales taxes are added, the oil industry's total tax burden rises to 20¢ per dollar of revenue which is considerably higher than the composite total tax burden, including excise and sales taxes, on all other industries.

(f) Another meaningful base for measuring the tax burden is Value Added.\* In 1967 the domestic oil and gas producing and refining industry paid 16¢ in taxes (excluding sales and excise taxes) per dollar of Value Added. This was approximately one-third higher than the comparable tax burden for the U.S. mining and manufacturing industry as a whole.

(g) In addition to the \$3.4 billion in direct domestic taxes and the \$10.5 billion in excise and sales taxes, the U.S. petroleum industry paid \$10 billion abroad in income and operating taxes and \$2.8 billion in foreign motor fuel excise taxes. Thus, the total global tax obligation of the U.S. oil industry in 1970, including excise and sales taxes, amounted to nearly \$27 billion of which slightly more than half was incurred in the U.S.

(h) The Tax Reform Act of 1969, by reducing the depletion allowance, instituting a Minimum Tax and removing the investment tax credit, has increased the domestic petroleum industry's tax burden by approximately \$600 million for the year 1970 from what it would have been in the absence of the Act. Slightly more than half of the increase was due to the reduction in the depletion allowance. Most of the remainder was due to the institution of the Minimum Tax.

#### BANK SAYS OIL PROFITS LOW

NEW YORK.—In its annual financial analysis of the petroleum industry, Chase Manhattan Bank says the industry is not earning enough to expand toward meeting the world's energy needs.

Covered in the survey were 30 companies, representing more than three-fourths of the non-Communist world's petroleum output, Chase said.

#### TAXES SLASH REVENUES

"The direct taxes paid to various governments absorbed 13.1 percent of the group's revenue," the bank said, compared with 7.4 percent of revenue that remained as net income.

The companies' annual taxes rose 76 percent in the last three years, the analysis said, while profits rose by only 9 percent.

"Obviously, these are trends that cannot continue without eventually leading to an untenable position," the report commented.

Capital expenditures of the 30 companies in 1971 were \$12.9 billion compared with income of \$7.3 billion.

#### CAPITAL RECOVERY

In addition to its net earnings, the group used funds derived from provisions for capital recovery, and money borrowed from the capital markets to help pay for its capital expenditures, "but the ability to recover capital has recently been restricted and there are current efforts to impose additional limitations," the bank said.

It added that "we wonder" how world governments "think the petroleum companies can possibly continue to function as viable organizations, capable of satisfying the world's expanding needs for petroleum energy."

\* The net value of goods created within a given industry, as opposed to the sales value which consists of cumulative net values added.

#### OLYMPIC TRAGEDY

Mr. McGEE. Mr. President, today the world reels from shock in the wake of the violence perpetrated by Palestinian terrorists on members of the Israeli Olympic team. In yesterday's publication of the Washington Post, the editorial writer rightly condemned the act as one of "moral depravity" on the part of the Palestinian terrorists.

The Olympics have always symbolized the one event in the world which has promoted an atmosphere of international understanding and brotherhood. To have violated the sanctity of an event which has served to bring the countries of the world together in the spirit of honest competition and friendship can only be described as the darkest hour of mankind. The world has witnessed the basest of human instincts coming to the forefront during an event which has served to foster the best instincts of mankind.

The Olympics have not only helped to set countries apart from the violence that has marked the existence of mankind, but they have been that one ray of light in an almost unending wilderness of darkness. Now, we have seen the barbaric savagery of a handful of men destroy the one ray with a hail of bullets.

The events of the past few days can only serve to shatter many people's hope that differences can be resolved in a peaceful and equitable manner. The tool of violence exercised in this manner, and at an event of this nature, only serves to postpone the day that man can overcome his worst instincts and solve his differences in a humane manner.

This incident at Munich reminds us all that extremism of any form only promotes mankind's degradation and its efforts to find harmony and justice in the world. Having rejected violence as a political tool in the United States, we must also reject the extremism internationally which uses violence as a means of resolving differences.

We must not succumb to a chaotic international situation in which the rule of the gun becomes the standard for the settling of differences. We cannot allow ourselves to accept barbarous acts as being the norm of the human condition.

The tragedy of Munich should act as a catalyst for all of us to work more diligently in overcoming the acts of insanity which seem to permeate our evolution. We should remind ourselves that man's capacity for good and justice far outweighs the acts of extremism to which he is periodically subjected.

All of the civilized world must necessarily be outraged by the incident at Munich.

#### ALASKA INDIAN SUPPORT FOR TRANS-ALASKA PIPELINE

Mr. STEVENS. Mr. President, I have received a copy of the resolution passed by the Indian members of the National Council on Indian Opportunity at its recent meeting in Yakima, Wash.

In their resolution, the Indian mem-

bers of the National Council on Indian Opportunity supported the position of the Secretary of the Interior in his decision to issue the right-of-way permit for the trans-Alaska pipeline as soon as the litigation associated with the right-of-way permit has ended. I believe that it is indeed significant that the Indian members of this important organization have made clear their sentiments regarding this matter.

As the other Members of the Senate will remember, last December Congress enacted the Alaska Native Claims Settlement Act, which provided for a generous land and monetary settlement for the outstanding aboriginal claims of Alaskan Natives. One-half of the nearly \$1 billion in settlement funds is to be obtained through a 2-percent overriding royalty on mineral leases. Thus, these funds will not begin to go to Alaska Natives until oil production has begun on the North Slope. As production increases, greater amounts of revenue will flow to the Native population. On the other hand, delays in the production of North Slope oil will also delay the flow of funds to Alaska Natives.

These revenues were promised the Alaska Natives as one of the provisions of the Alaska Native Claims Settlement Act. Until production begins on Alaska's North Slope and these funds begin to be channeled to the Alaska Native population, the legal obligation of the U.S. Government will not be completely realized. These funds are urgently needed by the Alaska Native population to begin development of job and training opportunity and in various economic development activities. Additional and unnecessary delay of the production of oil on Alaska's North Slope will only forestall the ability of Alaska Natives to take control of their own futures.

Mr. President, I have in the past pointed out the various economic, environmental, and national security reasons which clearly call for the speedy construction of the trans-Alaska oil pipeline. However, I believe that this resolution recently adopted by the Indian members of the National Council on Indian Opportunity dramatizes another important consideration which requires that work on the trans-Alaska pipeline system proceed.

I ask unanimous consent that the resolution be printed in the RECORD.

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

#### RESOLUTION

Whereas, the Secretary of the Interior has been constrained from issuing a permit to build the Alaska pipeline from Prudhoe Bay in the Arctic Slope to Valdez on the west coast of Alaska because of a court injunction, and

Whereas, the delay has caused the Alaskan Natives to be severely deprived of the revenues accruing to them under the Alaskan Native Land Settlement Act, and

Whereas, any alternative plan for the transmission of oil other than the proposed Prudhoe Bay to Valdez is wholly unacceptable to the Alaskan Native position, and

Whereas, until the United States Government issues the pipeline permit, its obligation to the Alaskan Natives—under the Land



Claims Act—will not be completely realized. As an effect, the pipeline delay is causing severe hardships to the Natives in job and training opportunities and economic development activities which compound as time slips by because of the short construction seasons in Alaska, and

Whereas, the Alaska Federation of Natives has testified in Congress to the need for quick action on a permit to build the pipeline,

Therefore be it resolved, that the Indian Members of the National Council on Indian Opportunity strongly support the position of the Secretary of the Interior whose publicly declared intent is to issue the pipeline permit as soon as the legal constraints have been removed, and

Be it further resolved, that the Indian Members of NCIO recognize and commend the Secretary of the Interior for his persistent efforts to resolve the matter with the courts and issue the pipeline permit.

#### THE GENOCIDE CONVENTION DOES NOT USURP FREE SPEECH

Mr. PROXMIER. Mr. President, one of the principal objections raised against the Genocide Convention is that it might infringe upon the first amendment guarantee of free speech.

Article III of the International Genocide Treaty provides for mandatory punishment for acts of "direct and public incitement to commit genocide." Critics of the treaty argue that such an agreement by the United States would usurp the right of free speech, guaranteed by the Bill of Rights.

Mr. President, the first amendment protects the right of advocacy, not incitement. Ratification of the Genocide Convention would be impossible if it conflicted with the Constitution of the United States, for no treaty which would subvert the highest law of our Nation is permissible. However, no such conflict exists. If we substitute "murder" or any other crime for the word "genocide," it is apparent that incitement toward criminal action is already illegal and not protected by the first amendment.

The Bill of Rights stands as a safeguard for the individual against the vicissitudes of an evolving society and also as a protection of society from the malice of individuals. The Genocide Convention also represents a vital safeguard to society and the individual without endangering the right to lawful free speech.

Mr. President, the Senate should consider the Genocide Convention and ratify the treaty without further delay.

#### PARTNERS OF THE AMERICAS

Mr. BROOKE. Mr. President, for many years Massachusetts has been an active participant in the partners of the Americas program.

The Commonwealth has a sister State, in Antioquia, Colombia, with which we have maintained an active exchange.

Last year, Mrs. Jesse Sargent, wife of the Governor of the Commonwealth, represented Massachusetts on a 10-day tour of Colombia, and Antioquia province. She kept a diary, which was subsequently published in the Boston Globe.

I believe that Mrs. Sargent's findings and observations will be of interest to the Senate. I ask unanimous consent that they be printed in the RECORD.

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

#### COLOMBIA—CHILDREN SCARRED IN LAND OF BEAUTY

(By Mrs. Francis W. Sargent)

Recently I stood in an acre of orchids—totally awed by their fragility and beauty—at the Seventh World Orchid Conference in Medellin, Antioquia, Colombia.

I had been invited by the president and governor of Antioquia to attend as honorary chairman of the Massachusetts Antioquia Partners program.

While not an orchid expert, I am an orchid enthusiast and I found myself filled with nostalgia at the sight of our own Lady's Slippers delicately couched beneath ferns in areas simulating their natural environment.

The orchids, however, were only an allure—ment—the rest was work. The Partners has many continuing and several new exchange programs. These are exchanges of ideas, equipment, and people in medicine, music education and business.

Because of my involvement in Massachusetts in services for children, I was determined to see what Colombia could teach me. I knew from the start that our problems and theirs were not comparable.

I knew that Colombia lacked the resources for solutions that we are fortunate to have here. But I also knew that problems and types of solutions are frequently international.

Here in the United States, Birch Bayh of Indiana has estimated that there are more than 1 million nomadic children. In Antioquia the numbers are even more frightening.

I visited one very special orphanage for girls, Granjas Infantiles, run by two sisters in the order of St. Francis of the Sales. Situated about 20 miles outside Medellin, it nestles on a grassy slope, surrounded by the Andes.

The separate small white adobe buildings were terraced into the side of the mountain, few of them totally enclosed. In their very openness, they seemed to create an atmosphere where the children could only succeed.

Most of the children had no parents, some had one parent and some had inadequate parents. There were about 160 girls in residence and an equal number who were day students from surrounding areas. These children weren't problem children. They simply came from untenable homes.

When Granjas Infantiles first started they had only three grades of primary education, starting with girls at the age of 11. Mother Ramonde realized, however, that without completing high school these girls would have little chance of breaking out of the poverty cycle. She set out to create a program where a girl would be trained for a job when she left.

For many girls, however, the transition between the security of Granjas Infantiles and the city is difficult. So for some, the Sisters had created a halfway house. This is exactly the same problem we face here in Massachusetts when young people, who cannot return to their homes, prepare to enter a new life.

The Sisters also managed to find available apartments in Medellin where a group of the girls could live when out on their own.

The sense of affection generated in Granjas Infantiles was evident in the faces of the youngsters and in the attitudes of girls who had left. The latter frequently returned on weekends, and all, when they worked, sent back a small percentage of their salaries. As sister Jacqueline quietly explained, they felt as if everything had been given them by Granjas Infantiles.

The disintegration of the family in Antioquia is far more acute than in Massachusetts, and yet the factors leading to it are just the same—poverty, overcrowding, malnutrition, illiteracy. Many of the children at

Granjas Infantiles could not go home on weekends without traumatic effects and tremendous confusion. So the Sisters encourage families to come to Granjas Infantiles and stay with the girls. When this isn't possible or practical, they send one of the Sisters to the child's home with the child.

This concern and dedication for the children is clearly the difference between a program which works and one which does not. It is the people who matter. The people who make the program.

I also visited the only reformatory for girls and boys in Antioquia. Separated from each other by the river, the two reformatories were again run by the Catholic Church, receiving large amounts of support from the state. Both tried to educate the children so that they could get a job when they left. The children supplemented the budget by doing all kinds of piece work—from textile finishing to printing and shoe manufacturing, both institutions felt they had been successful in their approach, and they estimated their rate of recidivism at 20 percent.

As in Massachusetts, there is a crying need for both programs and places for girls in trouble. In Antioquia this reformatory was the only one in the state, and it housed 300 women and girls in all. It is estimated that in Medellin alone, there are four or five times that number who need help.

Most of the girls are pregnant when they enter, and there is a nursery for those who have no relatives outside to keep the baby. The mothers see their babies on Sundays, or when the baby is sick, and in this case they are allowed to have the infants in their tiny cells with them.

My last visit on this trip was to one of Antioquia's rural hospitals in Fredonia, located high in the Andes, north of the city. This hospital has 25 beds, and the ones that cost 25 pesos a day (or \$1.25) are largely unfilled—as no one in the village can afford them.

The distribution of doctors in Colombia is, on the whole, excellent. Access to qualified medical attention is rarely a problem. All doctors have to spend the first year of their practice in a rural hospital. The problem is rather in equipment and supplies—there are none.

I visited the hospital with a young North American doctor who worked there, unpaid. There were no triceps, no catheters, no anesthetic equipment—only the most primitive and elementary equipment.

It is here that I think the Partners Program could be a Godsend. Think of the basements full of used hospital equipment that we possess and how we let it rust and disintegrate! Starting with a list from the hospital, I hope to find in my travels some of this excess unused material and send it to Antioquia.

It still haunts me to think of these people living in misery in one of the world's most beautiful countries.

Human life is equally precious in all parts of the world, but somehow, high in the Andes, these little lives seem isolated and lost.

I came home with the feeling that by sharing our knowledge we could not only bring people together, but grow as individuals and gain insight into our own problems.

#### MRS. SARGENT WRITES OF 10-DAY VISIT WITH "YANQUIS" OF SOUTH AMERICA

Mrs. Jesse Sargent, wife of Gov. Francis Sargent, has been outspoken in her refusal to play the traditional role of "gracious lady pouring tea—standing in front of a mantelpiece implying status up to the ears—or lady bountiful handing gifts to the poor at Christmastime," as she told the governor's wives assembled in Puerto Rico for their husbands' convention last week.

"As a wife," she told the wives, "people

will talk and listen to me. As a politician's wife, they feel that I can help them."

Last month, Mrs. Sargent took her husband's place on the Massachusetts Partners of the Americas Committee and traveled to Antioquia, Colombia—which is Massachusetts' sister state under the 10-year-old Partners program. Mrs. Sargent kept a diary of her 10 days of work with the Massachusetts and Antioquian Committees in the cities of Medellin and Bogota, Colombia's capital.

The diary does not list all the experts on the committee or log the dozens of bilingual meetings from which a score of proposed medical and cultural exchanges emerged. It is a record of impressions, observations and reflections about her discovery of another country "where," she writes, "surrounded by an eternity of fertile ground, people still pour into cities where there are no jobs, no houses and no real solutions."

Aug. 25: Arrived in Medellin about on time and learned, as we touched ground, that if you miss this airport in your first try, you don't get another! It is surrounded by beautiful 5000-foot mountains and a steady procession of planes—about one every minute as far as the eye could see.

11 p.m.: I am now sitting by candle light. Our meeting with the US Consul, Charles Trover, ended because of a power failure. I am surrounded by five vases of orchids, but am too tired even to see who was kind enough to send them.

I have learned that Medellin, the capital of Antioquia, has, by its own ingenuity, become Colombia's second largest city—with only two companies (operating in the city) that are wholly owned by North American outsiders.

#### FAMILY ORIENTED

Aug. 26: I made a courtesy call on the mayor, Alcalde Uribe, and asked him how they are attacking their housing problem. Mayor Uribe sent his urban planner to show us.

They have built roads and supplied electricity to the outskirts of the city. They offer this land to the people and thus begin to solve the problem of more and more people coming in from smaller towns to the city with no jobs, no money and no housing.

The difference between these people and the city migrants at home is that they're so family-oriented here that if they're given a shell of a house they'll put all of their money back into their house. They never want to move if they have all their family around.

The houses, made from a local form of cinder block, have one room with a concrete floor, a little patio with chickens, a small garden and a huge barrel of rainwater that catches anything that blows by. Most houses looked like they held at least ten children.

As we left, a 10-year-old girl spoke there proudly, saying, "You don't have to patronize us."

They took us there in a bus, and that's not the way to visit the ghetto. We stood outside like sore thumbs. And that's what we're trying to destroy on this whole trip—that image, that attitude.

I guess the life of a politician's wife never changes, even in another country. After visiting the slums on the side of the mountain, I was the guest of honor at a luncheon given by Senora Calle, wife of the governor of Antioquia, where I met many of the leading ladies of Medellin in a room that was all beautiful gold leaf.

#### POLITICIAN'S WIFE

I found Senora Calle's outlooks, duties and particularly frustrations of being a governor's wife so akin to mine—more so, strangely enough, than any other governor's wife in the USA. Senora Calle feels as strongly as I do that governor's wives are still considered by the general public to serve always in an honorary role, usually with white gloves on.

#### 10-HOUR DAYS

Senora Calle and I both feel in a unique position to learn the problems and frustrations that the average citizen feels and yet relate first hand to those who run the state—although the tools (or perhaps power) to use this knowledge are just outside our grasp.

The difference for Senora Calle is that Antioquia has no social security, health insurance or compulsory education. Her life here is centered on survival for masses of these wonderfully proud people. She spends 10 hours a day working in the hospital.

Aug. 27: After three days of work on this joint committee of sister states, I am convinced that people-to-people exchanges on a modest scale are the way to get things done.

This afternoon, for instance a juvenile court judge paid me a special, unscheduled visit to talk about juvenile detention centers, because he heard through a friend in In-colda, the Harvard Business School seminar being held there this year, that our Massachusetts committee was here.

There is only reform school in Colombia, and Judge Bedoya is trying to set up a system of halfway houses.

Judge Bedoya is the kind of man who goes home every right nearly sick that all these kids are just out there with no place to go. Now he wants to come up to Massachusetts on his next vacation and visit some of our centers to get some ideas for starting a juvenile correction system in Antioquia.

#### LONG VISTAS

Aug. 29: This was the weekend they thought we should all have some fun. So we all piled on a bus and climbed out of the valley, winding our way through terraced farms until we slowly reached what seemed to be the top of the world.

You wonder if the world is really so overpopulated when as far as you can see for miles and miles are oranges, bananas, pineapples, papayas, coconuts, coffee, cattle, sugar cane, horses, forests and clean, clean water falling down sheer slopes.

Today we went in another direction. Leaving the valley through miles and miles of pulp forests, mostly pines, we took a trip to Rio Negro.

Our little group from Massachusetts and our sister committee from Medellin sat down in a long room with pure white adobe walls and dark cedar beams. Our joint committee was on one side in rows of stiff chairs and the inevitable city greeters on the other.

They welcomed us formally and cordially in the exact room in this tiny city 10,000 feet up in the Andes where the Colombia Constitution was written in 1840. They again told us of the problems we all face: a huge housing shortage, decreasing jobs, increasing crime. I think as I look back on my trip to Colombia, I'll always remember coming off the street—where the people were streaming into the little city park to sell their wares in the open market—and walking into this hall, where all the official records of Colombian history since 1840 remain in rows and rows of crumbling, crude, leather-bound volumes.

There was something very moving about this solemn little program. I told them that we, too, came from very near the cradle of our nation's Constitution.

Aug. 30: Back in Medellin, I toured a 125-bed hospital that is run for the poverty-stricken people by the Church.

It is full of tiny children with malnutrition who sit on the floor day after day and rarely even cry. They have a few toys, but they don't play with them.

#### NO ROOM FOR SICK

All of them have crippled brains. All I can think of is where they go back to and how many thousands there are like them up on the side of the mountain in all those shacks.

Where there's life, there's hope. But I must say I think that every life is just as impor-

tant as the next one—and that's what gets you; when you see these kids standing outside those shacks, and they can't even get into the hospital.

The huge, vacant, almost unseeing eyes I saw today will long linger with me.

The university of Antioquia, which just opened, had just been closed down by a student strike. Dr. Rojas, the rector, met all day with the strikers. When he met us this afternoon, he hadn't eaten all day and was exhausted by student confrontations, and still, he wanted to take time to talk about setting up a new department of psychiatry.

Harold Martina, the noted pianist and music director, met with us later, beseeching us to bring the Boston Symphony Orchestra to Medellin.

#### CULTURAL LIFE

Antioquians are called the "Yanquis" of South America because of their rugged mountain mercantilism. But like us Yankees of the north, their industry supports a sturdy cultural life—five universities and an annual series of art and music festivals sponsored by the two textile factories here.

Aug. 31: We tried to fly to the jungle hospital that Dr. Rojas told us about yesterday—a hospital of tropical medicine run by Harvard Medical School and the University of Antioquia in the small jungle town of Arpartado. But we couldn't get out because of a pilot's strike.

So we became tourists for an hour. We went into all the tourist traps and met all the other members of the committee who sneaked off for their first free hour too.

Sept. 1: Now I have seen all the ways that Antioquians are trying to solve their housing problems.

We just can't get enough of this. You look at your own problems in so much broader a way when you go away. You see yourself through others' eyes a little bit.

I really don't think they can learn much about housing from us, because there are so many things—strong family ties especially—that don't apply to both places.

I think they're way ahead of us—just because they're so family oriented.

#### FACTORIES GIVE MORTGAGES

After our tour of the city barrio (neighborhood) last week, we whipped through a textile factory Monday morning when they have set up a revolving fund which makes it possible for a man to get a 20-year, low-rate mortgage right from the factory.

The fund holds \$150,000; but the figure is hard to compare, because factory workers make \$500 to \$1100 a year.

The factory was providing housing; only housing. All the city is really doing is providing roads and electricity. They're just trying to put roofs over these people's heads.

We've built a lot of housing projects in the US without the necessary recreational and community services, and they are chaotic.

But the only way to do it is to do it all at once—and today, we saw a barrio that the Church has built as demonstration model, where they are providing housing, recreation and a community center with a four-room workshop where mothers can do piece-work brought from the textile factory.

The Barrio de Jesus—about 80 units—is the same age as the city barrio, but the people have made more improvements to the cinderblock houses, a fresh coat of paint, a wrought iron balcony.

There are schools for the kids and home economics classes for the mothers.

#### LOCAL REFORM SCHOOL

A lot of the children are barefoot, but they're clothed better than poor kids in other parts of the world—perhaps because Medellin is a textile city.

When I talked to Archbishop Botero on Monday, it seemed like home. His broad, open face could well have come from Boston as he spoke of his belief, which I share, that the



working poor will build self-respect by building their own houses. The Church is giving them bricks to build the houses I saw today, with hopes that the government will follow on a larger scale.

This afternoon, I visited the reform school, which is also run by the Church. It is a beautiful example of what a reform school should be.

The main building is an old farmhouse surrounded by terraces, flowers and Antioquian parrots everywhere. On its facade is a striking mural of the problems these kids face—pills, LSD and pot—and the solutions the school offers them.

The boys are trained to be printers, lathe operators, carpenters and shoemakers. They buy the shop machinery from the shoes they sell or from printing jobs. The Capucians who run the school pour all the money made in the shops right back into the school so they continue to have the most modern equipment to work with.

The boys spend their weekends at home with their families until they are 17. And they really do get jobs in the crafts they are trained for when they get out, although they are not paid full wages until they have served in the army.

Strong Antioquian family ties make the problem of working with the boys' families even worse than it is in Massachusetts, however. Evidently, the families try to hide the fact that their kid's in trouble and don't want to cooperate.

#### RECEPTION FOR 100

In spite of the obstacle of family shame, the school is way ahead of some of ours. They have solved many of the problems—of training and administration—that we are having to break down some of our big institutions to solve.

Tonight, the U.S. Consul had a reception for us. Out of 100 people asked, about 97 came—a great tribute.

The committee asked me to speak for all of them. I hope I did, when I said that I felt from the bottom of my heart for any group so quick to form such deep respect for one another as we have in just a week.

Sept. 2: At our last working meeting, we formally presented 26 proposals for future projects and exchanges to the Medellin Committee. They will send their formal reply by letter before they visit Massachusetts in November.

It's uncanny how alike we Yankees are both south and north.

As we flew to Bogota tonight I thought about those high Andes beneath us, where, surrounded by an eternity of fertile ground, people still pour into that tiny city of Rio Negro where there are no jobs, no houses and no real solutions. I feel this tiny exchange is the small beginning of something much, much larger than any of us.

#### MEET PRESIDENT

Sept. 3: Our joint committee was received by Misael Pastrana Borrero, the President of Colombia, in the Casa de Bolivar.

I was impressed. He had been so well briefed on our work. Both he and the governor of Medellin went way beyond their line of duty and gave us much more time than their schedules permitted. They really cared.

But this widening gap between North and South America is an incredible problem. We've all worked hard without much rest to try to narrow it a little.

Having lived through 10 days of mortification, not speaking a word of Spanish, I decided on the spot to take two solid weeks of Spanish before the Antioquian committee returns our visit in November.

I am more convinced than ever that small exchanges like these—run by individual citizens—may well succeed where monolithic government assistance programs are failing.

#### REGULATION OF STRIP MINING ON FEDERAL LANDS

Mr. HARRIS. Mr. President, I invite the Senate's attention to an article in the Washington Post of August 25 concerning the General Accounting Office's report on the Department of the Interior's failure to enforce strip mining regulations on Federal lands. Mr. President, this is an extremely serious situation. The Department of the Interior is charged with protection of our public lands in order that all citizens might enjoy them for decades to come. The Department also has jurisdiction over Indian lands held in trust, supposedly to protect native Americans from exploitation. Now we find that public and Indian lands are being leased to utility companies for purposes of strip mining coal and that no attempt is being made to enforce the weak regulations that govern strip mining now.

No efforts are being made by the Interior Department to insure that strip mining will not have the same effects on the public lands in the West that it has had in the past in Appalachia. Landslides, streams ruined by silt and acids and hills where nothing will grow because all the topsoil has been eaten away—all have become a way of life for the citizens of Appalachia. This needless destruction of the environment can be stopped.

The Interior Department must alter its bias and seek to protect the lands under its jurisdiction, rather than to "manage" them for the economic reward of a few. I am writing a letter to Secretary Morton demanding that he file environmental impact statements on all the surface-mined coal leases now on Federal lands and that he raise the cost of compliance and performance bonds to cover the full cost of reclaiming strip-mined land. I believe that this report merely serves to demonstrate how much we need an absolute prohibition against the strip mining of coal.

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

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

BROKE OWN RULES, GAO SAYS: MINE BLAME LAID TO INTERIOR  
(By Elsie Carper)

The Interior Department has failed to carry out its own strip mining regulations to protect public and Indian lands in the West, the General Accounting Office said in a report released yesterday.

The report also said that Interior has not complied with all of the requirements of the National Environmental Policy Act of 1969 for the preparation of environmental impact statements before granting permits and leases to coal companies to strip mine the lands.

Interior controls vast land holdings in the West, where seams of coal have been found near the surface and are dug out with giant mechanized shovels.

The department estimates that more than 54 million acres of public and Indian lands—mostly in the west—contain coal. Prospecting permits or mining leases have been granted for 1.6 million acres of the public lands and 700,000 acres of Indian lands.

Strip mining now accounts for half of the U.S. coal production and so far has been concentrated in Appalachia and the Midwest, where it has left a trail of scarred hillsides and acid and sediment polluted streams.

Growing demand for electric power in the West has increased the pressure to strip mine the public and Indian lands to supply coal for the utility companies.

The report by GAO on how Interior is administering these lands was requested by the House Conservation and Natural Resources Subcommittee.

In releasing it to the public, Reps. Henry S. Reuss (D-Wis.) and Guy VanderJagt (R-Mich.) declared that it raises questions as to whether the Interior Department is the proper agency to regulate strip mining.

Legislation is pending in Congress that would authorize the Interior Department to set national strip mine standards.

Reuss, the chairman of the subcommittee, and VanderJagt, the ranking Republican, said in a joint statement that Interior's "three-year record of inefficiency in the West, where strip mining is still in its infant stages, makes it doubtful that Interior will be any more efficient in the East, where strip mining is both more complex and widespread."

In a letter to Russell E. Train, chairman of the President's Council on Environmental Quality, they suggest that regulation of strip mining and restoration of strip-mined lands be turned over to the Army Corps of Engineers or to the Environmental Protection Agency.

Subcommittee members are known to feel that Interior has a built-in conflict of interest. On the one hand, Interior is engaging in an active program to promote the leasing of land for the production of coal; on the other, it is supposed to protect the environment.

The GAO report found that Interior was not complying either with its own regulations set up in 1969 governing surface exploration, mining and reclamation of public and Indian lands, or with the National Environmental Policy Act of 1969 requiring the preparation of environmental impact statements.

The report said that impact study procedures developed by the Bureau of Land Management, which controls the public lands, "do not comply" with implementing guidelines of the Council on Environmental Quality. The Bureau of Indian Affairs, which administers Indian lands, "has not developed any procedures for the preparation of environmental statements," GAO reported.

The study covered only permits and leases issued after Interior established regulations in 1969. Before then the lands were protected only by stipulations written into permits and leases.

Since the regulations were established in January, 1969, Interior has issued 258 permits and 38 leases for coal exploration and mining on public and Indian lands. GAO reviewed 65 of these permits and leases in its study.

It found that required technical examinations to determine the effect of strip mining on the environment had not been conducted for 35 of the 65 permits and leases.

The regulations also require that an exploration plan be filed and approved before a permit holder starts digging for coal. But GAO's review "showed that some permittees were operating without approved exploration plans and that some plans had been approved without technical examinations."

The report said that compliance and performance bonds covering reclamation of strip-mined lands had not been obtained in all cases and the amount of the bonds in others was insufficient to cover reclamation costs.

During the period from the time the regulations were issued until last November, active operations had started under two leases and 15 permits. The report said the coal operators generally failed to submit required information on such matters as the number of acres reclaimed and methods of reclamation. Four operators abandoned all or part of their operations without filing required reports.

In other findings, GAO said that Interior lacked procedures for the public to comment on pending applications and also lacked procedures for consultations with federal and state officials responsible for the environment, pollution control and health and safety.

The report covered leases in Arizona, Colorado, Montana, New Mexico, North Dakota and Wyoming. Most were in Wyoming and Montana.

### EXCESSIVE DEPENDENCE ON OIL AND GAS IMPORTS FROM MIDDLE EAST

Mr. STEVENS. Mr. President, I was recently pleased to discover that the Washington Evening Star, of August 9, 1972, contains a letter to the editor written by the Senator from Wyoming (Mr. HANSEN). Senator HANSEN's letter was entitled "The Arab Oil Game."

I believe that Senator HANSEN's letter is worthy of study and discussion by other Members of Congress. He discusses in his letter the danger of our Nation's drifting into a condition of excessive dependence upon oil and gas imports from the Middle East nations. Because the political structures of these nations are often unpredictable and unstable and because Arab States are demanding more control over the production of their oil, they may threaten strikes and cutbacks on oil exports to the United States unless more favorable terms are arranged.

Senator HANSEN has wisely pointed out that these foreign governments are certainly entitled to follow policies to further their own self-interest in regard to their oil resources. However, the United States must pay cognizance to these developments and act in our own self-defense to minimize our dependency on imported oil.

The Senator's letter concludes by asserting that the most enlightened course for our Government would be to adopt policies to enable the search for domestic oil and gas reserves to proceed as rapidly as possible. This clearly is the only alternative to prolonged and perilous dependence on Arab oil. In particular, the Senator discusses the largest oil field ever to be discovered in the United States—Alaska's Prudhoe Bay—which, when finally delivered to the Lower 48, will help alleviate this dependence on foreign imports.

Mr. President, the Senator from Wyoming clearly understands the difficulties our Nation faces in acquiring adequate supplies of energy resources. In my past association and work with Senator HANSEN I have always found him to be most knowledgeable and aware of the particular problems in the field of energy. I certainly commend him on writing this important letter, which will help to educate the public regarding this very real problem.

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

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

#### THE ARAB OIL GAME

Sir: Your recent editorial, "The Changing Rules of the Arab Oil Game," deserves commendation as a highly informative discussion of a problem of major importance to the American people.

Changes in the world petroleum situation are coming almost too fast for the public to comprehend. Yet these changes are of paramount significance to our nation's consumers and to the security of the United States and its allies overseas.

It would be hard to exaggerate the dangers of drifting into a condition of excessive dependency on oil and gas imports from the unpredictable and notably unstable lands of the Middle East. Informed observers have pointed out that some of the major Arab oil producing countries are moving into a financial position that would enable them to go on strike against the lands that obtain oil from them. In other words, some of the Arab states are building up sufficient cash reserves to enable them to withhold their oil from the market until the nations that consume this oil meet their terms.

#### SYRIAN EPISODE GAVE INDICATION

The havoc in world oil movement that resulted in 1970 from Syria's refusal to permit repair of the Trans-Arabian Pipeline and Libya's cutback in production of its oil, is a small indication of the impact disruptions in petroleum supply can cause.

The oil-producing countries, particularly those in the Middle East and North Africa, realize that their economies are now based almost entirely on petroleum production and that their reserves of this resource—however vast—are still finite. This realization has prompted some of the countries to insist on exercising more control over the production of their oil to make their reserves last as long as possible. This same realization helped to stimulate monetary demand that made the cost of foreign oil rise sharply in recent years—with no end to this escalation yet in sight.

In short, these foreign governments are acting toward their oil resources in a way that they believe furthers their own self-interest. They are certainly entitled to follow such policies.

The United States would be less than wise, in my opinion, if it did not follow the same course. We should act in self defense to minimize our dependency on imported oil.

According to an exhaustive survey by the National Petroleum Council, more than half of the discoverable oil and gas in the U.S. still remains to be found. In view of changing world developments, as described in your editorial, the most enlightened course for our government would be to adopt policies that will enable the search for our domestic oil and gas reserves to go forward as rapidly as possible. This is the only near-term alternative to prolonged and perilous dependence on Arab oil.

#### PRODUCING AT CAPACITY

Your editorial referred to "limits on domestic production." I am sure you know that the oil fields of the lower 48 states are now producing at capacity with no limits imposed on production other than those required to prevent outright waste of reservoir energy.

The vast potential of marine oil and gas production is being limited and held back by litigation and legal restrictions on operations in outer-continental shelf areas. In addition, the largest oil field ever discovered in the United States—Alaska's Prudhoe Bay—is not yielding a drop of oil to the nation's consumers three years after it was discovered, and

won't until the way is cleared for completion of the urgently needed trans-Alaska pipeline.

We are indebted to a Middle Eastern poet for the phrase "the moving finger writes." This finger is writing now—in large letters—about the possibility of a fuel supply crisis in our country, a nation that depends on oil and gas for three-fourths of its energy. Such a crisis can be averted if the discovery and development of our domestic petroleum resources is pursued in time. But time is the ingredient that is shortest of all in this situation. From three to ten years are required to develop an oil field to full production after the initial discovery has been made.

Positive policy decisions are needed now to forestall the possibility of an extreme fuel-supply emergency in the near future. Your editorial made a contribution to the public understanding that should lead to such decisions.

CLIFFORD P. HANSEN,  
U.S. Senator.

### ENERGY RESOURCES CRISIS

Mr. McGEE. Mr. President, the question of our energy resources has been gaining increasing attention of late, particularly in the news media.

In an article published recently in the Denver Post, Jean Heller documents the so-called energy crisis which is increasing with alarming rapidity.

The article points to the need for a comprehensive energy policy for this country—the thrust of a bill introduced by the distinguished Senator from South Carolina (Mr. HOLLINGS), which I have joined in sponsoring.

We are faced with a growing public opposition to the continuance of uncontrolled environmental degradation in this country, while on the other hand we are confronted with skyrocketing energy needs which often conflict with our environmental concerns.

The facts spelled out in Jean Heller's article makes it incumbent upon this body to act swiftly on legislation establishing the framework within which an energy policy can be developed with a minimum of conflict in our environmental concerns.

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:

#### BLACKOUTS, TANOUTS: ENERGY SCARCITY WIDENS

(Jean Heller)

WASHINGTON.—In the past several years, energy crisis has become a household term. It signifies steamy summer days without air conditioning, frigid winter nights without heat or light, rising utility and real estate costs and a lot of unanswered questions.

Blackouts, brownouts—and recently in Michigan something called a tanout—have become a way of life in much of the nation during periods of severe weather.

Why?

The simple answer is that not enough clean coal, fuel oil and natural gas is available in the country to meet consumers' demands, and many electric utilities don't have the dependable peak needs.

"We've got trouble, trouble, trouble, with a capital T and that rhymes with E and that stands for Energy," Hollis M. Dole, the Interior Department's assistant secretary for



mineral resources, told a House subcommittee recently.

"We are beginning to feel the pinch on energy in certain forms," Dole said. "This condition of scarcity will widen as time goes by to include nearly every form and category of energy."

An Associated Press study of the nation's energy crisis found:

During July's heat wave, demand for electricity along the East Coast far exceeded electric utilities' capacity for supply. New York City and parts of Rhode Island and Massachusetts temporarily were blacked out. A heavy demand in Michigan caused a tan-out, a deliberate reduction of from 1 to 5 per cent in generator power output.

A Federal Power Commission (FPC) survey at the beginning of the summer showed that the Southeast and West Central areas of the nation didn't have sufficient reserve electrical generating capacity to meet unexpected demands or equipment failures.

In many parts of the nation, including Washington, D.C., and Chicago, natural gas supplies were so low that indefinite moratoriums were placed on sales to new customers. The possibility exists that if the nation suffers a severe winter, gas service to some commercial and industrial customers will have to be cut off in order to maintain service to residential customers.

Most of the nation's coal supply can't be used because of stringent air-pollution laws, and not enough fuel oil currently is available in the nation to fill the gap.

Electric utilities, paying ever-mounting prices for fuel, are passing on those increases to consumers. Wholesale electric rate increases pending at the FPC jumped more than \$20 million during the second quarter of the year.

In areas where new gas sales have been curtailed, housing projects awaiting service are standing idle. A spokesman for the National Association of Homebuilders estimates this factor costs a builder about \$100 a month on an average \$28,000 home, a cost passed on to buyers. Moreover, the cost of installing an oil heat system in an average home is between \$500 and \$600 more than installing a gas heat system, another home cost add-on.

So, how did we get into this situation in the first place, and now how do we get out?

We got in because the nation hasn't yet learned how to combine progress and conservation and make it work. It appears the only immediate way out is a growing, and possibly dangerous, dependence on foreign fuel imports.

"The current energy crisis can probably be attributed to the tensions and adjustments resulting from attempts to achieve a proper balance between the duty to protect and conserve the natural environment and the equally valid obligation to meet the growing energy demand necessary for preserving and improving the total quality of human life," said Aubrey J. Wagner, chairman of the nation's largest electric utility, the Tennessee Valley Authority.

"It's not anybody's fault, really," said Ralph Williams, an Interior Department energy specialist and Dole's staff assistant. "It's just the way the whole darned thing went together. It all fell on us at once."

One of the principal factors is a series of new environmental laws which restrict the use of dirty fuels.

#### ONLY GAS CLEAN

Of the three fossil fuels—coal, gas and oil—only gas is completely clean. Coal, especially, is high in sulfur content, making it useless in areas which have stringent air-pollution restrictions on sulfur emissions. That means all urban, industrial areas.

Since coal accounts for somewhere between 70 and 85 per cent of the nation's

fuel reserve, a huge reservoir of energy has all but been eliminated from the market, at least until an economically feasible way is found to burn coal cleanly.

Fuel oil, much of which can meet environmental standards, isn't in as short supply as it was several years ago, but it costs far more than other fossil fuels.

In addition, oil production in the United States has reached its peak with no drastic upswing in sight so that fuel oil alone, which amounts to only 5 to 10 per cent of every barrel of refined crude oil, never could fill the coal gap.

As a result, the immediate burden has fallen on natural gas, which is cheap and clean.

#### EXPLORATION DROP

But in the past few years, gas producers haven't been exploring for new supplies, claiming government regulation of prices doesn't provide a big enough profit margin to encourage the high-risk business of exploration.

It has been estimated that in 20 years the demand for natural gas will be 1½ times all the gas discovered in the nation's history. Yet the number of producing wells drilled in the country dropped by more than one half between 1955 and 1968.

In 1960, the nation had a 20-year supply of natural gas in reserve. By 1970, that reserve had fallen to 13 years. Now it's 11.3 years. The nation is using up the reserves faster than new supplies are being found. All current reserves are committed for some specific future use.

Until recently, the Federal Power Commission set ceilings on the price natural gas producers could charge interstate pipeline companies. In time of plentiful supplies of gas, the ceilings were set low.

#### COSTS CLOSE IN

As rates of inflation grew, producers costs for equipment and labor steadily closed in on profits because the FPC allowed few price-ceiling hikes. Gradually producers stopped looking for new gas supplies because, they said, with 80 per cent of all new wells coming up dry, the FPC ceilings didn't allow enough capital to finance high-risk exploration.

Last month, the FPC announced it was lifting price restrictions and would allow gas to find its own price level. The action, expected for some time, was greeted with chagrin by consumer groups who claim the FPC fell for an industry trick.

The FPC doesn't collect its own data on gas reserves, relying instead, on a survey conducted by the American Gas Association (AGA), a professional representative of gas producers. Critics charge the AGA and producers misrepresented gas reserves just to force prices up, an allegation the producers and the AGA vehemently deny.

Whatever the truth, the FPC's action may indeed spur new gas exploration, but locating and producing new supplies require a three-to-five year lead time, and nobody is optimistic about any quick solutions to the shortage problems.

"We're unable yet to gauge the effects of the ruling," said Charles Krautler, a spokesman for the Washington Gas Light Co. "Even if it helps, it will take several years to develop new supplies."

#### NOT MUCH OPTIMISM

"We're very much taking a wait-and-see attitude on this thing," said Robert Wilson, an official of Peoples Gas Light and Coke Co., in Chicago. "It's possible, I suppose, that this will free up some gas, but I haven't heard anybody express much optimism."

Wilson said Peoples has a waiting list of 3,349 customers, many of them big commercial and industrial users, which seek enough gas to supply 191,000 average single-family homes.

What of nuclear energy, once touted as the solution to power problems of the '70s and beyond?

The first nuclear generating plants went into operation in the early 1960s. By the middle of the decade, there was rising discontent over air and water pollution. The Atomic Energy Commission began predicting that nuclear plants were the environmentally sound wave of the future.

Electric utilities seemed to agree. In 1966, 20 new nuclear plants were ordered. In 1967, another 30 went into the planning stages. But the following year, problems began. A shortage of specialized equipment, parts and trained personnel developed. On construction sites, crews had difficulty in assembling parts and keeping them operable.

#### OBJECTIONS START

And conservationists began raising objections and occasionally filing lawsuits over plant sites and possible dangerous heat and radiation emissions.

As problems developed, new plant orders fell; to 21 in 1968; to seven in 1969. As of August, 28 nuclear plants were in operation, 49 were in various stages of construction and 67 were still on the drawing boards.

In the midst of all this, the nation's overall demand for electric power is doubling every 10 years and per-capita demand is growing five times faster than the populations. The nation has become so dependent on electric power that human muscle now accounts for less than one per cent of the work done in the nation's factories.

Ten years ago, electric utilities had the capacity to generate 30 per cent more power than customers demanded. By 1970, that figure had dropped to 15 per cent, a level the FPC considers the bare minimum needed to cover unexpected demands or equipment failure.

This summer, some areas of the country couldn't meet that minimum.

#### SMALL RESERVES

The FPC's summer power supply survey indicated that the Southwest and West Central areas of the nation had only an 11.1 and 11.6 per cent reserve, respectively, at the beginning of the summer.

The Northeast, plagued by power problems, had a barely comfortable 17.9 per cent reserve, but that's an average. In New York City, for example, the reserve was under 11 per cent, and power problems have plagued that city all summer.

In the Southeast region, the Miami area was getting through the summer on a prayer, with a reserve of minus 2.1 per cent. The Cleveland, Ohio, municipal electric utility was even worse, with a minus 8 per cent reserve.

"We have a kind of chain reaction," said Williams. "We feel the environmental restrictions will continue to crowd coal out of the market. As coal is forced out, that will bring pressure on alternate fuels. Nuclear power is late. Gas is already past its peak. So the demand that was met by coal is going to have to be met by oil. And domestic oil production has fallen off."

"So I think that all the increase in energy demand in the United States is going to have to be met by imported oil," he said. "For the most part this is going to be Middle East oil. We're going to have to try to figure out how much oil we can produce and how much more is going to be needed and fill that gap by letting foreign oil in."

The import quotas, set out during the 1950s, were intended to protect the United States from international extortion to prevent the nation from becoming so dependent on the cheap Middle Eastern oil that Arab nations could use that dependency to whip-saw the country during an international political crisis.

## THE REAL CASUALTIES

Mr. CHURCH. Mr. President, the chairman of the Committee on Foreign Relations (Mr. FULBRIGHT) has written a perceptive article entitled "The Real Casualties," which was published in the New York Times on Friday, August 25.

Many of the casualties of the policies of the Nixon administration in its current bombing campaign in Vietnam are innocent "women and children who happen to be in the target areas":

Their dying and their burning take place beyond the sight—and beyond the psychic knowledge—of the B-52 crews and their countrymen across the sea—

Notes Senator FULBRIGHT.

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:

## THE REAL CASUALTIES

(By J. W. Fulbright)

WASHINGTON.—Chivalry in warfare, I suppose, is an antiquated concept. Such notions are impossible for a B-52 bomber crew five miles up in the sky. The targets they drop their bombs upon are like grid squares on a map; they bear no physical resemblance to real cities and farms inhabited by real people. Now the crew hardly even have to concern themselves with accuracy; their "smart bombs" are carried on laser beams. It is called "surgical" bombing but it is not so "surgical" as to spare the schools and hospitals, and the men, women and children who happen to be in the target areas.

Their dying and their burning take place beyond the sight—and beyond the psychic knowledge—of the B-52 crews and their countrymen across the sea. Only occasionally do the sights of war intrude upon our vision, as in the widely published picture of a little naked Vietnamese girl, screaming as she ran toward the camera to try to escape from the napalm which was burning the skin from her back.

Such are the sights and sounds of the Vietnamization program through which the Nixon Administration has reduced American casualties to almost none. Appealing to our weariness and disgust, our leaders have invited us to lose in interest in Vietnam, to ignore what happens there now that our own sons are no longer dying in large numbers. They have invited us to ignore the tragic fate of the Vietnamese themselves and to look elsewhere to the President's visits to Peking and Moscow.

We are told that we must continue such a policy if we are to remain a great power and retain respect throughout the world for the office of the American Presidency. In his dealings with the Soviet Union and China Mr. Nixon no longer engages in ideological warfare for its own sake; he has ceased to be a crusader against "godless Communism" and has become a skilled practitioner of *realpolitik* in the tradition of Metternich and Bismarck. But in his continued prosecution of the war in Vietnam the old Nixon has survived—Nixon the Redbaiter, Nixon the battle-scarred veteran of the "warfare of politics"—to take the term he used in his book "Six Crises."

One of the most ironic of the many ironies of this long and futile crusade is that the Vietnamese Communists themselves have found it incomprehensible that the mighty United States could take an obsessive interest in the internal dissensions of so small and remote a country. For a short period in 1946, the only official representative of the United States in Hanoi was a young major in the Office of Strategic Services named Frank White.

Ho Chi Minh had formed a Vietnam Provisional Government and had proclaimed the independence of the state of Vietnam "within the French Union." On a number of occasions during those turbulent days, White spoke informally and at length with Ho.

On one occasion Ho "dwelled at some length on the disposition of Americans as a people to be sympathetic to the self-determination of nations and generous in making contributions to less fortunate states. But he doubted that the United States Government could be counted on to come to the aid of Vietnam."

For reasons that will likely puzzle historians for decades to come, just as they puzzle and dismay ordinary citizens today, Vietnam has captured and held America's interest beyond Ho Chi Minh's wildest imaginings of 26 years ago. It has caught us in the grip of a prideful, fearful obsession with "defeat" and "humiliation."

Perhaps, as the Nixon Administration has seemed to suppose, the American people will tolerate an endless war as long as it is Asians rather than Americans who are being "wasted" on so prodigal a scale. But I do not think so; I think that the American people are offended and outraged by the prolongation of this useless killing even though most of those now being killed are foreigners.

I think that the American people are disgusted by the obsession with victory, even in its various, euphemistic disguises. I think that the majority of Americans would now share the puzzlement and dismay expressed in a letter which I received back in 1967 from an American soldier in Vietnam. Speaking of the phony propaganda and the savagery of the war, he described the real casualties—"the farmers and their families in the Delta mangled by air strikes, and the villagers here killed and burned out by our friendly Korean mercenaries."

This young soldier then asked, "... what ever has become of our dream? Where is that America that opposed tyrannies at every turn, without inquiring first whether some particular forms of tyranny might be of use to us? Of the three rights which men have, the first, as I recall, was the right to life. How then have we come to be killing so many in such a dubious cause?"

## PROGRESS IN RHODESIA

Mr. GOLDWATER. Mr. President, my State of Arizona is extremely fortunate to have as the editor of one of its major daily newspapers, The Tucson Daily Citizen, a man of great ability and fine reportorial insight. I refer to Mr. Paul A. McKalip, who recently returned from a lengthy tour of South Africa and Rhodesia—an area he had visited first 7 years ago. As a result, Mr. McKalip has written two excellent articles for the "Perspective" section of his newspaper which mirror his impressions of the country, the spirit of the people, and the opportunities which abound in those areas for persons of all cultures. He reports that great progress is being made, especially in Rhodesia, in the face of British sanctions.

Mr. President, as the two articles point out, Rhodesia's political stability and economic viability have developed impressively despite the efforts of Britain and other nations to force their will on this former British colony.

Where one would expect to find Rhodesia and her people in a kind of holding operation, attempting to weather the British sanctions, just the opposite is the case. Mr. McKalip found Rhodesia far from stagnant, but in the grip of its

greatest economic boom. A growth rate of 11 percent was chalked up by Rhodesia last year, and 1,600 new industrial enterprises have been established in the past 6 years. Home building is going ahead at a record pace, and much of it is being put in place for Africans. What is more, Rhodesia is enjoying a steady rise in both immigration and tourism and is experiencing a shortage of skilled labor.

All of this points up the wisdom shown by our government, which took action last fall to resume the purchase of Rhodesian chrome. The move was entirely realistic and practical under the conditions found in Rhodesia by Mr. McKalip.

Because of their interest and importance to all responsible Americans, I ask unanimous consent that Mr. McKalip's articles be printed in the RECORD.

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

[From the Tucson Daily Citizen, Aug. 1, 1972]

## SEVEN YEARS AFTER INDEPENDENCE—RHODESIA'S POLITICAL STRUCTURE DEMONSTRATES ITS STABILITY

(NOTE.—Paul A. McKalip, editor of the Tucson Daily Citizen, visited Southern Africa in 1965 and again this summer. This is the first of two special articles based on his observations and findings in the former British colony of Rhodesia, which declared its independence seven years ago.)

(By Paul A. McKalip)

"Bad news travels fast" is an old expression. In today's world of instant communication, one must add "and far."

For most of its 80-year history, a place called Rhodesia in the southern part of Africa below the equatorial belt was little known beyond the fact that it was one of the lucrative colonies of the British colonial empire.

For adventurous world travelers and readers of National Geographic magazine, it was known also for the world-famous but remote Victoria Falls on the fabled Zambesi River.

## BLACKS, WHITES WORK SIDE BY SIDE

Just seven years ago, Rhodesia became another "hot spot" on the world geopolitical map when the minority white government issued its unilateral declaration of independence from mother England.

UDI, as the action became known, was seen as the only means by which the quarter-million Europeans, mostly of English origin, could avoid an overnight sellout of Rhodesia's long westernized-style development to the overwhelming majority of African natives who are still primitive bush dwellers.

The Rhodesian government in power had seen already the turmoil and chaos which had resulted from similar grants of independence to other colonial holdings of European nations in black Africa.

In some of them, such as the Congo, ambitions and old animosities of rival native tribes exploded into mass destruction of property and population.

Nevertheless, the news of Rhodesia's declaration of independence, after failing to win an acceptable accommodation with the British government, started political and economic repercussions which continue today. By coincidence more than design, in fact motivated principally by a long desire to see the Victoria Falls, I was in Rhodesia in the spring of 1965, six months before UDI.

I visited Salisbury, the beautiful, modern capital city, and talked with many persons in and out of government.

One thing was obvious. The white minority, far from repressing and exploiting the Africans, was pursuing a policy of development, of education and economic opportunity for all of the nearly five million people of Rhodesia.



England, however, was being rebuffed in its effort to impose its own political policy for Rhodesia and could not accept such affront by the "bad boy" of the British Commonwealth family.

Eschewing military response to UDI in the months following November, 1965, when such response admittedly might have quelled the rebellion in the fashion of earlier colonial tactics, England sought to strangle the rebellion by imposing sanctions.

#### "BRITISH HAVE LOST THE WILL TO SETTLE"

The United Nations is committed by its charter to remain aloof from the internal affairs of nations. It is a proper policy. In the case of the Rhodesia sanctions proposed by England, the United Nations approved on the flimsy, transparent grounds that the Rhodesian action represented "a threat to world peace."

This summer I returned to Salisbury by deliberate intent born of sustained interest in the problem, the people and the future of a land with great resources, attractions and potential.

Some personal observations were at once enlightening and reassuring.

The country was obviously peaceful. The national police force is composed of only 4,000 members. Three-fourths of them are Africans. In the British traditions, the police do not even carry arms.

Africans and Europeans were going about their business in trade, industry and agriculture side by side. It is true that the black Africans mostly still are in the ranks of unskilled labor, but there is no arbitrary barrier to their economic advancement.

In the four-star, top-rated Jameson Hotel in Salisbury, the reception office was staffed by blacks and whites alike wearing the formal striped trousers and morning coats. The accounting department was staffed by Africans.

There were also blacks among the guests in the hotel, and in the dining room and in the cocktail lounge. There is no color barrier in any public place.

At Government House, the residence now of the Rhodesian state president which formerly was occupied by the British colonial governor, the guard complement, including officers, is entirely African.

On the political front, likewise, there was a new commitment and determination to make the best of England's final rejection of the independence settlement proposals which had been negotiated and approved by representatives of the two governments.

I arrived in Salisbury shortly after the "bad news" of the British government's official "No" to the bilateral proposals had been announced, making headlines around the world.

There was consternation, disappointment approaching disbelief, but no sense of despair.

It was recognized that some of the more immediate political gains assured for Africans in the proposed settlement would be likely to come more slowly. Their political progress would be linked to the practical pace of educational and economic progress.

It was also recognized that the struggle for economic progress, both industrially and agriculturally, would have to continue for both Africans and Europeans under the added burden of sanctions.

But if the outside world expected restlessness or even possibly upheaval in the wake of the Rhodesian setback, it was nowhere evident.

If anyone had cause to be despairing or angry, it might have been most of all the indomitable Ian Douglas Smith, prime minister and rallying force in the Rhodesian Front government in the 10 years before and since UDI.

I was fortunate to arrange a private interview with Smith early in my visit. The seven

years of challenge and frustration since UDI had worn on him but lightly.

He is a rather slightly built man whose strength is reflected in strong features of face and especially piercing eyes.

#### "GREATEST ASSET IS HER PEOPLE"

Now only 53 years of age, and looking boyishly younger in some respects, his dedication to Rhodesia and the future of 5 million people is unswerving by adversity.

When I entered his office, he invited me to sit at the side of his large, well-ordered desk. He swung his chair sideways to allow him to stretch out his legs and half recline as he conversed easily but intently.

Almost at once, without being asked the obvious question, he volunteered his disappointment at the British "No" to the settlement. He went on to point out that the sanctions had been imposed to force Rhodesia to negotiate an agreement with the British government on the territory's political future.

"This government did negotiate and did come to agreement with the British government. This government approved the agreement and it was the British who finally rejected it," he declared.

He made it clear that he felt any legitimacy for sanctions had been wiped away by the British and that sanctions in the future would be less respected by other nations even though they might remain on the U.N. books.

Smith recognized, as a practical politician, that the British government could not afford to allow sanctions to be revoked officially.

It is, of course, that realism which has allowed Ian Smith to steer the small country successfully through countless dangerous shoals during the past 10 years, before and after UDI. Now he assessed the future this way:

"I believe any sort of settlement at this moment would be an embarrassment to the British government of the United Kingdom. I believe that at the moment they have lost there will to settle.

"Therefore, the contract we made has been closed by the British rejection."

The prime minister said essentially the same thing in a public statement a couple days later and concluded with this exhortation to Rhodesians:

"Let us be realistic and accept the fact that the only practical way forward is to get on with the job under our existing 1969 Constitution, sanctions and all."

#### UNITED "TO MAKE THE BEST OF IT"

The Rhodesia Herald, large national daily newspaper published in Salisbury, headlined the prime minister's public statement this way: "Smith Firm: We Are Not Talking to U.K." And a subheadline carried his words in quotation marks: "The contract has been closed . . ."

The Rhodesia Herald generally is strong in its opposition to the Smith government and outspoken in criticism of its policies. The Herald's editorial comment the next day on the above news was, therefore, significant:

"We agree with most of Mr. Smith's assessment of the situation . . . There will be no recognition. Sanctions will continue in official force.

"... The present situation is normal, and will continue to be so for as far ahead as one can see. The country must make the best of it.

"And a good best can be made.

"... Rhodesia's greatest asset is her people. If her people—all of them—are able to give of their full potential, then the sky's the limit."

There has been substantial evidence that Rhodesia's people, European and African, are agreed on the country's potential and on their dedication to it.

In the face of continuing armed threats from Communist-trained outside guerrilla forces to the north, African natives in rural

areas of the country have been quick to join in reporting and thwarting occasional incursions.

African and white military police share the duties of border patrol.

One of the most important symbols of the stability of the new government is the office of president, which has been occupied by Clifford W. Dupont since the 1969 Constitution was adopted.

Dupont is a polished gentleman of English heritage. He was deputy prime minister under Smith before the 1965 independence move. After the ties with Britain were severed, Dupont was first named to the position of officer administering the government. That position was created above and apart from politics to take the place of the British crown's representative.

Now, as president, he also is above politics and parliament and serves principally in a ceremonial and symbolic capacity. His office assures the continuity of government as a viable entity. It is he who officially calls and opens each parliamentary session.

With Clifford Dupont as the representative of government and Ian Douglas Smith as active leader of the government, it is clear that colonial Rhodesia has produced a breed of indigenous Rhodesians who are equal to the challenge of "making the best of it."

It is too bad that "bad news travels fast," probably because it is the most sensational or alarming kind of news.

A look at the situation in Rhodesia first hand and in depth reveals the whole truth about a country which has emerged from British rule with faith in itself and in its future, given only time and opportunity.

[From the Tucson Daily Citizen, Aug. 2, 1972]

WHAT ABOUT THOSE SANCTIONS? EMBATTLED RHODESIA IS MAKING GOOD DESPITE BRITAIN (By Paul A. McKalip)

Seeing is believing.

And seeing the progress in Rhodesia, after seven years of struggle for independence from Great Britain, is to believe that the little country in southern Africa is well on its way to succeeding.

No shots have been fired by the British against the Rhodesians as they were in America's War of Independence two centuries ago. In this one, the British government chose to wage political and economic war.

The cutting off of diplomatic relations with the rebel government in Salisbury was awkward, perhaps, because it affected Rhodesian passports and therefore travel.

The real weapon that was relied upon to subdue Rhodesia was the sanctions which Great Britain imposed with the support of the United Nations.

Well, what about sanctions? How are things going in the land-locked nation? Things are going well indeed. I can report that from firsthand observation, inquiries and interviews during my recent visit to Rhodesia.

#### UNEXPECTED BOOM

Having been there seven years ago, just before the country announced its unilateral declaration of independence (UDI), I had a good basis for comparison.

One would expect to find the country and its people in a kind of holding operation, but certainly not in anything like an economic boom. That's what it is, though.

A growth rate of 11 per cent last year, the establishment of 1,600 new industrial enterprises in the past six years, home building at a record pace and much of it for Africans, a steady rise in both immigration and tourism, and a shortage of skilled labor add up to all the boom the Rhodesian economy could possibly stand at this time.

If an American needed an object lesson which he could understand, and feel, this was it:

Upon my arrival, a U.S. \$10 bill bought \$7

Rhodesian. Before I left, during which time the British pound had been floated again and had shaken the international money market, a U.S. \$10 bill was good for only \$6 Rhodesian.

The Rhodesian dollar has been strong all along, and inflation has been controlled.

#### CARS GALORE

There were other object lessons readily apparent. Two old friends, Douglas Garner and Sam Brewer, met my wife and me at the Salisbury airport. We went out to Brewer's automobile for the ride to the hotel.

The car was a brand new Peugeot sedan. There were plenty of other late-model French cars on the streets, including Citroens and Renaults. There were also German BMWs and Mercedes, and Italian Alfa Romeos. And scads of Japanese Toyota and Datsun trucks.

The only makes conspicuously missing were British and American, except for a few very old ones.

Where did the new vehicles come from? Questions such as that kept coming forth, but not the answers. Understandably. The "who" and "how" of import-export trade are closely held secrets.

As one industrial spokesman said later, "We don't like to say we trade with anybody. That protects everybody."

As we drove into the city, we passed huge warehouses. In the early years of sanctions, they had been built to store Rhodesia's unsold tobacco crop. Tobacco was the backbone of the country's agriculture, and the backbone was undergoing strain.

The tobacco's all gone now, except for the current crop. Meanwhile, the squeeze forced a diversification of agriculture which has proved only beneficial.

Farther on, we drove past a large plant with the initials "WMI" on the flag flying over it. Those initials provided a partial clue to the automobile question. They stood for Willowvale Motor Industries.

Before 1966, the plant had been occupied by English Ford. When the English picked up and left under the sanctions ban, the Rhodesians turned the facility into an automobile assembly plant of their own. The parts get there for assembly—somehow.

#### CAPITAL CONSTRUCTION

Arriving in downtown Salisbury, which is the capital and principal city of the country, the first sights were towering new office buildings that hadn't been there in 1965.

Two tall construction cranes were busy in the erection of other new buildings, one destined to be an eight-story, 250-room luxury hotel.

Later on, we took a drive through the residential suburbs. There were rows of new houses in European neighborhoods being occupied by arriving immigrants and whole subdivisions in areas set aside for Asian Indians and for Africans.

There are approximately 300,000 urban Africans who live and work in Salisbury, together with some 115,000 Europeans. The racial groups work together at all levels of commercial enterprise, share all public and recreational facilities, but live in separate housing areas.

That is the limited extent of separation and generally it is preferred that way by the various groupings. As one minister in the government put it, "the future will be determined by racial harmony," which he felt does exist at present.

#### AFRICAN LIVING

In the African residential sections, there are homes ranging from modest single and duplex rentals to attractive homes being purchased and luxury residences custom built in the \$50,000 to \$100,000 range by wealthy Africans.

One African bus company operator, for example, has built a three-story house on a hillside lot in Marimba Heights. In the

African tradition of multiple wives, which is still prevalent and legal, one of his wives occupies the second floor of the house and the other wife has the third floor.

Outside Salisbury is the imposing new headquarters building for Rhodesia Broadcasting Service and Rhodesian Television. Aside from all the latest electronics equipment, some of it imported "somehow," there was a beautiful Wilton rug, at least 16 by 30 feet, on the main studio floor.

"Oh, that," explained Harvey Ward, head of RBC/TV News Service, "why, since sanctions we make our own rugs in Rhodesia."

There is, in fact, little except for the heaviest industrial equipment and sophisticated machine tools which isn't being made now in the country.

Television sets? Made in Rhodesia. Stereos and other electronics? Newsprint for the big newspaper in Salisbury, and other papers? Made now in Rhodesia, together with toilet tissue (brand name "Wish") and paper products which were almost nonexistent in the early period of sanctions.

The list goes on: furniture, from fine office equipment to high style home furnishings. Pharmaceuticals, made in a spotless new plant. Dishes and tableware. Steel. Truck and bus bodies. Clothing for the whole family.

#### CHEAPER, BETTER

During an internal air flight, I sat with a manufacturer of men's clothing from Johannesburg, South Africa. He told me frankly that if it were not for import quotas on Rhodesian clothing in South Africa, he would be hard put to compete and stay in business. His customers told him frankly they would rather buy the Rhodesian product.

Cheaper, because of cheap labor, but shoddy in quality? No, admitted the South African manufacturer, "Rhodesia's clothing is not only cheaper but also better."

J. C. Graylin, chief executive of the Association of Rhodesian Industries, said that the 1,600 new industrial projects launched in just six years were equal to what would have taken 26 years under continued British authority.

"We're under siege," he explained the surge simply. It still isn't easy going.

"The biggest problem is generating capital for all our development needs," Graylin said. "We can't borrow capital abroad." That's one pipeline on which the British have been able to keep the valves pretty well closed.

Imports of critically needed items, materials and equipment must, therefore, be controlled carefully to match approximately with exports.

But even though gasoline, 100 per cent imported, was rationed a few years back, it is now pumped without limit at any service station. One is surprised to see familiar signs such as Mobil and Shell, plus BP (British Petroleum), Caltex (a Texaco affiliate) and Total (French).

The British-owned Rhodesian Herald would greatly like some new presses. The Herald's editor, Reese Meier, conceded that under the circumstances the presses aren't as essential right now as other things. His wants are far down on the import priorities list.

#### OPTIMISM

Rhodesia's minister of foreign affairs, J. H. Howman, took a position of optimism about the trade problem. He expressed the opinion that "sanctions are only a nuisance now" and would continue to erode slowly.

Since Britain's rejection of the settlement agreement which the two governments had worked out, there is "no enthusiasm anywhere for the continuation of sanctions," Howman observed.

He noted that informal relations with much of the world, many nations in Europe, Asia and Africa, are good. "It is ridiculous to suggest that Rhodesia is a non-state."

The facts of life—stable government, a stable dollar, a booming economy, a united people who have not flinched—seem to bear our Minister Howman's contention.

#### MOVEMENT OF SORED HORSES IN INTERSTATE COMMERCE

Mr. HARRIS. Mr. President, the president and vice president of the American Horse Protection Association, Mrs. Paul M. Twyne and Mrs. William L. Blue, have just returned from Shelbyville, Tenn., where they attended the 34th annual celebration, the largest walking horse show in the Nation. This organization led the battle for the passage of Public Law 91-540, the Horse Protection Act of 1970, which prohibits the movement of sored horses in interstate commerce. Mrs. Twyne and Mrs. Blue were appalled to see a large number of severely sored horses being shown and winning the championship classes in clear violation of the law. The Department of Agriculture has shown an obvious hesitancy and indifference to enforcing the full strength of Public Law 91-540. The walking horse show standards are established at the celebration, but again the walking horse industry has not felt the full strength of the law. Why has the Department of Agriculture not submitted their cases for prosecution to the Department of Justice?

I ask unanimous consent to have printed in the RECORD recent newspaper and magazine articles discussing what took place at Shelbyville, Tenn., at the celebration. I also include the special bulletin of September 1972, published by the American Horse Protection Association:

I am asking the Senator from Washington (Mr. MAGNUSON), chairman of the Commerce Committee, and other members of that committee, to join with me in protesting to the Department of Agriculture their lack of enforcement of this act. I would like to call this to the attention of the chairman and vice chairman of the Subcommittee on Environment, Senators HART and MOSS, to urge that the Animal and Plant Health Service of the Department of Agriculture do all in their power to promote immediate vigorous legal action. This is the subcommittee where Public Law 91-540 was written by our distinguished former colleague, Senator Joseph D. Tydings. Public Law 91-540 is a strong law. It was passed nearly 2 years ago, and it should be clear enough to the legal staff of the Department of Agriculture.

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

[From the Tennessean, Sept. 2, 1972]

USDA AIDE: WALKERS SINGLED OUT

(By Kathleen Gallagher)

SHELBYVILLE.—A U.S. Department of Agriculture spokesman in Washington said yesterday the Tennessee Walking Horse was singled out specifically by Congress as "a class" which had been the particular target for soring.

On commenting on a statement Thursday night, issued by the Tennessee Walking Horse Commission, Dr. C. O. Finch of the USDA Animal and Plant Health Inspection Service,



said he would agree with the commission statement that the breed was singled out. But he denied the commission's allegations that his agency is practicing "gross discrimination" against the Tennessee Walking Horse National Celebration under way here.

The USDA has approximately 20 employees here to inspect horses entered in the celebration for signs of soring, a practice deemed illegal under the 1970 Horse Protection Act.

Representatives from the Humane Association of America and the Horse Protection Association are also here making their own investigations. However, they are complaining that they are not getting cooperation from the federal investigators.

Dr. James Naveaux, an equine veterinarian author of several books on lameness in horses, is working with both groups.

Frank J. McMahon, director of investigation for the Humane Society of the United States, said yesterday that a daylong attempt to get congressional pressure put on the USDA to allow Dr. Naveaux into the federal inspection station was futile.

"There's no question that they are still working sore horses here," McMahon said last night. "Tonight I saw a horse in the exercise ring bleeding from both front pasterns (hoofs)."

"The situation here is certainly tense. It wouldn't take much for the whole thing to blow up."

Since the celebration began eight days ago, the tension has been mounting.

Last night, Wink Groover, a prominent trainer and an official of the trainer's association, had some heated words with the head veterinarian of the federal inspection team.

Groover told Dr. Robert Thompson, a USDA veterinarian from Columbia, Tenn., that he felt the federal inspectors should crack down on the "real sore" horses but should be more lenient with those that had just been slightly doctored.

Groover acknowledged that there are some sore horses in the celebration while another trainer kept trying to persuade him to "let's just keep this among ourselves."

However, not all trainers were so unhappy with the USDA inspectors.

Trainer Vic Thompson approached Dr. Thompson after his confrontation with Groover. Trainer Thompson put his arm around Dr. Thompson and assured the veterinarian that he would "personally guarantee a clean show."

Dr. Thompson returned the friendly gesture and placed his arm around Trainer Thompson and replied:

"I know you will."

Some horses trained by Thompson were among those chosen for a spot check by the federal inspectors after they had been in the show ring.

Some federal investigators have indicated that "more than two dozen" violations will result from soring practices discovered during the celebration.

Soring is a practice commonly used to expedite training of the walking horse by administering a chemical blistering agent to the pastern area of a horse's hoof or the use of thongs or chains to make the horse step lively.

This is the first year the federal government has been geared up to enforce the regulations. Celebration officials, anticipating the federal crackdown, hired three veterinarians to inspect the horses before they entered the show ring. The USDA investigators examine the horses after they have participated in the show ring.

The second night of this year's celebration saw 35 of 107 horses disqualified by the celebration veterinarians. This immediately resulted in an angry ring protest by disgruntled trainers who stormed into the center ring and forced cancellation of the show for the remainder of the night.

Since then, the celebration has been tinged with charges and countercharges, and tension has been running high.

On Tuesday, three U.S. marshals were sent to the celebration to protect the staff of federal investigators.

While the Walking Horse Commission is lambasting the USDA for "gross discrimination" other groups are complaining that the federal agency is not being forceful enough in its probe of soring practices.

Yesterday and Thursday, Mrs. Pearl Twyne and Mrs. Joan Blue of Washington, D.C., president and vice president of the American Horse Protection Association, conducted their own investigation of alleged soring practices.

Accompanying them were a photographer and attorney Robert McCandless of Washington, and an equine veterinarian, Dr. James Naveaux, author of several books on lameness in horses.

McCandless claimed "there were only one or two horses we saw that had not been touched up in one way or another, and the longer they worked them, the more noticeable it became."

McCandless charged that some horses were so sore "they could barely walk on their hindlegs. We have names of horses which were stumbling, bleeding. At least a dozen were bleeding."

He charged USDA officials, who spot-check horses after the horses leave the ring, have not taken down pertinent information on horses rejected from show participation by the show veterinarians before each class begins.

McCandless said owners and trainers or such excused horses are liable under the law, since the horses are officially entered in the show and have had their fees paid before they come for the inspection. He added:

"If the Department of Agriculture itself does not prosecute some of these owners and trainers who have violated the law, we will have the proof ourselves and will either go back to Congress or we will go to court in Washington and mandamus the USDA to bring forth records and vets who were down here in Shelbyville."

[From the New York Times, Sept. 3, 1972]

#### SORING CRACKDOWN EMBROILS WALKING-HORSE SHOW

SHELBYVILLE, TENN., September 2.—A 19-man Federal crackdown against alleged cruelty to animals at the big Tennessee Walking Horse National Celebration here has caused controversy and consternation among breeders and trainers.

By the time the show ended last night, repeated inspections by the 19 Department of Agriculture employees had created havoc within the lightly knit group of walking-horse enthusiasts.

At one point, the department dispatched three United States marshals to the celebration "to protect our people from hot-headed horsemen," according to a department spokesman.

The target of the team, working under provisions of the 1970 Horse Protection Act, was the practice of soring—the use of thongs, chains or chemical blistering agents on the horses' front hooves to give them the lively walking-horse gait.

Tennessee walking horses are especially bred and trained for "the big lick"—a high-stepping gait in which the horse's weight is on its hindquarters. Soring the pastern area of the horse's front hooves makes the trainer's task easier.

#### LITTLE TROUBLE LAST YEAR

The annual walking-horse celebration here is the nation's biggest. Although the Horse Protection Act went into effect in February, 1971, last year's show was staged with little interference from any agency.

Horsemen apparently expected more of the same this year, but on Aug. 25—the second

night of the 10-day show—a team of three veterinarians employed by celebration officials "excused" 35 of 107 entrants for alleged violations of the new Federal legislation.

This brought an angry protest from trainers, who stormed into the show ring and forced the remaining four classes on the night's schedule to be canceled. Owners and celebration officials met into the early hours of the following morning, but failed to resolve the dilemma.

Dickey Pate, president of the Tennessee Walking Horse Trainers Association, told the more than 500 trainers at the meeting that they would have to "live with the Federal law," but then he made a veiled threat that the trainers would boycott the remaining days of the celebration.

#### SOME VIOLATIONS CONCEDED

Finally, the trainers decided to go on with the show. They did not deny that some of the horses were probably in violation of some provisions of the act, but they were protesting the degree to which the letter of the law was being enforced by the veterinarians.

All the disqualified horses were eliminated by veterinarians who had been hired by celebration officials. The veterinarians said they were hired to "relieve the show officials of possible liability," since the Federal law makes it illegal to allow sored horses to perform in a show.

The Federal inspectors did not examine the horses until after they had performed, usually choosing the top seven winners in each class. The Department of Agriculture veterinarians refused to disclose their findings. They said they would submit a report to the department and that attorneys there would determine if prosecution was warranted.

#### FINES AND TERMS POSSIBLE

Willful violations of the Horse Protection Act carry penalties of fines up to \$2,000 and prison terms of up to six months. Unintentional violations can bring fines of up to \$1,000, levied at Department of Agriculture hearings.

In addition to the Federal officials, representatives of the Humane Association of the United States and the American Horse Protection Association of Great Falls, Mont., attended the show with their own attorneys, a veterinarian and a photographer.

The photographer, Alan Kania of Boston, said someone had threatened to take his camera if he made any photographs in the barn area.

[From Newsweek magazine, Sept. 11, 1972]

#### "THE BIG LICK"

At the end of every summer, the small town of Shelbyville, Tenn., 50 miles south of Nashville, awakes with hoots and hollers to claim its title as "The Walking Horse Capital of the World." For ten glorious days, the Cadillacs and private planes pour into town, and the pink champagne flows like water. Last week, it was time for the 34th renewal of the Tennessee Walking Horse National Celebration, and as 1,750 high-strutting steeds pranced through their paces, the "hot dams" of a delighted multitude echoed off the rolling green hills.

The Tennessee Walking Horse is a relatively new breed. The horses were formally designated as a distinct class only 37 years ago. The Tennessee is known for three smooth but showy gaits: the "flat walk," the "running walk" and the "rocking-chair canter." Head bobbing, neck arched and tail standing perkily erect, the walking horse lifts its front hooves in a spectacular flourish known as "the big lick." To the 50,000 true believers at the celebration, there is nothing like a Tennessee Walking Horse. "When you stride into that ring and feel the horse swelling up under you, well, that's all there is," said Vicki Lynn Gordon, a 27-year-old rider who returned to Shelbyville last week after being

away from the circuit for eight years. "I'll never leave again," she added, "unless it's with my boots in the air."

#### PRIZE

The price tag for such thrills is going up steadily. A top horse can cost \$60,000 or more and stud fees can run to \$1,000. When a stallion named Sensational Shadow won the grand prize at last year's celebration, his owners promptly raised the insurance on him from \$30,000 to \$100,000. "If you get a stallion who wins and he's a good stud," reported Mrs. Billy Ellison, the wife of a horseman from Gainesville, Ga., "you've got yourself a meal ticket."

Walking-horse owners themselves are something of a new breed. Many are rich—Texas millionaire H. Ross Perot had five horses entered in the celebration—but there is a lot of "new money" in the crowd. Enthusiasts like to think of themselves as "down-to-earth" people, and they scarcely bother to conceal their scorn for the ultra-mannered saddle-horse set. "We had gaited horses once," Norma Gallagher of Wingate, N.C., told *Newsweek's* Joseph B. Cumming Jr. and Sunde Smith, "but those people seemed cold. We found the walking-horse people just more friendly."

For all its exuberance and home-spun fun, the walking-horse business has been under a cloud for several years now. The problem arose mainly from the cruel but widespread practice of "soring." In order to make their horses adopt the characteristic gait, trainers would rub irritating substances, such as oil of mustard, into the front legs just above the hooves, making the legs so sore that the horse would frantically lift his feet higher. Walking-horse fanciers also resorted, among other things, to cuff-like boots with knobs that produce more pain and hence an even bigger "lick."

#### HARSH

Once the horse has been trained to the gait, his tail is broken to stand up perkily, and a luxuriant "fall" is often added for the shows. Although owners claim the horse has a tender mouth, they use a harsh curb bit with 6-inch-long shanks, giving the rider strong leverage to pull and press a chain against the underside of the jaw.

Faced with growing criticism of these practices, walking-horse owners began to police themselves in the mid-1960's, but two years ago Congress stepped in and passed the Horse Protection Act, outlawing the use of irritants and limiting the weight of the boots to 16 ounces each. Among their many complaints about the Act, trainers insist that large horses need bigger boots, and that unscrupulous competitors can still sore their horses by rubbing irritants into the skin and then wiping off the surface to escape detection. All the evidence suggests that some illegal soring is still going on. On the second night of this year's celebration, eighteen horses were "excused" from competition for violating the regulations. Angry trainers responded by staging a demonstration that shut down the horse show for the night. "We've been bad," admitted one rider. "But we're about to break through and we need a good image."

Image is important to the walking-horse set. Shelbyville blossomed with bumper stickers proclaiming: "Ride With Pride on a Tennessee Walker." And ambitious contestants splashed advertisements onto billboards and across the pages of a daily walking-horse newspaper touting the virtues of their mounts. Trying to make up for her eight-year layoff, Vicky Lynn Gordon spent \$1,000 on lapel buttons and bumper stickers promoting her stallion, Ace's Black Baron. The slogan: "He's Black, She's Black." Joelle Rogers Stern, 34, a wealthy part-time model from Beaumont, Texas, bought full-page newspaper ads that showed her sitting at the controls of a private airplane in which she later brought her parents, a four-mem-

ber fan club and her own hairdresser to the big show at Shelbyville.

But despite all the commercialism, there was no doubting the audience's devotion to the walking-horse mystique. As the animals strutted around the ring each night, "working along the rail" past their adoring fans, the yelps, whistles and cheers nearly drowned out the ever-present organ music. "When I leave for this show," said Joelle Rogers Stern, "I tell my friends I'm going to heaven for a week."

#### SPECIAL BULLETIN—SEPTEMBER 1972

**DEAR HORSE LOVERS:** For the sixth consecutive year, Mrs. Paul M. Twyne, president of the American Horse Protection Association, attended the 34th annual Tennessee Walking Horse National Celebration in Shelbyville, Tennessee, August 24–September 2, 1972. She was accompanied by Mrs. William L. Blue, vice president, and the Association's attorney, Mr. Robert McCandless, of Washington, D.C., equine veterinarian, Dr. James L. Naviaux of Pleasant Hill, California and photographer Alan Kania of Boston, Massachusetts.

There were 1,752 horses entered in the "Celebration" and for the first time in the history of this giant show, Public Law 91-540, the Horse Protection Act of 1970, was in effect. The U.S. Department of Agriculture is charged with the enforcement of this Act, designed to prohibit the showing of sored horses in exhibition. Soring is the widespread practice of using caustic, blistering chemical agents, heavy chains and other painful devices to irritate the forefeet of walking horses to alter their natural gait. This method of brutal training forces the animal to lift its front feet quickly and thrust them forward to ease the agony, thus achieving the "sore lick", beloved by the walking horse industry. The rewards of soring have become a billion dollar industry which prevails at hundreds of horse shows throughout the United States.

A.H.P.A. representatives have attended walking horse shows throughout the current show season where they have found large numbers of bleeding, sored horses in the show ring. To date no violators have been prosecuted under the Federal law.

On the second night of the so-called "Celebration", 35 out of 107 walking horses were disqualified from the ring by the show veterinarians for alleged soring violations. This unprecedented action created angry protestations from riders, trainers and grooms, demanding the re-entry of the dismissed horses. Police were forced to restore order in the ring, while a crowd of about 6,000 spectators loudly, cheered the protestors. A Nashville *Tennessean* photographer had his cameras forcibly taken from him, and he told A.H.P.A. representatives that he was threatened by well-known walking horse trainer, Vic Thompson, and a crowd of other trainers. U.S. Department of Agriculture veterinarians took no part in the controversy and stated that they were assigned at the "Celebration" merely "to observe".

We believe that U.S.D.A. has wrongfully delegated some of their most important inspection powers when they allow show veterinarians to screen out the worst cases of soring. U.S.D.A. officials on the show grounds indicated that those horses excused by show veterinarians would not be pursued further. If indeed this is true, it would mean that the worst cases of soring, i.e., the easiest cases to prove in court, are allowed to escape Federal inspection and possible prosecution under the Act.

According to the Nashville *Tennessean*, "Wink Groover, a prominent trainer and an official of the Tennessee Walking Horse Trainers Association, told Dr. Robert Thompson, U.S.D.A. veterinarian from Columbia,

Tennessee, that he felt the Federal inspectors should crack down on the 'real sore' horses but should be more lenient with those that had just been slightly doctored. Groover acknowledged that there (were) some sore horses in the Celebration . . . However, not all trainers were so unhappy with U.S.D.A. inspectors. Trainer Vic Thompson approached Dr. Robert Thompson after his confrontation with Groover. Trainer Thompson put his arm around (U.S.D.A.'s) Dr. Thompson and assured the veterinarian that he would 'personally guarantee a clean show'. Dr. Thompson returned the friendly gesture and placed his arm around Trainer Thompson and replied: 'I know you will.'

In a letter dated July 18, 1972 to Dr. Francis J. Mulhurn, Administrator, Animal and Plant Health Service, U.S. Department of Agriculture, Washington, D.C., Mrs. Twyne stated: "To promote any equitable enforcement of the Horse Protection Act at Shelbyville (Tennessee) this year, we urge U.S.D.A. to replace all inspectors who live in the State of Tennessee with Federal veterinarians from other states . . . The practice of inspecting only after the horses have been shown, and then only (a few) horses in a class in which the majority are sored, is obviously absurd. The intent of the law is to stop the soring of all horses . . . The Horse Protection Act would be a strong, effective law, but only if it is strictly enforced. We believe that necessary enforcement can be achieved, but only by a realistic and vigorous legal interpretation of U.S.D.A.'s power under the law."

The full text of this letter was reprinted in the Congressional Record of August 7, 1972, at the request of Congressman John Jarman (D.-Okla.). The Congressman stated: "I was shocked to learn of the above allegations that the provisions of Public Law 91-540 are not being enforced. My intention, therefore, is to personally contact Congressman Paul Rogers, the present chairman of the Public Health and Environment Subcommittee, to discuss the possibility of holding oversight hearings on this matter. It is imperative that the provisions of this law be enforced."

Robert McCandless, representing the American Horse Protection Association, insisted that in his opinion the majority of the walking horses he observed in the Championship stakes at the "Celebration" were sore, some more severely than others. He contended that "if the Department of Agriculture does not prosecute all owners and trainers who have violated the law, including those excused from the ring, we will have the proof ourselves and will either go back to Congress or we will go to court in Washington and mandamus U.S.D.A. to bring forth records and veterinarians who were in Shelbyville."

We intend to present all our evidence to an investigatory committee of Congress, and to pursue every possible legal avenue to put an end to the barbaric practice of soring. We strongly urge all our members and friends to write the editor of their local newspapers to alert the American public to the villainy of this "sport." We need your help now!

#### LAND-USE PLANNING BY THE U.S. FOREST SERVICE

Mr. ALLOTT, Mr. President, on the fourth of last month, the Chief of the U.S. Forest Service, John R. McGuire, made a presentation to the second Vail symposium, in Vail, Colo., which he said he hoped would "challenge the thinking" of his audience.

I found his paper interesting and ask unanimous consent that it be printed in the *Record* at the close of my remarks.

I congratulate the Forest Service on its



recognition of the growing importance of land-use planning and the necessity of coordinating the efforts of the Federal agencies as to their lands with the land-use planning of the States and local governments.

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

**A PUBLIC LAND MANAGEMENT AGENCY: ITS ROLE IN LAND-USE PLANNING**

Your Chairman will note that I have changed the title of my paper from a discussion of our role in the age of ecology to our role in land use planning. The Forest Service was most pleased with the public's recent grasp of the broad concepts of the environment and ecology. We are even more pleased to see these concepts maturing into practical concerns such as land use planning. For it is in this latter process that the physical and biological capabilities of the land and their many interactions are blended with man's social concerns. It is my contention that we are now embarking on this maturation of the environmental movement and I see public land management agencies playing a significant role in this effort.

Too often in the past we have made thorough studies of the on-site consequences of special uses such as ski areas without fully recognizing potential effects of off-site developments such as new towns. In the West we see many examples of the second and third order effects of limited planning. In order to predict the full consequences of our decisions, we must take a broader look at land use planning than we have in the past. A change in planning attitude is as critical or more critical in the East where about half of the land within the National Forest boundaries is privately owned. Acquisition of this sizable inholding is not practical or even desirable. Here it is especially imperative that we get together on joint planning efforts with local governments and developers.

You can see why I am anxious to talk about the Forest Service role in land use planning and I welcome this opportunity as a participant in the Second Vail Symposium. During the next few minutes, I will summarize Forest Service philosophies and accomplishments in land use planning and try to challenge your thinking for the discussion periods this afternoon and tomorrow.

Although the Forest Service is responsible for managing about 22 million acres of National Forests and National Grasslands in the Central Rocky Mountain Region, we don't see ourselves doing this job alone. Rather we believe that effective land use planning requires a coordinated effort among the citizenry and jurisdictions at the federal, State and local levels.

Historically throughout the West, economics have tended to dominate planning criteria. Recreation, wildlife and esthetics have been unable to compete on a cost/benefit basis. As Ian McHarg has written, "Economic determinism is an imperfect evaluation of the biophysical world."

A system or balancing mechanism that would allow intangible values to equally compete with economic values has been needed for a long time. The National Environmental Policy Act has provided balance by establishing a broad national policy for environmental quality. Under the guidance of The National Environmental Policy Act, environmental values are now being equally considered with economic and technical values. The Act has had a greater effect and impact than perhaps even the sponsors had hoped. The courts have consistently and vigorously ruled in favor of the Act. The National Environmental Policy Act is a logical complement to the Multiple Use-Sustained Yield Act of 1960, and the Forest Serv-

ice has and will continue to work in harmony with both policies.

Last year at the first Vail Symposium, Regional Forester Bill Lucas noted that he was encouraged by our ability to plan. This intensified planning coupled with a desire to work together to solve common problems for the common good is most encouraging. When I say "we," I mean not only the various government agencies but the interested publics as well.

There is little doubt the public land managers are facing conflicting and competitive land uses as never before. As the competition becomes more intense, the public has become more interested, more informed and more involved in the planning and decision-making process. We in the Forest Service welcome this public participation. However, we do see a need for better public education to provide the necessary foundation for informed involvement so essential to the democratic process. As this foundation becomes better established and as land managers continue to share land management matters with an informed public, I am certain the public will be increasingly responsive during the examination of alternatives and the recommendation of courses of action. I want to assure you that the Forest Service is committed to an intensified public involvement effort and we are trying various involvement techniques to improve our ability to solicit, collect and evaluate public comment. As public servants, Forest Service officials must be responsive to public needs and desires, but as professional land managers we also have responsibilities to natural resource management needs. Public response, although very important, should be only one of several inputs into land management decisionmaking. Let's look at a few examples of the complexity of our land use problems.

Located just across the Continental Divide from the populated Eastern Slope of Colorado, the Eagle Valley seems to be a fitting place to discuss the Forest Service involvement in water diversion projects. The controversy surrounding water diversions demonstrates that water is fast gaining in importance as a National Forest resource.

Unfortunately, the high-yield National Forest watersheds in Colorado are usually not adjacent to areas of high water demand. The basic question then is whether to take the water to the people or the people to the water. This question is primarily of concern to the Colorado Land Use Planning Commission. However, when the decision is to take the water to the people and National Forests are the sources of the water, the Forest Service must make some very serious determinations. Because water diversions frequently result in large and longlasting environmental changes, it is essential that each proposed project be carefully studied and designed to fit into other programs on National Forest and related land. The project must be analyzed for its environmental effects as directed by the National Environmental Policy Act. It is also essential that the project's opportunity for rural stability be assessed.

Other questions that must be addressed are:

How much water should be removed? In other words, what is the optimum flow that should remain in the stream? An array of alternatives must be displayed that places a value not only on water as it comes out of the pipe but also on the water that flows in a forest stream.

What methods should be used to transport the water and at what point should the water be removed from the streams? Once again, an array of alternatives must be defined and all the plus and minus factors must be thoroughly evaluated.

Once a course of action is defined, a set of rigid stipulations defining the manner in which the project will be constructed and used must be developed.

It's interesting how many people in land use planning are relating land quality with the density of use. This quality-density ratio, although difficult to specifically determine, is becoming increasingly important in determining the capacity of certain National Forest areas to support use by people. For example, every unit of the National Wilderness Preservation System has a finite capability to support people while retaining its wilderness quality. Every ski area, likewise, has a finite capacity based upon some predetermined level of skiing quality or upon the capacities of support facilities.

The quality-density ratio wasn't apparent when the ski industry was a babe-in-the-woods testing its wobbly chair lifts. The industry has matured. Land suitable for ski area development sites is limited. Comparisons between quality and density can be useful tools for determining balance and growth.

The Forest Service has always sought to balance hill facilities with base area facilities. A close relationship and a common desire among the ski developer, the Forest Service and the local jurisdiction are needed to provide balance. Controls that provide an equal opportunity of use by all segments of the public while maintaining a quality skiing experience must be perfected. We've already seen some attempts to limit the total number of ticket sales. I believe this will become common in the very near future.

Wilderness management provides another example of the relationship between quality and density. When recreation use conflicts with wilderness values, recreation use must be controlled to protect wilderness quality. In Oregon and Washington, we recently implemented a permit system for Wilderness Areas. In the not too distant future, the total number of permits will also have to be limited. Can restriction in Colorado be far behind?

Since the intent of the Wilderness Act is not to provide improvements to handle the masses, the obvious alternative is to restrict the number of people that can use Wilderness Areas at one time.

One of the results of having a National Wilderness Preservation System is that more people must be accommodated on land outside the System. The designation of backcountry areas is a management alternative that allows minimal facilities to serve greater numbers of people while preserving outstanding scenery. We're finding that backcountry areas meet the expectations of all but the most demanding and experienced outdoor recreationist.

We are concerned about the increasing number of discussions that revolve around "scorecard acreage tallies" rather than more substantive natural resource issues, including wilderness criteria. There is no magic in acres per se; size is but one of many considerations in wilderness management.

This preoccupation with acreage has led some groups to believe that Congress, by passing the Wilderness Act of 1964, issued a mandate on behalf of the public to classify all wildlands as wilderness merely because those lands appear to qualify as wilderness. We do not accept this viewpoint for the Wilderness Act did not supersede the Multiple Use-Sustained Yield Act of 1960, although the latter Act recognizes that the maintenance of wilderness areas is consistent with multiple use. The Wilderness Act instructs us to protect qualifying lands as wilderness, but we are not directed to recommend all undeveloped lands as units of the National Wilderness Preservation System. The Multiple Use-Sustained Yield Act assures that the need for renewable resources of the National Forests—wood, water, wildlife, forage, and outdoor recreation—are also considered during the formulation of our recommendations for additions to the National Wilderness Preservation System.

I mentioned earlier that we in the Forest Service see ourselves as a full partner in land use planning with the State and local jurisdictions. In the past, our role frequently stopped at the National Forest boundary. The implication was "we'll take care of the mountains and the counties and towns can take care of the valleys."

Now the Forest Service is asked almost daily to make decisions having long-term effects on surrounding lands, as well as on the National Forests. Our State and county neighbors also make decisions which affect the National Forests. Natural resources on adjoining lands are interrelated and the formulation of an optimum land use policy should not stop at man-made boundaries. Ownerships are intermingled, roles are complementary.

For example, the county approval of a subdivision adjacent to National Forest land may compromise National Forest purposes and lead to the misuse of National Forest resources. On the other hand, a Forest Service decision to develop a large recreation area may strain the county's transportation and utility system.

It is obvious that no public agency can act unilaterally without risking compromise of the public's interest. Everyone involved in making land use decisions must develop a sensitivity for their neighbors who will be affected by that decision. The public is entitled to coordinated action among its various governmental levels and agencies.

You will be interested in two special projects dealing with land use planning and mountain subdivisions being conducted by the Colorado State Forester as part of our State and Private Forestry Program. A two-year pilot project is underway "to provide intensified on-the-ground service to landowners and local governments, for improved forest management, increased tree vigor and protection of forest from fire and pests on small mountain subdivision ownerships. Also included is thinning through forest product sales to achieve fuel hazard reduction and creation of fuel breaks, and the planting of trees for erosion control and beautification."

This trial work is being carried out in several areas of Colorado and we hope that the results will be applicable to private development throughout the State.

A related project is being initiated to provide specialized assistance, through the Colorado State Forest Service, to assist County planners in integrating plans for all public-private ownerships.

In addition, we have developed a sample *Agreement for Land Use Planning Coordination*, which is being implemented as a three-way arrangement, on a county-by-county basis, between the Forest Service, State Forester, and County Commissioners. Basically, the agreement provides on a formal basis:

1. That the County Commissioners will "consult with the Forest Service prior to any proposed changes in private land zoning or land use plans affecting the National Forest lands within the County. The State Forest Service will be consulted where changes will concern State and private forest lands."

2. That the Colorado State Forest Service will "provide the land use and technical environmental forest management services for State and private lands within the County," and "act as consultant to the County Commissioners . . . in development of private lands with respect to forest management, fire control, environmental quality and zoning."

3. That the Forest Service will "advise the County . . . of existing Multiple Use policies and plans for National Forest land uses . . . and consult with them prior to changes in these plans."

We will also "share expertise with the County in cooperation with the State Forest

Service, in land use specialties where (we) have developed particular experience and skill."

So far, these agreements have been executed in at least five Colorado Counties—Delta, Mesa, Ouray, San Miguel and Summit; and the Routt National Forest is working on some. Land development activity has, of course, been a factor that pointed to the need for this kind of cooperation and coordination.

The rising tempo of year-round outdoor recreation, second home development, new town establishment and industry relocation in the West parallels the recent environmental awareness and concern. The impact of these developmental activities could destroy the features of the fragile western environments—scenic splendor, clean air, clear water, abundant wildlife and wide-open spaces—that attracted development in the first place.

The problems created by man living in the Western forest environment are most urgent in the central and southern Rocky Mountains and the adjacent Great Plains. In response to this problem, the Forest Service and nine Rocky Mountain and Great Plains universities have united in a cooperative research program called the Eisenhower Consortium for Western Environmental Forestry Research. The development of the Consortium was spearheaded by the Forest Service through the Rocky Mountain Forest and Range Experiment Station headquartered in Fort Collins, Colorado. The Consortium's objectives are to provide solutions to problems created by man's interactions with the forest environment and to combine and coordinate the scientific resources of the Universities and the Forest Service.

The needs and wants of both permanent and transient residents must be met while maintaining the attractive features of the natural western environments. The scientific bases of management techniques for alternative courses of action to meet this objective must be developed and public understanding of these alternatives and their consequences must be sought.

The Eisenhower Consortium will provide the variety of skills and resources needed to increase our understanding of the interactions among ecologic, economic and social factors involved in man's activities in open-space environments. Since it is not likely that all the skill and resources could be found in any one institution, the Consortium will provide the structure by which the efforts of a number of institutions can be coordinated. The Consortium, through its representatives from the universities and the Forest Service, will select problems, formulate research programs, solicit research proposals to implement the programs and provide the machinery through which Forest Service and other funds can be obtained to support this research.

Research of the Consortium will include such subject matter areas as: developing methods of monitoring and controlling environmental changes; determining the ecological, social and economic consequences of recreational, residential, transportation and industrial developments in forest environments; estimating future demands for open-space recreation; and analyzing legal, political and social constraints on the maintenance of high-quality environment.

Exploratory studies already underway in cooperation with member universities include: improving waste management on outdoor recreation areas; environmental, economic and social effects of urbanization on mountain watersheds; impact of recreation use on water quality; future demands for second homes and their effects on stream and groundwater quality; ecological effects of snowmobiling; and effects of timber harvesting on wildlife populations.

The Eisenhower Consortium for Western Environmental Forestry Research will also

provide a forum for bringing together environmental research organizations, public and private land management agencies and concerned citizens to obtain the public input and understanding necessary for environmentally sound forest land management.

Recognizing the impact of land use not only on the National Forests of Colorado but on the total mountain environment and the State's rural communities as well, the Forest Service is firmly committed to provide its full cooperation and assist in every appropriate way to promote the wise use of the land resources involved.

We are also committed to an even more systematic, interdisciplinary, research-based approach to the development of a dynamic multiple use program for all of America's forests. It is in the public interest to seek a reasonable balance among the conflicting and competing uses of our forests.

We believe that our efforts will significantly contribute to higher quality land management and environmental protection on the National Forests and neighboring lands.

Again, I appreciate the opportunity to participate in the Second Vail Symposium.

## PUBLIC LAND SURVEYING IN WYOMING EARLY IN THIS CENTURY

Mr. McGEE, Mr. President, the summer edition of *Our Public Lands*, a publication of the Bureau of Land Management, contains an article on public land surveying in Wyoming during the early part of this century.

The author of the article is the late William Roy Bandy, who died last month. Bandy was a retired cadastral engineer who was well known to many westerners.

The article, entitled "Breakfast in the Big Horns," gives a stirring and interesting account of the many obstacles and hardships which were readily accepted by Government surveyors of the West at the turn of the century.

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:

### BREAKFAST IN THE BIG HORN

(By William Roy Bandy)

(NOTE.—Sixty years ago William Roy Bandy was a freshman bridegroom camping on the Big Horn Mountains in Wyoming as head of a cadastral surveying crew. Although Mr. Bandy was only 27 years old, he was already a veteran surveyor who had served the General Land Office and other employers in posts of increasing responsibility since he had been 20 years old. He used his camera to capture the breakfast scene in which his young bride was the central figure. The story of how Mr. Bandy came to take the photograph and what happened to the picture ultimately is the subject of his reminiscences in "Breakfast in the Big Horns.")

I had been employed by the U.S. General Land Office to assist in surveying the remaining unsurveyed public lands in the outlying areas of the mountainous West. Such a survey was necessary to enable the homesteaders to locate the boundary lines of their claims and to obtain title to them. That was a free service furnished to the citizens by the Federal Government to promote the settlement of the Western States.

The job was a somewhat nomadic one, requiring much moving from one district to another to meet the needs of new settlers coming to look for homestead land. My party consisted of five survey aids, a teamster, and a camp cook.



My wife Inez and I had not been married very long when I got that survey job. We saw it would take me away from home for months at a time, camping throughout the mountains. Inez wanted to go along, stay in camp where she could be helpful to me, and incidentally see a lot of new country. Regulations prevented anyone from living in a government maintained camp unless they were employees of the Government, so she volunteered to give the cooking job a try.

I was glad to find her willing and desirous of sharing in the camp life, which meant living in a tent with a dirt floor, sleeping on the ground, with the wind flapping the canvas and kicking up dust all day long, together with many other inconveniences foreign to a Missouri girl fresh from home!

She was a little dubious as to whether she could please the men with her cooking, because she had never cooked before except to help her mother. I encouraged her by saying the boys would be easy to cook for because they were always hungry. The field men took sandwiches every work day for lunch, and they put up their own lunches while at the breakfast table, which made it easier for the cook.

So I bought her a White House Cook Book and she was in business. It worked out fine. She stayed with it for three summers, while we had no children.

Because she was raised in Missouri, camp life in a tent on the western frontier presented many problems she had never heard of, most of which arose when she was alone in camp and had to cope as best she could. A windstorm might swoop in and flatten the tents, or the wind sometimes worked the stovepipe loose from the stove with a fire going. At such times she would have to grab a gunny sack and fit the pipe back on the stove before the canvas caught fire—soot flying all over and settling on the table and dishes. There was seldom a dull moment, it seemed.

Her most vivid recollection was her first encounter with a pack rat, which she had never seen before. One morning while washing dishes at the stove, she looked back at the cupboard and spied an animal watching her over the edge of the ginger snap keg. She said its big ears, bug eyes, and long whiskers looked pretty savage to her! We were all in the field at the time, leaving her alone in the wild and unknown land. She remembered the old revolver that I kept under my pillow. Although she had never shot a gun, she hurried to get the pistol.

Taking rest on the table, she fired at the beast. When the smoke from the black powder shell cleared away, up popped the head again, its eyes glittering and its tail slapping the side of the carton. She shot the remaining shells with no result except to riddle the messbox. Not to be outdone, she courageously wrapped a gunny sack around the ginger snap box and nailed the package tight in an empty egg crate.

When we returned to camp, she proudly pointed to the egg crate and asked us to take a look and name it! She enjoyed telling that story to her wide-eyed grandchildren. When a rattlesnake coiled up between the stove and the sugar sack one day, she knew how to deal with it. On the plus side, it was not long before she acquired a pet magpie that learned to squawk a few words. Later on she picked up a "bum" lamb that would stand at the oven door wagging its long tail for biscuits.

The journey when we camped overnight on the summit of the Big Horns and I took the photograph was after we had left the Martin Ranmael homestead. Mr. Ranmael had homesteaded about 10 miles southeast of Cooke City, Montana, not far from the northeast corner of Yellowstone Park.

When Mr. Ranmael had built his house, the nearest road to his place was at Cooke City. He was a man of unusual dexterity, and

had built his house, unlike the typical homesteader sod shanty, all with smooth shingles and weatherboarding, entirely from native logs, using only a broadax, foot adz, and handsaw. It was a real show place.

Now we were on a long move overland to the W. T. Broderick homestead and the Hilton Lodge in Wyoming, east of the Little Big Horn River and south of Wyola, Montana.

Although from Cooke City to our destination was only about 120 miles, and the Broderick homestead scant miles from the Montana-Wyoming border, we had to go as far south as Cody, Wyoming, and loop back across the border once to get through the almost trackless mountains with our wagon and crew. This made the journey 150 miles long.

As was the practice in those days, we carried with us food supplies, horse feed, tents, bedrolls, dishes—everything we needed to live off the country for weeks at a time. There were no swank motels or garish hamburger stands dotting the landscape as there are now. It was the custom throughout the West then for travelers to stop overnight wherever darkness overtook them. They thought nothing of pitching camp on the edge of a town rather than go to a hotel or rooming house.

Bad mudholes and steep hills sometimes made the trial almost impassable. Once we got stuck with the bedwagon and had to carry a part of the load by hand ahead to dry ground. In Sunlight we met Forest Supervisor R. W. Allen, now President of the Shoshone National Bank of Cody, who gave us helpful advice about roads.

We passed over Dead Indian Hill, the famous landmark where one going west must drag a good sized tree with the limbs still on it to keep the wagon from getting ahead of the horses. The first night out we camped on the head of Pat O'Hara Creek at the foot of Hart Mountain. There the wolves kept us awake with their blood-curdling howling.

The second night out we were at the Cody bridge. There we replenished our supplies and also soaked ourselves in DeMaris Hot Springs, the outdoor bathing pool of bubbling sulphur water located on the bank of the Shoshone River west of the bridge.

We did not expect to see much of interest on our trip east from Cody across the Dry Creek basin, a windwhipped desert of salt-sage and greasewood. Several native inhabitants of the basin greeted us, however. One was a happy yellow-breasted meadow lark with a black spot on this chest. He was singing from his perch on a greasewood. Another was a bob-o-link, a black bird with a white spot on his wings. He did his usual "thing" by flying straight up 30 or 40 feet high, then gracefully floating down as he sang his standard song, which the poet quotes as "bob-o-link, bob-o-link, spink-spank-spink." We saw lots of prairie dogs barking from the side of their holes, their short tails bobbing with each effort.

We crossed the Big Horn River at Kane, Wyoming, and camped at the foot of the mountain. The next day Inez and I took a shortcut and walked ahead while the men doubled up the teams and pulled each wagon up one at a time. It turned out more of a climb than we had anticipated.

About noon we got hungry and discovered that we had inadvertently left our lunches in the wagons. Seeing a sheep wagon over by a spring, we swung over to it. There was no one home, but a part of a mutton hung in a tree wrapped in a flour sack. It looked like "manna from heaven" to us. Inez fried some mutton chops, opened a can of tomatoes and of corn, and we had a feast. We left a thank-you note for the nice sheepherder. About 4 p.m. we joined up with the wagons again and climbed aboard joyously. It was a great relief to settle ourselves in a spring seat again. We could enjoy nature's interesting scenes much better from that comfortable vantage point.

Our caravan was then travelling northward along the summit of the Big Horn Mountains, following a deeply-worn trail which was probably pounded out first in ancient times by the hooves of those early road engineers, the American Bison.

Those animals which we know as buffalo are renowned for their uncanny ability to choose the most practical route when traveling between grazing grounds. I've read that the buffalo inhabited the Eastern States and that buffalo jumps found there contain bison bones dating back 10,000 years. Trails, or traces, pounded out by those animals are said to have led early settlers to the discovery of famous Cumberland Gap.

My brother, Willis, spotted a covey of grouse after we rejoined the caravan and bagged a few of the young birds for our breakfast with his .22 caliber revolver.

It was getting near sundown before we found water for an over-night camp. We had begun to wonder if we would find water before darkness closed in on us in that vast solitary wilderness. We were at an elevation of 9,500 feet above sea level. Then we saw a big snow drift ahead, which looked promising.

Karl Suhr, our teamster, pulled down and parked the wagon on a level spot below the snow drift by a small trickle of water seeping from beneath it. Everyone was tired and hungry, so we lost no time in getting supper started. We dug the groceries out of the wagon in a hurry. Some of the party got the stove out and set it up while others got wood. Inez peeled potatoes and cut ham.

It was not long before the fragrant smell of frying ham filled the mountain air. We wiped road dust off of the granite dishes and supper was ready, with plenty of gravy and hot biscuits. My wife's tent was put up. Karl had fed the horses their oats, and after supper the horses were hobbled, a cowbell put on one, and all of the animals were turned loose to graze during the night. The men slept out beneath the star-studded dome.

Waking up during the night and hearing the gentle tinkle of the cowbell, I turned over and went back to sleep with the comfortable feeling that everything was well. At least we still had a saddle-horse. The next morning the stream had quit running, the pools were frozen over, and there was ice on the water pails I had thoughtfully filled the night before.

It was a little breezy, so Karl put a piece of striped canvas under the edge of the wagon box to protect Inez from the cold north wind, "the fierce kabbabinokka" of Hiawatha fame, while getting breakfast.

After breakfast we all went up on the snow to frolic so the boys could write home about snowballing in August. The snow was too hard to make snowballs—it was even hard to stand up on.

Although we were well above timberline and it froze ice every night, many alpine flowers and shrubs were growing along the edge of the snow bank, struggling to live out their life cycle in spite of the many handicaps. As soon as the snow edge moved slowly upward, uncovering the dormant plants, the impatient buttercups, clustering rock asters, snowdrops, and other alpine flowers lost no time in doing their best to brighten their part of the world.

Even with an inch or more of snow yet to go, the sun's life-giving rays penetrated the icy pane, causing the struggling bulb to push up through the ice, straighten up, and unfold in all its glory. We stuck some of the flowers on our hats. How else could those little flowers get up in the world? That was their only chance to add their bit. Had it not been for our visit those beauties might have lived in vain. They probably would have had a long, long wait before other visitors came.

The idea to take a picture of the breakfast scene came to me on the spur of the mo-

ment as I glanced at the busy camp there at the foot of the huge bank of last winter's snow. As I stood there downwind from the outdoors kitchen, waiting for breakfast and enjoying the aromas of frying mountain grouse and the coffee pot, the rising sun at my back cast its warming glow over the colorful scene ahead.

I then snapped the picture, catching a perfect view of my wife Inez as she stood, rosy-cheeked that frosty morning. Standing between the cook stove and the red and green painted wagon, she dominated the scene as the center of attraction, a scene so aptly emphasized by the skillful artist. With the stove loaded with frying pans and skillets, she deftly speared herself a choice piece of grouse with that ever busy left hand of hers. So intent was she that my picture taking went unnoticed. It was that unforgettable scene that I wished to record for the admiration of future generations.

It was 58 years later in 1970 that my daughter Zoe and I requested artist Shope to execute an oil painting of that memorable scene in nature's unspoiled wilderness. We have dedicated the painting to the memory of her mother, that Missouri girl who cheerfully braved the rigors of camp life on the wild frontier to be with her husband and his nomadic survey party, assisting him and sharing their exciting experiences and fun.

#### PETROLEUM INDUSTRY TAXATION

Mr. TOWER. Mr. President, on September 6, 1972, the distinguished Senator from Wisconsin (Mr. PROXMIRE) availed himself of the opportunity to attack the petroleum industry again. He beat the tax reform drum by trying to show that in 1971 the 18 largest oil companies paid only 6.7 percent of their net income in Federal income taxes. While this might be an accurate arithmetic computation, it is not an accurate statement of the tax burden of the petroleum industry.

To achieve a more realistic tax picture, the statistics which should be compared are domestic taxes to domestic earnings or worldwide taxes to the worldwide earnings. By comparing these figures, a more accurate tax-burden picture emerges.

The summary of a 1972 report by the Petroleum Industry Research Foundation Inc., entitled "The Tax Burden on the Domestic Oil and Gas Industry" revealed the following statistics:

(a) The U.S. petroleum industry's total tax obligations on its domestic earnings, operations and properties amounted to \$3.4 billion in 1970. Of this, federal income tax obligations represented the largest single item, amounting to \$1.3 billion or 40% of the total. In addition, domestic excise and sales taxes on gasoline and other oil products amounted to \$10.5 billion.

(b) Comparable data for other industries are not yet available from the Internal Revenue Service for 1970. However, data for the years 1967-1969 show that while the petroleum industry's federal income tax obligation represented a smaller share of gross revenue or net earnings than that of U.S. industry in general, the share of the various other direct taxes (excluding sales and excise taxes) was significantly higher for the petroleum industry than for the average of other U.S. industries.

(c) The U.S. oil industry's tax burden, as measured by the ratio of total domestic taxes (excluding sales and excise taxes) to total domestic revenues, amounted to 6.0¢ per dollar of revenue for 1970 and averaged 5.8¢ per dollar of revenue for the three year period

1967-1969. The average tax burden for the Internal Revenue Service classification, "All Mining and Manufacturing Corporations" was 5.6¢ while for the IRS classification, "All U.S. Business Corporations" it was about 4.7¢ per dollar of revenue for these same three years.

(d) The above tax burden ratios show that the petroleum industry's lower effective income tax rate relative to other U.S. industries is more than offset by its relatively higher burden of other direct taxes (exclusive of excise and sales taxes). Hence, the total tax burden carried by the domestic petroleum industry is above the average for both. All U.S. Mining and Manufacturing Corporations and all U.S. Business Corporations.

(e) If excise and sales taxes are added, the oil industry's total tax burden rises to 20¢ per dollar of revenue which is considerably higher than the composite total tax burden, including excise and sales taxes, on all other industries.

(f) Another meaningful base for measuring the tax burden is Value Added. (The net value of goods created within a given industry, as opposed to the sales value which consists of cumulative net values added). In 1967 the domestic oil and gas producing and refining industry paid 16¢ in taxes (excluding sales and excise taxes) per dollar of Value Added. This was approximately one-third higher than the composite total tax burden, including excise and sales taxes, on all other industries.

(g) In addition to the \$3.4 billion in direct domestic taxes and the \$10.5 billion in excise and sales taxes, the U.S. petroleum industry paid \$10 billion abroad in income and operating taxes and \$2.8 billion in foreign motor fuel excise taxes. Thus, the total global tax obligation of the U.S. oil industry in 1970, including excise and sales taxes, amounted to nearly \$27 billion of which slightly more than half was incurred in the U.S.

(h) The Tax Reform Act of 1969, by reducing the depletion allowance instituting a Minimum Tax and removing the investment tax credit, increased the domestic petroleum industry's tax burden by approximately \$600 million for the year 1970 from what it would have been in the absence of the Act. Slightly more than half of the increase was due to the reduction in the depletion allowance. Most of the remainder was due to the institution of the Minimum Tax."

In addition to incorrectly comparing different statistics, Senator PROXMIRE's statement also implied that the oil companies are receiving some sort of preferential benefit by being allowed to credit taxes on foreign income against domestic Federal income taxes. In reality, this lawful device is available to everyone and merely prevents these companies being taxed twice on the same foreign income. This tax provision has long been recognized as equitable.

I sincerely hope that any future tax reforms will be based on accurate and unslanted statistics and not on misleading facts.

#### A FACTUAL LOOK AT HUD'S PERFORMANCE IN PROVIDING DISASTER RELIEF FOR AGNES VICTIMS

Mr. ALLOTT. Mr. President, of late, we have been deluged with charges and criticisms aimed at HUD's inability or lack of capability to provide disaster relief for victims of tropical storm Agnes which struck in late June of this year bringing indescribable destruction in a six-State area leaving thousands home-

less. In order to bring "clear skies" to this "storm" of rhetoric, let us look at the facts.

HUD was faced with providing a temporary housing program unprecedented in scope and urgency. Under Secretary Romney's dedicated and able leadership, the Department is rapidly accomplishing the monumental task of providing more than 28,000 eligible families with temporary housing, and I might add, with record results under circumstances worse than any other previous natural disaster. Rehousing needs for Agnes victims exceeded by more than 10,000 the total temporary housing assistance undertaken for all 16 major national disasters of the past 3 years.

Until Agnes struck, Hurricane Camille in 1969 was HUD's largest single housing disaster assistance program. It took 6 months to provide 5,200 Camille victims temporary housing accommodations, while 17,585 families in Agnes flood areas were provided housing assistance within 9 weeks. In other words, in about one-third the time, over three times as much has been accomplished.

For a closer look, let us look at New York and Pennsylvania where the damage was most extensive.

In Pennsylvania, where a daily average of 306 families are provided temporary housing, more than 12,500 of some 21,000 approved applicants have been given housing assistance. In the southern tier of New York State, 4,103 of the approximately 5,600 approved applicants have been housed.

Mr. President, providing relief and assistance to victims of a devastating natural disaster, such as tropical storm Agnes, in my judgment, should not be a partisan issue. I would hope that any administration would do its utmost to render assistance. However, because HUD's performance has been somewhat obscured by the dialog of the campaign in recent weeks, I was compelled to rise today to set the record straight.

#### HEALTH MAINTENANCE ORGANIZATIONS

Mr. KENNEDY. Mr. President, the Subcommittee on Health has held extensive hearings concerning the financing and organization of services in the health-care industry in the United States during this Congress. These hearings have been held across the United States, and a fact-finding trip has been made to several European countries to try to identify solutions to some of the problems we are experiencing in the delivery of health care to the American people.

For the past 2 years, President Nixon has emphasized the profound problems currently existing in our health-care system. Specifically, the President has proposed three major legislative thrusts in the area of health in his health messages of 1971 and 1972. According to President Nixon's 1971 health message to Congress, the areas of health manpower, health insurance, and reorganization of the delivery system required legislative action. In response to the President's wishes, the Health Profes-



sions Education Act and the Nurse Training Act of 1971 were enacted on November 18, 1971, as Public Law 92-157 and Public Law 92-158. Congress fulfilled its responsibility by passing legislation which authorized a substantial increase in Federal support to schools of the health professions in order to stimulate the training of additional health-care personnel. This the President subsequently signed into law. Despite this ample authority, the administration's budget request was barely one-third of the authorized figures. The administration has failed to put its money where its mouth is.

The second major thrust which the President advocated in his health messages of 1971 and 1972 was a national health insurance program. True to form, the administration's health insurance program falls far short of its stated goals of universality and far short of any reasonable concept of equity. Under the administration proposal, almost 40 million Americans would be ineligible for any federally sponsored health care insurance at all. Those low-income individuals who would be eligible for the administration's low-income health insurance plan would have benefits with substantially less value than those under the mandated employer-employee plan. This is truly a two-class system of care.

Even though, in February of 1971, Secretary Richardson testified before the Health Subcommittee concerning the necessity for and desirability of regulation of the health insurance industry, in testimony later that year before the House Ways and Means Committee, the administration position was revised. Secretary Richardson then described the administration proposal for the Federal role in regulation of the insurance industry to be one of backup enforcement only. Again, there was the characteristic administration waffling when the time came to put their rhetoric into specific terms.

The third major thrust, enthusiastically advocated in the President's 1971 and 1972 health messages to Congress, was a proposal for support for the creation of health maintenance organizations. In his health message to Congress of February 18, 1971, Mr. Nixon said:

Some seven million Americans are now enrolled in HMO's—and the number is growing. Studies show that they are receiving high quality care at significantly lower cost. Patients and practitioners alike are enthusiastic about this organizational concept. So is this administration.

He went on to describe the HMO concept as "a central feature of my national health strategy."

Under title IV of the Health Services Improvement Act of 1970, signed into law by President Nixon in 1970, a provision was included which enables the Secretary of Health, Education, and Welfare to contract with health maintenance organizations on behalf of Federal employees for the provision of health services to those employees despite restrictive State legislation which may exist which would otherwise prohibit the operation of such health maintenance organizations. Last October, I engaged in prolonged correspondence with HEW ob-

jecting to proposed regulations published in the Federal Register (42 C.F.R., part 75) governing the law, which would have subverted the State preemption provision of Public Law 91-515. Despite explanations from the office of the Secretary that the proposed language did not subvert the intent of the legislation, the phrase was deleted from the final regulations.

The administration's true colors once again shine. Once again, in response to pressure from wealthy and powerful interest groups, this administration has changed its position concerning preemption of State laws which would inhibit the development of HMO's. They now oppose preemption of such laws. This change of position flatly contradicts what Secretary Richardson said in testimony before both House and Senate Health Subcommittees.

A number of bills supporting the initiation of health maintenance organizations have been introduced into both Houses of Congress. The Committee on Labor and Public Welfare reported S. 3327, the Health Maintenance Organization and Resources Development Act of 1972, to the full Senate on July 21, 1972. After a brief referral to the Committee on Finance, the bill was placed on the Senate Calendar on August 1, 1972. The American Medical Association has opposed the enactment of any health maintenance organization legislation, except on a limited experimental basis, from the beginning of the extensive investigation into the subject by the health subcommittees of both the House and Senate.

John Iglehart, an excellent writer for the National Journal, has recently published an article describing the impact the American Medical Association has had on the administration's position concerning HMO's which has resulted in a collapse of their support for health maintenance organizations.

The Senate bill has languished on the calendar for over a month while the administration continues to play its shell game with the American people. The House bill has been tied up in subcommittee markup. Mr. Iglehart attributes much of the failure of progress of HMO bills in both Houses to a weakening of the administration position concerning HMO's, and a reduction in their support for health maintenance organization legislation.

Once again, we see the pattern which has developed in the President's health manpower proposals and health insurance proposals unfolding with respect to HMO legislation. Every time meaningful, effective legislation is proposed to implement the rhetoric of this administration, they covertly or overtly defeat its purpose. Again and again private interest groups like the AMA and their friends in the White House call the tune, and the Department of Health, Education, and Welfare willingly joins in the deception.

I believe that the story detailed in Mr. Iglehart's excellent article exposes the empty rhetoric of the President in the field of health. Just last week the President criticized the Congress for its failure to act on his remaining health pro-

posals. The Committee on Labor and Public Welfare has done its job. It is now up to the administration to come through and to prove to the American people that they are sincere in their stated desires to provide meaningful solutions to the problems of health care delivery in the United States. The administration has caved in again and again to pressures from powerful interest groups, much to the detriment of the American consumer. The influence of the health insurance industry and of the American Medical Association with the administration is seriously impairing their ability to support meaningful legislation in the area of health.

I have stated publicly once before that the administration's stated commitment to the development of health maintenance organization is a hoax on the American people. I would like to challenge them to prove that it is not by putting their active support behind the pending HMO legislation.

Mr. President, I ask unanimous consent that Mr. Iglehart's article be printed in the RECORD.

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

HEALTH REPORT/INTENSE LOBBYING DRIVE BY MEDICAL GROUP DIMS PROSPECTS FOR HMO LEGISLATION

(By John K. Iglehart)

The Administration-initiated drive to begin changing the shape of the health-care delivery system in the United States is faltering.

Legislation to subsidize the creation of health maintenance organizations—physicians working primarily in prepaid group practices instead of practicing alone for fees charged after the service is rendered—is in trouble this year for several reasons:

The American Medical Association, which fears that the free-enterprise nature of most medical practice would be subverted by HMOs, has mounted an intense lobbying campaign designed to kill the proposal.

Under pressure from the AMA, particularly with regard to the sizeable campaign contributions doctors' groups traditionally deliver to the GOP, the Administration has toned down its support for HMOs—support that was announced in enthusiastic terms by President Nixon last year.

Sen. Edward M. Kennedy, D-Mass., has pushed through the Senate Labor and Public Welfare Committee an HMO bill looking to establishment of a nationwide system at a federal cost of more than \$5 billion over the next three years. But Rep. Paul G. Rogers, D-Fla., who is Kennedy's counterpart as chairman of the House subcommittee handling health matters, believes that any new HMO program should be experimental in nature. This wide variance in approach and degree of financial commitment will be difficult to reconcile in the waning weeks of the 92nd Congress.

It appears that only a strong push from the White House could salvage the legislation in this congressional session. But that push is not likely to be made.

Preemption issue: The clearest public reflection of the cooler White House attitude toward HMOs is a reversal in its earlier position on federal preemption of state laws that restrict HMO development. The Administration disclosed Aug. 14 in a closed mark-up session on Capitol Hill that it now opposes preemption language in an HMO bill.

"Conceptually, the new policy position is a major retreat," said one HEW Department

official. President Nixon strongly endorsed the preemption of "archaic laws in 22 states which prohibit or limit the group practice of medicine" in his health message to Congress Feb. 18, 1971. HEW Secretary Elliot L. Richardson voiced an equally strong commitment to federal preemption language in an HMO bill during Capitol Hill testimony April 11.

#### EXTENT OF COMMITMENT

The Administration's more skeptical attitude toward HMOs is based, in part, on the shape of Kennedy's HMO bill (S. 3327; S. Rept. 92-978), which was reported July 21 by the Senate Labor and Public Welfare Committee and may reach the floor in early September.

The Kennedy bill would authorize expenditures of \$5.1 billion over three years, the bulk of it in direct federal grants to subsidize establishment and operation of HMOs around the nation. Of the total, \$1.8 billion would be earmarked to help finance health care for poor people who otherwise could not use the HMO facilities. The bill also would create a Commission on Quality Health Care Assurance to check the performance of HMOs.

The magnitude of the Kennedy bill has upset officials at the President's Office of Management and Budget, whose ever-present concern is the whopping budget deficit, which they now estimate at \$27 billion for fiscal 1973. The bill has prompted the OMB to reexamine the proper federal role in promoting HMO development.

The Administration's original proposal envisioned nationwide establishment of HMOs. The White House bill projected HMO expenditures of \$2.1 billion over three years, although only \$300 million would be in direct grants while the rest would consist of federally-guaranteed loans.

But the White House commitment to HMO development on that scale is now in doubt. The platform endorsed by the Republican National Convention last week mentions HMOs only in passing—as a worthwhile experiment.

Rep. Rogers' Interstate and Foreign Commerce Subcommittee on Public Health and Environment—now the target of heavy AMA pressure—has endorsed an experimental approach in mark-up sessions held to date. The bill would authorize \$335.3 million over three years, and Rogers said, "The philosophy of the House bill is demonstration of the HMO concept. We want to see if it works before making a wholesale federal commitment to the idea."

#### AMA LOBBYING

For a time while Mr. Nixon was serving as Vice President of the United States, Dr. Malcolm C. Todd was his personal physician.

And Todd's personal and political friendship with Richard Nixon antedates that period: he has aided in Nixon campaigns ever since the bitter battle 22 years ago against Helen Gahagan Douglas for a U.S. Senate seat in California.

Now, Todd is a surgeon in Long Beach, Calif., and is serving as chairman of Physicians' for the Reelection of the President.

Todd also is an elected official of the AMA—he is a member of the association's House of Delegates—and in his dual role he is acting as a leader of the AMA's opposition to the HMO legislation.

In an interview, Todd frankly said that the AMA had brought to bear on the Administration "all the force we could" in opposition to the HMO legislation. And he credited that pressure with causing "some backtracking on the part of the White House."

All-out effort: Not since the AMA went to the well in 1969 to stop the appointment of Dr. John H. Knowles an assistant HEW secretary for health and scientific affairs has the association devoted so much energy and money to a Washington issue as it now is expending on HMOs.

The association is attacking the issue from

every conceivable direction in an intensive campaign to kill, or at least forestall, HMO legislation. And in the absence of strong countervailing forces, the AMA's drive has enjoyed some success.

The AMA's efforts in opposition to HMO legislation extend well beyond Washington-based lobbying to include letters, telephone calls, telegrams and personal visits to members of Congress from AMA members.

Money: But dollars and cents constitute the real reason that the AMA now enjoys a significant degree of leverage over the HMO issue.

The association's political arm is second only to organized labor's Committee on Political Education in dispensing campaign contributions in an election year.

In 1970, for example, the American Medical Political Action Committee reported giving \$636,500 in campaign contributions to candidates for the U.S. House and Senate. AMPAC's local affiliates contributed an estimated \$2.5 million more to Congressional campaigns. This year, the association presumably will spend that much or more (For a report on AMPAC, see Vol. 2, No. 31, p. 1659.)

The AMA recognizes that the duration of its financial leverage is limited. One association official said privately: "We're in the driver's seat now, but once the election is over it will be a different story. Any commitment we get from the White House to curb HMOs must be made before Nov. 7."

Meeting, letters: Many AMA physicians fear the economic consequences of a federal drive to set up a health delivery system around HMOs that would compete against the solo fee-for-service practitioner.

This concern came to a fever pitch last March 13 when the AMA's council on legislation engaged HEW Secretary Elliot L. Richardson in a heated debate over the potential merits of HMOs.

Richardson and his entourage cited projections that there would be 1,210 operative HMOs by 1980. This would give 90 per cent of the population the option of receiving health care from an HMO, they said.

The AMA council members balked at federal HMO subsidies as unfair, but Richardson was undeterred. He told the physicians that if they opted out of the HMO debate by simply opposing the idea, Congress probably would shape the system on its own.

The talk was too much for the doctors, most of whom are Republicans who believe that their past support for the party entitles them to better treatment from the Administration than creation of a competing health-care delivery system.

One physician-council member said privately in an interview: "I absolutely blew my damn lid after Richardson's comments at that meeting. I told Todd I would quit the Physicians' Committee (for the Reelection of the President) if this was all we could expect from the Nixon Administration."

Todd acknowledged that many of the council members were upset by Richardson's comments. "That meeting sparked a letter I wrote to the President to air this HMO thing."

Todd said he has written to the President "several times" on HMOs and Mr. Nixon has replied. "My last letter was written at the suggestion of (James H.) Cavanaugh (staff assistant to the President for health affairs). And I also have discussed this with Counselor (to the President Robert H.) Finch."

Todd declined to specifically discuss his running dialogue with the President on HMOs. But he did say Richardson's comments "made a lot of doctors mad."

HEW vs. White House: According to Todd, the White House responded to the AMA arguments by directing the HEW Department to mute its enthusiastic efforts on behalf of

HMOs. The HEW Secretary since "has called off the aggressiveness," Todd said, "and this is good."

(In response, Richardson said, "I am not aware of any AMA pressure on the White House. There has been no pressure from the White House and we haven't backed off.")

As Todd explains it, the HEW Department is responsible on its own for the grand-scale projections of federal assistance to hundreds of HMOs.

"The President was sold this HMO idea on the assumption that HEW would run some pilot HMOs to see if they work, not to finance a whole new delivery system," said Todd.

"When he gave the signal, all the Wilbur Cohenites (former HEW Secretary (1968-69) Wilbur J. Cohen) really went to work."

Contributions pitch: Todd has colored his pitch at the White House in political terms, saying the proposal makes it difficult to raise campaign cash from physicians to aid Mr. Nixon's reelection bid.

"As chairman of the Physicians' Committee (for the Reelection of the President) I have a problem in raising money for Nixon because of this HMO thing," said Todd.

"The (HMO) thing comes up invariably with physicians. They say, 'I don't know about this HMO thing' when they are approached to contribute to the President's campaign."

Todd also argues that individuals who advocate changing the health delivery system through HMOs are not likely to vote for Mr. Nixon anyway. "HMO advocates never have voted for Nixon and never will," he said.

White House aide: Cavanaugh, the White House aide, went to the AMA's annual convention in San Francisco June 19 to soothe the association's fears that the Administration was bent on financing the development of hundreds of HMOs.

"I worked to dispell the notion that the Administration was seeking to blanket the country with HMOs," Cavanaugh said in an interview.

AMA chief: The AMA's hierarchy has worked in other ways in attempts to sidetrack a federal commitment to HMOs. Dr. Russell B. Roth, the association's president-elect, sought to head off further federal HMO funding from his position as a member of the HEW regional medical program's advisory committee.

At the committee's meeting on June 5 and 6, Roth strenuously objected to the proposed expenditure of \$4.2 million in regional medical program funds for HMO development. Despite Roth's objection, the council voted to approve expenditure of the funds for HMOs.

GOP platform: Another AMA official, Wayne W. Bradley, assistant director of its Washington office, worked with the Committee on Resolutions to the Republican National Convention in an effort to moderate the Administration's advocacy of HMOs.

The Republican platform falls far short, in its mention of HMOs, of the praise Mr. Nixon heaped on the concept in his 1971 health message, and endorses them only as "innovative experiments."

Hill lobbying: Two AMA lobbyists, James W. Foristel and Howard Lee Cook Jr., are performing the bulk of the association's lobbying on Capitol Hill against HMO legislation.

The AMA all but ignored the HMO deliberations of the Senate Labor and Public Welfare Committee, figuring that with Kennedy in control the association's chances of influencing the shape of the bill were nil.

But the association has sought to slow down floor consideration of Kennedy's bill by urging Sen. Robert C. Byrd, D-W.Va., the majority whip, to delay its placement on the Senate calendar.

Senate reaction—Kennedy, angered by the AMA's tactics, said Aug. 17 in a news release: "Almost every member of this body (Senate)



has received a communication from his state medical society, and representatives of the American Medical Association have approached the leadership of the Senate in an attempt to bottle the bill up."

Kennedy added: "This clumsy effort on their part is another example of the attempts of a narrow interest group to influence national legislation to its own advantage."

The AMA has been successful in delaying Senate floor consideration of the HMO bill since it was reported July 21, but Byrd has had nothing to do with it. Sen. Peter H. Dominick, R-Colo., a member of the Senate Labor and Public Welfare Subcommittee on Health, has refused to make a time agreement for floor debate of the HMO bill, thus delaying its consideration.

Dominick, who often addresses AMA meetings, objects to the magnitude of the Kennedy HMO bill. In minority views expressed in the committee's report, he criticized a number of the bill's provisions, including the exclusion of medical foundations as recipients of HMO funds.

Dominick plans to introduce an amendment to the committee's bill which would authorize HEW to fund existing medical foundations as HMOs. Kennedy strongly opposes their inclusion, arguing that they are nothing more than extensions of AMA-dominated county and state medical societies.

Medical foundations are operating or organizing in 43 states. They reflect attempts by physicians to protect the traditional mode of rendering medical care—individual fee-for-service practice. The facilities are organized and controlled by county or state medical societies.

Although physicians who practice under the aegis of a foundation are paid on a fee-for-service basis, the fees are fixed and prepaid. Foundation physicians practice in their own offices, but they submit their bills to a central location for scrutiny by fellow physicians who review the claims.

**House activity**—While the AMA has concentrated its time in the Senate on maneuvers that could slow down consideration of HMO legislation, it has directed its efforts in the House at modifying the substance of the Rogers subcommittee proposal.

Foristel has sought to convince a majority of the subcommittee's members to strip the HMO bill of language that would grant HEW the power to preempt state laws which restrict HMO development.

Foristel argued in an Aug. 9 letter to Rep. Tim Lee Carter, R-Ky., a practicing physician and AMA member, that "it has been long established policy in this country to allow the states to regulate the provision of health services."

Foristel noted that a number of states have laws which restrict or prohibit "certain forms of practice," such as HMOs. He argued that "those states which do contain these prohibitions would have compelling arguments for them and . . . these arguments, and therefore these laws, should be allowed local supremacy. Incidentally, your state (Kentucky) has such a restrictive law."

Although the AMA lobbyists are concentrating now on seeking substantive modifications in the House subcommittee's bill, they also are making contacts with other House members who could delay or expedite the measure once Rogers releases it.

Rep. Harley O. Staggers, D-W.Va., chairman of the parent Interstate and Foreign Commerce Committee, is a principal target of this aspect of the association's campaign.

The full committee already has a heavy schedule of legislation before it, including a power-plant siting bill (HR 11066), which has tied up the panel in mark-up sessions for a month with the end nowhere in sight.

President Nixon has written to Staggers

and urged him to expedite the power-siting legislation.

With power-plant siting legislation before the committee and other major bills also on the agenda, Staggers could well argue that a lack of time precludes full committee consideration of an HMO bill this year.

Relations between Staggers and Rogers are not the best. Staggers has expressed to other members of the full committee, including Rep. William L. Springer, Ill., the ranking Republican, a lack of enthusiasm for reporting out HMO legislation this year.

#### HOUSE MARK-UP

Rogers, well aware of the cross-currents that are running on the HMO issue, is taking a cautious course to consensus on a bill that he hopes his subcommittee members will back solidly in full committee, on the floor and in conference.

"We're trying to write a piece of legislation that can be vigorously supported by the whole panel," Rogers said. "We're very close to that point."

In moving toward that point, the subcommittee has placed significant strictures on the federal role in reshaping the health delivery system through subsidizing HMO development.

**Provisions:** In its fifth and latest bill draft, the subcommittee provides for total spending authority of \$335.3 million over a three-year period to plan and develop 150 HMOs.

The bill provides federal grants only for HMO feasibility studies and initial development costs. At the point of initial operation of an HMO, a sponsor could receive only direct federal loans (out of the \$335.3 million) or federally-guaranteed loans. The subcommittee's bill provides similar assistance for HMO construction projects.

The program envisioned by the subcommittee as a result of its bill is experimental. "We are not embarking on anything like the Administration has stated as its goal—an HMO option available to 90 per cent of the population by 1980," Rogers said.

"I think it's premature, a network approach," he said. "If we go about this in a reasonable way, gain some experience before trying to shift massive segments of the population to HMOs, I think this approach will be more acceptable."

**Members' views:** In seeking to shape a bill that his entire subcommittee can endorse, Rogers has had to contend with its members' widely varying views.

The panel's chief advocate of strong HMO legislation of Rep. William R. Roy, D-Kan., and his bill (HR 11728), which is similar in some ways to Kennedy's, has formed the basis for the subcommittee's deliberations. Roy is a physician, and a member of the AMA, but the Kansas Medical Society's political action arm is denying him financial support in his reelection bid this year, largely because of his position on HMOs.

Because Roy is a freshman, he has attempted to enlist the support of more senior subcommittee members for the approach he favors. But although Democratic Reps. Peter N. Kyros, Maine, and James W. Symington, Mo., share Roy's conviction on HMO legislation, they have not taken vocal roles in the subcommittee's mark-up of its HMO bill.

On the other hand, Republican Reps. Carter, Ancher Nelsen, Minn., and Democrat David E. Satterfield III, Va., strongly object to approving an HMO bill of the scope favored by Roy. And reinforced by the AMA's aggressive lobbying, they have pressed their views in committee.

This has left Rogers in the middle, trying to fashion a consensus from the widely disparate views of the members on his subcommittee.

#### PREEMPTION ISSUE

The single toughest issue that Rogers' Public Health and Environment Subcommittee

must resolve when it returns to mark-up the week of Sept. 5 involves the question of preemption of restrictive state laws.

**Scope of problem:** HEW estimates that there are 22 states with statutes that would in one way or another inhibit the development of HMOs. The states are Alabama, Alaska, Georgia, Idaho, Illinois, Iowa, Kansas, Kentucky, Massachusetts, Michigan, Montana, New Hampshire, New Mexico, North Dakota, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee, Vermont, Virginia and West Virginia.

But the department is not certain of that figure. One HEW official said that as many as 49 states may prohibit the development of one or more forms of HMO. The department is seeking to determine the actual number of states.

The most common strictures in state law are requirements that a medical society approve the incorporation of an HMO; that physicians constitute all or a majority of its governing body; that HMOs submit to regulation as an insurer of health-care services, and medical practitioners cannot advertise.

**Approaches to problem:** The Senate committee's bill provides for the preemption of all of these strictures. Its report says: "The committee strongly endorses this section which will ensure an equal opportunity in all states for development of HMOs."

The House subcommittee, in its latest draft, authorizes the preemption of restrictive state laws only for the 150 federally-sponsored HMOs which the panel would authorize HEW to fund. It would provide no relief to HMOs developed without federal assistance.

Dr. Paul M. Ellwood Jr., a pediatric neurologist and physiatrist who is generally regarded as the architect of the Administration's HMO bill, argues that the House approach to preemption runs counter to this proposal, at least as originally conceived.

"The House approach would discriminate in favor of federally-sponsored HMOs, give these chosen public instruments an unfair competitive advantage over organizations that create HMOs without government assistance."

"This is the opposite of a conservative, pluralistic, free-enterprise approach and if they are doing it for the AMA I think it will work against AMA members who want to form HMOs," Ellwood said.

Walter J. McNerney, president of the Blue Cross Association, advanced a similar argument Aug. 22 in a letter to Rep. Staggers, urging that the bill "be broadened to override restrictive state laws regardless of whether the funds derive from the federal treasury."

Although the House subcommittee has discussed the preemption issue in executive sessions, the language in its latest draft is by no means final. Rogers said: "The basic decision on preemption has not yet been made."

Carter, Satterfield and Nelsen are opposed to the inclusion of preemption language.

The preemption of state laws which, in effect, give state medical societies veto power over the development of an HMO in a community probably will produce the most debate in subcommittee. Rogers has said privately that he does not believe that medical societies should have that power.

**Administration's reversal:** When the subcommittee returns to work on the issue a key element in its discussion will be the Administration's newly-stated opposition to preempting state laws.

The new policy declaration came out of the Office of Management and Budget on Aug. 10. Lynn M. Etheredge, OMB's budget examiner for the HMO program, relayed the message to John S. Zapp, deputy assistant HEW secretary for health legislation.

Zapp, in explaining the policy reversal, said it had become evident that preemption language in the HMO bill could significantly

slow down congressional movement on the legislation. And so the Administration decided to scrap its position in the face of political realities.

Zapp's explanation notwithstanding, the day before the policy switch was made, he was prepared to explain HEW's preemption proposal in the House subcommittee's markup session. The panel did not get to the subject that day.

Several members of the House subcommittee speculate that the Administration reversed its position as a result of AMA pressure, but they back up their opinions with no specific knowledge.

One Administration staff member said the change was more nearly the result of an attitude prevailing at the White House that the federal government should not unnecessarily tread on state prerogatives.

In any event, the Administration's new preemption policy runs counter to the earlier stated views of President Nixon and Secretary Richardson.

In his health message to Congress on Feb. 18, 1971, Mr. Nixon directed HEW "to develop a model statute which the states themselves can adopt to correct these anomalies. In addition, the federal government will facilitate the development of HMOs in all states by entering into contracts with them to provide service to medicare recipients and other federal beneficiaries who elect such programs. Under the supremacy clause of the Constitution, these contracts will operate to preempt any inconsistent state statutes."

At a House HMO hearing April 11, Rep. Roy asked Richardson how the panel should deal with state laws which "prohibit or inhibit HMO development."

Richardson replied: "We think that you should go as far as, in effect, you think the traffic will bear."

#### OUTLOOK

HMO never has become a household word among most Members of Congress. And the AMA's drive to kill legislation to subsidize their development has produced little publicity in Washington.

But the day may come before Nov. 7 when congressional Democrats will call the Administration to account for its commitment to nurturing HMOs.

This calling could well be prompted by organizations that are pushing for passage of HMO legislation this year. Such organizations have not been vocal in recent months but efforts by the Group Health Association of America, Inc. to bring together during the week of Sept. 3 labor and consumer groups on behalf of HMO legislation may change that.

Group Health is a national organization that represents operating HMOs in Washington and it enjoys close ties to organized labor. Group Health has quietly sought to bring the AFL-CIO into the fight for HMO legislation in a bigger way and this may bear fruit in the coming weeks.

Beyond that, Kennedy could well become vocal on health issues as a surrogate for Sen. George S. McGovern, S.D., the Democratic presidential nominee. Kennedy could pursue passage of his HMO bill by following that avenue.

Congressional Democrats, on the other hand, are hardly of one mind on the prescription that is proper to launch the federal government's first serious attempt to reshape the health delivery system.

Kennedy is calling for a massive federal commitment to stimulate the development of HMOs nationally. And Rogers feels an experimental program with no guarantee of life after three years is the proper course.

Reconciling their differences may take more time than is available this year. In this event, the AMA will be able to claim a victory

for the time being in protecting the solo fee-for-service practitioner. And the Nixon Administration, if it gains a second term, will have an opportunity to rethink its commitment to HMOs free of election-year considerations.

#### VETERANS' DRUG AND ALCOHOL TREATMENT AND REHABILITATION ACT OF 1972

Mr. JAVITS. Mr. President, I strongly support the Veterans' Drug and Alcohol Treatment and Rehabilitation Act of 1972 (S. 2108) which passed the Senate yesterday.

I have long been deeply concerned about the Veterans' Administration's drug treatment programs. The plight of the addicted and drug-abusing serviceman has made drug addiction a national issue.

I was not convinced that the present VA drug treatment program was doing enough for the addicted veterans in New York. I expressed my concern about the adequacy and capability of the VA to deal effectively with addicted veterans in New York to the VA Administrator and arranged a meeting between senior VA officials and the Deputy Director of the President's Special Action Office for Drug Abuse Prevention with New York City and State officials to see what more could be done to aid addicted veterans.

One thing became clear as the result of that meeting: The need for additional legislation—as set forth in this bill—which would provide the VA authority to contract with approved community programs for treatment and rehabilitation of addicted veterans. I ask unanimous consent that the full text of three letters I sent to the VA, urging them to contract with other agencies to provide drug treatment to all veterans who need treatment, be printed at this point in the RECORD.

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

SEPTEMBER 22, 1971.

HON. DONALD E. JOHNSON,  
Administrator,  
Veterans' Administration,  
Washington, D.C.

DEAR MR. JOHNSON: Thank you for your response to my letter concerning the Veterans' Administration's plans to increase the number of specialized drug treatment centers and to contract or purchase services from state, city, or community institutions with expertise in the drug rehabilitation field.

Although I believe there are additional VA hospitals in New York City that should be utilized to deal with veteran narcotic users, I am gratified to learn that there are several in New York City which you have given high priority for this endeavor.

I am pleased to note your response that the Veterans' Administration will be "contracting with other agencies to provide drug treatment to all veterans who apply for and are determined to be in need of such treatment." As you know, I am deeply concerned that the most effective way to respond to this problem is through contract of services and as your plans develop, I would greatly appreciate being kept advised.

With best wishes,  
Sincerely,

JACOB K. JAVITS.

SEPTEMBER 27, 1971.

HON. DONALD E. JOHNSON,  
Administrator,  
Veterans' Administration,  
Washington, D.C.

DEAR MR. JOHNSON: Enclosed is a copy of my letter of September 22 indicating my strong support for the Veterans Administration to contract for or purchase services from state, city, or community institutions with expertise in the drug rehabilitation field.

It was my understanding from your letter of August 3 that the Veterans Administration will be "contracting with other agencies to provide drug treatment . . ." and I am deeply disturbed by your response of a later date to Howard Jones, Chairman of the New York State Narcotics Addiction Control Commission. In your letter to Mr. Jones you state "Our experience to date leads us to believe that we will not require the use of non-VA facilities in our program in the foreseeable future." I would appreciate being advised how you reconcile this variation in position.

With best wishes,  
Sincerely,

JACOB K. JAVITS.

JULY 15, 1971.

HON. DONALD E. JOHNSON,  
Administrator,  
Veterans' Administration,  
Washington, D.C.

DEAR ADMINISTRATOR JOHNSON: I was pleased to receive your communication of July 12 concerning the Veterans Administration's plans to increase the number of specialized drug treatment centers. I am hopeful that the VA's response to the increasing drug problem in the military will prove to be an effective countermeasure.

You indicate of the 32 centers projected to be in operation by October, only one will be located in New York City despite the magnitude of the narcotics abuse problem. I am concerned that one New York City center will not be adequate to effectively deal with veteran narcotics users in the New York metropolitan area.

I strongly believe that the Veterans Administration should contract for or purchase services from State, city or community institutions with expertise in the drug rehabilitation field. These institutions constitute a reservoir of valuable experience in dealing with narcotics abuse and could prove to be of great benefit to the VA's own efforts to deal with the narcotics problem. I would appreciate having your views regarding the plans, if any, the VA has made to secure these valuable services.

With best wishes,  
Sincerely,

JACOB K. JAVITS.

Mr. JAVITS. Mr. President, my distress and concern about VA drug treatment and care for New York's addicted Vietnam veterans was confirmed by Howard A. Jones, chairman of the New York State Narcotic Addiction Control Commission, and Graham S. Finney, commissioner of the New York City Addiction Services Agency, and is further confirmed by the report of the committee. It ought to be placed in the RECORD, so I ask unanimous consent that those paragraphs of the committee report be printed at this point in the RECORD.

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

#### NEED TO EXPAND NUMBER OF VETERANS SERVED

The Committee recognizes that the Veterans Administration has very substantially



upgraded its drug treatment programs and facilities in the last year. VA figures indicate that approximately 20,000 drug abusing veterans have been treated by the VA to date. Present VA plans contemplate the treatment of approximately 30,000 veterans in fiscal year 1975.

However, much of this treatment is confined to detoxification and methadone maintenance, without any effective rehabilitation efforts. And significant progress remains to be made in the numbers treated as well. The estimated total of veteran addicts in the country ranges from a low of 60,000 to 100,000 or more. The Committee notes that according to Defense Department figures, between July 1, 1966, and December 31, 1971, over 21,000 servicemen received discharges termed for "drug abuse." Unquestionably, a great many more servicemen discharged during this period were, in fact then, or at some point during their service, drug abusers, but escaped detection while in service. The breakdown by type of discharge is set forth in the following table:

DRUG ABUSE DISCHARGES FROM THE ARMED SERVICES

Fiscal year	Totals	Honorable	General	Undesirable	Dishonorable
1967	147	8	20	119	—
1968	1,036	114	336	586	—
1969	2,998	257	1,085	1,501	155
1970	4,769	331	2,143	2,116	179
1971 <sup>1</sup>	7,658	1,052	4,725	1,881	—
1st 6 months of fiscal year 1972	4,478	865	2,865	748	—
Grand total	21,036	2,627	11,174	6,951	334

<sup>1</sup> Estimates based upon applying  $\frac{1}{2}$  of the totals for calendar year 1971 to fiscal year 1971 (added to the actual figure for the 1st half of fiscal year 1971) and  $\frac{1}{2}$  of such totals to the 1st half of fiscal year 1972. The totals available after fiscal year 1970 were on the basis of calendar years, not fiscal years.

The overwhelming difficulties faced by New York City alone indicate the continuing severity of the problem. There are between 85,000 and 200,000 heroin addicts in New York City alone. The Special Action Office for Drug Abuse Prevention considers 125,000 to be the best estimate of this addict population. The Addiction Services Agency of New York City estimates that a minimum of ten thousand of these addicts are veterans, who have not received any form of treatment.

As recently as June 30, 1972, the VA was treating only 585 veterans at its drug treatment centers in New York City. At the same time, local drug treatment programs were treating an estimated 3,500 veteran addicts; there were an additional 2,000 addict veterans on non-VA methadone maintenance program waiting lists, and an unknown number of such veterans on waiting lists for drug-free programs. To meet part of this need, the Veterans Administration has recently contracted with the New York State Narcotic Addiction Control Commission to provide drug treatment services to an additional 1,100 veterans.

Mr. JAVITS. Mr. President, the city and State of New York continue to do all within their powers, but the Federal Government must pledge itself, through the VA, to a substantial commitment. If we are adequately to care for our addicted veterans, the VA should contract or purchase services from State, city, and community institutions with expertise in drug rehabilitation. These institutions constitute a reservoir of valuable experience in dealing with narcotics abuse and could prove to be of great benefit to the VA's own efforts to deal with the narcotics problem. This bill would accomplish that result. It seeks a solution to the critical addicted veteran problem and would pro-

vide more effective treatment to the thousands of New York area addicted Vietnam veterans.

In New York City, there is no question that thousands of drug-abusing veterans are already back home and out of uniform, adding to the addict ranks of a city that acknowledges the crisis of its drug control problem. There is no question that more action is required to generate meaningful services for veterans in desperate need. The bill will enable us better to meet our obligations to individuals who have served their Nation, only to become ensnared in a sickness far more debilitating even than the battleground wounds usually associated with war.

Mr. President, the bill also focuses upon the problem of alcoholism. The signing of the Comprehensive Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 into law marked a most historic day in the national struggle against alcoholism and the end of a legislative struggle which began in 1966, when I introduced the first alcoholism bill with the Senator from Utah (Mr. Moss) and which culminated in the passage of the bill which I introduced in the 91st Congress with the Senator from Iowa (Mr. HUGHES), the Senator from Utah (Mr. Moss), and more than 50 cosponsors.

I am, therefore, pleased that S. 2108 will authorize the VA to utilize more effectively its enormous resources in the stepped up national fight against alcoholism and reduce the enormous toll taken by alcoholism and alcohol abuse on our society.

#### IN TRIBUTE TO THE LATE HONORABLE WILLIAM S. HILL

Mr. ALLOTT. Mr. President, it is with great sadness that I advise the Senate of the death of the Honorable William S. Hill, who served the Second Congressional District of Colorado with dedication for 18 years. He was first elected from the district in 1940 and was reelected every 2 years until his retirement in 1958. His loss to me is the loss of an adopted member of the family, for Mrs. Allott and I have known and loved Bill for so long.

Bill spent his entire lifetime in the service of others, serving as legislator, teacher, businessman, and farmer. During his distinguished career in the House of Representatives, he rose to the chairmanship of the Select Committee on Small Business and to a position of high standing on the Committee on Agriculture.

Born on January 20, 1896, in Kelly, Kans., he was raised and educated in Kansas, and after taking as his bride the former Rachel Trower, they moved to eastern Colorado where they homesteaded near Cheyenne Wells. Bill taught school in Cheyenne Wells, later became principal, and finally superintendent of schools at Laporte, Colo.

Congress has recently been host to some bright young people from across the country, the members of the 4-H Clubs of America, and to this fine group, Bill devoted his talents and energies. He became Colorado's first fulltime 4-H Club leader in Larimer County in 1919, and

in the early 1920's he served as secretary of the Colorado Farm Bureau. Between 1924 and 1928, Bill Hill served his adopted State of Colorado in the Colorado House of Representatives.

He knew defeat when he lost his first congressional race in 1939, but those of us who knew him recall his upward bound spirit, and in 1940 Bill won the first of nine consecutive races for Congress.

He was a great friend of mine. In 1954 when I was in particular need of friends and encouragement, I can remember the gentle hand of William Hill on my shoulder all of the way, giving me the encouragement I needed. The place occupied by Bill Hill is filled with glowing memories, and it is with great sadness that we learn of his death.

Mrs. Allott and I extend our deepest sympathies to his wife Rachel and all the members of his family.

Mr. President, I ask unanimous consent an obituary published in the Washington Post of September 1, 1972, be printed in the RECORD.

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

#### EX-REPRESENTATIVE WILLIAM S. HILL OF COLORADO DIES

FORT COLLINS, COLO., Aug. 31.—William S. Hill, 86, a former congressman from northern Colorado who served nine consecutive terms in the U.S. House of Representatives, died Monday in a Fort Collins nursing home.

Mr. Hill lost his first congressional race in 1939, but was re-elected eight times before retiring undefeated in 1958.

Mr. Hill, a Republican, was chairman of the select Committee on Small Business and member of the House Agriculture Committee.

Mr. Hill also served on the House committees on irrigation and reclamation Indian affairs and labor.

Coming from Colorado's largely agricultural second district, Mr. Hill was primarily associated with agriculture. He was a spokesman for federal price supports for farmers.

He headed a subcommittee that studied the federal crop insurance program in 1947. He also served on the agriculture livestock committee in 1953.

He once assailed Maj. Gen. Harry H. Vaughan, White House military aide under President Truman, on the House floor for "hitching" what he termed a free ride to Paris at the taxpayers' expense.

A vigorous partisan and conservative, he also took to the House floor in 1951 to criticize the State Department for paying correspondents of the Columbia Broadcasting System to write for the Voice of America.

In his speech he said: "I should mention that the Columbia Broadcasting System has the reputation of being through its so-called news programs and commentaries, a strong supporter of the Truman administration and of socialistic tendencies generally."

Mr. Hill was born Jan. 20, 1896, in Kelly, Kan., and was raised and educated in Kansas. On March 25, 1907, he married the former Rachel Trower in Winchester, Kan.

Shortly after their marriage, Mr. Hill and his bride homesteaded in eastern Colorado near Cheyenne Wells where Mr. Hill taught school. He eventually became principal and superintendent of schools in nearby Laporte.

Mr. Hill extended his activities from the educational field when he became Colorado's first full-time 4-H club leader with the Extension Service in Larimer County in 1919.

He was secretary of the Colorado Farm Bureau during the 1920s, during which time he and his late brother, Vern, who was later

a Colorado State representative from Denver, organized a potato grower's organization for farmers in Idaho.

Elected to the Colorado House in 1924, Mr. Hill served in that body until 1928. In 1927 he bought the Standard Mercantile Co., a farm supply dealership, in Fort Collins.

Following his first attempt for a Congressional seat Mr. Hill was appointed personal secretary to Gov. Ralph Carr in 1939.

Along with being a member of the Elks, Odd Fellows, Rotary Club, and the Presbyterian Church, Mr. Hill was active in the real estate and hardware industry in Fort Collins.

Mr. Hill is survived by his wife, a son, Allden T., of Fort Collins; a brother Harry, of Stinson Beach, Calif.; two sisters, Lela Fischer, of Littleton, Colo., and Mae Brewer, of Broken Bow, Nev.; and four grandchildren.

### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The period for the transaction of routine morning business has expired.

### REVENUE SHARING ACT OF 1972

The PRESIDING OFFICER (Mr. ALLEN). Under the previous order the unfinished business, Senate Joint Resolution 241, is to be laid aside and remain in that status until the close of business today.

In accordance with the previous order, the Chair lays before the Senate H.R. 14370, the revenue-sharing bill, which the clerk will state.

The assistant legislative clerk read as follows:

H.R. 14370, to provide payments to localities for high-priority expenditures, to encourage the States to supplement their revenue sources, and to authorize Federal collection of State individual income taxes.

#### AMENDMENT NO. 1471

Mr. BUCKLEY. Mr. President, I call up my amendment No. 1471.

The PRESIDING OFFICER. The amendment will be stated.

The assistance legislative clerk proceeded to read the amendment.

Mr. BUCKLEY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 35, strike lines 13 through 19 and insert in lieu thereof the following:

"(2) for the fiscal year ending June 30, 1973, 7 percent of the Federal individual income taxes received in the Treasury during such fiscal year; and

"(3) for the fiscal year ending June 30, 1974, 3½ percent of the Federal individual income taxes received in the Treasury during such fiscal year."

On page 38, line 6, insert "and" after the second comma.

On page 38, strike lines 7 through 14 and insert in lieu thereof the following:

"(3) \$2,875,000,000, in the case of the entitlement period beginning July 1, 1973."

On page 39, strike lines 8 and 9 and insert in lieu thereof the following: "government for the entitlement period beginning on

July 1, 1973, shall be reduced by the amount (if".

On page 40, strike lines 15 through 22.

On page 48, line 11, strike "1976" and insert "1973".

On page 60, strike lines 10 and 11 and insert in lieu thereof the following: "qualify for any payment under this subtitle for the entitlement period beginning on July 1, 1973, a State".

On page 63, beginning with line 25, strike out through line 3 on page 64 and insert in lieu thereof the following: "period beginning January 1, 1973, and \$500,000,000 for the entitlement period beginning July 1, 1973."

On page 67, strike lines 11 through 14 and insert in lieu thereof the following:

"(2) The one-year period beginning on July 1, 1972.

"(3) The period beginning July 1, 1973, and ending December 31, 1973."

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. BUCKLEY. I yield.

Mr. ROBERT C. BYRD. I apologize to the Senator for interrupting. It was my understanding that he was willing to agree to a limitation of 1 hour on this amendment.

Mr. BUCKLEY. That is correct.

Mr. ROBERT C. BYRD. I thank the Senator.

Mr. President, I ask unanimous consent that time on this amendment be limited to 1 hour, to be equally divided between and controlled by the distinguished Senator from New York (Mr. BUCKLEY) and the distinguished manager of the bill (Mr. LONG).

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

Mr. BUCKLEY. Mr. President, in summary, my amendment would reduce the period of the bill under debate from 5 years to 2 years.

The concept of general revenue sharing is marvelously appealing—the prospect of large infusions of no-string attached money from Washington with which to rescue our States, counties, and municipalities from the brink of fiscal disaster and all at no cost to their taxpayers. But every ointment has its flies and I think we should all be aware of some of those which are inherent in the State and Local Assistance Act of 1972 before deciding whether we should, in fact, institutionalize general revenue sharing as a new, long-term approach to the financing of routine governmental expenditures at the State and local levels.

General revenue sharing will not, of course, ease the over-all tax burden on the American people. Indeed, to the extent that it will cost something to recycle personal income taxes collected from individuals throughout the United States by the Federal Government for redistribution to the communities in which they live, to that extent it will add to their burden; and to the extent that it reduces pressures for economy in State and local government, it will be more costly still. It is true, of course, that in some States more money will flow in than was contributed by its residents—but this is possible only because the reverse will be true in others. Under the formula of distribution contained in the Senate bill, for example, New Yorkers will lose a net \$460 million over the 5-year life of this bill.

True, general revenue sharing will reduce immediate pressures for increases in property taxes which have resulted from the fact that obligations mandated to counties and municipalities have grown far more rapidly than has the principle tax base on which they have been required to rely. But this suggests the need not so much for revenue sharing as for a reallocation of governmental responsibilities and taxing powers within each State. It also suggests a need to cut back sharply on the bewildering number of categorical grant programs which have done so much to distort State and local priorities and to divert scarce funds from areas of the greatest need.

If general revenue sharing should become institutionalized—and I have yet to meet anyone who really believes that it will be possible to revoke the program after it has been in effect for 5 years—then the inevitable pressures will be to constantly increase the size of the Federal contribution as a percentage of State and local expenditures. This will make it ever harder for ordinary citizens throughout the United States to force restraint in State and local spending. In the case of my own State, for example, our citizens have been engaged over the past 2 years in a reasonably successful tax revolt. As a result, our State legislators have forced major economies in State spending rather than assume the onus for voting higher taxes. This taxpayers' rebellion has caused a thorough reexamination of State and local programs. Some have been eliminated, payrolls have been trimmed, and the most costly programs, such as welfare, have been subjected to the most careful scrutiny in years. I wonder, however, whether these economies could have been achieved had general revenue sharing been enacted 2 years ago.

General revenue sharing will not, in my judgment, help the cause of responsible local government or of federalism. Quite the contrary it will do harm to both. First of all, the greatest restraint on public spending is the requirement that those who authorize expenditures justify the level of taxation needed to finance them. While this restraint is admittedly theoretical at the national level, it is very real at levels of government which must operate in direct view of the taxpayers. Second, while the program has been advertised as a means of distributing no-strings-attached money for general use by State and local governments, I believe that it is unrealistic to believe that the Congress will be able to resist indefinitely the impulse to impose conditions on their expenditure. In point of fact, significant restrictions are contained in the House version of the bill, and the chairman of the Finance Committee has had to muster all his great powers of persuasion to prevent others from being tacked on during the course of this debate.

There is no doubt as to the severity of the financial problems which face State and local governments in New York and elsewhere across the Nation. But it is our responsibility to see that these problems are solved in a way which will preserve



the fiscal integrity of all levels of government without destroying the political integrity of the federal system. Without any doubt, general revenue sharing represents a short-term means for meeting these problems; but in the longer term, is it really the way?

As I say, Mr. President, general revenue sharing is definitely a means for meeting the undoubted fiscal emergency which afflicts too many States and localities across this Nation today. I do not feel, however, that it ought to be institutionalized as a permanent way of life for these governments. The concept of general revenue sharing has sprung into existence from a real sense of urgency. The underlying crisis which it is intended to meet, however, is not the result of a shortage of taxable funds within the States experiencing the greatest current difficulties, but rather of a dislocation which has been allowed to creep into our system of State and local financing.

It should be kept in mind that there is no major source of tax revenues available to Washington which is not also available to the States; and that, therefore, in the longer run, it should not be necessary to cycle money through the Federal Treasury in order to arrive at a long-term solution to the fiscal problems now plaguing State and local governments.

We should also keep in mind that Washington has helped precipitate the present crisis by generating scores and scores of categorical grant programs which have had the effect of forcing State and local governments to adopt Washington's priorities rather than their own, and to funnel their own resources into programs which do not meet their most pressing needs. State governments have in turn acquired the habit of mandating expenditures to county and municipal governments without at the same time expanding the tax bases available to these jurisdictions for the financing of these new obligations. General revenue sharing, if adopted as a long-term measure, may cope with the results of these dislocations, but it will do nothing to cure their causes.

Mr. President, the purpose of my amendment is to convert the current legislation from a measure which will inevitably become institutionalized into emergency legislation of a clearly temporary nature in which everyone is placed on notice of the immediate need to attack the causes of the current fiscal crisis. My amendment would do this by reducing the term of the bill to 2 years. This should provide a long-enough period of emergency infusions of cash to allow lawmakers in Washington and in the various State capitals to get to the roots of the problem.

During such a 2-year period, we in the Congress could declare a moratorium on any new proposals for categorical grant programs while we make a searching examination of existing ones to see which of them may be dispensed with, which should be collapsed into special revenue sharing programs of the kind recommended by the present administration, and which should be retained.

As I have examined the testimony presented by Governor Rockefeller and oth-

ers before the Senate Finance Committee, and as I have discussed problems of local financing with county executives, mayors and other local officials throughout New York State, I have been struck by the extent of the blame for their difficulties which these responsible officials place on the whole system of Federal categorical grants. Surely the greatest contribution we can make toward helping State and local governments to reorder their own priorities in accordance with their own understanding of their own most pressing needs; surely the most effective way in which we can free up State and local revenues for use in accordance with those priorities, would be to move as quickly as possible in the direction of special revenue sharing as a substitute for a large number of existing categorical grant programs. If the Congress will only set its mind to it, it could achieve major reforms in this area within the 2-year period provided for by my amendment.

At the State level, the 2-year period would enable each State to reexamine its own tax policies and to enact such measures as will be required to enable them to bridge the gap in revenues which will result from the termination of an emergency program of Federal revenue sharing. It is clear that a large number of States could be doing far more to raise the funds needed to finance their own programs. According to the House Ways and Means Committee report, if the lowest 40 States in terms of tax effort had made—in 1969—the same average tax effort made by the top 10 States, they would have collected \$18.6 billion in revenues for State and local governments.

This 2-year period would also provide the States with a breathing spell within which to reexamine their practices for allocating governmental responsibilities and tax powers among the various levels of government within the State. They could then see to it that each level of government would be provided either with direct State subsidies or with the taxing authority required to meet the governmental responsibilities assigned to them without overstraining any one source of tax revenues.

Mr. President, I submit that unless we think in terms of an emergency, we will never create the climate required for us to achieve real fiscal reform at every level of government within this country. If this bill is enacted as a 5-year measure, the compelling need to cope with the root causes of the problems faced by State and local governments will evaporate. If general revenue sharing is accepted as a new way of fiscal life, as I believe will be inevitable if the bill is enacted in its present form, then the impetus will all be in another direction. All the political pressures will be focused not on the need for basic reform, but on Washington as States and localities reach out for ever-larger handouts while cultivating the all too pervasive myth that money doled out from Washington somehow originates elsewhere than in the pockets of their citizens.

Mr. President, the committee report contemplates that at the end of the 5-year period presently provided for, the Congress will be free to reexamine the

program and to decide whether to terminate it or to continue it in one form or another. I respectfully suggest that the one option that will not be available to the Congress, in other than a technical sense, is that of terminating general revenue sharing. Too many villages, towns, cities, counties, and States across the Nation will have become accustomed to the flow of funds from Washington; and too many of their officials will rebel at the prospect of having once again to recommend and justify levels of State and local taxation required to support their programs.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. LONG. Mr. President, I yield myself 3 minutes.

This amendment would make this a mere 2-year bill, of which close to 1 year has expired already, so that it would, in effect, cut off the revenue-sharing before the program has had an adequate chance to be properly evaluated.

It is the view of the committee that the 5-year period is necessary in order to give this revenue-sharing concept an adequate test. Consequently, it is the view of those of us on the committee that this amendment would provide for the death of the program before it has had a fair chance to be tested, and therefore, Mr. President, I hope this amendment will not be agreed to.

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

Mr. LONG. I yield to the distinguished Senator from Utah.

Mr. BENNETT. I think it should be pointed out, as it was yesterday, that with respect to the State's portion of these funds, the legislatures meet only every 2 years. Many of them will meet next spring, but they will be asked to try to readjust their programs to assimilate a program which would die 6 or 7 months after they finished their work.

Mr. LONG. Yes.

Mr. BENNETT. There would really be no opportunity, no incentive or back-ground on which they could act.

I think if you are against revenue sharing, the thing to do is to vote to kill it by allowing it to founder around for 1 year and then force it to die. I cannot believe that those who are really interested in this new concept would want to strangle it in the cradle before it had an opportunity to take any permanent form. I hope the Senate will reject the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. BUCKLEY. Mr. President, I yield myself such time as I may consume.

I am frank to confess that as I was preparing my remarks this morning, it occurred to me that my amendment in its present form did have the deficiency pointed to by the distinguished Senators from Louisiana and Utah, in that I had neglected to gear it to the normal 2-year cycle of State legislation.

On the other hand, that is something that can easily be handled. Would the distinguished chairman accept my amendment if it were to be expanded to 3 years?

Mr. LONG. Mr. President, I regret that I cannot. I must insist on the 5-year term.

Mr. BUCKLEY. I would also point out, of course, that even if my amendment is agreed to, after conference the end product would probably be somewhere between 2 and 5 years, so that perhaps the defect of my amendment is not such as to warrant killing it at this time.

I would ask the chairman a question. I note that in the committee report, great emphasis is made of the fact that this is not intended as a permanent program, but rather a 5-year program which will be terminating 5 years hence, and that—

This will automatically provide the Congress with an opportunity to review the program when the initial program expires in order to ascertain whether it should be continued or revised. It may be, for example, that assistance may be needed for only a temporary period of time: until the States are able to put their own revenue houses in order and until the localities can recover from the twin hardships of rising costs because of inflation and the slow growth of revenue because of the slack in the economy.

The House report has similar language underscoring the reasons for a 5-year term. But I ask the distinguished Senator from Louisiana, who is a man of long experience in revenue affairs, if he really believes that 5 years from now it will be possible to terminate this program.

Mr. LONG. Well, Mr. President, there is no way to determine beforehand what experience would show in 5 years. Many of us felt that we might be able to devise some sort of tax credit approach which might achieve the purpose of the revenue-sharing bill, without having to require an appropriation by Congress, with all of the hazards that that involves of strings that the State and local governments would find repugnant.

We were not able to devise any such arrangements as that and, therefore, we concluded that the approach taken by the House of Representatives should be pursued, except that we ought to reduce the number of strings and conditions that the House had put on the revenue-sharing proposal.

It may be that over a 5-year period, the good minds of able men might very well work out something that would be a more attractive proposal, and at that time, if support were generated for it, I think it is quite conceivable that we might want to substitute something for the present concept.

But it is as impossible for me to tell the Senator what people are going to suggest, what good ideas will be generated in the field of government, as it is for me to tell the Senator whether we will find a cure for cancer next year. I just do not know.

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

Mr. BUCKLEY. I yield.

Mr. COOPER. Would his amendment change or alter in any way the sums to be made available to the States?

Mr. BUCKLEY. It would not alter or change the sums.

Mr. COOPER. It goes only to the period of years for which the program would be imposed, 2 years instead of 5?

Mr. BUCKLEY. That is correct.

Mr. COOPER. Or has the Senator changed it to three?

Mr. BUCKLEY. I do not think I need to, because it would be done in conference.

Mr. COOPER. Whatever the outcome of the Senator's amendment, I think he has done well to present to the Senate again this problem of a growing number of categorical programs which has really placed great burdens on States in many instances, I think, rather than benefiting them. I have been told by the Office of Education that there are 540 or 560 separate categorical programs. I do not know whether that is correct, but I believe it is.

I am familiar with the various problems in my State that have been raised by programs dealing with poverty, noble though the purpose may be. In my view, in my State they have provided more food for people, but they have bound and encircled poverty. They have institutionalized poverty. It seems in some fields that those who manage these programs want to keep them bound in the field of poverty rather than to lead them out.

I think there is a problem connected with the programs which the good Committee on Finance and others—particularly the Committee on Labor and Public Welfare—have to find some way to solve.

The Senator has done well to raise this problem.

Mr. BUCKLEY. I thank the distinguished Senator from Kentucky for his remarks. I am glad that he shares my concern with the pernicious effect of categorical grant programs on the ability of State and local governments to decide for themselves where they want to deploy their own funds.

Of course, technically speaking, they all are privileged not to participate; but there is really a political bribery involved, and no elected official could survive the following election against charges that all those millions of dollars were sitting in Washington, available to him, irrespective of whether those dollars would be spent in a useful way.

I recall an editorial in the Wall Street Journal a year or two ago which discussed the special revenue-sharing proposal advanced by President Nixon. It pointed out this problem, I thought, in a highly illustrative way. It stated that if Congress should come up with a program to pay 90 percent of the cost of erecting gold-plated hexagons in town squares around the country, within 2 years we would find every municipality with its gold-plated hexagon, because otherwise that money would have stayed in Washington.

I do not want to take any more of the Senate's time, Mr. President. It is a question of judgment. It is a question of whether or not we are establishing, through the enactment of the 5-year program, a technique for the funding of State and local governments without requiring State and local responsibility for the raising of the taxes involved, which will become so comfortable in so many areas of the country that we will not in fact be able to wiggle out of it.

I certainly intend to cooperate with the distinguished chairman of the Com-

mittee on Finance in examining any alternative proposals. I have one of my own which I will offer as an amendment later in the course of this debate.

I just am deeply concerned about the long-term implications of this bill if we consider it as other than emergency legislation with a short enough fuse to cause a serious effort at every level of Government to cope with the dislocations which have created such a real crisis.

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

The yeas and nays were not ordered.

Mr. LONG. Mr. President, if time has expired, I suggest the absence of a quorum.

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. LONG. I yield back the remainder of my time.

Mr. BUCKLEY. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. LONG. 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. LONG. 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. LONG. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York (Mr. BUCKLEY). On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Nevada (Mr. CANNON), the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Hawaii (Mr. INOUE), the Senator from Washington (Mr. MAGNUSON), the Senator from Arkansas (Mr. McCLELLAN), the Senator from South Dakota (Mr. McGOVERN), the Senator from New Mexico (Mr. MONTOYA), the Senator from Rhode Island (Mr. PELL), and the Senator from Alabama (Mr. SPARKMAN) are necessarily absent.

I further announce that the Senator from Iowa (Mr. HUGHES) is absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON) and the Senator from Alabama (Mr. SPARKMAN) would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Tennessee (Mr. BROCK), the Senator from Colorado (Mr. DOMINICK), the Senator from Hawaii (Mr. FONG), the Senator from Oregon (Mr. HATFIELD), the Senator from Kansas (Mr. PEARSON), the Senator from Ohio (Mr. SAXBE), and the Senator from South



Carolina (Mr. THURMOND) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

On this vote, the Senator from Oregon (Mr. HATFIELD) is paired with the Senator from South Carolina (Mr. THURMOND). If present and voting, the Senator from Oregon would vote "yea" and the Senator from South Carolina would vote "nay."

The result was announced—yeas 14, nays 62, as follows:

[No. 404 Leg.]

YEAS—14

Buckley	Cotton	Mansfield
Burdick	Curtis	Proxmire
Byrd	Ervin	Stennis
Harry F., Jr.	Jordan, N.C.	Stevenson
Cooper	Jordan, Idaho	Young

NAYS—62

Aiken	Gambrell	Nelson
Allen	Griffin	Packwood
Allott	Gurney	Pastore
Anderson	Hansen	Percy
Baker	Hart	Randolph
Bayh	Hartke	Ribicoff
Beall	Hollings	Roth
Bennett	Hruska	Schweiker
Bentsen	Humphrey	Scott
Bible	Jackson	Smith
Boggs	Javits	Spong
Brooke	Kennedy	Stafford
Byrd, Robert C.	Long	Stevens
Case	Mathias	Symington
Chiles	McGee	Taft
Church	McIntyre	Talmadge
Cook	Metcalfe	Tower
Dole	Miller	Tunney
Eastland	Mondale	Welcker
Edwards	Moss	Williams
Fannin	Muskie	

NOT VOTING—24

Bellmon	Goldwater	McGovern
Brock	Gravel	Montoya
Cannon	Harris	Mundt
Cranston	Hatfield	Pearson
Dominick	Hughes	Pell
Eagleton	Inouye	Saxbe
Fong	Magnuson	Sparkman
Fulbright	McClellan	Thurmond

So Mr. BUCKLEY's amendment (No. 1471) was rejected.

#### INCREASED CONTRIBUTION OF FEDERAL GOVERNMENT TO COSTS OF HEALTH BENEFITS

Mr. MCGEE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 12202.

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 12202) to increase the contribution of the Federal Government to the costs of health benefits, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MCGEE. I move that the Senate insist upon its amendment and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. MCGEE, Mr. RANDOLPH, Mr. BURDICK,

Mr. FONG, and Mr. BELLMON conferees on the part of the Senate.

#### REVENUE SHARING ACT OF 1972

The Senate continued with the consideration of the bill (H.R. 14370) to provide payments to localities for high-priority expenditures, to encourage the States to supplement their revenue sources, and to authorize Federal collection of State individual income taxes.

Mr. BUCKLEY. Mr. President, I call up my amendment No. 1472.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

On page 56, beginning with line 7, strike out through line 16 on page 63.

Mr. ROBERT C. BYRD. Mr. President, would the Senator agree to a 40-minute limitation on this amendment, to be equally divided between the Senator from New York and the Senator from Louisiana?

Mr. BUCKLEY. I gladly agree to such a limitation.

Mr. ROBERT C. BYRD. Mr. President, I so request.

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

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

The yeas and nays were ordered.

Mr. BUCKLEY. Mr. President, the effect of my amendment is simple. It would eliminate sections 107 through 110 which, in my judgment, involve the imposition of strings on funds to be distributed to State and local governments.

Mr. President, general revenue sharing was originally conceived of as a means of providing hard-pressed State and local governments with a stable source of financing, a source which would be totally free of the cost-imposing and freedom-restricting attributes of the Federal Government's categorical grant programs. It was conceived of as a means of providing State and local governments with a new source of "no strings attached" revenues which would revitalize and strengthen the Federal system by recognizing and respecting the autonomy of State and local governments.

The "no strings attached" principle is recognized and affirmed again and again in the Finance Committee's report. It is reflected in the committee's deletion of a number of the limitations on spending which were contained in the House bill. It has been vigorously championed during the course of this debate by the distinguished chairman of the committee as he has fought off successive attempts to tie Federal strings to the funds which are to be distributed to the States and localities.

My only quarrel with the committee in this respect is that it has failed to carry the principle to its logical end, because the sections of the bill which my amendment would strike do in fact contain a number of strings.

While these strings may appear to be relatively innocuous, they nevertheless contain the seeds of future trouble. In the

first place, they do in fact require compliance with a significant degree of Washington-directed paperwork. In the second, some of these strings will in time provide an irresistible temptation for Federal snooping in State and local affairs in clear violation of the spirit of general revenue sharing. Finally, and most importantly, the mere inclusion of these restrictions and directives will provide a precedent for future attempts to place far more stringent controls on the ability of State and local governments to use the funds returned to them by Washington.

Before discussing the specific sections which my amendment would delete, I would like to address myself to a fundamental problem which is involved in any attempt to place any kind of restriction on the use of general revenue sharing funds. This problem results from the fact that money is fungible. If, on the one hand, elaborate systems of trust funds and accounting are relied upon to trace the Federal dollar, any attempt to place restrictions on its use will represent nothing more than an indulgence in legislative pieties. For it will take no great resourcefulness on the part of State and local officials to allocate the Federal dollar to those items of expenditure which, like Caesar's wife, are above reproach. On the other hand, the fact that restrictions imposed on the use of the Federal dollar can be so easily avoided will inevitably lead to the challenge of expenditures of State and local funds regardless of pedigree on the grounds that they have been made possible by the infusion of general revenue money, or that local officials have indulged in fiscal sleight of hand to evade the clear mandate of the Congress. Thus, because of the fungibility of cash, any attempt to attach Federal strings to the funds distributed under the general revenue-sharing program will either be an exercise in futility or an open invitation to attack virtually any State or local expenditure which is made in a manner which displeases the Congress.

Mr. President, I will now proceed to a discussion of the specific sections of the bill which would be affected by my amendment. The first of these, section 107, contains a subtle form of Federal control. It would require each State government and unit of local government receiving funds under this bill to submit reports to the Secretary setting forth the amounts and purposes for which the funds have been expended or obligated. Moreover, this section requires explicit publication and publicity of such reports by each State government and unit of local government in a general circulation newspaper within the geographic area of that government.

The intent of this section is entirely well-meaning, and in almost every other legislative context it could be a useful feature. However, this bill purports to respect State and local autonomy. It is an unnecessary nuisance; and if its purpose is to allow Big Brother in Washington to monitor the uses made of shared revenues, it is a meaningless nuisance at that because of the freedom which State and local officials have in

deploying them into the most innocuous channels.

Section 108, the nondiscrimination provision, is also inappropriate in the context of this bill. It is superfluous; and worse, it is an open invitation for the most pervasive meddling in local affairs. It is superfluous because discrimination has now been clearly outlawed by court decisions and by state and Federal laws in every corner of the Republic. Every Member of this body finds the idea of discrimination by virtue of race or color or religion or sex to be abhorrent, as do the great majority of the American people in every State. We do not serve the cause of equality by incorporating section 108 in this bill, however, but we do do violence to the basic "no strings" concept which is fundamental to general revenue sharing.

Section 108 is an invitation to meddling because too many of our Federal bureaucrats are no longer content merely to attack discrimination wherever it appears. Rather, they are now beginning to demand proof that it does not exist; and through their demands for so-called affirmative action statements, they are seeking to impose an invidious form of quotas which does violence to the very concept of human equality. The retention of this section could make virtually every State and local activity subject to this costly, pernicious form of Federal intervention.

Section 109 prohibits the use of funds obtained under this bill as matching funds. It seeks to prevent funds obtained under the bill from accelerating or facilitating the ability of State and local governments to increase the amount of funds they will be able to secure under Federal matching grant programs. Yet, as I pointed out earlier, this restriction can be easily avoided if we consider the Federal dollar to be traceable; or, in the alternative, it will subject to challenge any payment made by State or local government pursuant to a categorical grant program on the theory that the payment has been made possible by general revenue sharing. Thus once again we have a provision which is either superfluous or mischievous; and one which erodes the basic "hands off" concept of the bill.

Section 110 contains a host of miscellaneous provisions which are designed to provide assurances to the Secretary that the State and local governments will—

First, establish a trust fund in which it will deposit all payments it receives under this legislation;

Second, use amounts in such a trust fund during a reasonable period or periods "as may be provided in such legislation";

Third, provide for the expenditure of payments received under this subtitle only in accordance with the laws and procedures applicable to the expenditure of its own revenues;

Fourth, insure that the State and local government will use fiscal accounting, and auditing procedures which conform to Federal guidelines;

Fifth, agree to provide reasonable notice and access and the right to examine such documents that the Secretary or Comptroller General of the United

States may require to assure compliance with this bill; and

Sixth, agree to the maintenance of the same State or municipal wage and salary structure as it maintains for other State and local activities.

Payment may be withheld by the Secretary if a State or unit of local government fails to comply substantially with any provision of this subsection.

The comprehensive language of this section, concealed as it is in the innocuous title "Miscellaneous Provisions," provides means by which the Federal Government can exercise extensive control over the activities of State and local governments. I can only emphasize once again that this subsection represents a "string" of the most obvious sort in total conflict with the philosophy which encouraged the development of this legislation in the first instance.

The amendment I have proposed will insure that revenue sharing legislation remains faithful to the principle which encouraged the introduction of such legislation; namely, the establishment of a new source of revenue for State and local governments which are free of Federal strings.

Mr. President, I reserve the remainder of my time.

Mr. LONG. Mr. President, I yield myself 5 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized for 5 minutes.

Mr. LONG. Mr. President, the Senator proceeds in his amendment to support what the Committee on Finance itself believes as a general rule, that is that there should be a minimum of strings attached to this revenue-sharing program. Generally speaking members of the committee share the Senator's philosophy that this should be revenue sharing with no strings attached. But the Senator's amendment would strike out those proposals, those conditions with regard to which no community, no mayor, and no Governor would have any objection whatever. For the most part these are procedural provisions. At the same time the Senator would leave in the bill the conditions to which they would object.

For example, the ones to which they object are the ones which the Senate, in its wisdom, sought to impose under the Hartke amendment with relation to the Davis-Bacon Act. This could be a very burdensome requirement. That provision would remain in the bill, even though the Senator would strike out such innocuous requirements that the way the money is spent is to be made public to the citizens of the community, which is what for the most part they do now under their present procedures. I suppose there may be some community somewhere that does not tell its citizens what it does with the taxpayers' money, but I know that in my hometown the city publishes its budget and discloses how much it spent last year, what it expects to spend this year and what for. So that requirement is really no requirement at all insofar as Louisiana communities are concerned because they all do it anyway. They report to their citizens how funds are to be spent.

We had heated discussions and earlier

in connection with the amendment dealing with appropriations, there was a great deal of support for the position, that we do not have adequate safeguards in this measure as to how the funds are spent. We pointed out that local officials are required to report to the public on their use of the money. While they are telling their own people that, we ask that they send us a copy and they tell us how they spent the money. We require that they put it on a standard form so it would be intelligible, and so that good accountants would understand how they claimed they used the money.

Then, the nondiscrimination provision the amendment would strike is one the Senator favors. I agree that it adds little because the Constitution will not let these communities discriminate. They can be brought into court and prohibited from discriminating anyway. But since this is true, there also is little reason to exclude this provision.

Another provision the Senator would strike is the prohibition against using revenue-sharing funds for matching Federal funds. Under some of these programs we have 75 percent Federal matching. We have a \$5.3 billion revenue-sharing bill, or in this case a \$6.3 billion revenue-sharing bill which could be turned into a \$24 billion revenue-sharing bill if localities could take all the money they receive and use it to match against open-ended Federal matching programs. That is one reason why we are now trying to extricate ourselves from the social services grant program.

We believe we take care of the defects the Senator speaks of by saying they cannot use this money directly or indirectly to match Federal funds under a Federal matching program.

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

Mr. LONG. I yield myself 2 additional minutes. So we would make sure that there is actually a sharing of revenues and that we are sharing \$6 billion of revenue and not \$24 billion of revenue. I am sure the Senator shares our objective although I understand his concern, as he explained it.

The trust fund part of the bill is necessary in order to make it possible to trace how the funds are actually spent by the localities.

Then the striking of the auditing requirements by the Treasury, of course, would serve to eliminate the type of accounting procedures that would make the reports to us meaningful. We have heard in the debate yesterday the very strong arguments, and a great deal of support, for the position that we ought to require more surveillance and more careful study to see that the money was not used improperly. As a matter of fact, one of the so-called strings the Senator would strike is the requirement that the money be spent according to State or city or county budgetary procedure. In other words, it occurred to the Senator from Georgia (Mr. TALMADGE) that some mayor might want to add the revenue-sharing funds to his private kitty, not report it to anybody, use it as his conscience guided him, and keep how it was spent between only himself and his own conscience. The



Senator's amendment would reopen that possibility. It would not happen the way the bill is drafted.

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

Mr. LONG. I yield myself 1 minute.

We have added these provisions to the bill and we struck out those that we found were objected to by the States and communities, and we added those provisions which the Senator seeks to strike and which we believe would be unobjectionable.

We have not found a single complaint to the provisions this amendment would delete. I have not been informed by a single mayor, a single Governor, or a single county commissioner that they would object to complying with the provisions the Senator would seek to strike. Having done that, this amendment would leave in the bill the particular procedure they would object to—that is the one that was voted on the other night—the one that would require them to comply with the minimum wage and the Davis-Bacon requirements.

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

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

Mr. LONG. I yield myself 3 additional minutes.

Mr. BENNETT. The last statement, I am afraid, Mr. Chairman, is not accurate, because, by striking the whole section, he strikes the Davis-Bacon provision.

Mr. LONG. Would it do that?

Mr. BENNETT. I asked the Parliamentarian to check that out, and it was so reported to me. So he is striking what we did the other day.

Mr. LONG. I ask the Parliamentarian, would the adoption of the amendment take with it the Hartke amendment that would add the Davis-Bacon requirement?

The PRESIDING OFFICER. The Parliamentarian informs the Chair that the amendment would strike the section which the Hartke amendment was added to. The Hartke amendment would go with this section if it were stricken.

Mr. LONG. Then I must say, as one Senator, while I approve the Davis-Bacon Act in the case of Federal contracts or where most of the money is Federal money, I did not think it was fair to impose it under the conditions under which it is imposed in the bill. At least, this one objective the Senator's amendment would achieve is one I can agree with, but I would have my doubts about striking the other requirements I have referred to.

So I applaud the Senator for his good intentions in trying to see that there are no strings attached, but I do believe that there will be very strong objections to striking one or the other provisions involved in this particular section, although, frankly, as I have said, I agree with him on some of the strings he would like to eliminate.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BUCKLEY. Mr. President, I yield myself 3 minutes.

I am delighted that the Senator from Utah was able to ascertain that the effect of my amendment would be to eliminate those accretions which the chairman has found so damaging to the bill; namely, the Hartke amendment. It does spare me the necessity, as I was prepared to do, of modifying my own amendment to make it clear that, notwithstanding any other provision, the act would not impose limitations or directions of any kind on the use of these funds. The provisions which we would have stricken, by and large, are necessary if we do not trust State and local governments. I felt, however, that one of the underlying purposes of this legislation was to restore the viability, the vitality, of State and local government, which requires cutting the strings that are attached to Federal funds to Washington—Washington directives, Washington inconvenience, Washington snooping, and the enormous imaginations which our bureaucracies have demonstrated in finding new ways to harass State and local governments.

Mr. President, I have no further comments to make at this time, and if the chairman is prepared to yield back his time, I am prepared to yield back my time.

Mr. HARRY F. BYRD, JR. Mr. President, before the Senator from New York yields back his time, will he yield me 4 minutes?

Mr. BUCKLEY. I am glad to yield 4 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 4 minutes.

Mr. HARRY F. BYRD, JR. Mr. President, I want to say that, in regard to this particular amendment, I have some doubts about it because of the arguments presented by the distinguished chairman of the committee. I think it is important, if we are going to have so-called revenue sharing of \$6 billion, that it not be proliferated into a much larger sum. As I understand it, the bill as now written seeks to prevent that, but I want to say to the Senator from New York that the point he is attempting to develop in this debate is, in my judgment, a most valid one.

From its inception when passed by the House of Representatives, this legislation contained many strings, even to the extent of telling the States what tax system they should have. The Finance Committee changed that, but there is no assurance that it will not be changed back in conference. There is no assurance, even if the bill is passed this year, that it will not be changed next year or the year after or 5 years from now and that the Congress is going to pass this legislation without strings attached.

I think the Senator from New York is rendering a service in pointing that out, even though I am not certain I can support this particular amendment.

I want to say also, in regard to the previous amendment offered by the Senator from New York, it seemed to me a most sensible one. Here we are embarking on a new program, a \$30 billion program over 5 years, and the amendment previously offered by the Senator from

New York said, if we are going to do that, let us try it for 2 years and see how it works, rather than put it into effect today or this year for a 5-year period. I supported the Senator from New York on that amendment, and I regret that it was not adopted.

I think the Senator from New York is pointing out one of the basic fallacies of this bill, and that is that, while it purports to be a flexible program returning funds to the States without strings, by the time it gets through the Congress, and as the years go by, it will be full of strings, and the Congress of the United States, we here in Washington, will be telling the States how they shall be handling their public funds.

I yield back to the Senator from New York the remainder of my time.

Mr. BUCKLEY. Mr. President, I am very grateful for the comments of the distinguished Senator from Virginia, even though he has indicated that he is not totally in favor of my present offering.

I do feel that unless we establish a clear-cut principle at the outset, we will find more and more proposals being tacked on this year and next and in the ensuing years. I have been astonished, during the brief period that I have had the honor of serving in this body, at the assurance I have observed among my colleagues that we somehow attain, in Congress, a monopoly on wisdom and morality, and that somehow State and local governments cannot be trusted to handle the affairs for which they are responsible in a manner which is intelligent, frugal, fair, and moral.

Yes, we all know that in this country or that city there has been mischief in government—cheating, stealing, and the rest. Such charges can also be made within the Federal Government. But if we are to have a Federal system, and if we believe it is essential to the preservation of our basic freedoms, as I most certainly and most heartily do, we must place confidence, with respect to what we do in Washington, in the ability of the people in the States, cities, and counties to manage their own affairs.

I recognize that particular sections of the amendment which I would strike are for the most part innocuous and would consist only of nuisances; nevertheless, I think a principle is at stake, which we are debating and which I believe is worth fighting for.

Mr. President, if the distinguished chairman is willing to yield back the remainder of his time, I am willing to yield back the remainder of mine.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana has yielded back the remainder of his time.

Mr. BUCKLEY. I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore (Mr. METCALF). All remaining time has been yielded back. The question is on agreeing to the amendment (No. 1472) of the Senator from New York. On this question, the yeas and nays have been ordered, and the clerk will call the roll. The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Nevada (Mr. CAN-

NON), the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. MAGNUSON), the Senator from Arkansas (Mr. McCLELLAN), the Senator from South Dakota (Mr. McGOVERN), the Senator from New Mexico (Mr. MONTOYA), the Senator from Rhode Island (Mr. PELL), and the Senator from Alabama (Mr. SPARKMAN) are necessarily absent.

I further announce that the Senator from Iowa (Mr. HUGHES) is absent on official business.

I further announce that, if present and voting, the Senator from Alabama (Mr. SPARKMAN) and the Senator from Washington (Mr. MAGNUSON) would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Tennessee (Mr. BROCK), the Senator from New Hampshire (Mr. CORTON), the Senator from Colorado (Mr. DOMINICK), the Senator from Hawaii (Mr. FONG), the Senator from Oregon (Mr. HATFIELD), the Senator from Kansas (Mr. PEARSON), the Senator from Ohio (Mr. SAXBE), and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

On this vote, the Senator from South Carolina (Mr. THURMOND) is paired with the Senator from Oregon (Mr. HATFIELD). If present and voting, the Senator from South Carolina would vote "yea" and the Senator from Oregon would vote "nay."

The result was announced—yeas 6, nays 70, as follows:

[No. 405 Leg.]

#### YEAS—6

Allen	Curtis	Jordan, N.C.
Buckley	Ervin	Stennis

#### NAYS—70

Aiken	Gambrell	Nelson
Allott	Griffin	Packwood
Anderson	Gurney	Pastore
Baker	Hansen	Percy
Bayh	Hart	Proxmire
Beall	Hartke	Randolph
Bennett	Hollings	Ribicoff
Bentsen	Hruska	Roth
Bible	Humphrey	Schweiker
Boggs	Inouye	Scott
Brooke	Jackson	Smith
Burdick	Javits	Spong
Byrd	Jordan, Idaho	Stafford
Byrd, Robert C.	Kennedy	Stevens
Case	Long	Stevenson
Chiles	Mansfield	Symington
Church	Mathias	Taft
Cook	McGee	Talmadge
Cooper	McIntyre	Tower
Dole	Metcalf	Tunney
Eastland	Miller	Welcker
Edwards	Mondale	Williams
Fannin	Moss	Young
	Muskie	

#### NOT VOTING—24

Bellmon	Fulbright	McGovern
Brock	Goldwater	Montoya
Cannon	Gravel	Mundt
Cotton	Harris	Pearson
Cranston	Hatfield	Pell
Dominick	Hughes	Saxbe
Eagleton	Magnuson	Sparkman
Fong	McClellan	Thurmond

So Mr. BUCKLEY's amendment (No. 1472) was rejected.

#### AMENDMENT NO. 1479

Mr. KENNEDY. Mr. President, I call up my amendment No. 1479.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 73, after line 3, insert the following new section:

#### SEC. 144. SUBMISSION OF PROPOSALS FOR TAX REFORM.

(a) Not later than October 31, 1972, the President shall submit to the Congress preliminary proposals for a comprehensive reform of the Internal Revenue Code of 1954.

(b) Not later than March 31, 1973, the President shall submit to the Congress final proposals for a comprehensive reform of the Internal Revenue Code of 1954.

Mr. KENNEDY. Mr. President, the purpose of the amendment which Senators HART, PROXMIRE, RIBICOFF, and I have offered is to require the administration to submit a comprehensive program of tax reform for consideration by Congress at the earliest possible opportunity. The amendment contains two simple provisions. The first would require the President to submit a preliminary tax reform plan to Congress no later than October 31, 1972. The second would require the President to submit a final plan by March 31, 1973.

Above and beyond the purpose of the amendment, however, is the overriding goal that the American people should be informed before the election day of where the administration stands on the critical issue of tax reform. For months, a tide has been rising across the country for such reform. Millions of ordinary men and women want reform, and it is long past time that they know where their leaders stand.

We know where Senator GEORGE McGOVERN stands. In a major address last week in New York City, he discussed in detail his plans for comprehensive tax reform, and laid the groundwork for a thoughtful and constructive debate in the weeks ahead.

But we do not know where President Nixon stands. Indeed, if he stands where we think he stands, he is for no reform at all, but simply a perpetuation of the existing tax system—a system that flouts the basic principle of our progressive income tax and turns it instead into a Swiss cheese of loopholes, incentives, shelters, and safe harbors for the special interests and the few who have the wealth and expertise to profit from such provisions.

The amendment we are offering is an entirely appropriate addition to the pending revenue sharing legislation. At a time when the Federal Government is about to embark on a major, long-awaited, bipartisan program of distributing large amounts of Federal income tax revenues for use by State and local governments, it is especially important that those tax revenues be collected fairly from all the people. With this legislation, new demands of the order of tens of billions of dollars are being imposed on the Federal Treasury. To me, there could

be no more outrageous or unfair distortion of the principle of revenue sharing than to maintain the many flagrant inequities that now exist in the way our tax laws operate.

Often before, as in the surtax debates of 1968 and 1969, the goal of tax reform has been effectively coupled to major Federal revenue legislation. We can do no less today, at a time when the need for reform is now more urgent than ever before.

In a sense, the amendment we propose is a token of good faith. Let the debate on tax reform go on, but let it go on in an informed and even-handed way, so that when the 93d Congress convenes in January 1973, we can begin to write tax laws that fairly reflect a mandate of our citizens. Only then will we have a Revenue Code that represents the real interests of all the people.

Mr. President, I urge the Senate to approve the amendment.

Mr. LONG. Mr. President, if, at this point, I wanted to defeat this revenue-sharing bill, I would find some amendment which had appeal and political attractiveness as well to recommend to the Senate, or have an amendment agreed to in connection with other matters, and just keep offering amendments that were meritorious in their way on first one thing and then another. Tax reform is certainly one of the subjects I would in such a case offer because tax reform amendments or social security amendments or welfare amendments and other amendments to improve conditions under which laboring people work, or to provide for better health conditions, are only a few that occur to me that could be offered.

If such amendments are offered to this bill, even though they have merit, they would complicate and impede the progress of this piece of legislation. On the other hand it is my hope that before the time we adjourn, the Senate will act on this revenue-sharing bill and give the President our answer as to what we want to do. Then, having done that, we will also pass a debt limit bill. In addition, we may want to pass a welfare and social security bill and, somewhere along the line, I suspect, other measures to satisfy Senators who would like to bring before the Senate and have considered measures which they would not want to be on a bill which they know the President might veto, if he were disposed to do so. I would favor that, wherein Senators could offer what they thought was appropriate, and offer us an opportunity to take it to the House conferees and persuade them, if we can, to accept them and hope that the President would sign it.

Senators know that revenue measures cannot originate in the Senate, that they originate in the House. Even matters not revenue matters Senators can initiate legislation, but it does not necessarily accomplish anything to send a bill to the House. They need to put it on something that will reach the President's desk. If they could attach it to a House bill, one the House would then send up to the President, the bill will have a better chance when it reaches the Presi-



dent, because it will also have been brought to the attention of the House of Representatives.

On this bill, we know that we are to be confronted with the possibility of a group of social security amendments and also a group of tax reform amendments. That is part of what we may have to consider. There are other amendments also that Senators may offer.

It would seem to me that if we are to proceed on the basis of crossing one hurdle at a time, that if we can dispose of revenue sharing, we might say that, at a minimum, we have one down and two left to go. If we want then to bring up, and the Senate wants to consider, some other general revenue type of bill, or consider a general revenue measure that will be two down and one to go; but we will be that much closer to our objective.

Everyone interested in this revenue-sharing bill, every Governor, every mayor, every State legislator, every county commissioner in the entire United States will say, "Please do not put these so-called tax reform amendments on the revenue-sharing bill." Everyone who has been pleading with us says that. I do not know how other Senators have found it, but I have found delegations seeking to meet with me in Louisiana when I went down there, or bought tickets to come up here to see me at their own expense to tell me, "Please pass this revenue-sharing bill. Please do not add H.R. 1 to it. Please do not add the social security program to it. Please do not add tax reform amendments to it. Please save the bill for us. We know what happens by the time it gets loaded down with irrelevant proposals. Please pass this bill. Please do whatever you want to do about welfare and tax reform but do not do it on this bill. We come to you to plead for our bill, but not for welfare or tax reform at this time. Please keep the bill intact."

There are at least 100 amendments that could be offered to this bill involving things with which the Senate has previously agreed, so that on their merits, one could expect the Senate to agree to the amendments. If we agree to them, each one prolongs consideration and prolongs the period of time before we can expect to give an answer to the President on whether the Senate wants to pass a revenue sharing bill or does not want to do so.

If we had agreed to the standard unanimous-consent agreement by now, that amendments would be limited to a certain period of time, that non-germane amendments would not be considered, this amendment would not now be considered. But we have no such agreement.

I would hope we would not get into this field. This is a controversial debate. I would think that many things will be said on both sides which are not entirely correct in that they might represent a candidate's point of view but they would not be necessarily correct in reflecting the other man's point of view. Everyone is for tax reform, of course, because most people believe that means a tax cut for them. But if we really want to tell the people the truth, when we say, "I am for tax reform," does that mean that we are for raising taxes or for cutting

them, and if so, for whom? Who gets it? Who pays and who gets it?

The average citizen when one tells him that he is for tax reform wants to know what it means to him. When one says that he is for putting a tax on the man that drinks a martini for lunch, the average citizen could not care less whether we tax the man that drinks a martini for lunch or not unless we do something too for him. So, by the time we determine whether we are for putting a tax on the man who drinks a martini or not, the average citizen will say, "I have other things to do, and I will see you later."

Tax reform is always the issue. But we have behind us some substantive amendments. Some say it is tax reform. Some people say it is not.

We had an amendment introduced just this morning, while few of us were present in the Chamber, to repeal the rapid depreciation writeoff provision implemented by the Treasury. Some say that is tax reform. Some would say that it is an unjustified tax increase that would greatly increase unemployment.

There was a proposal to cut the depreciation allowance from 22 percent to 15 percent. Some would say that is tax reform, and some would say that it is an unjustifiable tax increase. It certainly has not been the subject of a hearing.

There is also submitted a proposal to increase the minimum income tax, to what figure I do not know. Obviously anyone affected by that would think it is tax reform provided it resulted in a tax cut for him.

It would seem to me that if we want to pass a revenue sharing bill, we ought to stick to germane matters. It is unfortunate for the manager of the bill when people want to take him into the area of nongermane amendments. The technique is to offer one of the most appealing, the least objectionable, amendments. And then this is followed with those that are successively more and more objectionable.

This seems to be the case here. Here is an amendment that on the face of it no one would find great objection to. It would ask the President to give us his suggestions for so-called tax reforms. I take it that that means, if I read the morning's newspaper correctly, that he would recommend tax cuts or at least no more than balancing items. I say this because I understand that the President said he is not going to recommend tax increases. However, this proposes that we have him recommend what he wants to do about taxes by October 31.

I hope that the amendment is not added to the bill. In due course, I would expect to move to table the amendment.

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

Mr. LONG. I yield.

Mr. BENNETT. Mr. President, is there anything in the Constitution which gives Congress the power to mandate the President to send the Senate and House a proposal of any kind?

Mr. LONG. I have not given the matter much thought.

Mr. BENNETT. Mr. President, I do not think the President is required under the Constitution to submit any kind of proposal to the House and Senate. I do not think, therefore, that constitutionally we have the right to say to the President that he must submit a proposal as to what the House of Representatives and the Ways and Means Committee, that has the power to originate tax legislation, should do. I do not think the Constitution requires the President to tell the Ways and Means Committee on any particular day what they must or must not consider.

Mr. LONG. Mr. President, Chairman MILLS of the House Ways and Means Committee has stated that he would make tax reform a matter of priority and the first order of business next year.

I have indicated that as far as I am concerned all the different suggestions made by the majority leader, the Senator from Montana (Mr. MANSFIELD), and by Chairman MILLS in the nature of so-called tax reform ought to be considered. I do not know whether the House is going to send us a bill and offer us an opportunity to vote on it. But that does not call necessarily for those of us in Congress to try to order the President to recommend what we should do.

As a practical matter under the Constitution the Founding Fathers more or less assumed that the Congress would propose and that the executive branch would dispose by either signing or vetoing a bill.

Many times there is objection to the President's insistence that we wait until he has decided what he wants to do before we act on a measure. It is not proper to assume that Congress cannot initiate a tax reform bill without a recommendation from the executive branch, although it would be appropriate, I would think, that the executive branch should recommend and suggest tax changes they think appropriate.

I do feel, quite apart from the merits of this proposal, that it should not be on the bill. It is not germane to it.

When we accept this provision, we set the stage for the offering of other nongermane amendments. Senators like to be consistent. I know that I do. I can see voting for a tax reform proposal requiring the Executive to recommend or submit tax reform proposals. However, as far as agreeing to nongermane amendments, we are no longer consistent if we proceed to allow this provision to be added to the bill unless we also allow other worthwhile nongermane amendments to be added. There are, for example, many worthwhile social security amendments.

I would hope that the Senator would not insist on adding nongermane amendments. Up to this point the Senate has indicated it would be willing to pass a revenue sharing bill and that it would be willing to consider this bill on its merits and reject extraneous amendments that are nonrelevant.

The Senate yesterday voted to table the Humphrey amendment. That is an amendment that had been approved by a margin of 42 to 18 at a previous time. It relates to the impoundment of funds.

We will have another opportunity to express ourselves on that matter.

I would be happy if the Senator from Massachusetts were to put his amendment on some other measure so that we can ask the President to make his recommendations on tax reform between now and whatever time we come back next year, so that when the Congress meets next year, it can promptly undertake to move along and consider the President's suggestions. However, I would hope that the amendment would not be added to this bill. Because the amendment is non-germane in due course I will feel compelled to move to table the amendment.

Mr. KENNEDY. Mr. President, in response to some of the points that have been made this afternoon about the constitutionality of this language, it might refresh the recollection of Members of the Senate if I recall that essentially this same language was accepted by the Senate on a voice vote in 1968 at the time when the legislation was passed enacting the 10 percent income tax surcharge. The bill passed the Congress in June that year. The amendment offered by the Senator from New York (Mr. JAVITS), required that by December 31, 1968, the administration should submit a tax reform proposal to Congress. And it was that study which paved the way for the great tax reform debate of 1969. Those recommendations were prepared by the Johnson administration during 1968, in an excellent and extensive study which was conducted by Stanley Surrey, who was then serving as Assistant Secretary of the Treasury. The proposals were submitted to Congress and became the basis for much of the reform in 1969.

So there is a very strong precedent for the amendment I am offering now. This very approach was adopted by the Senate in 1968 on a voice vote. The proposal had such strong support in 1968 that we did not even ask for a roll call vote.

Now, suddenly, Members of the Senate say, "Do we in Congress have the right to urge the President to make these reports and studies?" Of course we do. We do it in the Employment Act passed in 1946, requiring the Council of Economic Advisers to make a report to the Congress. Every year, countless other reports and recommendations are submitted to the Congress by the executive branch, pursuant to the requirements of various laws. There is nothing new or novel about this sort of amendment.

Mr. RIBICOFF. Mr. President, I commend the Senator from Massachusetts for bringing up this proposal which I have cosponsored. I disagree with the assertion of the distinguished chairman of the committee that this is not germane. After all, is it not correct that with this bill we will be devoting \$6.3 billion a year in revenue taken out of the Federal budget for the States and cities?

Mr. KENNEDY. The Senator is correct.

Mr. RIBICOFF. In the last 4 budget years the administration piled up a \$76 billion deficit which exceeds the combined deficit of the terms of Presidents Eisenhower, Kennedy, and Johnson. Is that correct?

Mr. KENNEDY. The Senator is correct.

Mr. RIBICOFF. The administration stated, according to the press, that for the next 4 years they have no intention of increasing taxes. Is that correct?

Mr. KENNEDY. The Senator is correct.

Mr. RIBICOFF. If taxes are not to be increased and even if we keep the balance the budget for the next 4 years how do we start attacking the deficits the Nixon administration have piled up for the past 4 years? Therefore, any new revenue must come from tax reform. Does not the Senator believe it is proper for the President to tell the people of the United States where the money is going to come from to pay the \$6.3 billion and the other expenditures the administration has recommended?

Mr. KENNEDY. I could not agree more with the Senator from Connecticut. To carry further the point of germaneness, would not the Senator agree that when we talk about returning revenue to the States—some \$30 billion they will receive from tax revenues—it is germane to insist that these revenues must be collected fairly and reasonably?

Mr. RIBICOFF. Not only is that correct, but we would be less than realistic if we did not realize that we are now legislating a new concept of governmental financing, the consequences of which we cannot anticipate. If it succeeds, there will undoubtedly be a constant demand to increase that \$6.3 billion to the cities and States.

Therefore, the question comes: Where is the money coming from? There is an obligation on Congress and the executive branch to tell the people where the money is coming from. The Senator from Massachusetts should be commended for presenting this issue to the Senate. Not only is it germane, but it could not be more germane on any bill than it is on the revenue-sharing bill.

Mr. KENNEDY. I appreciate the remarks of the Senator from Connecticut. Does the Senator agree that a similar amendment, put forward by the Senator from New York (Mr. JAVITS) in 1968 at the time of the enactment of the 10-percent surcharge, provided the great wealth of information by which Congress was able to act on tax reform in 1969 and eliminate some of the most outrageous loopholes? Would the Senator agree that Chairman WILBUR MILLS has indicated that he is going to review the Revenue Code next year as a high priority, so it would be well for us to know the administration's position at the earliest possible opportunity?

Mr. RIBICOFF. The Senator is correct. I believe not only the Ways and Means Committee but the Committee on Finance and the people of this country should have this information so we can go to work when we meet in January 1973. The situation is not going to go away. We are faced with these deficits. Heaven knows when we will operate in the black and not in the red.

Mr. President, I believe the Senator from Massachusetts has performed a great service that not only should our chairman welcome but that should be welcomed by every Member of the Senate.

Mr. KENNEDY. I realize that the President says he is for reform, but why does he refuse to tell us what reforms he is for? What we are trying to elicit here is at least the preliminary recommendations that are being planned, so that when the people vote, they will be fully informed when they go to the polls and be able to choose intelligently between the programs that have been presented. And next year by March 31, under this amendment, whether we have a Democratic President or a Republican President, we would have the final proposals for tax reform from the administration as we begin our debate in Congress in earnest.

Mr. RIBICOFF. I think the Senator is absolutely correct. I hope the motion to table by the distinguished chairman will be rejected.

Mr. LONG. Mr. President, as I understand it, the President announced that he will have his tax reform recommendations, whatever they may be, to the Congress by January, so by the first of the year the President does propose to have his recommendations here.

Mr. President, if you just leave partisan politics out of it for a moment I think you would be willing to agree that a measure of that significance cannot be the subject of hearings in the House and the subject of hearings in the Senate between now and January, and that a matter of this importance should be thoughtfully considered.

I recall that in 1969 we worked for a solid year and we worked very intensely on the only tax reform measure that merits that name, because it was a complete revision of the entire Revenue Code. It takes time. In justice and in fairness the people are entitled to be considered. Even at the executive level, before the Treasury recommends a tax increase for somebody, those people are entitled to have some time to adequately develop their proposals.

In view of the fact we cannot act on that measure in this Congress anyway, what could be the purpose of a resolution to require that before November the President must recommend what he expects to recommend before January? It has been suggested that it is just politics.

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

Mr. LONG. I believe the Senator put it on the basis that Mr. McGOVERN explained what he stands for and what tax increases he expected to recommend. I understand he has done that. But it does not seem to me that as legislature it would not be fair for us to get the President to disclose his position at this time.

Mr. RIBICOFF. Mr. President, will the Senator yield at that point?

Mr. LONG. If I may continue, while I am not sure it was good politics, I think one has to admire a man for his candor and forthrightness in stating, as GEORGE McGOVERN has stated, that he proposes to completely eliminate the capital gains tax, and that he proposes to have a heavy minimum income tax.

That is a pretty courageous thing for him to do. I am not sure it is good politics, but I admire him for his courage,



so the taxpayers can see whether they are in line with him or not.

When one really gives thought to it, why should not a candidate submit the platform that he wants to lay out? If he wants to say he is not in favor of a tax increase, let him say that he really does not have that in mind, but if he does not want to spell out his tax proposals why should we make him do so. Should not a candidate be permitted to say without Congress passing a law to say to him that, "We want you to spell out in the utmost detail exactly those you have in mind when you are talking about tax reform?"

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

Mr. LONG. I yield.

Mr. KENNEDY. Really, is not that what the issue is all about? I think all of us appreciate full well the understanding of politics by the Senator from Louisiana, but really is not that what the issue is all about? Senator McGovern has revealed his plan for tax reform. He has revealed his program, and has told the American people which loopholes he wants to close and which reforms he plans. On the other hand, the President says he is for reform in the abstract, but he will say nothing specific until January. He has a "secret plan" for tax reform. That reminds me of the secret plan which he had to end the Vietnam war in 1968, and which has left us in such trouble in Indochina these past 4 years. Now, he is pulling the same maneuver on tax reform.

Does not the Senator agree with me that the American people, ought to have an opportunity to know his plans? If the President is for reform, should not the people have an opportunity to express their will in an informal way on election day. Should not we in Congress have that opportunity? Is it not within our right to make such a request of the President?

Mr. LONG. What the issue is all about is that the amendment does not belong on this revenue sharing bill. I have not said that I would necessarily vote against the amendment, at least the principle involved. I am not wedded to the particular language, however—

Mr. KENNEDY. I would welcome any language the Senator may suggest.

Mr. LONG. I am not saying I would vote against the general suggestions or that I don't recognize some merit in what the Senator is offering here, if it were offered on an appropriate vehicle. This just happens to be a vehicle on which I stood up last night and, to the best of my ability, moved to oppose an amendment which I personally favored, and moved to table it. I told the sponsor I would agree to go to conference on it again on an appropriate measure, but that we were trying to hold ourselves to a rule of germaneness. On that measure I felt myself compelled to be in opposition last evening to an impoundment proposal which passed the Senate by a vote of 42 to 18, with the Senator from Louisiana urging the Senate to vote for it.

I told him I would be happy to help in that vineyard again if I could, but I did not want to add it to this bill, because it

was not germane. Once we start accepting nongermane amendments on this bill, goodness only knows where we will wind up.

Senator, if we are going to take the Kennedy amendment and get into this area of tax reform, I have some suggestions I would like to have considered in other areas, not so much in the area of taxes as in the areas of social security and public welfare, and so do other Senators; but I think we would be much better advised to stay with our intention and what the Senate has indicated to be its desire up to this point, and that is to keep this a revenue-sharing bill. We can then consider the type of proposals the Senator is offering, as well as the type of proposal we voted down last evening, which the Senate so clearly supported, on some other vehicle.

I am not denying the Senator the opportunity to have this proposal voted up or down on its merits—only not on this bill. I would, in fact, be happy to cooperate with him to obtain the judgment of the Senate on this proposal on some other vehicle.

Mr. RIBICOFF. Mr. President, if the Senator will yield, I do not think there is a Member of this body who is more familiar with the intricacies of our tax laws than the distinguished chairman of the Finance Committee. We are now in the process of advocating the expenditure here of over \$6 billion. Where is that money coming from, Mr. Chairman?

Mr. LONG. Senator, it is coming out of the revenues that are being generated from laws that are on the statute books, 7 percent of that, not to exceed \$5.3 billion in the first year of the program and somewhat over \$6 billion in the last year of the program, is to be earmarked to pay for this revenue-sharing program. So it is coming out of revenues that are moving into the Treasury under existing law.

Mr. RIBICOFF. Does not our distinguished chairman agree that we are now operating in the red to a very substantial degree, probably in excess of \$30 billion this year?

Mr. LONG. Well, I have not taken a current look at the figure, but I agree it is in the red.

Mr. RIBICOFF. It is pretty high.

Mr. LONG. Yes.

Mr. RIBICOFF. Close to \$30 billion.

Mr. LONG. I would certainly not quarrel with that. It probably will be more than that.

Mr. RIBICOFF. It might be more than that. Our distinguished colleague, the chairman of our Finance Committee, knows that the President, if elected, will come before us, through his Secretary of the Treasury, looking for a tax program. I assume the chairman will remind him that we had a commitment from the administration of no tax increase. Where then is the money going to come from not only for our other requirements, but for the specific program we now have under consideration, the \$6 billion? I still do not know. If the Senator from Massachusetts is wrong, where are we going to find the money for the \$6 billion?

Mr. LONG. It seems to me the Senator from Connecticut, and the Senator

from Massachusetts, are assuming things that are not necessarily correct. For example, it seems to me from the position being taken by the Senator from Massachusetts that he is assuming that Richard Nixon is going to be reelected President. It is quite possible—at least I think there is a possibility—that it might be GEORGE MCGOVERN.

Mr. RIBICOFF. I do not think the Senator from Massachusetts said that at all.

Mr. LONG. If it is GEORGE MCGOVERN who is President, what difference does it make what Richard Nixon said he would have done about taxes if he had been reelected?

I would think, as I have said, that this whole area of tax reform is something that we will be considering and studying. We will all have our ideas about it, and I think that there are no two Senators out of 100 in this entire body who agree completely on what they think about tax reform.

What is a loophole to one man is a sound, sensible, conservative, reasonable position to another. So I would hope that we would look carefully into this matter.

Of course, I do not have any doubt that we will be able to find out what the Treasury thinks about tax reform, no matter who is President when the time comes.

Again let me say I am not even sure I would want to vote against the amendment on its merits, if it were offered on a proper vehicle. I might like to offer an amendment to it to change the date around or modify the language somewhat. But I say it should not be done on this bill, because this is clearly a "tax reform" amendment to a revenue sharing bill, and there is no tax proposed in this revenue sharing bill. So, by any strict rule of germaneness, it is not germane.

Mr. RIBICOFF. Mr. President, I ask unanimous consent to have printed in the RECORD two important articles discussing this question which appeared in the Washington Post on September 7, 1972.

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

POLITICS, 1972: CHIEF ISSUE—WHAT KIND OF NEW TAXES?

(By Charles W. Yost)

On the Assumption that the unnecessary recession of the last four years is winding down, the chief pocketbook issue of the current election may be what kind of additional taxes will be imposed by the reelected or the newly elected administration next year.

Everyone with the most meager competence in the mathematics of the federal budget knows that taxes will have to be raised. The only questions are how much and what kind. It was folly to cut them as much as they have been cut in recent years, particularly in the midst of a seven-year war. [The result has been that a Republican President hailed as the protector of the businessman, is piling up in his four years budgetary deficits larger than all those of Eisenhower, Kennedy and Johnson during 16 years.] Even Republicans enjoying an intoxicating Keynesian binge will not put up with that indefinitely, and if they did inflation would soon have us by the throat once more.

Indeed the President has already sought to impose a modest \$250 billion budget ceiling in the current fiscal year. However, this seeming restraint has not prevented him from asking at the same time large additional appropriations to accelerate production of the new Trident submarine and the new B-1 bomber, nor from spending at the rate of well over a billion a year for the new air war in Vietnam. This latter figure includes the loss of more than 100 planes and more than 60 helicopters in the past five months, not to mention about 100 additional pilots who, since April, have become POW's in North Vietnam. These new expenditures, moreover, are indulged in despite the strategic arms limitations agreement with the Russians and despite a "secret plan" for ending the Vietnam war as long as four years ago.

A senior administration official, Charles E. Walker, Under Secretary of the Treasury, explained to a recent meeting of the American Bankers Association that the \$250 billion budget ceiling could nevertheless be held if a number of the so-called "Great Society" programs enacted in the 1960s were cut, an operation which he claimed many of the Republican administrators of these programs are eager to perform. He added that the imposition of the budget ceiling would give the President a "retroactive item veto" over maintenance of these programs, sweeping authority which would probably be appreciated neither by the Congress nor by the millions of Americans for whose benefit these programs were enacted.

It will almost certainly prove an impossible feat, even if the budget ceiling should be theoretically adopted, to maintain it in the face of congressional determination not to scuttle hard-won domestic reforms and the President's determination to add new military programs onto old ones and to carry on his air war in Vietnam. What is the answer? The answer, is of course, more taxes.

The question is, what taxes? Senator McGovern, who does not conceal that new taxes will be required despite his intention to cut military spending, would first of all close the yawning loopholes in existing taxes which favor the rich. At present it is those who profit most by such loopholes who are most substantially practicing a "welfare ethic" rather than a "work ethic."

President Nixon has not yet made clear his intentions on this matter, other than a general aspiration to reduce property taxes, which would mean that other taxes would have to be raised correspondingly. Since he has done little in four years to close tax loopholes and most of those now contributing to his campaign would be violently opposed to his doing so, it does not take much ingenuity to figure out that, if reelected, he would most likely resort to the so-called "value added tax". This is in fact a pyramided sales tax imposed, to use Anatole France's phrase, with "majestic impartiality" on rich and poor alike. To put it more bluntly, a factory worker, a farmer or a clerk would have to pay the same markup as a millionaire on the clothes, the car and the TV set he bought. Of course another possibility, though a less likely one, would be to raise current income taxes without closing present loopholes.

The central, though not yet fully exposed, bread and butter issue of the current election is therefore not whether we are more likely to have a larger GNP or a more booming stock market or a lower unemployment rate under Nixon or McGovern. It is whether the indispensable additional revenues will be obtained by closing tax loopholes from which a minority now profit and by cutting from the defense budget some of the fat which has for years been allowed to accumulate by hawkish Presidents and complaint congresses.

The outcome of the election may depend on whether or not a majority of Americans come to realize by November 7 that this is in fact the central economic issue that they will be deciding in 1972.

#### QUESTIONS FOR NIXON

(By Hobart Rowen)

The last thing that the Nixon Administration wants to talk about is taxes, although by its own count, the budget deficit for the current fiscal year is some \$27 billion—and by the calculations of others, including many of the big New York banks, the red ink comes closer to \$35 billion.

Yet, the press and other critics who held Sen. McGovern's feet to the fire when the arithmetic of his tax-and-welfare program didn't seem to add up aren't pushing Mr. Nixon hard for a similar response.

Why the double standard?

At a recent briefing for the business press to celebrate the "new" economic policy put in effect Aug. 15, 1971, Treasury Secretary George P. Shultz said that "The President is very concerned about taxes."

Then he continued:

"There has been a great deal of talk about tax reform. I would say that the first plank of the President's Tax Reform Proposal is to try to keep taxes under control. Don't let them make taxes go up. Let's keep them where they are, at least. And this, you have to attack primarily on the spending side."

If McGovern had made such a bland, pious declaration, Charles Colson's special campaign squad in the White House would have loosed N.Y. economist Pierre Rinfret to demand "specifics."

How will Mr. Nixon prevent taxes from going up? How will he meet the deficit in the national budget? What will he substitute for the property tax that—in his acceptance speech—he promised to reduce? What are the real facts about the value added tax that the Treasury has under study as a substitute for the property tax?

Is it true, moreover, that if Congress enacts a spending ceiling, the first programs to be limited will be the manpower training programs that are designed to give some hope to blacks and other less-skilled workers who need jobs? According to the New York Times, that plan was quietly outlined to a bankers' meeting by Deputy Treasury Secretary Charles Walker.

There are plenty of other economic questions that the Nixon Administration is ducking. For example, everyone knows that 1973 will be a year of increasing inflationary pressures, for two reasons: first, economic expansion will be getting stronger; and second, there will be the beginning of a new round of labor wage negotiations.

But will the wage-price control system (which has enjoyed a measure of success) be continued or abandoned? The Administration comes up with only rapid responses, but the public has a right to know what the various contingency plans are. The Price Commission, which shows some independence of thought and action, is at least studying ways in which a demand inflation can be controlled next year, according to a report in the Washington Post by James L. Rowe Jr.

Whether or not one agrees with Sen. McGovern's economic planning, he has laid his cards on the table. He forthrightly calls for a major reform of the tax system—and spells out how he would raise \$22 billion by plugging loopholes, and another \$10 billion a year for three years in reduced military spending.

What are the Nixon alternatives? Where would Mr. Nixon get the money for property tax relief? What did he mean when, at former Treasury Secretary Connally's Texas ranch, he promised some new tax preferences? Is Mr. Nixon in favor of more loopholes, instead of fewer tax devices that favor special interests?

Why hasn't Mr. Nixon worked harder to get his Family Assistance Plan passed? Or would welfare aid suffer treatment from the same harsh knife that Mr. Walker wants to wield on manpower training programs?

On the international economic scene, are we going to cooperate with other nations, or try to face them down, Connally style, while the world drifts into competitive trading blocs?

So far, only McGovern and advisers like Arthur Okun have been raising questions like these. The Nixon people, naturally, would rather attack McGovern than come up with a positive program of their own. But if they continue to refuse some answers, one could well believe that they don't have any.

Mr. KENNEDY. Mr. President, the argument of germaneness is a fickle thing. We accepted a 20-percent increase in social security benefits as an amendment to the debt ceiling measure and the distinguished chairman of the Finance Committee was intimately involved in the approval of that amendment. It seems to me that this proposal has a great deal more germaneness to revenue sharing than the social security increase had to the debt ceiling.

In the same vein, it is not easy to see how title III, the limit on social services, is germane to the present Senate bill, but nevertheless the Committee on Finance chose to add title III to the bill when the bill was before the committee. Obviously, consistency on germaneness is not always a virtue to the chairman.

I agree with my colleague and friend from Connecticut that my tax-reform amendment is intimately involved in the way that revenues are raised. These revenues will be shared by the States, and it is important for them to be collected fairly. For that reason and because of the precedents which have been established in the past, I think this amendment is worthy of acceptance.

Mr. LONG. Mr. President, when we accepted that 20-percent social security increase amendment, it was admittedly not germane. We knew it was not germane, and we accepted it on just exactly that basis, that we well understood that it was not a germane amendment. We knew that the administration did not want it added onto that bill, one of its arguments being that it was not germane.

Mr. KENNEDY. Why did we do it, then?

Mr. LONG. We did it because at that particular point we thought we ought to do it, and we proceeded in that fashion.

At this point, we are trying to stay within a rule of germaneness. If we are not going to stay within a rule of germaneness, I think everyone ought to know it. The Senator is completely within the rules in offering this amendment, but everyone else who has been persuaded to withhold amendments by the Senator from Louisiana and others on the ground that they are not germane to this bill, and has been the subject of pleading and entreaty not to offer his amendment to this bill, would then be on notice that he would be well advised to go back to his office, get his file out, get his amendment, and bring it over here.



For example, I see that the Senator from Ohio (Mr. TAFT) is present. He has an amendment on Federal withholding of city income taxes which is very meritorious. I would expect to vote for it if I understand it correctly, but on a proper vehicle. It deals with a matter of considerable concern in his State, otherwise he would not have the interest in the matter that he has been evidencing. I had indicated to him that on a proper occasion I would hope to help him prevail in doing what he is trying to do, but I hoped he would agree not to offer the amendment on this bill, and I hope he will not insist that it be voted on, on this bill.

Of course, if we are going to make this the vehicle for everybody's tax program and everybody's social security ideas, then so be it. I have some amendments myself, prepared just in the event that we want to proceed by that rule book. If the Senators want this, that is all right with me; I will cheerfully abide by the result and bring in my social security amendments, of which I have a considerable number. I have about 800 pages of amendments which are parts of H.R. 1 which I think are really not controversial—I think they could well be agreed to without any more than a few weeks of consideration here on the Senate floor.

Mr. KENNEDY. Mr. President, will the Senator yield for a very brief comment?

Mr. LONG. I yield.

Mr. KENNEDY. The Senator, quite rightfully, was not reticent to support the cause of the elderly by adding the increase in social security benefits to the debt ceiling bill. I wish he were not so reticent to support the cause of the people who are victims of an unfair and unequitable tax system. I wish he were not so reticent, even if, to his mind, it is not a germane inclusion. I believe it is germane.

Mr. LONG. Mr. President, I appreciate the Senator's solicitude. He can be sure that this Senator is going to do what he thinks he ought to do to try to see that those who pay less taxes than their fair share, pay more. He is also going to try to see that those who pay altogether too much, pay less. I would urge others to do the same. I would hope that the President of the United States, be he a Democrat or a Republican, and his Secretary of the Treasury would do likewise.

But I do hope the Senator from Massachusetts would accord to this Senator the same consideration he would ask from others, and that is that he would permit me to decide at what time and place I wish to advocate an additional tax on someone, or an additional tax cut for someone. I would accord him that privilege, and I hope he would accord it to me.

Does the Senator from Utah wish me to yield to him?

Mr. BENNETT. Mr. President, I would like the floor in my own right.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. I raised a question with the Senator from Massachusetts about this mandating of the President to submit information to Congress, and

he quoted a similar provision in a bill in 1968.

There are some interesting differences between this mandate and that one. That mandate gave President Johnson until January 1, 1969, to make his submission. It did not mandate the submission a week before election. If the Senator would like to change his date to January 1, and bring it in line with the 1968 case, that would eliminate the charge, which I think is very obvious on the face of it, that this is entirely a political setup.

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

Mr. BENNETT. I yield.

Mr. KENNEDY. I thought the Senator was objecting to our mandating the President to take any action at all, and that he was not simply objecting to the date. Has the Senator from Utah now shifted from that position?

Mr. BENNETT. The Senator has not shifted from that position. But I am trying to point out that the precedent that the Senator from Massachusetts quoted as a basis for his argument is not in fact a precedent, because it is not on all fours. It was not under a similar situation. And I would also like to point out that President Johnson did not respond to the mandate. He announced when January 1st came that, since he was no longer to be President of the United States, he did not think it proper to submit the information.

Later, in January, the Treasury quietly made available to the committees the detailed work they had done in preparation for what might have been submitted had Mr. HUMPHREY been elected President.

So this is no precedent, really. It is not a precedent in terms of dates. It is not a precedent in terms of the action of the President. I think we now see this thing exactly for what it is—an attempt to embarrass the President of the United States.

Really, what we are trying to mandate is not the President of the United States but the Republican candidate for the Presidency, and I do not think that has any place in legislation.

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

Mr. BENNETT. I yield.

Mr. TAFT. I thank the Senator for yielding.

I should like to comment on the remarks of the Senator from Connecticut and on the question of relevance as discussed by the chairman of the committee.

The whole concept of revenue sharing goes back some years to the Heller-Pechman report originally, then studied by the Republican Party under a task force which I chaired for 3 years. I think the history and the whole concept of revenue sharing have been lost here, and it does relate to the whole question of the relevance of this amendment.

This amendment could not be more irrelevant to the whole concept of revenue sharing. The problem of revenue sharing arose and came to the attention of all concerned, I think, because of the automatic increase in Federal in-

come tax revenues coming into the Federal Treasury from the increase in the gross national product, and the gross taxable income of the country was bringing about \$6 billion more into the Treasury every year. Automatically, because these funds came into the Federal Treasury, they were being used for grants in aid or other Federal programs.

The whole concept of revenue sharing is to avoid, at least in part, that automatic effect in Federal activity. The purpose is to enable States and local governments to handle problems they can best handle at that level of government. To bring in at this point a proviso relating to the whole question of taxes or, for that matter, of spending seems to me to be clearly contrary to the whole principle of revenue sharing.

The idea of revenue sharing is that you are going to take some of these revenues that automatically come into the Federal Treasury under our revenue and tax system and make distribution of them with a minimum of strings attached, not tied to the automatic spending pattern of the Federal Government, not tied to the overall revenue pattern of the Government.

This, to me, makes this the most irrelevant amendment that could be proposed and one completely opposed to the principle of revenue sharing as I understand it.

Mr. BENNETT. I thank the Senator for reminding us that the source of this money—theoretically, at least—is the increase in the gross national product, rather than further invasion of the revenues needed to operate the Federal Government.

Mr. KENNEDY. Mr. President, I am prepared to vote. I am going to ask for the yeas and the nays.

I say to the Senator from Utah that the purpose of the 1968 act was really achieved, because the results of the studies that were made in 1968 were made public. All of them were made public in early 1969. Perhaps President Johnson did not choose to release them formally himself, but President Nixon did, and they formed the basis of the debate for tax reform in 1969. To that extent, the precedent stands. To the extent that the public had the basis of the results of the Treasury study, the precedent stands. Further, Mr. President, the precedent of the power of Congress to make this request stands. It is, in fact, in all four with my amendments. Only the dates are different.

I do not know whether the Senator from Utah was on the floor in 1968 at the time Senator JAVIER's amendment was accepted by voice vote, but I wonder whether the Senator from Utah objected at that time to asking President Johnson to submit such a study. The spirit of the 1968 act was fully carried out. The studies were made, and Congress was given very able and constructive guidance.

Perhaps President Nixon may choose not to respond by the October date that is specified in this amendment. Perhaps President MCGOVERN or President NIXON would choose not to respond next March. Nonetheless, we in Congress are fulfilling

our responsibilities, and doing what we can to see that Congress and the people are informed.

I fail to understand the reluctance by my good friends on the other side of the aisle to bring the reforms the President says he favors out in the open before the American people, so that they can make an effective judgment on election day.

The President says he has a reform program and that he will submit it in January. But why January? Why not before the American people have to make their judgment? Why should he not submit his plan at a time when the American people can understand and choose between Senator McGovern and President Nixon on tax reform?

Mr. LONG. Mr. President, if the Senate is to vote on this amendment, I would propose to offer amendments to it, which I would just as soon not even consider at this point because of the point I made in the beginning, that this amendment should not be added to this bill. I have had in mind many good amendments that I think should be added to the bill.

The distinguished occupant of the chair, the Senator from California (Mr. TUNNEY), is very much concerned about an amendment he would like to add to this bill which is not germane to it and which involves a subject that certainly should be considered between now and the time Congress goes home, and perhaps even between now and the first of October.

We do have a number of important matters that must be passed before Congress adjourns. I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the whip notice, noting the measures that remain to be voted upon. These are not all, by any means, because all sorts of amendments will be offered to these measures, and probably other measures will be called up between now and the time Congress adjourns. I make this request on condition that when the Senator from West Virginia (Mr. ROBERT C. BYRD) hears of the request, he not object to it, because ordinarily the notice is sent to Senators, indicating what we hope to do for the day.

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

(See exhibit 1.)

Mr. LONG. Mr. President, at this moment it is my best judgment that we should not become involved in tax reform amendments, or tax amendments generally, on this revenue sharing bill. We ought to keep it the way it is. It is also my judgment that we should not wander astray into the social security and welfare areas on this bill nor into any other measure which is not closely germane to this bill.

It is also my judgment that the splendid bipartisanship that has existed in the consideration of this bill should remain intact, to permit both parties, Democrats and Republicans, to take credit, as in the beginning, with a Republican and a Democrat sponsoring this proposal in the Senate. We should now keep partisanship to a minimum and confine this legislation to its basic revenue sharing objectives.

I invite the Senator, if he wishes to

do so, to renew his suggestion in connection with some more appropriate vehicle.

Therefore, Mr. President, I think it would be appropriate to see whether we are going to venture off into this area and, if so, to consider amendments and amendments to amendments that have nothing whatever to do with revenue sharing in a strictly germane sense.

#### EXHIBIT 1

WHIP NOTICE: TODAY, THURSDAY, SEPTEMBER 7, 1972

DEAR COLLEAGUE: The Senate will convene tomorrow (Friday) at 9 a.m.

There will be routine morning business for not to exceed 15 minutes (3-minute limitation on statements).

At conclusion of morning business (10:00 a.m.), Senate will resume consideration of the Revenue Sharing Bill, and amendments thereto will be voted on throughout the day. *Yea and nay votes will occur.*

In view of the fact that there will be no Saturday session this week, it is necessary that we make as much progress as possible tomorrow (Friday) on the Revenue Sharing Bill. Senators will, therefore, please be prepared for a full day of work tomorrow.

SATURDAY, SEPTEMBER 9

No session.

MONDAY, SEPTEMBER 11

The Senate will convene at 10:00 a.m. After a brief period for transaction of routine morning business (no longer than 30 minutes), the Senate will resume consideration of the Revenue Sharing Bill by 10:30 a.m. *Yea and nay votes will occur on amendments, and every effort will be made to complete action on the Revenue Sharing Bill on Monday.*

#### Reminder

*Yea and nay votes will occur tomorrow (Friday) and Monday on the Revenue Sharing Bill. We will endeavor to complete action on the Revenue Sharing Bill on Monday. Also, conference reports can be called up at any time and may necessitate yea and nay votes.*

#### Note

The unfinished business (Interim Agreement) is being laid aside through Monday in the effort to complete action on the Revenue Sharing Bill. When the Revenue Sharing Bill has been disposed of, the Senate will again resume consideration of the unfinished business (Interim Agreement) and full time will be spent upon that measure until it is disposed of.

#### Note

After the Revenue Sharing Bill and the Interim Agreement have been disposed of, the Senate must take up and dispose of the following measures before *sine die* adjournment:

1. Military Procurement Appropriation Bill.
2. Military Construction Appropriation Bill.
3. Foreign Aid Appropriation Bill.
4. Supplemental Appropriation Bill.
5. Debt Limit Revision and Extension.
6. Conference Reports.
7. Welfare Bill.

#### Caveat

This is not to cry "wolf", but if we are to adjourn *sine die* by September 30, all Senators must be prepared for long daily sessions, rollcall votes daily, and Saturday sessions when necessary from here on out. The leadership hopes that all Senators will keep these things in mind and make their plans accordingly. The leadership also hopes that all Senators will cooperate to the fullest with respect to entering into time agreements, etc.

ROBERT C. BYRD,  
Extension 5-2158 or 5-2297.

Mr. LONG. Mr. President, I move that the amendment of the Senator from Massachusetts (Mr. KENNEDY) (No. 1479), be laid on the table.

Mr. KENNEDY. Mr. President—  
The PRESIDING OFFICER. (Mr. TUNNEY). The motion is not debatable.

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

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana to lay on the table the amendment of the Senator from Massachusetts (Mr. KENNEDY) (No. 1479).

On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Nevada (Mr. CANNON), the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. MAGNUSON), the Senator from Arkansas (Mr. McCLELLAN), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Mexico (Mr. MONTOYA), the Senator from Rhode Island (Mr. PELL), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Wyoming (Mr. MCGEE) are necessarily absent.

I further announce that the Senator from Iowa (Mr. HUGHES) is absent on official business.

I further announce that, if present and voting, the Senator from Alabama (Mr. SPARKMAN) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Tennessee (Mr. BROCK), the Senator from New Hampshire (Mr. COTTON), the Senator from Colorado (Mr. DOMINICK), the Senator from Hawaii (Mr. FONG), the Senator from Oregon (Mr. HATFIELD), the Senator from Kansas (Mr. PEARSON), the Senator from Ohio (Mr. SAXBE), and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

If present and voting, the Senator from Colorado (Mr. DOMINICK), the Senator from Oregon (Mr. HATFIELD), and the Senator from South Carolina (Mr. THURMOND) would each vote "yea."

The result was announced—yeas 52, nays 24, as follows:

[No. 406 Leg.]

YEAS—52

Alken	Cooper	Miller
Allen	Curtis	Packwood
Allott	Dole	Percy
Anderson	Eastland	Randolph
Baker	Edwards	Roth
Beall	Ervin	Schweiker
Bennett	Fannin	Scott
Bentsen	Gambrell	Smith
Bible	Griffin	Spong
Boggs	Gurney	Stafford
Brooke	Hansen	Stennis
Buckley	Hollings	Stevens
Byrd	Hruska	Taft
Harry F., Jr.	Javits	Talmadge
Byrd, Robert C.	Jordan, N.C.	Tower
Case	Jordan, Idaho	Weicker
Chiles	Long	Young
Cook	Mathias	



## NAYS—24

Bayh	Jackson	Nelson
Burdick	Kennedy	Pastore
Church	Mansfield	Proxmire
Gravel	McIntyre	Ribicoff
Hart	Metcalf	Stevenson
Hartke	Mondale	Symington
Humphrey	Moss	Tunney
Inouye	Muskie	Williams

## NOT VOTING—24

Bellmon	Fulbright	McGovern
Brock	Goldwater	Montoya
Cannon	Harris	Mundt
Cotton	Hatfield	Pearson
Cranston	Hughes	Pell
Dominick	Magnuson	Saxbe
Eagleton	McClellan	Sparkman
Fong	McGee	Thurmond

So Mr. LONG's motion to lay Mr. KENNEDY's amendment (No. 1479) on the table was agreed to.

## AMENDMENT NO. 1480

Mr. KENNEDY. Mr. President, I call up amendment No. 1480, which is sponsored by Senator STEVENS and myself.

The PRESIDING OFFICER (Mr. CHILES). The clerk will report the amendment.

The legislative clerk proceeded to state the amendment.

Mr. KENNEDY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD.

The amendment is as follows:

## TITLE IV—VOTER REGISTRATION

Sec. 401. This title may be cited as the "Voter Registration Act of 1972".

Sec. 402. (a) Title 13, United States Code, is amended by adding at the end thereof the following new chapter:—

## "Chapter 11—VOTER REGISTRATION

"Sec.

"401. Definitions.

"402. Establishment of Voter Registration Administration.

"403. Functions of the Administration.

"404. Grants to defray costs of voter registration.

"405. Grants to increase voter registration activities.

"406. Grants to modernize voter registration.

"407. Grants for voter registration by mail.

"408. Technical assistance and fraud prevention.

"409. Applications for grants.

"410. Regulations.

"411. Authorization of appropriations.

"§ 401. Definitions

"As used in this chapter—

"(1) 'Administration' means the Voter Registration Administration;

"(2) 'State' means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States; and

"(3) 'grant' means grant, contract, or other appropriate financial arrangement.

"§ 402. Establishment of Voter Registration Administration

"(a) There is established within the Bureau of the Census, Department of Commerce, the Voter Registration Administration, hereafter referred to in this chapter as 'Administration.'

"(b) The Administration shall consist of an Administrator and two Associate Administrators, who shall be appointed by the President, by and with the advice and consent of the Senate. The Administrator and Associate Administrators shall serve for terms of four years each, and may continue in office until a successor is qualified. An individual appointed to fill a vacancy shall

serve the remainder of the term to which his predecessor was appointed. The Associate Administrators shall not be members of the same political party.

"(c) Except as otherwise provided, the Director of the Bureau of the Census, until such time as the members of the Administration are appointed, is authorized to exercise the duties and powers of the Administration created and established by this chapter.

"§ 403. Functions of the Administration

"(a) The Administration shall—

"(1) make grants, in accord with the provisions of this chapter, upon the request of State and local officials to States and political subdivisions thereof to carry out programs of voter registration;

"(2) collect, analyze, and arrange for the publication and sale by the Government Printing Office of information concerning elections in the United States;

"(3) obtain such facilities and supplies, and appoint and fix the pay of such officers and employers, as may be necessary to carry out the purpose of this chapter;

"(4) prepare and submit to the President and the Congress on March 31 following each biennial general Federal election a report on the activities of the Administration and on voter registration procedures in the States and political subdivisions thereof, including recommendations for such additional legislation as may be appropriate; and

"(5) take such other action as it deems necessary and proper to carry out its functions under this chapter.

"(b) The Administration shall not publish or disclose any information which permits the identification of individual voters.

"§ 404. Grants to defray costs of voter registration activities

"The Administration is authorized to make grants to any State or political subdivision thereof for the purpose of carrying out voter registration activities. A grant under this section shall not be in excess of 10 cents for each eligible voter in the State or political subdivision receiving the grant.

"§ 405. Grants to increase voter registration

"(a) The Administration is authorized to make grants to any State or political subdivision thereof to establish and carry out programs to increase the number of registered voters. Such a program may include—

"(1) expanded registration hours and locations;

"(2) mobile registration facilities;

"(3) employment of deputy registrars;

"(4) door-to-door canvass procedures;

"(5) absentee registration procedures;

"(6) re-registration programs;

"(7) public information activities; and

"(8) other activities designed to increase voter registration and approved by the Administration.

"(b) A grant made under this subsection shall be equal to 50 percent of the fair and reasonable cost, as determined by the Administration, of establishing and carrying out such a program. A grant made under this section shall not be in excess of 10 cents for each eligible voter in the State or political subdivision receiving the grant.

"§ 406. Grants to modernize voter registration

"The Administration is authorized to make grants to any State or political subdivision thereof for planning, evaluating, and designing the use of electronic data processing or other appropriate procedures to modernize voter registration. A grant made under this section shall not be in excess of one-half cent for each eligible voter in the State or subdivision receiving the grant, or \$15,000, whichever is greater.

"§ 407. Grants for voter registration by mail

"The Administration is authorized to make grants to any State or political subdivision

thereof to carry out a program of voter registration by mail. A grant made under this section shall be equal to the fair and reasonable cost, as determined by the Administration, of establishing and operating a registration-by-mail system. Forms available for registration by mail shall conform to such regulations as the Administration may prescribe, including the use of bilingual forms where appropriate. Such forms shall be widely available for distribution in post offices and other public locations and for distribution by private individuals and organizations.

"§ 408. Technical assistance and fraud prevention

"The Administration is authorized to provide technical assistance, including assistance in developing programs for the prevention and control of fraud, to any State or political subdivision thereof for improving voter registration and voter participation. Such assistance shall be made available at the request of States and political subdivisions thereof, to the extent practicable and consistent with the provisions of this chapter.

"§ 409. Applications for grants

"Grants authorized by section 404, 405, 406, or 407 of this chapter may be made only upon application to the Administration at such time or times and containing such information as the Administration may prescribe. The Administration shall provide an explanation of the grant programs authorized by this chapter to State or local election officials, and shall offer to prepare, upon request, applications for such grants. No application shall be approved unless it—

"(a) demonstrates, to the satisfaction of the Administration, that the applicant has primary responsibility for registering voters within its jurisdiction;

"(b) sets forth the authority for the grant under this chapter;

"(c) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this chapter, and provides for making available to the Administration, for purposes of audit and examination, books, documents, papers, and records related to any funds received under this chapter; and

"(d) provides for making such reports, in such form and containing such information, as the Administration may reasonably require to carry out its functions under this chapter, for keeping such records, and for affording such access thereto as the Administration may find necessary to assure the correctness and verification of such reports.

"§ 410. Regulations

"The Administration is authorized to issue such rules and regulations as may be necessary or appropriate to carry out the provisions of this chapter.

"§ 411. Authorization of appropriations

"For the purpose of carrying out the provisions of this chapter, there is authorized to be appropriated the sum of \$45,000,000 for the fiscal year ending June 30, 1973, and for each of the two succeeding fiscal years."

(b) The table of chapters of title 13, United States Code, is amended by adding at the end thereof the following:

"11. Voter Registration..... 401".

Sec. 403. Section 5316 of title 15, United States Code, is amended by adding at the end thereof the following:

"(132) Administrator and Associate Administrators (2), Voter Registration Administration, Bureau of the Census."

Mr. KENNEDY. Mr. President, this amendment is introduced on behalf of myself and the distinguished Senator from Alaska (Mr. STEVENS) to the pending revenue-sharing legislation.

The purpose of the amendment is to provide a voluntary program of Federal financial assistance to State and local governments to carry out a program of voter registration. The issues surrounding this proposal are well known to every Member of the Senate. Of all the democratic nations of the Western World, the United States ranks lowest in voter turnout. In large part, the problem is caused by our antiquated system of voter registration, which makes the path to the polls an obstacle course for the voter instead of the easy process it should be.

We know that many States and local governments want to register more voters, but simply do not have the funds to do so. The amendment we are offering is an appropriate answer to the problem. Its principal provisions have already received extended consideration by the Senate earlier in this Congress.

The amendment is also an entirely fitting addition to the revenue-sharing bill, since it is designed to help State and local governments expand the most basic right in our democratic society, the right to vote. If we desire to provide any assistance at all this year, then we must do so now.

Mr. President, I do not intend to take a great deal of time in further explanation of this amendment. Over the period of this session of Congress, the Senate has considered two different approaches toward voter registration. However, there are certain points that I want to emphasize, and hopefully we can move along to a rapid vote on the amendment by the Senate.

This is a voluntary program. It is not a mandatory program. It will be available to any State that wants to participate in it. If they do not desire to participate, there is no obligation for them to do so.

Thus, the program is a voluntary proposal of Federal financial assistance to State and local jurisdictions in order to defray the cost of voter registration programs. First, it would provide a grant not in excess of 10 cents for each eligible voter in the State or political subdivision receiving the grant, to pay part of the cost of existing registration procedures.

Second, it provides grants to pay the cost of programs for voter registration by mail.

Third, it provides a grant of 50 percent of the fair and reasonable cost of establishing and carrying out new types of programs for registration, such as mobile registration units.

Fourth, provides grant for computerizing registration procedures.

The administration of the program would be carried out by a Voter Registration Administration established in the Bureau of the Census. The Director of the Census is directed to carry out the program until the new administration is appointed.

The new administration is specifically authorized to provide technical assistance to the State and local governments for the prevention and control of fraud.

Finally, there is an authorization of \$45 million a year for each of the fiscal

years 1973, 1974, and 1975. The spending lid on this is the sum of \$45 million a year.

Mr. President, I do not think I have to review in detail the statistics in the country concerning the number of nonvoters in the United States. The best estimate is that there will be some 56 million nonvoters in 1972, if past projections hold true.

In 1968, 47 million Americans stayed home at a time when only 31 million Americans were voting for each candidate. In large part, this shocking low turnout is caused by the many obstacles placed in the way of individuals who try to register.

Great steps have been taken by the Congress in the last 10 years to expand the right to vote. The Supreme Court has also acted to broaden the franchise by its one-man, one-vote rule, by its decision abolishing the poll tax, and a long line of other landmark rulings. Now, we have the chance to take another important step.

Finally, I recognize that the question of germaneness is squarely raised by this amendment. But, as I have indicated earlier, the Senate has not always applied the germaneness rule when important principles were at stake and I hope it will not do so now, when we have the opportunity to expand such a fundamental right as the right to vote.

In a sense, of course, the amendment fits easily into the concept of revenue sharing, since it provides funds for State and local governments to improve their registration programs. We know the hard-pressed financial condition of communities across the Nation. If we do not help to ease the crisis, there will be no funds available at all to help with registration.

In sum, Mr. President, I believe the amendment is an important one, and I hope it will be accepted.

Mr. President, I yield to the Senator from Alaska, who has worked with me and I with him for many months on this particular issue, and I join him in introducing this amendment.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I would like to point out, and I hope the Senator from Massachusetts already has, that this amendment is slightly changed from the amendment as it was offered last time.

There still is time to provide the assistance the States need to really bring out the vote for this election and for subsequent elections. I think this is a bipartisan effort. There are no politics involved in it. I know it is a nongermane amendment, but I hope the Senate will notice that we have deleted the \$1 per voter concept in the amendment.

I hope we are successful in getting this authorization through so that we can fund it and give the assistance to the States, particularly for this postcard registration. We now have the postcard registration system in Alaska, and it has worked very well. It has made available to many people who previously had to

travel long distances to register the opportunity to register from their homes. I think it would be of substantial benefit to all the people of the Nation if we had the Federal Government in the position of encouraging the States to adopt it.

I am happy to join the Senator from Massachusetts in this amendment and I hope that even though it is nongermane the Senate will give us the opportunity to put this system into effect this year.

Mr. TALMADGE. Mr. President, I rise on behalf of the Committee on Finance who oppose this amendment.

This amendment would establish within the Bureau of the Census a Voter Registration Administration. It would not come within the purview of the Committee on Finance if it were offered as a bill for consideration. The committee that would have jurisdiction would be the Committee on the Judiciary.

We are considering a revenue-sharing bill. This is not a revenue-sharing amendment. On the contrary, it deals with voter registration, a matter that is handled by the legislatures of the 50 States. Something of this nature, of this importance, should be considered on its separate merits and have hearings, where the Governors of the respective States could come and testify, and the representatives of the legislature would have the opportunity to be heard. It should not be sprung on the floor of the Senate as an amendment to a revenue-sharing measure, with no notice whatever, a matter that is totally nongermane to the subject matter and which would create a new method of voter registration in all 50 States of the Union.

I hope the Senate rejects the amendment. In due time I shall move on behalf of the Committee on Finance to table the amendment because it is nongermane to the bill. The amendment is very complex in nature. It should have exhaustive hearings; it should go before the Committee on the Judiciary of which the Senator from Massachusetts is a member and where he would have ample opportunity to pursue it through his committee.

If no other Senator desires to speak at this time, I shall move in due course to table the amendment.

Mr. President, I move to lay on the table the amendment of the Senator from Massachusetts. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. There is not a sufficient second.

Mr. TALMADGE. Mr. President, I suggest the absence of a quorum, and I ask attachés to notify Senators to come to the Chamber so there will be a sufficient number of Senators to order the yeas and nays.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. TALMADGE. Mr. President, I re-



new my motion to lay on the table the amendment of the Senator from Massachusetts, and I ask for the yeas and nays.

The PRESIDING OFFICER. There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment of the Senator from Massachusetts. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Nevada (Mr. CANNON), the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. MAGNUSON), the Senator from Arkansas (Mr. McCLELLAN), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Mexico (Mr. MONTOYA), the Senator from Rhode Island (Mr. PELL), and the Senator from Alabama (Mr. SPARKMAN) are necessarily absent.

I further announce that the Senator from Iowa (Mr. HUGHES) is absent on official business.

I further announce that, if present and voting, the Senator from Alabama (Mr. SPARKMAN) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Tennessee (Mr. BROCK), the Senator from New Hampshire (Mr. COTTON), the Senator from Colorado (Mr. DOMINICK), the Senator from Hawaii (Mr. FONG), the Senator from Oregon (Mr. HATFIELD), the Senator from Kansas (Mr. PEARSON), the Senator from Ohio (Mr. SAXBE), and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Kentucky (Mr. COOK) and the Senator from Oregon (Mr. PACKWOOD) are detained on official business.

If present and voting, the Senator from Hawaii (Mr. FONG), the Senator from Oregon (Mr. HATFIELD), and the Senator from South Carolina (Mr. THURMOND) would each vote "yea."

The result was announced—yeas 48, nays 28, as follows:

[No. 407 Leg.]

#### YEAS—48

Aiken	Dole	Nelson
Allen	Eastland	Pastore
Allott	Edwards	Percy
Anderson	Ervin	Randolph
Baker	Fannin	Roth
Beall	Gambrell	Scott
Bennett	Goldwater	Smith
Bentsen	Griffin	Spong
Bible	Gurney	Stafford
Boggs	Hansen	Stennis
Buckley	Hruska	Taft
Byrd	Javits	Talmadge
Harry F. Jr.	Jordan, N.C.	Tower
Byrd, Robert C.	Jordan, Idaho	Weicker
Church	Long	Young
Cooper	Mathias	
Curtis	Miller	

#### NAYS—28

Bayh	Chiles	Hollings
Brooke	Gravel	Humphrey
Burdick	Hart	Inouye
Case	Hartke	Jackson

Kennedy  
Mansfield  
McGee  
McIntyre  
Metcalf  
Mondale

Moss  
Muskie  
Proxmire  
Ribicoff  
Schweiker  
Stevens

Stevenson  
Symington  
Tunney  
Williams

#### NOT VOTING—24

Bellmon  
Brock  
Cannon  
Cook  
Cotton  
Cranston  
Dominick  
Eagleton

Fong  
Fulbright  
Harris  
Hatfield  
Hughes  
Magnuson  
McClellan  
McGovern

Montoya  
Mundt  
Packwood  
Pearson  
Pell  
Saxbe  
Sparkman  
Thurmond

So Mr. TALMADGE's motion to lay Mr. KENNEDY's amendment (No. 1480) on the table was agreed to.

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

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. TAFT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered. Does the Senator request that his amendments be considered en bloc?

Mr. TAFT. Yes, I ask unanimous consent that the amendments be considered en bloc.

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

Mr. TAFT's amendment is as follows:

On page 35, line 10, strike out "3½" and insert "3.75".

On page 35, line 14, strike out "7" and insert "7.33".

On page 35, line 17, strike out "3½" and insert "3.75".

On page 38, line 3, strike out "\$2,650,000,-000" and insert "\$2,837,250,000".

On page 38, line 5, strike out "\$5,450,000,-000" and insert "\$5,824,500,000".

On page 38, line 7, strike out "\$5,750,000,-000" and insert "\$6,124,500,000".

On page 38, line 9, strike out "\$6,050,000,-000" and insert "\$6,424,500,000".

On page 38, line 11, strike out "\$6,350,000,-000" and insert "\$6,724,500,000".

On page 38, line 13, strike out "\$3,325,000,-000" and insert "\$3,512,250,000".

On page 38, strike lines 15 through 23, and insert in lieu thereof the following:

(b) Allocation Among States.—

(1) General rule.—There shall be allocated to each State for each entitlement period the greater of the amount determined under paragraph (2) or the amount under paragraph (3).

(2) Allocation on basis of population.—The amount to be allocated to any State under this paragraph for any entitlement period is an amount which bears the same ratio to the total amount to be allocated as the population of such State bears to the population of all the States.

(3) Allocation on basis of population inversely weighted for per capita income.—The amount to be allocated to any State under this paragraph for any entitlement period is an amount which bears the same ratio to the total amount to be allocated as—

(A) the population of such State, multiplied by a fraction, the numerator of which is the per capita income of all the States and the denominator of which is the per capita income of such State, bears to

(B) the sum of the products determined under subparagraph (A) for all the States.

Mr. TAFT. I believe the name of the distinguished Senator from Illinois (Mr. PERCY) and the distinguished Senator

from Florida (Mr. CHILES) are on the amendment. If not, I ask that their names be added as cosponsors.

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

Mr. TAFT. Mr. President, the action of the Senate Finance Committee in reporting this bill had an effect that I am not sure was very widely understood. As compared to the proposals made by the administration, and as compared to the bill as it passed the House of Representatives, it resulted in a very serious net loss to a great many States, and particularly to many of our larger cities.

In order to avoid any misimpression about this question, because there have been many figures bandied about with regard to the effect on the various States, it has to be pointed out, right at the outset, that the Finance Committee, in adding \$1 billion in social service funds to the revenue-sharing bill, H.R. 14370, may have obscured for the unwary fact that many of our States are receiving far less under the Finance Committee formula than their fair share would be under a per capita distribution formula.

Many of the States are shortchanged, and many of them are among the larger States, where the problems and expenses are the greatest. It seems to me a great mistake that such States should receive less than their fair share under a straight per capita distribution formula. Policemen in our larger States must be paid no less than policemen in other States. Firemen in the large States need just as much to live, if not more. How ironic, therefore, I think it is that we should give less on a per capita basis to States where urban problems are most intense, where expenses are high, and the problems of congestion, decay, crime, and deterioration are most severe.

The Senate Finance Committee has also shortchanged some other States in its reported bill—States like Alaska, where the land area is great and the cost of living is high.

In my own State of Ohio it costs just as much to educate children, to house prisoners, and to clean up the environment, as it does in other States. Ohio should not be victimized by a formula which rewards high taxes and governmental inefficiency, and I am afraid that is exactly what the formula adopted by the Committee on Finance would do. The net effect on my own State of Ohio would be to reduce the \$225 million allocation that would have resulted under the House version of the bill to approximately \$185 million, for a very considerable net loss—around \$40 million.

Across America the migration of rural poor to our cities has compounded the problems of crime, congestion, and decay. Our urban States need massive new financial resources if they are to be governable. This political power play is an inexcusable and cruel blow to the hopes which we have all had for the revenue-sharing program as a source of assistance in the solution of these problems. The committee's action is eminently unfair and the formula which has been adopted seems contrived and artificial and not responsive to the needs of our society. One might well wonder if the

formula devised by the committee was not designed as one by which a fair distribution could finally be accomplished, but rather a formula with which to arm the Senate conferees when they go to conference with the House of Representatives on the bill.

Years ago, as a leader of a Republican research group in the House, I was one of the authors of the revenue-sharing concept. The committee's action, consequently, is a blow not only to Ohio but to me personally.

The committee now, in its second go-round on the bill, has added a billion dollars in social services funds in an attempt, I think, to camouflage and obscure the way in which it has diverted funds from urban States. This action cannot go unchallenged. Consequently, I now offer an amendment to this bill to provide a fair distribution formula for dividing the money between the States. This amendment will not affect the social services funds in any way. This amendment is addressed instead solely toward the revenue-sharing dollars in the bill.

Under my formula, each State would receive the greater of its share of, one, under a per capita distribution formula or, two, under a reverse relative income formula.

It may be said in opposition to the proposal I am making in this amendment that this is some new gimmick or new formula. That is not the case. These figures and these factors were considered very carefully by the Finance Committee, and they have before them, prepared for their use by the Point Committee on Internal Revenue Taxation, a comparison of the possible alternative formulas for distributing funds to States and localities under the State and Local Finance Assistance Act.

I point out that in the first column, the very first factor for consideration was population and the third factor was relative income, out of the 10 general factors that were considered by the committee.

I think we must recognize that there are some States where incomes are relatively low and that they have special problems in generating funds for State and local governments. The relative income formula gives poorer States more money per capita than richer States, and I believe this is necessary if States which are largely rural and States which have incomes below the national average are to receive sufficient funds to meet adequately their responsibilities toward their people.

This amendment would give each State the greater of what it would receive under a per capita distribution formula or a relative income formula. On the basis of a \$5.3 billion distribution, the amendment would add some \$374.5 million to the bill each year.

I have had placed on the desk of each Senator today an exhibit showing how my amendment would affect the allocation for each State, and I ask unanimous consent that the exhibit be printed at this point in the RECORD.

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

TAFT EXHIBIT B FORMULA.—COMPARISON OF SENATE COMMITTEE REVENUE SHARING ALLOCATION WITH PROPOSED TAFT FORMULA GRANTING TO EACH STATE THE GREATER OF (A) ALLOCATION UNDER A PER CAPITA FORMULA OR (B) THE ALLOCATION ON RELATIVE INCOME FORMULA. ALLOCATIONS ARE BASED ON A \$5,300,000,000 LEVEL AND EXCLUDE SOCIAL SERVICES FUNDS

[In millions of dollars]

State	Senate bill	Taft formula	Gain <sup>1</sup>	Loss <sup>2</sup>
Alabama	127.6	149.5	21.9	
Alaska	5.5	8.0	2.5	
Arizona	55.1	47.7		7.4
Arkansas	60.4	71.0	10.6	
California	510.4	520.5	10.1	
Colorado	60.0	57.8		2.2
Connecticut	57.6	79.0	21.4	
Delaware	12.9	14.3	1.4	
District of Columbia	14.1	19.6	5.5	
Florida	160.3	177.0	16.7	
Georgia	120.7	137.3	16.6	
Hawaii	21.8	20.1		1.7
Idaho	21.8	21.2		.6
Illinois	251.0	289.9	38.9	
Indiana	114.6	135.7	21.1	
Iowa	84.6	77.4		7.2
Kansas	58.1	60.4	2.3	
Kentucky	95.9	104.9	9.0	
Louisiana	124.8	123.0		1.8
Maine	34.2	30.7		3.5
Maryland	94.8	102.3	7.5	
Massachusetts	143.5	148.4	4.9	
Michigan	210.9	231.6	20.7	
Minnesota	108.2	99.1		9.1
Mississippi	99.6	91.2		8.4
Missouri	108.4	124.5	16.1	
Montana	22.6	20.1		2.5
Nebraska	47.1	47.7	.6	
Nevada	11.7	12.7	1.0	
New Hampshire	16.7	19.6	2.9	
New Jersey	142.6	187.1	44.5	
New Mexico	36.5	32.9		3.6
New York	498.1	475.9		22.2
North Carolina	148.8	161.6	12.8	
North Dakota	21.7	19.6		2.1
Ohio	185.4	277.7	92.3	
Oklahoma	65.3	74.7	9.4	
Oregon	61.7	61.5		.2
Pennsylvania	290.2	307.4	17.2	
Rhode Island	23.1	24.9	1.8	
South Carolina	89.6	101.2	11.6	
South Dakota	27.6	23.8		3.8
Tennessee	108.1	126.1	18.0	
Texas	268.6	316.4	47.8	
Utah	34.5	31.3		3.2
Vermont	16.3	12.7		3.6
Virginia	109.7	122.4	12.7	
Washington	92.3	91.7		.6
West Virginia	57.5	59.4	1.9	
Wisconsin	147.1	115.0		32.1
Wyoming	10.7	9.0		1.7
	5,300.0	5,674.5	492.0	117.5

<sup>1</sup> 30 States and District of Columbia.

<sup>2</sup> 20 States lose.

Notes: The amendment adds \$374,500,000 net at the \$5,300,000,000 level.

Mr. TAFT. Mr. President, 30 States and the District of Columbia would receive more money under my amendment than they would receive under the Finance Committee version. No State would receive less than its per capita fair share. States where incomes are relatively low would receive more than their per capita share.

I have a hard time seeing how any State can expect to receive any more than its per capita fair share. Ohio would receive only its fair share on this straight per capita distribution basis, and nothing more. I have a hard time seeing how the Finance Committee can expect any States to be content in receiving anything less.

Under the Finance Committee's formula, however, 21 States and the District of Columbia would receive less than they would receive if the revenue-sharing dollars were divided equally and on a per capita basis. These States are Alaska, California, Connecticut, Delaware, Flor-

ida, Illinois, Indiana, Kansas, Maryland, Massachusetts, Michigan, Missouri, Nevada, New Hampshire, New Jersey, Ohio, Oklahoma, Pennsylvania, Rhode Island, Texas, and Virginia. Each of these States, together with the District of Columbia, have, in a sense, been shortchanged by the recommended committee version. Each of the States would receive less to fight crime, to fight fire, to fight urban decay, and to solve social problems than the national average.

My amendment is premised on the belief that the American people do not want to shortchange the States where the problems are often the greatest and the costs are the highest. But my amendment does not help merely the large urban States. My amendment assists States that are small, such as Nevada, and States that are large, such as California. It assists States in the South, such as Virginia, and States in the North, such as Pennsylvania. It is not a product of political dexterity but is merely a product of fairness. It recognizes that population and income are the only factors which should bear on the distribution of funds, and it gives each State the greater amount under either formula.

The fancy formula that has been suggested in the committee bill will not give the American people confidence in the basic fairness of a revenue-sharing system. Consequently, I hope this amendment will be adopted, so that revenue sharing will not perpetually become a political power play and a scramble for funds.

Mr. President, I yield the floor.

Mr. LONG. Mr. President, I had not seen this amendment until it was called up. I ask the Chair whether the amendment has been printed.

The PRESIDING OFFICER. The amendment has not been printed.

Mr. LONG. This, then, is an amendment not printed, which comes to us at this point, and we necessarily are not in a position to adequately inform the Senate with regard to it; that is, those of us who manage the bill are not in a position at this moment to inform the Senate, because we have not had an opportunity to study the amendment nor to see what happens when you compare the distribution to the States under the committee bill with the distribution under the proposal by looking at the distribution of the same amount of money in both cases.

For example, the Senator would change the formula of distribution and, having done so, he would add roughly \$374 million to the amount to be distributed. For Senators to see whether they would want to support such an amendment, they probably would like to know whether the formula would be more advantageous to their States if the same amount of money were in both columns—that is, if the amount of money added up to the same amount.

For example, if you take the \$5.3 billion distributed under the Senate committee bill and raise that figure by \$374 million, they would like to know whether their State then would be better off than it would be if the other approach of the



amendment were used. I am not in a position to say at this time, because the table with which the Senator provided us does not provide the information.

Nevertheless, the proposal does show that although he would increase the cost of the bill by \$374 million, even without taking the difference in revenue into account, 20 States would be worse off than before. Generally speaking, those would tend to be States with a low per capita income and a high tax effort or those with a very high tax effort. One reason for this is that the Senator, in his formula, leaves out one factor that the administration found to be a compelling factor—that is, the tax effort.

So here is one item that President Nixon and his advisers felt should be stressed—that is, the relative tax efforts people were making to help themselves. That is the one thing the Senator would leave out altogether, apparently because it does not favor the State of Ohio and States that are similarly situated.

In my judgment, Mr. President, relative income levels are also a very relevant factor. The Senator from Louisiana, coming from a State that is among the lowest in per capita income, would want to insist that that item should be considered. In any event this is only fair because these are the States with the greatest need. The Senator's amendment permits this factor to be omitted where it does not work to a State's advantage.

The administration considered our argument and saw how our committee bill would work if applied nationwide and to communities within each State. The administration spokesman, Charls Walker, at the time we concluded our study, informed the committee and stated publicly to the press that he was convinced that what we had achieved in the committee was a better bill and a more equitable bill than the bill that was proposed by the Nixon administration. I think that is quite a generous concession, because no effort whatever was made by any of us on the committee, Republican or Democrat, to extract such a statement from the administration representative who helped to discuss with us the Treasury's reactions to our suggestions. That statement made it clear that this was not something that was done with partisan consideration or with any improper consideration in mind, certainly no activity other than what would be expected under this form of government, by those serving on a committee, always mindful of their duties and responsibilities to the Nation and also to those who elect them.

So here we find that the Senator would depart completely from one factor and partially from another factor which in combination the Nixon administration agreed are most important. Of course, to depart from these factors in determining how much a State would get enables the Senator in his amendment to favor the relatively wealthier State and those which are not making a large tax effort at the expense of the relatively poorer State or the States with high tax effort.

Now under his distribution formula, if we provided the same amount of money, our staff which now has had an opportunity to study the formula tell us that

26 States would lose and 24 States would gain, so it would be just about breaking even as to how he would make the change if we had the same amount of money involved.

Under the circumstances, I think the States should ask themselves, Do we want to take the relative tax effort into account? Should we take relative income levels into account in all cases?

The Senator from Ohio, for reasons which I think are fairly apparent, would say, "No, let us not take the relative tax effort into account and let us only take income levels into account when it works to our advantage." He would like to assume that a poor State which levies heavy taxes on its people does so because the State is inefficient. That is not the way the President looks at it. That is not the way most other people look at it, those who do not come from the wealthier States. Most of those having an impartial view of it would say that they levy heavy taxes because there is great need for social services among the people, for roads, for education, for health, because they have suffered from poverty and malnutrition and have greater need for money for such things. They are trying to overcome many hardships of long standing by taxing themselves heavily.

Thus, if one wishes to encourage the States to help themselves, before they come to Washington to ask for help, we would want the tax effort to be a part of this encouragement. That is why we thought in those terms.

The amendment also will help those States with relatively high level incomes. This is by the redistribution of income from the poor toward the rich. This occurs since States can base their distribution on population only and not on relative income where this works to their advantage. The view of the Senator is contrary to the general philosophy, so far as I am able to determine it, of every administration, both Republican and Democratic, with regard to a problem of this kind.

I would think, Mr. President, that the Senate would not want to change the bill in this fashion.

Further, I am confident that those who support the bill across the country, even a great number of those situated in States that would do somewhat better under the Senator's amendment, would not want it agreed to, because they believe that there is basic fairness and justice in the proposal to which the committee agreed.

Therefore, Mr. President, I would hope that the amendment would not be agreed to.

Mr. TAFT. Mr. President, several points have just been made by the distinguished chairman of the committee, the Senator from Louisiana (Mr. Long), and I should like to respond briefly to them.

I intend at a later time to ask for the yeas and nays on the amendment, as there does not appear to be a sufficient number of Senators in the Chamber at the moment.

I do not intend to indulge in any protracted debate on this measure, but I note particularly that the distinguished

Senator from Louisiana mentioned objection to the fact that the addition of \$374 million under the formula proposed in the amendment somewhat obscured what the figure might be with regard to individual State distributions, if the amount were cut back to the \$5.3 billion level originally proposed. With regard to that, that is only one-third of the amount by which the figure distributed by the Finance Committee is added to the distributions of the States involved.

Actually, as I pointed out in first presenting the amendment, it will result in a net cut to the major States, because it involves them, out of the \$1 billion in social service funds being added in the fund.

I thought it was important at the outset, as I indicated, to clear up any misrepresentation in that regard. I have no desire to misrepresent in any way.

I have already advised Members of the Senate by letter that I have another proposed formula, if this one is not accepted. But I feel that this is a fair one, based on the per capita of the reverse relative income formula; but the other proposal I made, which seems to me is the least the committee would be willing to go along with, is that we take the committee's formula but hold harmless on a population factor the States which are cut back under the committee's formula. In other words, my other amendment, which I may or may not offer at a later time, depending on the outcome of this amendment, would provide that no State should receive less than its percentage allocation on the basis of a \$5.3 billion allocation.

On that basis, the additional amount that would have to be added to the expenditures under the revenue sharing bill generally would be about \$360 million. So that the figure we have here is related—the \$374 million figure—to the \$360 million figure that I think comes in under the harmless formula, if we went in that direction rather than the direction proposed by the pending amendment.

The complaint made by the distinguished Senator from Louisiana with regard to the formula that I propose is that it does not take into effect the tax effort factor. It is quite true, it does not take into effect the tax effort factor. Any tax effort factor formula that gives any large weight to that item, I think, is counterproductive, in that it seems to me it tends to reward the States that are at a high level of expenditure and to cut back on the States that try to run their affairs in their own way. Rather than to deal with this particular problem, we would do far better to talk about the relative income factor.

Many States are assisted by this particular amendment. There are States in which the relative income factors are low. We can act on a more equitable basis if we use the relevant income factor, and then let the people of the States in accordance with the basic principles of revenue sharing, and the basic principles of local governments, make their determination and not have us make it for them by rewarding them for high expenditures, but let them make their

own determination themselves as to what level of expenditures their particular States should have. It seems to me this is really far fairer and far more equitable, I believe, in the long run, and far more justifiable; and therefore, a more promising and lasting approach to the problem than to crank in the formula which has a large factor relating to the tax effort involved.

Actually, we can work out a number of different formulas. The information before the Finance Committee which we have here relates to 10 different factors we can bring into account. Some of them are related to distribution based on population, relative income, income tax collection, general tax effort, or on a per capita basis, based on different bases as well.

All of those, I feel, we are trying to make a judgment on as to what a fair approach to the problem is. It is hard to argue that a per capita formula, which at the same time takes into account the plight of the States which have relatively low income and, therefore, are not able to measure up to the national standards that we wish to provide services for all our citizens, can be criticized. It is for that reason that I have offered it to the Senate at this time.

Mr. PERCY. Mr. President, would the Senator yield?

Mr. TAFT. Mr. President, I yield whatever time the Senator might need to the Senator from Illinois.

Mr. PERCY. Mr. President, I am very pleased, together with the Senator from Florida (Mr. CHILES), to cosponsor the pending amendment. I commend the Senator from Ohio for the consideration which he has given to many of the problems that the more populous States have.

I would like to urge support of the amendment for several reasons. First, I think it is fair to say that no State will be injured by this.

Mr. BENNETT. Mr. President, if the Senator would yield, it would take nearly 10 percent from the State of Utah. Maybe that is not injury.

Mr. TAFT. Mr. President, the Senator was speaking of an alternative amendment that I have mentioned which has not been offered here. In a sense the Senator is completely right, because I do not see how any State is injured when we have a bill which provides that they will not in any case be given below the per capita distribution. That is exactly what the amendment says. I think on that basis, the statement is a correct statement.

The formula the Finance Committee adopted, on the other hand it seems to me, gives a protection to several States over and beyond that which they are entitled to on a per capita formula on various bases which do not seem to be as accurate as the approach we have put in the amendment.

Mr. BENNETT. Mr. President, we worked for days and days on this problem. We can never get a formula which will satisfy everyone because everyone wants to get more than anyone else. I hate to bring this out, but it is interesting to me to note that the formula in the

measure before us gives 24 percent of the total added money to the State of Ohio.

I do not blame the Senator for figuring it out that way.

Mr. TAFT. Mr. President, that is exactly right. And the Senate Finance Committee bill took a lot away from the State of Ohio. It took about that much percentage-wise from the State of Ohio as compared to the House bill.

Mr. BENNETT. The State of Ohio is a rich State, and the State of Utah is a poor State. Ohio is 43d in terms of tax effort. They should not be getting anything. In other words, if a State is not going to raise money locally but just takes the attitude that they will let the Federal Government supply more money, they should not receive that benefit.

Mr. TAFT. Mr. President, I am quite surprised to hear the Senator from Utah, whom I have always regarded as being one of the foremost advocates of economy in government, advocate a bill that would penalize those who are economical in government and give a bonus to those who are not.

Mr. BENNETT. Mr. President, I would like to read to the Senator the comparative figures for the State of Ohio under the administrative original proposal, under the House bill, and under the committee bill. The administration proposal would have given \$212 million. The House would have given them \$227 million. The committee gave them \$240 million. And the Senator says that the committee cut them back.

Mr. TAFT. Mr. President, this is just the misleading way in which the figures have been presented. That \$240 million in effect leaves \$185 million to the State of Ohio, because we have brought up the \$1 billion in the social services fund which would be given to the States in any event, and through the use of those figures, the Senator is obscuring what the State of Ohio and every other State would get.

Mr. BENNETT. Mr. President, the Senator is attempting to cure it by adding more money to obscure the comparison further.

Mr. TAFT. Mr. President, my figure does not obscure what the States will get. My figures show what they will get, and the distribution formula put on the desk of each Senator shows the States what the figures are.

The Senator from Utah will perhaps lose a little in his State. However, I am surprised to learn that the State of Utah is a poor State, because if it were a poor State, it would be protected under the formula the bill contains.

Mr. PERCY. Mr. President, could I ask the Senator for the figure for the State of Illinois? I have the figure of \$251 million from the Senate bill. If I remember correctly, H.R. 1 provided about \$301 million. Is that correct?

Mr. BENNETT. The Senator is correct. The original administration proposal was for only \$219.8 million. Now in the House, if the Senator wants to carry this argument through, the State of Illinois was given a real boost over the administration proposal, nearly 50 percent.

Mr. PERCY. That was because of the demonstrated need.

Mr. BENNETT. Mr. President, does the Senator from Illinois want me to tell him why it was? Let us be honest with ourselves. In the House of Representatives the States are represented on the basis of population. And the big States have more Representatives than the small States. How many Representatives does the State of Illinois have?

Mr. PERCY. The State of Illinois has 24 House Members, equally divided between Republicans and Democrats, all of whom realize that Illinois provides 6 percent of the revenue and never gets back more than a fraction of the money we send in year after year. When we received the increase, it looked to us as if they were responding not only to where the revenue came from but also to where the great need existed.

The Senator from Utah says that Utah is poor. I am filled with amazement, because I have travelled the State of Utah from one end to the other, and it is filled with the kind of problems that Illinois does not have. We are filled with people that have problems. The whole South has migrated and moved into our State and other Northern States. We have not issued engraved invitations to them. They have come by bus, airline, and broken down automobiles.

All of those people are Americans. They are there. They are seeking an opportunity and they are seeking help. This is our chance to provide the kind of assistance and help in education and training in the skills that are needed today.

The Taft formula would bring it up to \$289 million, bringing us back up to what we expected to get under the House bill. It is certainly a modest figure. If my figure is correct, it would seem to go a long way toward having our people feel that they have been dealt with more fairly. The Governor of the State, the legislature, and everyone else is concerned about this problem. Certainly all of our mayors are very unhappy and concerned with the situation, having thought they would receive a certain amount from the House and then finding that they would receive less from the Finance Committee.

I think that a magnificent job overall has been done to bring the legislation here. We are asking for a very little refinement in the figures that will give us a sense of fairness and equity. Many of the problems are in Illinois. Utah does not have the problems that Illinois has.

Mr. BENNETT. Mr. President, let me finish my statement. Illinois has 24 Representatives. Utah has two. This will show the Senator how we stand and 75 percent of the land in Utah belongs to the Federal Government. So, our tax base is represented by 25 percent of the land.

Mr. TAFT. Mr. President, I would like to point out to the Senator from Utah on the basis of the figures that on a per capita basis Utah would be receiving more than its per capita share. It would receive \$24.6 million and under our bill and it would receive \$31.3 million. Both Illinois and Ohio will only get its per capita share.

Mr. HANSEN. Mr. President, will the Senator from Ohio yield?



Mr. BENNETT. Mr. President, I do not have the floor.

Mr. PERCY. I have the floor. After I respond briefly I will be happy to yield to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Ohio has the floor.

Mr. TAFT. Mr. President, I yield to the Senator from Illinois.

Mr. PERCY. Mr. President, it is true that we must take into account the problems of a State such as Utah in which 75 percent of the land is owned by the Federal Government.

But I would like to point out that because of those magnificent facilities, those beautiful mountains, the people of Illinois, including me, go out there and spend time on those ski slopes, bringing money to the State and increasing its treasury.

I do not think that argument holds water in this case. We are trying to put the money where the people are, because the people create the problems. I do not know of any problems in the State of Utah for which we need revenue sharing. The fact that so much of their land is federally owned is a great blessing to the State and a natural source of income to the State. Where we need the money is where the people are, because that is where the problems are. We are trying to get a fair share to meet the national problems we face and that is what we should be addressing ourselves to, and not the parochial problems of Ohio or Illinois. We must try to put the money where the people live.

Mr. TAFT. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

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

Mr. TAFT. I am glad to yield to the Senator from Wyoming but, first, I wish to make one comment.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. TAFT. Mr. President, the Senator from Louisiana made mention of the bill and I do want to commend him, and I think I will commend him on the same point the Under Secretary commended him on, and that is on the intrastate, inside the State distribution formula. That is preferable to the formula in the administration bill or the formula in the House bill. I complained when the House bill came from the House. I complained long and loud about the distribution formula being unfair to large metropolitan areas, where the money was needed. That has been readjusted and improved completely.

I believe the remarks of the Under Secretary of the Treasury were directed to that virtue of the bill, rather than taking sides, which we would be wise not to get involved in, with respect to the distribution between the States.

I yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I thank the Senate for yielding. I regret the Senator from Illinois has left the Chamber. Perhaps he will return before I complete my remarks.

The Committee on Finance, when it was given the responsibility of the revenue-sharing bill, had to come to grips

with a number of different problems. I think that under the wise and considered guidance of the chairman of our committee, the distinguished Senator from Louisiana (Mr. Long), we have done a very commendable job.

Mr. LONG. Mr. President, will the Senator yield at that point?

Mr. HANSEN. I am happy to yield to the Senator from Louisiana.

Mr. LONG. Mr. President, in support of what the Senator said, I do not say this in self-adulation because I cannot claim credit for this. But the fact is, as the Senator knows, a number of Senators on the Committee on Finance voted for the formula we have as a substitute for what we previously agreed to, even though it caused their States to lose money. But I cannot claim it for myself and I cannot say it for the Senator from Ohio, who offered an amendment that would cost \$374 million and give 25 percent more to his State. I think his people would applaud his proposal, but at the same time, in arriving at his new formula, there was none of this matter of putting the overall national interest ahead of the interest of one's individual State in trying to achieve a community decision. In other words, the principle for which the Senator speaks was not arrived at by every Senator voting for what would achieve the most for his State.

In the Finance Committee, there were several rollcall votes which resulted in a new formula, which found the distinguished Senator from Utah voting for a situation in which his State would do somewhat less well than it would have done had we agreed to the previous formula.

The effort to try to arrive at something which could be a credit to all the committee, the administration, the President, and all of the Treasury, everyone who had a hand in this matter, was evident in the committee consideration.

The committee selected a distribution formula based on three factors: The tax effort, the relative income, and population. That was a formula which showed itself on paper to be so fair and it worked out so justly among the States that logic indicated it should be applied within the State as well as without the State, which is something the Senator from Ohio dare not apply to his formula.

"If you get more money this way, you have to do it this way, and if you get more money that way, you have to do it that way." That approach was not adopted by the Committee on Finance. The formula which the Senate has before it was consistent all the way through among the States and among the communities within the States. You get so much and you multiply these three factors. When it was put on paper, if the Senators will look within the States, they will see how well the communities fare in justice and equity, and it will be seen that this is a fair way to go about distributing funds.

Mr. HANSEN. Mr. President, I thank my distinguished colleague. I could not agree more.

It should be observed, with respect to the Senator from Utah, the ranking

member of the committee, that he possessed the very best motives in trying to come up with a formula that would implement the philosophy behind revenue sharing that was endorsed by the President and supported by the numerous delegations of mayors, county commissioners, Governors, and school board members who make the trek to Washington to plead for this type of relief.

Had the Senator from Utah been concerned with trying to get as much as he could for his State, he most certainly would not have subscribed to the formula which is presented for the consideration of the Senate this afternoon.

This fact was pointed out in the Committee on Finance during a colloquy between two of its members. One was critical of the action of the committee. The Senator from Utah responded that if he wanted to be selfish, as he was not, he would have gone for the urbanized position. This took our other colleague, whose name will remain anonymous for now, by surprise until the Senator from Utah pointed out that 80 percent of all the people living in Utah reside within five cities.

So what we are really talking about, is an attempt to take a real measure of the ability to pay on the one hand, and need on the other, and come up with a formula that is fair not only to Ohio and Illinois, but also to other States. That is what we did.

I call the attention of my friend from Ohio to the fact that the State of Illinois has a per capita income of \$3,512. The State of Ohio has a per capita income of \$3,632. On the other hand, the State of Utah, which is 75 percent federally owned, has a per capita income of \$2,703. If anyone thinks it is cheap to try to bring law enforcement, schools, roads, and to do all the things necessary in a State where there is Federal ownership of 75 percent of its real estate, they should go to Utah and talk with the officials. They will find it is not as easy as they think. Utah has a per capita income of \$2,703 compared with \$3,500 for Illinois, so there is little wonder that the people of Illinois can afford to go to the ski slopes of Utah.

Mr. TAFT. What the Senator does not understand is that the formula in this amendment does take into account the relative income of the people in the State.

Indeed, the Senator's own State, under the formula proposed in the amendment, would receive a greater amount than it would be entitled to under the per capita distribution. The same is true of many other States involved here. I do not see how anyone can say that a formula which allocates at least on a per capita distribution basis is not a fair formula. The State of Ohio is not getting the same amount under the per capita basis, nor are many other States.

There has been a play on figures here insofar as the States involved are concerned. Let me give a few figures. For instance, let us take the Senator from Wyoming. I certainly am not accusing anyone of having anything except the

highest national interest in mind, but let us consider a few of the States that are involved. Let us take the State of Wyoming. The State of Wyoming, under the House proposal, would receive only \$6.1 million. Under the committee proposal it receives \$11.5 million, but the \$11.5 million includes in it a share of the social services, which really should not be in the committee report, because there, it will be seen, the actual amount is \$10.7 with the social services readjusted out of it. The amount it would be entitled to, insofar as per capita income is concerned, would be \$8.5 million, whereas under the amendment proposed here, it would be \$9.1 million.

The same thing is true, and even more so, as the distinguished chairman of the committee knows, for the State of Louisiana. The same is true of many other States that are involved.

What it comes down to is that it is a fairer formula. I say that a formula which considers the per capita income and then has a reverse ratio, is a far fairer formula than that to be determined by the local governments and those who think they ought to run their own business. That is what this formula is based on.

I have already expressed surprise at my distinguished colleague from Utah in proposing an amendment which includes in it really a reward for more expensive State services and more revenues. If there is any Senator here in the Chamber who, in my opinion, is as great, and perhaps an even greater, paragon in advocating economy in Government, it is the Senator from Wyoming. Yet the formula he is arguing for now is a formula which is, in effect, one that, in order to take full advantage of it, it has to be a high expenditure State.

Mr. LONG. Mr. President, will the Senator yield to me?

Mr. TAFT. The Senator has his own time.

Mr. LONG. There is no time limitation on this.

Mr. TAFT. I yield.

Mr. LONG. If the Senator really wants to get it straight in his mind so there will be no misunderstanding about the matter, about who gets something out of this that is not justified by logic, let me explain this to the Senator. The committee agreed to put three factors together: The tax effort recommended by the administration, the per capita income, and the population, and we multiplied those three factors. That is the formula we agreed upon. We agreed on it for the entire amount of revenue-sharing funds. It was only after we agreed on that matter, based entirely on principle, without any idea of expediency whatsoever, that we were then confronted with the problem of what we do about social services. If I do say it, the wealthier States had been most adequately represented in the committee by the Senator from Connecticut (Mr. RIBICOFF). It was felt that in view of the fact that the wealthier States had been able to victimize this program most efficiently—California and New York were able to get out and load up on it; so were Ohio and Illinois—they were able to uti-

lize it for social service programs while States like Texas, Oklahoma, and others were being told by the divisional offices in that part of the country that no such thing could be done.

Does the Senator know who really got the advantage of departing from what seemed to us, and those advising us from the administration, to be appropriate, logical, and based on principle? It was the urbanized States. We felt that in view of the fact that the wealthier States were able to get to the trough first, we should distribute funds under this bill so as to get the genie back inside the bottle.

Mr. TAFT. If the Senator will yield, he is laboring under a misapprehension. Insofar as social services are concerned, it is irrelevant and it would not be involved in this revenue-sharing formula. Ohio, as a matter of fact, percentage-wise, did not take very great advantage of it, and under this proposal I do not think the figures indicate that we did. There has been some criticism that we did not come in as fast as some of the other States did.

I go along with the able Senator in saying that we created this problem here by lax legislation that should be corrected, but it should not be corrected to the extent of not getting a fair formula, and a fair formula should take into consideration per capita income.

Mr. LONG. I made a generalized statement, but it does apply to the two largest States of the Union, and it applies to Illinois.

Mr. TAFT. Two of the largest States in the Union are not included in the bill, because they would get no benefit. The State of New York is cut back under the proposal, because of that very pattern, but also because it has a very high cost government. That is their choice, but we should not give them a benefit because of it.

Mr. LONG. I should say to the Senator that, as to the factor of relevance, tax effort is, if not the most, certainly the second most, relevant consideration that should be taken into account. The Senator does not agree with that, and I can understand why.

We feel compelled to resist this amendment. I think before we vote on it, those of us who have had a chance to analyze the presentation the Senator has made should make available to the Senate, on a State-by-State basis, the benefits and a showing of who would actually benefit and who would actually lose under the Senator's suggestion if it was based on the same amount of money as the Finance Committee's bill.

For example, I know the Senators from West Virginia would be very disappointed if they voted for the Senator's amendment thinking their States would get more when, actually based on the same amount of money, their States would get less. This would also apply to many other States. I know the Senator would not want any Senator to be misled into thinking his State would benefit, vote to approve the amendment, and then learn that his State would be hurt.

Mr. TAFT. In voting on this amendment, I might say, on the basis of the

information distributed, each Senator would know exactly what his State was going to get, and that would not be true of the committee report, because it includes social services, and insofar as revenue sharing is concerned, that is irrelevant.

Mr. LONG. If there is any Senator who does not understand that there has been \$1 billion added to this bill and also whether his State will be better off under the formula of the committee bill or under the formula of the administration or the formula of the House bill, it is not because we have not tried to make the information available to him.

For example, one will see the differences between the administration bill, the House bill, and the Senate bill, by comparing the various figures. We have tried to inform every Senator who is interested as to what the differences would be. For example, when the Ribicoff amendment was offered, we showed how it would work out if you take the same amount of money and apply it as compared to a different formula.

We certainly would not want to mislead the Senator from Ohio or anyone else. So I would simply say, if the Senator feels that the information presented was misleading, I am sure he would not want to engage in the same thing himself.

Mr. TAFT. I say to the Senator from Louisiana that I do not think it is misleading. Under the adoption of this amendment, each State would continue to get the amount of social service funds now provided, but the amount under revenue sharing would be exactly as set out here.

Mr. LONG. Before we change the formula, I will say to the Senator, we have prepared a chart that will show Senators how much money each State would get if you look at the same final figure, in either event, and that way, the Senators can be the best judges.

Mr. TAFT. I will say I do not agree with the Senator from Louisiana. This amendment would add to the money; I am not making any question about that. This amendment would add to the revenue sharing, but not the social service funds, which they would get anyway. But it would add to the revenue sharing the amount shown on the back of this exhibit that has been distributed: The amount of \$374 million.

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

Mr. TAFT. I am happy to yield to the Senator from Wyoming.

Mr. HANSEN. I think it ought to be pointed out that while it can be contended that it is irrelevant to discuss the extremely abrupt rise in cost of social services, it is not considered irrelevant by President Nixon. He described it as a great hemorrhage that, unless it were stopped, would empty the Treasury.

Mr. TAFT. I would observe that this is a terrible problem that should not have come up, and it should be corrected as quickly as possible, but it should not be allowed to divert the attention of the Senate from what a proper revenue-



sharing contribution formula ought to be.

Mr. HANSEN. I cannot agree more with my colleague from Ohio. All I can say, Mr. President, is that it had to be dealt with, and this \$1 billion put into the program was written in there with the assurance that at the end of either January 1 or July 1, there would be a cutoff on this social services program.

One of the States has increased its anticipated expenditures under the social services program by 42 percent. I happen to represent only one of two States out of all the 50 that did not expand its expenditures for social services. We estimated cutting back 0.17 percent on the expenditures for 1973 as compared with 1972. This is a very real problem, and I think the Finance Committee is to be commended for having worked out a program for shutting off this expenditure for social services which is absorbing more and more of each State's revenue. That is exactly what this bill would do.

Mr. TAFT. I agree with the Senator from Wyoming 100 percent on everything he has said with regard to the social services funds, but that has absolutely nothing to do with whether or not this amendment ought to be adopted. Absolutely nothing.

Mr. HANSEN. Then, since we do agree on that—and I am very happy we are reaching accord—let me ask my distinguished friend from Ohio one further question. Is it not correct that the formula that he describes, that seemingly would give more money to my State of Wyoming than would be received by the State of Wyoming under the committee bill, is due not to the formula, but rather to the fact that more money is to be distributed?

Mr. TAFT. I do not want to mislead the Senator. Actually, insofar as the State of Wyoming is concerned, under the committee bill, after taking away the social services distribution factor—and the Senator has indicated there is none in this case, although the figures would seem to indicate that there was some, because the committee bill indicates a distribution to Wyoming with social services included of \$11.5 million, and the same bill, disregarding that factor, shows \$10.7 million, so there was an increase rather than a decrease, as the Senator has indicated—but under the amendment, the Senator from Wyoming would get only \$9.9 million rather than \$10.7 million as under the committee bill, but that would still be in excess of the \$8.5 million figure which the State would get on a per capita basis. So, in effect, the State of Wyoming, on a per capita basis, would get more than my amendment would give it under the committee bill. I do not want any misunderstanding in that regard.

Mr. HANSEN. Well, I think, Mr. President, what we have to be concerned with is not how the State of Wyoming may do comparing the Taft amendment with the committee amendment, but rather what equitable formula will take care of all 50 States, including the District of Columbia. I submit that that is precisely what this Finance Committee amendment does do.

In the first place, it considers three factors: The population of the State as compared with the total national population, the per capita income, which is a measure of the ability to support governmental services and, third, the total tax effort.

When you take all these three factors together, what we say to all of the States is this: "We will consider your ability to raise the necessary revenue." We do that by considering the per capita income, which is a measure of the ability of people to pay for governmental services. Then, when we consider the total tax effort, we make a comparison of what the State actually does as compared with what other States are doing to best meet the necessary expenses of government. On that basis, I say to my good friend from Ohio, it happens that my State of Wyoming makes the greatest effort of all the 50 States in total tax effort. It collects, through State, county, municipal, and school district taxes, about 19.85 percent of the total per capita income of the State of Wyoming.

You can talk about all sorts of formulas, but I do not believe that the formula that was proposed by the Finance Committee can be improved upon. It measures the number of people in the State as compared with the total number of people in the Nation, and it measures the willingness of the people to help themselves.

I do not see how you could come up with a formula that is fairer than that, and that is exactly why the distinguished Senator from Utah rejected out of hand a proposal that would have brought more dollars into the State of Utah. He wanted to come to this floor in support of a bill that would be fair to all 50 States and would merit the support of all 50 States, rather than the kind of a bill that came from the House of Representatives. The big States in the House got together and contrived a formula that would be self-serving to those big States and their metropolitan areas, not because it was fair but because in the House they had the power to push it through.

I say to my good friend from Illinois that the reason that the good people from his great State are able to go to Utah relatively more often than the Utah people can go to Illinois or the Wyoming people can go there is because their per capita income is substantially greater.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. TAFT. I am glad to yield to the distinguished Senator from Vermont.

Mr. AIKEN. I would like to get two or three things straight before I vote in this measure.

As I understand, the Taft formula would increase the total cost of the revenue sharing program by \$374 million.

Mr. TAFT. The Senator is correct.

Mr. AIKEN. And of this \$374 million, approximately 60 percent would accrue to the revenue of four States, and a little over 80 percent to the revenue of eight States.

Mr. TAFT. The amounts shown here would. Of course, the Senator has to start from the base of what the Finance Committee did to the House bill or to

the administration bill, or whatever base the Senator wishes to start with. How much it gives to whom depends on what base we start with that the State was entitled to in the beginning. We say that the number of people in the State is the No. 1 factor that should be considered.

Mr. AIKEN. Unfortunately, the only figures I have in my hand are the figures of the Senate bill that is before us and the Taft formula, which increases the total amount by \$374 million. As I understand these figures, 60 percent of the increase will accrue to four States.

Mr. TAFT. The increase the Senator is talking about is an increase over the adjustment of the House bill and over the adjustment of other proposed bills made by the Finance Committee.

Mr. AIKEN. So that all the States sharing in this revenue would also be called to pay taxes to cover the cost, which amounts to about a 7-percent increase in the Taft proposal. That means that assuming that all the States pay taxes equally on a per capita basis—and we know they do not by any means, but we have to assume it—

Mr. TAFT. I come from a State which pays far more than the per capita share in taxes. I do not make that assumption at all.

Mr. AIKEN. But assuming that Ohio pays 7 percent of the increased cost, that would reduce the gain to Ohio. It would take off about \$30 million. It would not bring the increases to so much as the table submitted by the Senator from Ohio indicates. But all the States that gain revenue will have to pay their share of the cost.

Mr. TAFT. There is no question that every State would have to pay a share of the cost on the basis of its present share and the contribution of whatever the national level might be.

Mr. AIKEN. All the States that lose revenue will also have to pay their share of the cost.

Mr. TAFT. The Senator talks about loss of distribution. The loss of distribution is based on an imaginary figure that was set up by the Finance Committee.

Mr. AIKEN. But for the sake of getting information, I have to figure that all States will pay equally on the 7 percent.

Mr. TAFT. I do not share the Senator's conclusion.

Mr. AIKEN. I know that will not hold true for every State, but that is all I have to go on. I do not find any figures showing what the increase for each State would be. The figures of the Senator from Ohio show that 20 States will lose revenue by approving his formula. They will all have to pay increased taxes in some degree. Some will pay more than 7 percent and some will pay less. I assume that all the States that gain revenue also will have to pay taxes.

I have just been going over this, and it looks to me as though the States of Alaska, Delaware, Kansas, Nebraska, Nevada, New Hampshire, Rhode Island, and West Virginia, while gaining revenue on paper, actually would lose revenue or would come close to losing revenue after they paid their increased share of the cost.

I am not a mathematician. I do not have a pencil and paper handy. I am do-

ing this in my head, which, as the Senator knows, is the Yankee style. It looks to me as though 12 States which appear to gain by the Senator's tables would actually lose or come close to losing if they paid their share of the increased \$374 million.

Mr. TAFT. I think the Senator is not correct in his figures.

The point was made earlier by the Senator from Louisiana that some five States would gain under the amendment before the Senate today and would not gain if we cut the total expenditure back to \$5.3 billion.

Mr. AIKEN. The more populous wealthy States would not gain after paying their increased part of the taxes to the extent indicated by the increase that the Senator from Ohio has submitted.

Mr. TAFT. I hope that impression is not given because we are spending more money. I do not think there is any relation, not an established relationship, between the share of the national tax burden being borne by the States and any of these distribution formulas, for that matter.

Mr. AIKEN. I said the average would be 7 percent. Ohio, Illinois, New Jersey, and Texas might have to pay 10 or 12 percent of the increased cost. I do not know.

The borderline States as well as the 20 States indicated as losers would almost certainly also lose, even though on paper they appear to gain.

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

Mr. TAFT. I yield.

Mr. BENNETT. I should like to make the point that under the Senator's formula, he is not distributing \$375 million; he is distributing \$492 million, \$375 million of which he raises by an increased amount and \$117 million of which he raises by taking it away from States that cannot afford to lose it.

Mr. TAFT. It was given by the Finance Committee. The Senator is assuming that those States will not get their fair share of the per capita distribution, but they will, under the amendment. That is the minimum figure to which they could go.

Mr. MONDALE. Mr. President, I oppose the amendment offered by the Senator from Ohio (Mr. Taft).

The committee bill provides for the allocation of funds on a combination of three criteria: Population, general tax effort, and inverse income. The pending amendment drops the factor of general tax effort, and allocates funds among the States according to population or inverse income, whichever produces the greatest allocation to a particular State.

To offset the harm done by this formula to many States, the pending amendment increases the total funds distributed under the bill by \$374.5 million.

Nevertheless, States with a strong general tax effort are unfairly prejudiced by this amendment. A major purpose of revenue sharing is to reduce the growing pressure of State and local taxation. Surely it is unfair to ignore tax effort in allocating revenue-sharing funds.

My own State of Minnesota would lose over \$9 million under the Taft for-

mula simply because of its strong tax effort at the State and local level.

I believe this is grossly unjust. I call upon the Senate to reject the pending amendment.

Mr. LONG. Mr. President, I have an amendment at the desk, and I ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 2, beginning with line 4 strike out all through line 13 and on line 14, strike out "for per capita income."

On page 2 on line 18, strike out (A) and insert (1), and strike out lines 22 and 23 and insert:

"(2) the sum of the products determined under paragraph (1) for all the States."

Mr. LONG. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

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

Mr. LONG. Mr. President, this amendment simply seeks to eliminate the double standard in the Senator's amendment. It is the view of some of us on the Finance Committee that the States should all be judged on the same basis, that we should not have one rule for one State and another rule for another State. We felt that way so strongly that we proposed that the same formula we applied for distribution among the States would also apply within the States.

The Senator departs from that. He gives the wealthy States the option to elect to be treated on a population basis and the option to the poorer States to be treated on a relative income basis.

I would propose to strike this option, this so-called double standard. That would then leave the Senator's amendment exactly the way I suggested when I first looked at the House-passed bill, and that is that we simply judge everybody on the Hill-Burton formula, which has much precedent and which should appeal to the Senate because it has passed the Senate before. In fact, the Senate imposed this formula on the House, and it is in the law. It is well recognized in practice; and in justice, equity, and fairness, it has been insisted upon many times by the Senate with regard to this matter.

As one who has the responsibility for managing this bill, I think that when confronted with a challenge by the administration to apply a single, honorable, and consistent standard among States, we ought to respond to that in the national interest, if in conscience we can. If we are going to deviate from the formula that the administration recommended, we ought to have the courage to do it with consistency and apply it consistently and not favor one group over the other. We ought not just elect to go on one standard or the other, but be held to a consistent standard. So if the amendment is to become part of this bill, I would prefer that it be one single standard applied uniformly across the board.

I would prefer to see the committee's formula agreed to. But if it should not be agreed to, I would prefer to have a straight, across the board relative in-

come formula because that, again, would be consistent. It would not let the people choose to apply a double standard among the States. I do not think the Senate or the House will agree to apply that double standard to the States of this Union. They will insist, for this type of purpose, that we be consistent and apply a single standard.

Mr. HANSEN. Mr. President, will the Senator from Louisiana yield at that point?

Mr. LONG. I yield.

Mr. HANSEN. Let me say first that I have the greatest respect for the distinguished Senator from Ohio (Mr. Taft). I know that he is concerned about trying to do the best job he can in representing the Buckeye State. But I cannot help noticing that the total increase—that is, when we consider the money that would be added by virtue of his amendment—comes to \$360 million. If we add to that the amount taken away from other States, it really comes to something like \$477 million. But I note that of the \$360 million increase, the State of Ohio would receive more than a fourth of that under the Senator's formula.

Mr. TAFT. If the Senator will yield at that point, he is correct, but the reason is that it depends on what basis we begin from.

Mr. HANSEN. I appreciate that observation. I invite the Senator's attention to one of the pieces of material we have before us from the Finance Committee. It is entitled "State and Local Fiscal Assistance Act of 1972." This is a report which was ordered to be printed on April 26, 1972. If the Senator happens to have a copy of it, it will help to look at page 93.

If the table on page 93 compares each State's total personal income with the general revenue collected from its own sources for the fiscal year 1970. It then shows the revenue effort or, as we sometimes refer to it, the total tax effort.

My distinguished colleague from Ohio may not know that the State of Wyoming, the State I have the honor to represent, contributes in total taxes 19.85 percent of the total personal income earned in the State of Wyoming. We are No. 1 on the list.

Where is Ohio on that list? Ohio happens to be the last on the list. For the year 1969, Ohio had a total personal income of \$40,145 million.

How much does it raise by taxing this revenue? It raises \$4,732.5 million or 11.79 percent.

They do not tax themselves 12 percent of their total personal income.

As I said, Ohio is last on the list, even lower than the District of Columbia. The District of Columbia makes a greater tax effort than do the people of the State of Ohio. The District of Columbia taxes itself 11.93 percent of its total personal income.

Thus, I do not blame my good friend from Ohio, in trying to represent his State for seeking a double-barreled formula. Ohio gains on the one hand because it has the least tax effort of all the States, on the other hand, it would gain even more under this proposed formula.



Mr. President, if this formula is adopted, I will tell you who will get both barrels. It will be the people of the United States. That is not fair. No one knows how it will work. This is an unprinted amendment. I think we need something better than that in order to make certain what the cost will be.

I am embarrassed for my good friend from Ohio, because I suspect he does not know how little tax effort the people of the great State of Ohio have made in trying to solve their own problems.

In the State of Wyoming, we tax ourselves nearly 20 percent—19.85 percent—of our total personal income.

Mr. TAFT. Will the Senator yield?

Mr. HANSEN. I yield.

Mr. TAFT. I wonder whether the distinguished Senator from Wyoming could give us the figure or the percentage of the total taxes paid by people in Wyoming that come from severance taxes?

Mr. HANSEN. I do not have that right at the moment, but I will be glad to furnish it.

Mr. TAFT. The reason I asked the question is that severance taxes are paid by people from all over the United States. I am not saying that the Senator is not being truthful in his representation here. He is. But the point is, as I said earlier, each State has its own taxes. Each State has its own tax problems. The principle of revenue sharing is that the State should be able to have that and make its own decisions as to what level it wants. The State of Ohio now has substantially a bigger tax effort involved within its own State. It should not have to decide how to determine what its tax structure will be, or even what its tax level will be, nor under a general national program such as this. That is why the per capita formula is important in this situation.

Mr. HANSEN. I will be happy to have printed in the RECORD the figures the Senator refers to. I do not happen to have them before me now. I do have a bundle of material here, as the present Presiding Officer of the Senate (Mr. FANNIN) well knows, on the revenue sharing bill.

I want everyone to have the facts. I

think the Senator from Ohio deserves to know those facts. May I say that at least one of the oil companies operating in Wyoming happens to be headquartered in the State of Ohio. I am sure that the Senator from Ohio can name more. But as to per capita income, the people in Ohio who have interests in the State of Wyoming could do a better job than they are doing.

If my State were the 51st on the list of States, including the District of Columbia in total tax effort, I do not think I would come before this body proposing to put \$350 million onto a program and then say, "We will get more than 25 percent of that back for the State of Ohio."

I do not challenge the Senator from Ohio at all. The State of Ohio is entitled to set up its own tax system. That is what we have done in Wyoming.

I can tell you something else, Mr. President. In the State of Wyoming we have a great many people working for the oil industry and we are proud of that oil industry. It does a great deal for this country. It makes certain, for one thing, that we will all remain free.

I am glad that the people from the great State of Ohio are operating some of the oil businesses out in Wyoming. But we have many people who work in Wyoming whose total income is reflected in the per capita income of our State, and we are doing a pretty good job obtaining that income. We are No. 1 on the list in total tax effort.

Until the State of Ohio does a better job than it is doing and until it moves out of 51st place, it certainly seems somewhat ill advised to me to come to the floor of the Senate and say, "Let us adopt an amendment that is not even printed and that we cannot figure out."

Mr. AIKEN. Mr. President, would the Senator mind reading off the first six or eight States which have the highest per capita rate of taxation?

Mr. HANSEN. I would be happy to. The first six States are Wyoming, North Dakota, New Mexico, Wisconsin, Iowa, and Vermont. Vermont is sixth.

Mr. President, the point that I have made should be seriously considered.

Mr. LONG. Mr. President, in view of the fact that the RECORD might not adequately reflect why Senators felt it desirable not to start changing this formula in the committee bill, I ask unanimous consent that there appear in the RECORD prior to the vote on the Taft amendment today, two tables prepared by the staff of the Joint Committee on Internal Revenue Taxation showing how States would have gained or lost money by changing the formula:

First, had the Taft amendment as initially proposed been agreed to; and

Second, had the Senate agreed to the Long amendment to the Taft amendment and then agreed to the Taft amendment as so amended, which would have limited the Taft amendment to one uniform formula, population weighted by relative income, to be applied in all States of the Union. The tables show the comparison of these two and the committee bill based upon the same amount of money, \$5.674 billion. It is only by making a comparison based on a constant amount of money that one can say whether a Senator might have voted for a State to receive more or less money under any given situation.

I point out also that no one can be sure what it would have been had any one of these alternatives been agreed to, had we wandered off in that direction, because, had the original Long amendment to the Taft amendment failed, I had another amendment in mind which would have again required uniformity, but simply distributing the money entirely on a population basis. And that would have distributed the money on an entirely different basis. The point being that there is no way one can determine what the final result would be once we started changing the formula and applying substitute formulas to those in the bill which the committee had recommended.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana?

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

TABLE 1.—COMPARISON OF COMMITTEE BILL AND TAFT AMENDMENT, BOTH AT \$5,674,000,000<sup>1</sup>

States	Finance Committee bill, scaled <sup>2</sup>	Distribution based on population or relative income <sup>3</sup>	Difference (2)–(1)	States	Finance Committee bill, scaled <sup>2</sup>	Distribution based on population or relative income <sup>3</sup>	Difference (2)–(1)
(1)	(2)	(3)		(1)	(2)	(3)	
United States, total.....	5,674.5	5,674.5		Massachusetts.....	153.5	148.4	-5.1
Alabama.....	136.5	149.5	13.0	Michigan.....	225.7	231.6	5.9
Alaska.....	5.9	8.0	2.1	Minnesota.....	115.8	99.1	-16.7
Arizona.....	59.0	47.7	-11.3	Mississippi.....	106.6	91.2	-15.4
Arkansas.....	64.6	71.0	6.4	Missouri.....	116.0	124.5	8.5
California.....	546.1	520.5	-25.6	Montana.....	24.2	20.1	-4.1
Colorado.....	64.2	57.8	-6.4	Nebraska.....	50.4	47.7	-2.7
Connecticut.....	61.5	79.0	17.5	Nevada.....	12.7	12.7	0.0
Delaware.....	13.8	14.8	1.0	New Hampshire.....	17.9	19.6	1.7
District of Columbia.....	15.1	19.6	4.5	New Jersey.....	152.6	187.1	34.5
Florida.....	171.5	177.0	5.5	New Mexico.....	39.7	32.9	-6.8
Georgia.....	129.1	137.3	8.2	New York.....	542.6	475.9	-66.7
Hawaii.....	24.3	20.1	-4.2	North Carolina.....	159.2	161.6	2.4
Idaho.....	23.3	21.2	-2.1	North Dakota.....	23.2	19.6	-3.6
Illinois.....	268.5	289.9	21.4	Ohio.....	198.4	277.7	79.3
Indiana.....	122.6	135.7	13.1	Oklahoma.....	69.9	74.7	4.8
Iowa.....	90.5	77.4	-13.1	Oregon.....	66.1	61.5	-4.6
Kansas.....	62.1	60.4	-1.7	Pennsylvania.....	310.5	307.4	-3.1
Kentucky.....	102.6	104.9	2.3	Rhode Island.....	24.7	24.9	0.2
Louisiana.....	133.5	123.0	-10.5	South Carolina.....	95.8	101.2	5.4
Maine.....	36.5	30.7	-5.8	South Dakota.....	29.5	23.8	-5.7
Maryland.....	101.4	102.3	0.9	Tennessee.....	115.7	126.1	10.4
				Texas.....	287.5	316.4	28.9

Footnotes at end of table.

TABLE 1.—COMPARISON OF COMMITTEE BILL AND TAFT AMENDMENT, BOTH AT \$5,674,000,000<sup>1</sup>—Continued

States	Finance Committee bill, scaled <sup>2</sup>	Distribution based on population or relative income <sup>3</sup>	Difference (2)–(1)	States	Finance Committee bill, scaled <sup>2</sup>	Distribution based on population or relative income <sup>3</sup>	Difference (2)–(1)
(1)	(2)	(3)		(1)	(2)	(3)	
Utah.....	36.9	31.3	-5.6	West Virginia.....	61.5	59.4	-2.1
Vermont.....	17.4	12.7	-4.7	Wisconsin.....	157.4	115.0	-42.4
Virginia.....	117.4	122.4	5.0	Wyoming.....	11.4	9.0	-2.4
Washington.....	98.8	91.7	-7.1				

<sup>1</sup> Excludes \$1,000,000 of supplemental sharing.<sup>2</sup> Scaled proportionately to equal \$5,674,000,000.<sup>3</sup> Population or population weighted by relative income.

Note: Compared to the committee bill 24 States gain, 26 lose and 1 is unchanged. Details may not add to totals because of rounding.

TABLE 2.—COMPARISON OF COMMITTEE BILL AND TAFT AMENDMENT AS IT WAS PROPOSED TO BE AMENDED BOTH AT \$5,674,000,000<sup>1</sup>

States	Finance Committee bill, scaled <sup>2</sup>	Distribution based on relative income <sup>3</sup>	Difference (2)–(1)	States	Finance Committee bill, scaled <sup>2</sup>	Distribution based on relative income <sup>3</sup>	Difference (2)–(1)
(1)	(2)	(3)		(1)	(2)	(3)	
United States, total.....	5,674.5			Missouri.....	116.0	133.2	17.2
Alabama.....	136.5	160.0	23.5	Montana.....	24.2	21.5	-2.7
Alaska.....	5.9	6.8	.9	Nebraska.....	50.4	51.0	.6
Arizona.....	59.0	51.0	-8.0	Nevada.....	12.7	11.9	-.8
Arkansas.....	64.6	76.0	11.4	New Hampshire.....	17.9	21.0	3.1
California.....	546.1	466.7	-79.4	New Jersey.....	152.6	165.0	12.4
Colorado.....	64.2	60.1	-4.1	New Mexico.....	39.7	35.2	-4.5
Connecticut.....	61.5	65.8	4.3	New York.....	542.6	424.1	-118.5
Delaware.....	13.8	14.1	.3	North Carolina.....	159.2	172.9	13.7
District of Columbia.....	15.1	16.5	1.4	North Dakota.....	23.2	21.0	-2.2
Florida.....	171.5	186.6	15.1	Ohio.....	198.4	249.0	50.6
Georgia.....	129.1	146.9	17.8	Oklahoma.....	69.9	79.9	10.0
Hawaii.....	24.3	19.3	-5.0	Oregon.....	66.1	65.8	-.3
Idaho.....	23.3	22.7	-.6	Pennsylvania.....	310.5	323.8	13.3
Illinois.....	268.5	268.8	.3	Rhode Island.....	24.7	25.5	.8
Indiana.....	122.6	142.3	19.7	South Carolina.....	95.8	108.3	12.5
Iowa.....	90.5	82.8	-7.7	South Dakota.....	29.5	25.5	-4.0
Kansas.....	62.1	64.6	2.5	Tennessee.....	115.7	134.9	19.2
Kentucky.....	102.6	112.2	9.6	Texas.....	287.5	338.5	51.0
Louisiana.....	133.5	131.6	-1.9	Utah.....	36.9	33.5	-3.4
Maine.....	36.5	32.8	-3.7	Vermont.....	17.4	13.6	-3.8
Maryland.....	101.4	94.2	-7.2	Virginia.....	117.4	131.0	13.6
Massachusetts.....	153.5	141.2	-12.3	Washington.....	98.8	98.1	-.7
Michigan.....	225.7	223.4	-2.3	West Virginia.....	61.5	63.6	2.1
Minnesota.....	115.8	106.0	-9.8	Wisconsin.....	157.4	123.0	-34.4
Mississippi.....	106.6	97.6	-9.0	Wyoming.....	11.4	9.6	-1.8

<sup>1</sup> Excludes \$1,000,000,000 of supplemental sharing.<sup>2</sup> Scaled proportionately to equal \$5,674,000,000.<sup>3</sup> Population weighted by relative income.

Note: Compared to the committee bill 27 States gain and 24 lose. Details may not add to totals due to rounding.

Mr. LONG. Mr. President, I do not think any of these formulas that have been suggested will improve on what the committee has done. I therefore move that the amendment be laid on the table.

The PRESIDING OFFICER. Which amendment does the Senator refer to?

Mr. LONG. I refer to the Taft amendment which would take my amendment with it in the event the amendment were to carry.

The PRESIDING OFFICER. The amendment of the Senator from Louisiana has not been acted upon.

Mr. LONG. I know. However, can I not move to table the amendment of the Senator from Ohio, and does that not take my motion with it if it is adopted?

The PRESIDING OFFICER. That would be the effect; the Senator is correct.

Mr. LONG. Mr. President, I move to table the basic amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

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

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Nevada (Mr. CANNON), the Senator from California (Mr.

CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Washington (Mr. MAGNUSON), the Senator from Arkansas (Mr. McCLELLAN), the Senator from South Dakota (Mr. McGOVERN), the Senator from New Mexico (Mr. MONTAÑA), the Senator from Rhode Island (Mr. PELL), the Senator from Alabama (Mr. SPARKMAN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Arkansas (Mr. FULBRIGHT), and the Senator from Oklahoma (Mr. HARRIS) are necessarily absent.

I further announce that the Senator from Iowa (Mr. HUGHES) is absent on official business.

I further announce that if present and voting, the Senator from Alabama (Mr. SPARKMAN) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Tennessee (Mr. BROCK), the Senator from New Hampshire (Mr. COTTON), the Senator from Colorado (Mr. DOMINICK), the Senator from Hawaii (Mr. FONG), the Senator from Oregon (Mr. HATFIELD), the Senator from Kansas (Mr. PEARSON), the Senator from Ohio (Mr. SAXBE), and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Oregon (Mr. HATFIELD) and the Senator from South Carolina (Mr. THURMOND) would each vote "yea."

The result was announced—yeas 53, nays 24, as follows:

## [No. 408 Leg.]

## YEAS—53

Aiken	Edwards	Metcalf
Allott	Ervin	Miller
Anderson	Fannin	Mondale
Baker	Gambrell	Moss
Bayh	Goldwater	Muskie
Bennett	Gurney	Nelson
Bentsen	Hansen	Packwood
Bible	Hart	Proxmire
Boggs	Hruska	Randolph
Buckley	Humphrey	Roth
Burdick	Inouye	Smith
Byrd	Jackson	Spong
Harry F., Jr.	Javits	Stafford
Byrd, Robert C.	Jordan, N.C.	Stennis
Church	Jordan, Idaho	Stevens
Curtis	Long	Talmadge
Dole	Mansfield	Tunney
Eastland	McGee	Young

## NAYS—24

Allen	Griffin	Schweiker
Beall	Hartke	Scott
Brooke	Kennedy	Stevenson
Case	Mathias	Symington
Chiles	McIntyre	Taft
Cook	Pastore	Tower
Cooper	Percy	Weicker
Gravel	Ribicoff	Williams

## NOT VOTING—23

Bellmon	Fulbright	Montoya
Brock	Harris	Mundt
Cannon	Hatfield	Pearson
Cotton	Hollings	Pell
Cranston	Hughes	Saxbe
Dominick	Magnuson	Sparkman
Eagleton	McClellan	Thurmond
Fong	McGovern	

So Mr. LONG's motion to lay Mr. TAFT's amendment on the table was agreed to.

Mr. MUSKIE. Mr. President, I rise in



support of H.R. 14370, the general revenue-sharing legislation before this body.

I have long supported the concept of general revenue-sharing legislation. In 1969, and again last year, I introduced general revenue-sharing bills of my own. In both of those years, my Subcommittee on Intergovernmental Relations conducted extensive hearings on general revenue sharing.

Fifteen months ago, when my subcommittee began revenue-sharing hearings, the prospects of enacting this legislation in this Congress appeared bleak. I did not share that pessimism then, and I am pleased that we are now on the threshold of enacting a 5-year program to provide general support assistance to State and local governments.

Much has happened in the interim to create momentum for revenue sharing. Most significantly, the record accumulated in hearings in both Houses of the Congress underscored the urgent need for general revenue-sharing legislation.

It is unnecessary for me to detail the fiscal crises in our cities and States. Mayors and Governors from across the Nation have consistently detailed their dilemma of having to run State and local governments without the necessary revenue. They have made us all aware of cutbacks they have been forced to make in essential public services.

The fiscal crisis is particularly critical in the cities where mayor after mayor has been forced to lay off city workers because they cannot afford to pay them. The harsh reality is that no matter how hard they try, there is no way without outside help that the cities and States can raise the kind of money they need to meet the rising costs of government.

In short, cities have reached the end of the line. Unless they get help—and get it fast—city after city in this Nation may fall into bankruptcy.

There are some who would blame the fiscal crises in our cities on the inability of urban governments to raise their own revenue efficiently. There are others who would point a finger at the States, insisting State governments have too often denied the cities the power they need to raise adequate revenues and that the States have in too many cases shirked their responsibility to provide cities with financial help.

But now is no time to assess blame. The demise of our great cities would not be just a local or State tragedy, it would be a national tragedy. That is why it is incumbent upon the Senate to see that that tragedy is averted.

And that is why it is vital for this Congress to enact general revenue-sharing legislation.

I believe that the House Ways and Means Committee bill and the Senate Finance Committee version are both reasonable and responsible general revenue-sharing bills. For that reason, I could support either if it were enacted into law.

Last year, when I introduced my own bill, I said that any revenue sharing legislation enacted by Congress must meet three criteria.

First, it must channel the most assist-

ance to those cities and counties which need it the most.

Second, it must contain adequate incentives to the States to improve their own systems of raising revenue. For the Congress to pass general revenue-sharing legislation without these incentives would be to give the State governments a carte blanche to perpetuate the inadequate revenue-raising systems that have gotten them and local governments into their current fiscal crises.

Third, it must not gut categorical grant programs.

To meet those criteria, I incorporated some new features into my revenue-sharing bill. First, I incorporated a need factor in the formula for distributing funds to local governments. Second, my bill offered a bonus to those States which utilize the State income tax—a more progressive means of raising revenue than the sales tax or the property tax which most States use to raise revenue. In addition, my bill offered the States the option of utilizing the machinery of the Federal Government to collect State income taxes for them.

I am pleased that both the House and Senate versions incorporate the major thrusts of these provisions.

Most significantly, the bill currently before the Senate does include a need factor in its formula of distribution of shared revenues to State and local governments. As a result, under the Senate bill, the major cities with the greatest need would receive the greatest shares. The bill before the Senate corrects the imbalance that existed under the formula in the administration's original revenue-sharing bill that would have resulted in wealthy suburbs receiving two, three, and four times as much revenue-sharing funds per capita as the suffering central cities. I view the inclusion of the need factor in the formula for distribution to the States and localities as one of the most attractive features of this legislation.

Second, the bill before us does include a provision that would allow the States to utilize the machinery of the Federal Government to collect State income taxes for them. This provision should serve as an inducement to the State to make better use of the progressive State income tax.

While the bill we are considering in the Senate does not include as strong an income tax incentive as the House-passed version, the formula for allocations to the States in the Senate bill does include the need factor, which the formula in the House bill does not. As a result, my own State of Maine, which has a high-need factor, will receive \$34.2 million in the first year under the Senate Finance Committee's version, as opposed to \$19.9 million under the House-passed bill. I wholeheartedly endorse the inclusion of the need factor in the formula for allocating shared revenues to the States.

Third, since this legislation is general revenue sharing legislation it will not undercut any existing categorical grant programs. Rather, it will supplement those programs by providing State and local governments with the funds they

need to provide essential services such as providing police and fire protection and garbage collection.

Mr. President, the general revenue sharing legislation before the Senate is in itself no panacea for the financial ills of city and State governments. But, if we are ever to deal effectively with the fiscal woes on the State and local levels, it is essential that we in the Congress begin immediately. Therefore, I offer my unqualified support for Senate passage of H.R. 14370.

#### PERMISSION FOR COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS TO HAVE UNTIL MIDNIGHT TO FILE REPORT ON S. 3939

Mr. WILLIAMS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing and Urban Affairs have until midnight tonight to file its report on S. 3939, to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

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

#### 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.

#### REPORT ON U.S. PARTICIPATION IN THE UNITED NATIONS—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER (Mr. TUNNEY) 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 Foreign Relations:

*To the Congress of the United States:*

It is a pleasure to transmit to the Congress the 26th annual report on United States participation in the work of the United Nations. This report covers the calendar year 1971.

During the period under review there were many developments within the UN framework of importance to the United States and to other member states. Some of these events were favorable; others were not. Among the former:

- The General Assembly decided to seat the representatives of the Peoples Republic of China, and this was followed by corresponding action in the Security Council.

- The United Nations established a Fund for Drug Abuse Control that will finance a concerted worldwide action program to assist member states in reducing both the demand for and the supply of dangerous drugs.

- A plenipotentiary conference in Vienna sponsored by the United Nations, a Convention on Psychotropic Substances was adopted, designed to curb the misuse of such substances

as the hallucinogens, amphetamines, barbiturates, and tranquilizers.

- The 26th General Assembly endorsed two treaties, both sponsored by the United States, and expressed its hope for the widest possible adherence to them. The first was the Convention on International Liability for Damage Caused by Space Objects; the second was the Convention on the Prohibition of Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.
  - In December the United Nations elected a new Secretary General, Ambassador Kurt Waldheim of Austria.
  - At an international conference in Montreal sponsored by the International Civil Aviation Organization, a Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation was adopted.
  - The UN Economic and Social Council was strengthened by the Assembly's decision to adopt and submit to member states for ratification an amendment to the Charter that will double the Council's membership to 54, thereby making it a more representative body. In addition the Council created two new standing committees, one concerned with review and appraisal of the progress toward the goals of the Second UN Development Decade, and the other concerned with problems of science and technology.
  - The United Nations created the position of Disaster Relief Coordinator within the UN Secretariat to assist countries stricken by disasters. In addition to these favorable developments there were others that were disappointing.
  - The Republic of China, a member in good standing for many years, was deprived of representation by the same resolution that gave representation to the Peoples Republic of China. This action was extremely regrettable and was strongly opposed by the United States.
  - Despite determined efforts by the United States and others, the war between India and Pakistan demonstrated again the severe limitations on the organization's ability to carry out its primary function, the maintenance of international peace and security.
  - No progress was made toward resolving the differences among UN members on the organization and conduct of peace-keeping missions.
  - The General Assembly's effort to rationalize its organization and procedures fell far short of our hopes.
  - The United Nations made no great progress toward resolving its difficult financial problems.
- During 1971 the United States Government announced its intention to negotiate a reduction in the rate of its UN assessment to a level no higher than 25 percent. This decision is in line with a recommendation by the Commission for the Observance of the 25th Anniversary

of the United Nations, chaired by Ambassador Henry Cabot Lodge, and is consonant with our belief that an organization of almost universal membership should not be overly dependent upon a single member for its financial support.

This proposed reduction in our rate of assessment does not affect our voluntary contributions to various UN programs. Indeed, the Lodge Commission recommended increases of at least corresponding size in voluntary contributions whose size depends on each nation's judgment of its own interests and capabilities.

These and many other topics are covered in the report. I commend to the Congress this record of our participation in the United Nations during 1971.

RICHARD NIXON.

THE WHITE HOUSE, September 8, 1972.

#### EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. TUNNEY) 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 pointed at the end of Senate proceedings.)

#### REVENUE SHARING ACT OF 1972

The Senate continued with the consideration of the bill (H.R. 14370) to provide payments to localities for high-priority expenditures, to encourage the States to supplement their revenue sources, and to authorize Federal collection of State individual income taxes.

##### AMENDMENT NO. 1459

Mr. METCALF. Mr. President, I call up my amendment, No. 1459.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read as follows:

On page 41, between lines 15 and 16, insert the following:

(e) INDIAN TRIBES.—One-fourth of 1 percent (0.25 percent) of the amount available for allocation among the States under this section shall be set aside for allocation and payment to Indian tribes and Alaskan native villages which perform governmental functions. The Secretary shall prescribe regulations for the division of the funds among such tribes and villages which shall generally reflect the policies embodied in this subtitle.

Mr. METCALF. Mr. President, this amendment is cosponsored by the Senator from Montana.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate so that the Senator may be heard on his amendment?

The PRESIDING OFFICER. The Senate will be in order.

Mr. METCALF. Mr. President, this amendment is cosponsored by Senators MANSFIELD, JACKSON, BURDICK, HARRIS, HUMPHREY, PACKWOOD, GRAVEL, KENNEDY, MOSS, MONDALE, BIBLE, MUSKIE, CHURCH, and STEVENS. In addition, Senator HART has asked to be named a cosponsor.

Mr. President, our amendment would provide that Indian tribes, on Federal or State reservations, and Alaskan na-

tive villages that perform governmental functions be included in the units of government to receive allocations under the Revenue Sharing Act.

Our amendment is a logical extension of the recognition given tribal governments since the passage of the Wheeler-Howard Act, when we acknowledged the tribes as quasi-municipal corporations for purposes of participation in State, local, and Federal level governmental activities.

We would provide that one-fourth of 1 percent of the total amount available for allocation be set aside for allocation and payment to Indian tribes and Alaskan native villages which perform governmental functions. One fourth of 1 percent is the ratio of Indians to non-Indians. If our amendment is adopted, the allocations would amount to approximately \$13 million.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. METCALF. Mr. President, in 1960 when I was a Member of the House of Representatives, Senator MANSFIELD and I went over to the old Supreme Court chamber and appeared before Senator Douglas, who was conducting hearings on an area redevelopment bill. We pointed out to him that Indians met every criteria set up in the bill, multiplied several times.

We told of the horribly depressed economic conditions on the seven Indian reservations in the State, conditions that were identical to those found in Appalachia and other areas of the Nation.

The committee recommended and the Senate agreed that Indian tribes should be included. The provision was incorporated in the bill that finally passed.

And in all bills that have been passed since then, such as OEO, and Urban Renewal, the Indian tribes have been declared eligible to participate on the same basis as other municipal corporations.

The Indians need the same help today.

According to the 1969 report of the Special Subcommittee on Indian Education, the Indian dropout rate in the Minneapolis public schools was 62 percent; in California it was 70 percent. One-third of the 123 Yakima Indians in a Washington school were reading two to six grades below the median level. In Nome, Alaska, there was a 90 percent dropout rate and in an all Indian public school near Ponca City, Okla. the rate reached 87 percent at the sixth grade.

The direct effect on the future of these young Indians is graphically illustrated by the rate of Indian unemployment and by their average income.

The Joint Economic Committee's Subcommittee on Economy in Government in its print, "Toward Economic Development for Native American Communities" found that among reservation Indians the average unemployment rate in 1967 was 37.3 percent as compared with 2.3 for non-Indians at the time. Statistics compiled the year before by the Bureau of Indian Affairs showed that unemployment was as high as 79 percent—Fort Berthold in North Dakota—on some reservations.



It stands at 40 percent today, nationwide.

We have to remember, too, that much of the employment on reservations is seasonal. This means, of course, that incomes are lower. The report of the Subcommittee on Economy in Government said:

The vast majority of reservation Indians are living in poverty.

In 1964, the income of reservation Indians was only 32 percent of that on non-Indians, \$1,800 annually, as compared with \$5,710 annually, for non-Indians.

In 1970 the average Indian per capita income had dropped to \$950 as compared to 1970 non-Indian income of \$3,900.

Despite the desperate circumstances that the foregoing figures describe, Indian tribes are nevertheless performing governmental functions. There is the Agricultural Extension Service; the Indian Forest Service; these are services performed under contract with the Bureau of Indian Affairs. Then there are law and order functions including courts and policemen, there are schools—under BIA contract using Johnson O'Malley money—and there is welfare and there are roads and sewer systems and housing handled locally where possible.

Out of tribal funds the tribes have sponsored Headstart, Community Action, and other Office of Economic Opportunity programs, they have organized themselves and used tribal funds to match Federal funds to construct housing, sewers, and so forth.

While the non-Indian populations enjoy appropriations for the Agricultural Extension Service and for substantial subsidies to agriculture and at all levels for laws and courts, the Indian tribes as a community have to finance their programs out of Federal appropriations, from the Bureau of Indian Affairs, or out of tribal funds.

So we have a distorted view of how much we are spending at the present time on Indian people. If we added everything we spend for non-Indian government services, including those that are local such as police and fire protection, sewer and water systems, schools and roads, I think the picture would change substantially.

When we require Indian tribes to perform some of these special functions that they take over from the Federal agencies and local governmental groups, in maintenance of law and order, welfare and other special services that the governmental bodies perform, it seems to me that equity demands that Indian governments share as do other units of government, in the Revenue Sharing Act.

Mr. President, we know the desperate conditions that prevail on Indian reservations respecting employment, income, and education. We know that the tribal governments are nevertheless performing vital government services. Our amendment to the revenue-sharing bill would enable them better to perform their functions for high priority expenditures and place them on an equitable footing with non-Indian units of government.

I urge the adoption of the amendment.

Mr. President, Senator MANSFIELD has

already called our attention to the support of the National Tribal Chairmen's Association for our amendment. I ask unanimous consent that the endorsement of the National Congress of American Indians be printed at the conclusion of my remarks.

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

NATIONAL CONGRESS OF AMERICAN INDIANS,  
August 4, 1972.

HON. LEE METCALF,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR METCALF: We wish to take this opportunity to thank you, once again, for your interest in Indian people and for your attempts to secure a fair shake for our people in various bills which have been introduced in the Congress. In particular, we wish to express our appreciation to you and Senators Mansfield, Jackson, Burdick, Harris, Humphrey, Gravel and Kennedy for the introduction of Amendment No. 1459 to H.R. 14370.

If the revenue sharing legislation becomes law, it is of extreme importance that Indian tribes be included in the concept if the promise of "Self-determination without Termination" is to have real meaning.

We have corresponded with each of the members of the Finance Committee of the Senate asking them to support the adoption of your amendment and to support its passage in the final bill.

Again, thank you.

Sincerely yours,

LEO W. VOGT,  
Executive Director.

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

Mr. METCALF. I am delighted to yield.

Mr. GOLDWATER. I wanted to ask a question of my friend. This applies to Indian tribes, as I understand it.

Mr. METCALF. This applies to every Indian group that exercises a government function.

Mr. GOLDWATER. I was wondering if the measure might be more easily applied if we confined it to reservations that come under the supervision, control, or observation of the Federal Government. These tribes range in numbers from less than 20 to 150,000. Twenty-five percent of all of our Indians belong to the Navaho Tribe that lives in Arizona, New Mexico, and Utah. Many tribes are so small that they have no government, and government would be difficult to achieve. The moneys that would come to them under the Senator's amendment I do not believe would do the good the Senator feels it would.

I would suggest that if the Senator changed the word "tribes" to "reservations," the measure would be more readily accepted by those of us who have lived with this problem all our lives.

Mr. TUNNEY. Mr. President, will the Senator yield to me?

Mr. METCALF. May I yield to the Senator from California, who has a similar problem?

Mr. TUNNEY. It is a similar problem, but I take almost exactly the opposite tack from the Senator from Arizona. I was prepared to offer an amendment to add after the word "tribes" a comma followed by "bands, groups, pueblos, and communities." The reason for that is that

in California, and I am sure in other States as well, we have a unique problem. In the 1850's, the Indians in California were promised by the Federal Government reservation lands. Many Indians moved from the place of their habitation in reliance upon the Federal Government's promise of landed areas which they expected would be reservations. The Government never gave them reservation lands except in certain few instances in the late 19th and early 20th centuries. But the great majority of our California Indians were not given reservation land.

We now have approximately 6,000 Indians in California living in rancherias and reservations at least and 25,000 non-urban Indians not living on rancherias and reservations. There are approximately 9,000 urban native California Indians living in California today, and clearly the amendment of the Senator from Montana, as amended by my amendment, would not apply to them.

With respect to those Indians who live in bands, groups, pueblos, and communities and perform governmental services, and live on rancherias, or otherwise, it seems only fair that they should be able to participate in this revenue-sharing bill.

Mr. METCALF. I yield now to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I am well aware of the problem in California, and I am not very proud of the way our Government has acted in that case. If we made the wording "Indian tribes," I do not think it would take care of the situation. However, if we made it "reservation," which I strongly recommend, then I think some language along the lines the Senator from California suggests, relating "reservations" to these people who have been terminated, would be in order. I think it is going to be extremely difficult to even allocate money among the hundreds of tribes that we have, all of whom have different problems and are located all the way from the north of Alaska to the tip of Florida. Each one of these tribes has a different problem, but if they have no government I do not know to whom it is going to be allocated.

I think all reservations—I do not know of any that does not—have governments. I think this is a good idea, but I am worried about the hundreds of tribes that have no governments that are more or less family affairs. How are we going to handle the allocation of those funds and feel that the good that could come from them will come? That is what puzzles the Senator from Arizona.

Mr. METCALF. May I respond to the Senator from Arizona by saying that is why we wrote into the measure those Indian groups that are exercising governmental functions. There are urban Indians, and many of them live in Los Angeles, Seattle, Minneapolis, and all over the Nation, who are members of tribes, but they do not participate in or exercise governmental functions. But there are Indians under the Wheeler-Howard Act, and there are bands of Indians with responsibility over sewers and other services, law and order, maintaining Indian courts, and those people exercise the same functions that the mu-

nicipality nearest them exercises for the non-Indian population. That is why we have said, not reservations, but those groups that are governmental in fact as well as in law.

Mr. GOLDWATER. Mr. President, if the Senator will continue to emphasize that language, so that when the Bureau of Indian Affairs deals with this measure, as they do with everything else—to the detriment of the Indians, I might say—there will be no question about it, then I think he will be performing a good service.

I understand that language, and I think it is exactly the kind of language we should emphasize if we want to make sure that this money goes to those groups, tribes, and bands performing a governmental function.

I want to make this perfectly clear because, frankly, the BIA, like all Government agencies, rather scares me as to what they will do with this well-intentioned piece of legislation after they get their hands on it.

Mr. METCALF. I certainly concur. I want to make it crystal clear that the persons who get the benefits of this bill are those who perform the same functions that States and municipalities are filling. They have courts, they have water and sewage systems, they have schools to support, they have jails, and they have all the problems of other units of government. This is not a bill for the relief of individual Indians; it is a bill to recognize our responsibility to those Indian tribes which do some of those jobs the adjacent communities are doing.

Several Senators addressed the Chair.

Mr. METCALF. I yield to the Senator from Kentucky.

Mr. COOK. Mr. President, obviously we do not, in my State, have any of the problems the Senator is talking about. The thing that bothers me, and I wish someone would try to explain it, is that everything else in this book—the State, the county, the city—has a boundary. It is a specific unit of government established statutorily, under the respective sovereignty of the States, according to the statutory law of the respective States that established the boundary lines of the county or the boundary lines of the city. So we know that there is a specific legal entity that is established and created.

The thing I am puzzled about, and would hope that some language could be gotten together on—I must say, in my own mind, that in fact there is a unit of government that is run by an Indian tribe, that has a school system or a sanitary sewer problem, or a health department, it has got to be an established form of government under the respective laws of the State or those provided by the Federal Government for a territorial jurisdiction.

I wonder whether, somehow or other, this can be defined that way. I am worried about this kind of fluid thing, that could encompass several counties, or could encompass territories in, let us say, two different States. That is what bothers me about this. If there is some way that it really could be defined, I think it would be better, because, as

I said just a minute ago, everything else that is in this bill is specific to either a legal or statutorily created unit of government.

I am just wondering if something can be found. As a matter of fact, that is why I thought the word "reservation" might be appropriate, but I now find it is not, because that is a specifically defined territory. A metes and bounds description could be established. It is created as a separate unit of government.

I merely present this as a question. Can it be done that way? Can the distinguished Senators from Montana, California, and Arizona come up with some kind of language, so that we will not have some kind of a fluid form of government within revenue sharing that is going to take a percentage of revenue, so that conceivably we could get into an argument, on the Arizona-California border, where some from one State goes to it and some from another State goes to it; so that we could get ourselves into a serious extraterritorial argument?

Several Senators addressed the Chair. Mr. METCALF. I would be delighted to respond, but I yield to the Senator from Arizona.

Mr. FANNIN. Mr. President, I express my appreciation to the Senator from Kentucky, because he has raised questions which troubled the committee. The committee had great sympathy for the amendment of the Senator from Montana, but it was very difficult to determine how it could be applied.

Further to emphasize the great problem that will accrue to the Secretary who will be administering this fund is the language which states that he is supposed to "prescribe regulations for the division of the funds among such tribes and villages which shall generally reflect the policies embodied in this subtitle."

I understand from the Senator from Montana that this would be on a per capita basis. But if it is on a per capita basis, is it really carrying through with the intent of this revenue sharing legislation? Because, as the Senator from California has set out, they may have problems as far as sewage is concerned and they may have problems as far as water systems are concerned. How do they work that out on a per capita basis? I would like to pose that question to the Senator from Montana.

Mr. METCALF. Let me assure the Senator from Arizona and the Senator from Kentucky that while perhaps it is a little bit easier to say that here is the geographical boundary of a county or a municipality or a city, these are groups of American Indians who are organized under Federal statutes, and are exercising governmental functions. These are groups of people. Sometimes they are on a reservation. As far as the Indians in California are concerned, they are not on a reservation, but they perform certain governmental activity.

We have recognized them under urban renewal, under Headstart, and under Upward Bound, and we have been able to administer those programs. When they come in and say, "Look, we are the same as any other municipal corporation, and we want a housing project," we give them

a housing project. When they say, "We want to have a community action program," we give them that.

An Indian tribe is a little more fluid than, say, a certain specific county, but it is ascertainable that these Indians, who are organized under Federal statutes and participate in organizations—we can find out what they are doing. If the Senator from Kentucky had to go into an Indian court, he would know full well where the jurisdiction of the court was, because it is defined, and they do do the things that the nearby municipalities do. They have jails, they have courts, they have law enforcement officers, they have schools—they have all the things that governmental units with definite boundaries have.

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

Mr. METCALF. I am delighted to yield.

Mr. COOK. The Senator mentioned that they have jails, law enforcement officers, and schools. Is there a territorial basis by which they can derive income for the purpose of maintaining those facilities?

Mr. METCALF. No; and that is what is wrong with the way we are treating the American Indian today. That is something I am trying to cure by this legislation. They are being required to support many of these organizations out of private income—rental of private property, sale of private cattle, income on natural resources such as coal and oil, and so forth—that, if it were a non-Indian population, would be distributed among the owners of a corporation. They do not have any tax base, and in order to participate in community action program benefits, they have to divvy up some of the money they get from Indian claims to make up their matching funds.

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

Mr. METCALF. I am delighted to yield.

Mr. TUNNEY. Mr. President, I completely concur with what the distinguished Senator from Montana has said.

I should like to reiterate to the Senator from Kentucky that the problem we have in California, as an example, is that we have only 6,000 of our 45,000 native California Indians living on rancheros or reservations. Actually, we probably have many more than 45,000 Indians in California. Recent hearings held there indicate there are at least 90,000.

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

Mr. TUNNEY. I yield.

Mr. COOK. Those who live in Los Angeles and San Francisco are citizens of those communities.

Mr. TUNNEY. And they will be treated as such, as they should be.

We are not talking about them. We are talking about the rural Indians who exercise governmental functions. I should like to emphasize and underline the phrase "governmental functions."

I think the distinguished Senator from Arizona (Mr. GOLDWATER) made the point very clearly that he feels that the people to be affected should be performing a governmental function in order to get any money, and I feel the same way. I do not think we should be handing out



this money on a per capita basis to individual Indians. We are not talking about that. We are talking about giving it to a band or a tribe or a group of Indians that is legally distinguishable and which has dealt with the Bureau of Indian Affairs in the past as a legal entity.

If the distinguished Senator from Montana would yield to me for the purpose of offering an amendment to this amendment, I should like to offer the amendment at this time.

Mr. METCALF. I yield.

Mr. TUNNEY. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On line 4 of the first page of the amendment, immediately after the word "tribes", insert a comma and the following: "bands, groups, pueblos, communities." On line 2 of the second page of the amendment, immediately after the word "tribe", insert a comma and the following: "bands, groups, pueblos, communities."

Mr. METCALF. Mr. President, I am delighted to accept that amendment, provided the record shows and it is clearly understood today that these tribes, bands, and other units have to be performing a governmental function.

Mr. TUNNEY. Absolutely.

Mr. METCALF. Just as the Indians on a reservation have to be. I think we should accept the Indians that the Senator from California wants to have included.

We should make it clear that we want those Indians included in this, but again let us emphasize the fact that they have to be doing something that is analogous to the governmental function of adjacent communities.

Mr. TUNNEY. Absolutely. It is on that basis that I offer the amendment.

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

Mr. METCALF. I yield.

Mr. MUSKIE. I have followed the discussion with interest, because I am a co-sponsor of this amendment. It applies, as I understand it, to Indian tribes in Maine.

I am disturbed with respect to the explanation of the Senator from California of his amendment. I believe it was suggested in the colloquy with the Senator from Kentucky that this amendment would apply only to Indian tribes that are subject to the jurisdiction of the Bureau of Indian Affairs.

Mr. METCALF. No.

Mr. MUSKIE. If that is the intent of the amendment, I am particularly concerned about it, because the two tribes in Maine that are involved have never been acknowledged by the Bureau of Indian Affairs as a trust responsibility. As a result, they have had difficulty with Federal agencies over the years in getting the advantage of programs identified by Congress as intended to benefit Indian tribes on Indian reservations. I would like it to be explicitly clear—to coin another phrase—that the amendment is designed to cover such communities of Indians as well as those that are under the jurisdiction of the Bureau of Indian Affairs.

Mr. TUNNEY. There is no question that my amendment is intended to do

just as the distinguished Senator from Maine suggests. It is not circumscribed to just those Indians that have a legal identity recognized by the Bureau of Indian Affairs. I did not intend to convey that impression. I was saying that some of the nonreservation bands in California who are exercising governmental functions have been recognized by the Bureau of Indian Affairs. But I was not attempting to circumscribe the group of Indians to be covered just to those who have been recognized by the Bureau of Indian Affairs. Under the language of my amendment, the Indian tribes in Maine, irrespective of whether they have been recognized by the Bureau of Indian Affairs, if they are performing governmental functions, would be included.

Mr. MUSKIE. I was certain that that was the Senator's intention.

Mr. METCALF. I say to the Senator from Maine that that was one of the reasons why I objected to the proposal of the Senator from Arizona (Mr. GOLDWATER)—that it would be easier just to say that we will apply this to Indian reservations. But there are areas and there are groups and there are bands and there are tribes that do not come under the Bureau of Indian Affairs which do exercise some of these governmental functions that we are trying to assist the cities and the towns in carrying out; and we should assist the Indians who are exercising analogous functions.

Mr. MUSKIE. I appreciate that explanation. It was my understanding, consistent with my understanding of the thrust of the original amendment, and now I am reassured by the Senator from California. I accept the explanation, and I appreciate the reassurance.

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

Mr. METCALF. I yield.

Mr. FANNIN. I will support the Senator's amendment if we can have a clarification as to exactly how it would be applied.

As I understand the amendment of the Senator from California, it would have to be a governmental organization. In other words, they would be functioning the same as a municipality. Is that the understanding we now have? They would be subject to the same laws as a municipality.

Mr. METCALF. I will give an example, although it may not cover every aspect. The Flathead Tribe, which exercises law and order and performs sewage services, and so forth, will apply for its per capita share of this \$13 million, and the amount will be allocated to it for these purposes under the same provisions that we have revenue sharing for everybody else.

Some of Senator TUNNEY's bands and tribes are also definitely ascertainable, and whether they are under the Bureau of Indian Affairs or not, we can determine what they are, and they will participate in the per capita distribution.

Mr. FANNIN. The distinguished Senator from Montana stated earlier that, under this provision, the same regulations would apply that apply on other Federal grants that are now being given to these governmental entities. Is that correct?

Mr. METCALF. That is correct. I want these Indian groups treated exactly the same as other governmental units.

Mr. FANNIN. So the same rules and regulations would apply in this regard as now apply to municipalities.

Mr. METCALF. I assume the same rules for distribution, and so forth, would apply. They would have to make application in the same order.

Mr. FANNIN. I thank the Senator.

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

Mr. METCALF. I yield.

Mr. BENNETT. One situation here puzzles me, and perhaps by trying to suggest an example I can illustrate the problem as I see it.

Let us say that in Orange County, Calif., there is a community or pueblo of a thousand Indians. That is possible, I suppose.

Mr. METCALF. I cannot visualize that many "reds" in Orange County.

[Laughter.]

Mr. BENNETT. I will back away from that one.

Here is this community or pueblo. Under the bill, money is allocated to Orange County, and then it is divided among the various organized localities inside the county. Under the amendment of the Senator from Montana, would Orange County get all its money, because the Indians are counted as population, and then would the Indians get that much money on top of it, or would the Orange County allocation cover the Indians in Orange County?

Mr. METCALF. I would hate to have the Senator and others try to determine that we would deduct from regularly established county officers and municipal areas the amount that we allocated here to the Indians.

There are various problems, as the Senator from Utah knows, which are very much involved in a substantial group of Indians in any specific county. For example, up in Glacier County, Mont., the Blackfeet Indians probably own half the land, all of which is tax-exempt. They would get a payment under this allocation. I would not want to say that Glacier County or the City of Cut Bank, to use a specific example, would be deprived of some of its allocation just because the Indians were given special treatment. We are talking about \$13 million, one-quarter of 1 percent. I would hope that we would not bother about what would happen in a handful of counties or municipalities.

Mr. BENNETT. What the Senator is saying, then, is because half of Glacier County belongs to the Indians—I do not know what the population of Glacier County is, but let us say it is half Indian for the sake of argument—then Glacier County will get two such allocations, one as if the Indians were white, and then the Indian allocation on top of that.

Mr. METCALF. Yes. I feel that there are so few Indians in America and the special problems that they have raised so far as welfare is concerned, and the problems they have taken on, so far as law and order is concerned, warrant that differentiation.

Mr. BENNETT. There are no white people in the United States who will have

the benefit of—what is it?—\$13 million appropriated?

Mr. METCALF. No. Let us talk about that. We have an appropriation for the Bureau of Indian Affairs. Some of the money is appropriated for Indian forestry, some for Indian education, and some for Indian welfare and all of those things. If we count up the money appropriated for the non-Indians, it would be several hundred million dollars. But we do not include that. We do not say, for the people who live in Cut Bank in Glacier County, that we appropriate money so that they can have a national forest. That is part of the agricultural program.

Mr. BENNETT. But that is not the problem here, Senator.

Mr. METCALF. Let us not distort the issue by saying that we are appropriating all this money for the Indians, because we are not appropriating it for the Indians. We are doing for them a special job that we are doing for other people by ordinary appropriations.

Mr. BENNETT. The effect, of course, with Glacier County and the theoretical figure we used as an example, will be that the white people in Glacier County will get twice as much money as the white people in any other county because of the Indians that live in that county. That is a problem we are going to have to face, because we have a county in my State with a heavy Indian population—

Mr. METCALF. And very heavily Indian land owned.

Mr. BENNETT. No. On a reservation.

Mr. METCALF. It is trust land. It does not pay taxes.

Mr. BENNETT. But in determining the amount of revenue-sharing funds provided, it is population that counts in figuring the population in the county and the per capita income and everything else; and then, in addition, on a population of Indians basis, the Indians will get an allowance. As the chairman has just whispered in my ear, if they get only what they are entitled to under this amendment, then we have fixed it so that the whites in the county will get twice as much money as the whites in any other county because of the presence of the Indians in that county. Because they get large revenue-sharing funds as a result of getting credit for the Indian population in California, they will have no problem providing any money for the Indians.

I think this is a problem particularly with respect to the Indians, perhaps the small groups in California, living off reservations, and also a real problem for some areas where the reservation makes up part of the county. There is a white population and there is an Indian population. I do not think it was the Senator's intention to set up that kind of situation. I am not sure that I know how to solve it, but the Record should show that the problem is there. I hope that we can solve it in conference, if we cannot do it here. Otherwise, while the Senator is trying to help the Indians, all this would mean is, whether they would be treated as ordinary citizens or not, it would make it possible for the whites to have that much more money.

Mr. TUNNEY. Mr. President, will the Senator from Montana yield?

Mr. METCALF. I yield.

Mr. TUNNEY. I have assumed that in all probability, without the amendment offered by the Senator from Montana, Indians who perform a governmental function would not receive any allocation from revenue sharing.

Mr. BENNETT. No. If they are citizens of the county and have a governmental unit and serve the governmental function under the bill, they would be treated as ordinary citizens.

Mr. TUNNEY. Yes, but it is my impression that they would not receive the specific money for the running of their own governmental structure.

Mr. BENNETT. Oh, yes. If they are operating as a local government inside the county, they would receive money from the county just like a neighboring community would receive money from the county.

Mr. TUNNEY. If the county government wanted to give it to them.

Mr. BENNETT. No. It is not left to the county government but is structured into the formula.

Mr. METCALF. No. It does. An Indian road is an Indian road, not a county road. An Indian school is an Indian school, not a county school. An Indian court is an Indian court, not a county court. The county does not contribute money to that Indian court, the Indian school, the Indian road, or the Indian sewer.

Mr. BENNETT. Let me ask the Senator from California (Mr. TUNNEY) about one of the bands he talks about, the few hundred Indians living in a community, does the county police power stop at the end of their community, or do they get protection from the county?

Mr. TUNNEY. Yes; the counties provide police protection in many respects, but the affected Indian communities must provide their own law-enforcement mechanism in matters over which they have jurisdiction.

Mr. BENNETT. Are they tried in the county courts?

Mr. TUNNEY. Yes, but the affected Indian communities have residual judicial power, such as over hunting and fishing.

Mr. BENNETT. Does the county build the road through their community?

Mr. TUNNEY. In some instances, the roads are built by the county and the local governments, but only with permission given by the affected Indians and the Secretary of the Interior. In many cases, the roads are built by the Bureau of Indian Affairs. But the bands do exercise governmental functions. They are recognized by HUD for purposes of housing projects. They are recognized by HEW for purposes of medical grants.

Mr. BENNETT. They are recognized as a community as the non-Indian community is recognized.

Mr. TUNNEY. Yes; that is correct, but not as a part of the county government. They are recognized as a separate body.

Mr. BENNETT. This bill recognizes the difference between the county govern-

ment and the government of an individual local community. The allocations are made to the individual communities, which the county cannot control. It would be the same thing with an Indian village if it were a unit of local government. I do not think there is any difference.

Mr. TUNNEY. I wonder whether there exists any legislative history during the hearings or in the committee report which would indicate that the Indians would be treated as a separate governmental entity. I thought that was the whole purpose of the amendment offered by the distinguished Senator from Montana (Mr. METCALF) to take care of a unique situation.

Mr. BENNETT. It is unique on the reservation, but the Indians the Senator has described, who are given all the privileges and benefits of non-Indian citizens in that county, are included in the community and, under this bill, would be given their share of the funds as communities whether non-Indian or Indian. We are in danger of doubling up on Indians that live in communities off the reservations. I think we should be very careful about that.

Mr. TUNNEY. Unless there is some legislative history indicating that the Indian bands would be given this money, I am fearful that in all probability they would not be, because they would not be considered a governmental body.

Mr. BENNETT. May I turn it around and say that if it is discovered that, in fact, these small groups, small communities off the reservations, under the bill, do get the same equal and full treatment that would be accorded non-Indian communities, in that case the Senator has no intention of doubling that up.

Mr. TUNNEY. I certainly am not.

Mr. BENNETT. That is fine.

Mr. TUNNEY. My purpose is not to double up. I understand that the Senator from Montana has, apparently, a different point of view on it.

Mr. METCALF. No, I do not. My purpose was not, I say to the Senator from Utah, to double it up. My purpose was because it is the same with regard to these areas where the Indian tribes maintain the roads, provide for the schools, and take care of the courts, and the law and order, that they should participate in the revenue sharing program.

Mr. BENNETT. Mr. President, I will not quarrel with that. I am glad to have that inquiry, because it brings out the possibility of misinterpretation. None of us want to double it up, either for Indians or whites.

Mr. TUNNEY. The Senator is correct.

Mr. BENNETT. Mr. President, all we want to do is to see that they are all given equal treatment.

Mr. TUNNEY. The Senator is correct.

Mr. METCALF. Mr. President, I yield to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, has the bill been referred to the Interior Committee at all?

Mr. METCALF. Mr. President, the special provision that I have offered was referred. I offered an amendment when the revenue sharing bill came in, and



the Parliamentarian and the Presiding Officer referred it to the Finance Committee. I appeared before the Finance Committee and testified in behalf of this proposal because it was a part of the revenue sharing bill.

In my statements today I have used considerable information that has been elicited as a result of the activities of the staff of the Interior Committee. However, this particular amendment was not referred to the Interior Committee because they felt it was an amendment to the Finance Committee bill.

Mr. ANDERSON. Mr. President, has the matter been referred to the Secretary of the Interior?

Mr. METCALF. I do not know. I do not know what the procedure is in the Finance Committee any more. I am not a member of it at this time. The amendment was submitted long before the committee revenue bill came out. Then, as soon as the bill was reported, which was before the recess, I redrew the amendment and submitted it in the ordinary course in the Senate. I do not know whether they submitted it to the Secretary of the Interior or not. He should have had an opportunity to comment on it.

Mr. ANDERSON. I think he should have; yes, indeed. He is especially acquainted with the problems involved. I appreciate that. I believe that they can help in matters such as this. He should examine it carefully.

Mr. METCALF. Certainly if this amendment is adopted, I am sure the chairman of the committee and others will ask for his views. The Senator from New Mexico is probably on the conference committee and will ask for the views of the Secretary of the Interior, and the Bureau of Indian Affairs, as well as others.

Mr. ANDERSON. We want to be very careful about this. It can be very embarrassing to him. What the Senator from California says is quite right in large part. I do believe we ought to be very sure that this be clear. Would it be in 5 years, 25 years? This may be all right. However, we ought to be very careful about this at the present time.

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

Mr. METCALF. I yield.

Mr. TUNNEY. Mr. President, I would like to mention to the Senator from Utah that it is my understanding that the Senator from Minnesota (Mr. HUMPHREY) who is not present on the floor at the present time, is prepared to offer an amendment.

It would seem to me that the thrust of the amendment would be to prevent doubling up, to prevent the county from getting a share of moneys not being used to provide for the needs of the entire population living in that community, including the Indian population.

Mr. BENNETT. Mr. President, I think it would be worthwhile if our staff could look at that language and see if it is in the best possible shape to produce the result that we all wish to produce.

Mr. TUNNEY. I certainly agree with the general thrust of the amendment, as I understand it. I saw it for the first time

only a few minutes ago. I have not had an opportunity to evaluate it very closely. I think it should go to the staff. I would hope that the Senate could accept my amendment to the amendment of the Senator from Montana, and then accept the amendment of the Senator from Montana. I think the issues are very clear. They have been thoroughly discussed.

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

Mr. METCALF. I yield.

Mr. LONG. Mr. President, permit me to say that the discussion here has demonstrated very clearly to most Senators who, like myself, are not experts on Indian affairs two things.

The first is that there is merit in trying to further guarantee justice to American Indians in the revenue sharing bill. We did not do more for the Indians in this bill for the sole reason that we in the committee, in the time allotted to us and with the pressures of other business, were not able to solve the technical problems that are dealt with by those who are familiar with Indian affairs.

Second, with all good intentions and with a desire to help the American Indians whom we have been discussing here, the Senators who are cosponsoring the amendment have not been able to find the answers that we need to make a determination and completely meet this problem. In other words, some Senators, like myself, would look at a situation here in an area where there are a number of Indians that have low income. If those Indians are to be counted for purposes of arriving at the per capita income of that State, as they are in the bill, that causes the State to get more money and the local governmental unit to get more money, the county and the city, if those Indians are within a county and a city or incorporated unit. Then they are counted in arriving at the population which again is multiplied by the per capita income and tax effort factor. And all of that causes the State and county and city to get more money. In cases where the Indians are not in a unit of local government, the funds coming to the State and the counties because of including the Indians in the population go to the non-Indian governments. In this sense the non-Indians may benefit because of the presence of Indians.

I do not think, through this amendment or otherwise, the Senate would want to simply provide an additional benefit in an effort to try to do justice to Indians which would work out so that it was not the Indian who was being benefited, but the whites, or non-Indians.

I do not think they are trying to get an additional benefit for non-Indians under the guise of helping Indians, so if we can work this out to efficiently provide justice to the American Indians I would be happy to cooperate and lend my best efforts to it, and I think other Senators on the committee would do that.

Time is short and if the Senator accepts the amendment—and I am happy to take it to conference if the Senator would permit me to take it to conference—I would urge Senators to work with the staff and those on the commit-

tee to provide us with their best advice with respect to the technical problems here involved.

I am advised it does not necessarily contribute to a solution to this question to add the Humphrey amendment to the Metcalf amendment. I am advised by the staff that we have sufficient latitude in conference that we could incorporate the Humphrey amendment into the Metcalf amendment if that should be necessary to meet the technical defects. The reason we have not achieved what is sought by the Senators from Montana, California, Utah, and even the Senator from Arizona, who is trying now to get recognition, as well as the Senator from New Mexico, has been that we have been confronted with more technical details and more considerations than we could overcome from an intellectual point of view in the time available to us to work on this bill.

But I will be happy to support the amendment and go to conference with it and try to meet the various purposes that have been discussed; and I will seek, by the time we bring the bill back from conference, to work out a legislative solution to provide equity here to all and justice in particular to the American Indian who, after all, has been probably the victim of more injustice than any of our American citizens.

Mr. METCALF. I am delighted to hear the statement of the Senator from Louisiana. I am certainly pleased to be able to accept his statement that he will take it to conference. I hope we can submit the amendment as modified by the Senator from California at this time.

I yield now to the Senator from California.

Mr. TUNNEY. Mr. President, I agree completely and it is most appropriate that this should be refined in conference. I express my appreciation to the Senator from Louisiana for the expression of opinion he just made. I think this would be a benefit to the Indians and the entire country to recognize this problem. I think the Senator from Louisiana has been most gracious.

Mr. METCALF. Mr. President, I yield to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. FANNIN. Mr. President, I thank the Senator for yielding. I do not want to delay the Senate but I do wish to say that I agree wholeheartedly with what the Senator stated.

Perhaps it would be helpful to insert certain material in the RECORD. Therefore, I ask unanimous consent to have printed in the RECORD the Governing Bodies of Federally Recognized Indian Groups, the Indian Population, as of March 1972, by State and reservation, and a worksheet prepared by the Bureau of Indian Affairs showing funds allocated to these groups in 1972.

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

GOVERNING BODIES OF FEDERALLY RECOGNIZED INDIAN GROUPS (EXCLUDING ALASKA)

(Inquiries about Alaska Natives should be directed to the Bureau's Juneau Area Office, Box 3-8000, Juneau, Alaska 99801)

GOVERNING BODY, TITLE OF PRESIDING OFFICER,  
AND ADDRESS

- Absentee-Shawnee Business Committee, Chairman; in care of Shawnee Agency, Federal Building, Shawnee, Oklahoma 74801.
- Acoma Pueblo Council, Governor; P.O. Box 64, San Fidel, New Mexico 87049.
- Agua Caliente Tribal Council, (Palm Springs), Chairman; in care of Palm Springs Office, Bureau of Indian Affairs, 509 Industrial Place, Palm Springs, California 92262.
- Ak Chin Indian Community Council, Chairman; P.O. Box 22, Maricopa, Arizona 85239.
- Alabama-Quassarte Creek Tribal Town, Chief; in care of Okmulgee Agency, P.O. Box 671, Okmulgee, Oklahoma 74447.
- Arapahoe Business Council, (Wind River), Chairman; Arapahoe Tribal Office, Ft. Washakie, Wyoming 82314.
- Assiniboine and Sioux, (See Fort Peck).
- Bad River Tribal Council, Chairman; in care of Great Lakes Agency, Ashland, Wisconsin 54806.
- Bay Mills Executive Council, President; in care of Great Lakes Agency, Ashland, Wisconsin 54806.
- Big Pine, (See Owens Valley).
- Bishop, (See Owens Valley).
- Blackfeet Tribal Business Council, Chairman; Blackfeet Tribal Office, Browning, Montana 59417.
- Burns-Palute Business Committee, Chairman; in care of Warm Springs Agency, Warm Springs, Oregon 97761.
- Cabazon Business Committee, Chairman; in care of Riverside Area Field Office, Bureau of Indian Affairs, 6848 Magnolia Ave., Suite 8, Riverside, California 92506.
- Caddo Business Committee, Chairman; in care of Anadarko Agency, Anadarko, Oklahoma 73005.
- Carson Colony Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.
- Chehalis Community Council, Chairman; in care of Western Washington Agency 3006 Colby Avenue, Everett, Washington 98201.
- Cherokee Tribal Council (Eastern Band of Cherokees), Principal Chief; Cherokee Council House, P.O. Box 455, Cherokee, North Carolina 28719.
- Cherokee Nation (Oklahoma), Principal Chief; P.O. Box 119, Tahlequah, Oklahoma 74464.
- Cheyenne-Arapaho Business Committee, Chairman; Cheyenne-Arapaho Tribes of Oklahoma, Concho, Oklahoma 73022.
- Cheyenne River Sioux Tribal Council, Chairman; Cheyenne River Tribal Office, Eagle Butte, South Dakota 57625.
- Chickasaw Nation, Governor; in care of Ardmore Agency, P.O. Box 997, Ardmore, Oklahoma 73401.
- Chippewa Cree Business Committee (Rocky Boys), Chairman; Chippewa Cree Tribal Office, Box Elder, Montana 59521.
- Chitimacha Tribal Council, Chairman; in care of Chotaw Agency, Philadelphia, Mississippi 39350.
- Choctaw Nation (Oklahoma), Principal Chief; in care of Tahlequah Agency, P.O. Box 187, Tahlequah, Oklahoma 74571.
- Choctaw Tribal Council (Mississippi), Chairman; in care of Choctaw Agency, Philadelphia, Mississippi 39350.
- Citizen Band of Potawatomi Business Committee, Chairman; in care of Shawnee Agency, Federal Building, Shawnee, Oklahoma 74801.
- Cochiti Pueblo Council, Governor; in care of United Pueblos Agency, P.O. Box 1667, Albuquerque, New Mexico 87103.
- Cocopah Tribal Council, Chairman; in care of Colorado River Agency, Parker, Arizona 85344.
- Coeur d'Alene Tribal Council, Chairman; Coeur d'Alene Tribal Office, Plummer, Idaho 83851.
- Colorado River Tribal Council, Chairman; Tribal Administration Center, Colorado River Tribes, Route 1, P.O. Box 23B, Parker, Arizona 85344.
- Colusa Indian Community Council (Cachil-Dehe), Chairman; care of Sacramento Area Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825.
- Colville Business Council, Chairman; Colville Tribal Office, Nespelem, Washington 99114.
- Comanche Business Committee, Chairman; in care of Anadarko Agency, Anadarko, Oklahoma 73005.
- Confederated Salish and Kootenai Tribes (See Flathead).
- Covelo Indian Community Council, President; in care of Sacramento Area Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825.
- Creek Nation, Principal Chief; in care of Okmulgee Agency, P.O. Box 671, Okmulgee, Oklahoma 74447.
- Crow Tribal Council, Chairman; Crow Tribal Office, Crow Agency, Montana 59022.
- Crow Creek Tribal Council, Chairman; Crow Creek Tribal Office, Ft. Thompson, South Dakota 57339.
- Delaware Tribal Council (Absentee), President; in care of Anadarko Agency, Anadarko, Oklahoma 73005.
- Devils Lake Sioux Tribal Council, Chairman; John F. Kennedy Center, Ft. Totten, North Dakota 58335.
- Duck Valley (See Shoshone-Palute).
- Duckwater Tribal Council, (Duckwater Shoshone), Chairman; in care of Nevada Agency, Stewart, Nevada 89437.
- Eastern Shawnee Council, Chief; in care of Miami Agency, P.O. Box 391, Miami, Oklahoma 74354.
- Ely Colony Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.
- Fallon Business Council, (Palute-Shoshone), Chairman; in care of Nevada Agency, Stewart, Nevada 89437.
- Flandreau Santee-Sioux General Business Council, President; Flandreau Community Building, Flandreau, South Dakota 57028.
- Flathead Tribal Council, Chairman; Flathead Tribal Office, Dixon, Montana 59831.
- Forest County Potawatomi General Tribal Council, Chairman; in care of Great Lakes Agency, Ashland, Wisconsin 54806.
- Fort Apache (See White Mountain Apache).
- Fort Belknap Community Council, President; Harlem, Montana 59526.
- Fort Berthold Tribal Business Council, Chairman; in care of Fort Berthold Agency, New Town, North Dakota 58763.
- Fort Bidwell General Community Council, Chairman; in care of Sacramento Area Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825.
- Fort Hall Business Council, (Shoshone-Bannock), Chairman; Fort Hall Tribal Office, Fort Hall, Idaho 83203.
- Fort Independence General Council, Chairman; in care of Sacramento Area Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825.
- Fort McDermitt Tribal Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.
- Fort McDowell (see Mohave Apache).
- Fort Mojave Tribal Council, Chairman; Fort Mojave Tribal Council Office, Needles, California 92363.
- Fort Peck Tribal Executive Board, (Assiniboine and Sioux), Chairman; Fort Peck Tribal Office, Poplar, Montana 59255.
- Fort Sill Apache Tribal Council, Chairman; in care of Anadarko Agency, Anadarko, Oklahoma 73005.
- Gila River Indian Community Council, Governor; P.O. Box 97, Sacaton, Arizona 85247.
- Goshute Business Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.
- Hannahville Indian Community Council, Chairman; in care of Great Lakes Agency, Ashland, Wisconsin 54806.
- Havasupai Tribal Council, Chairman; Supai, Arizona 86435.
- Hoopa Valley Business Council, Chairman; P.O. Box 817, Hoopa, California 95546.
- Hopi Tribal Council, Chairman; P.O. Box 123, Oraibi, Arizona 86039.
- Hualapai Tribal Council, Chairman; P.O. Box 168, Peach Springs, Arizona 86434.
- Iowa Executive Committee (Iowa of Kansas and Nebraska), Chairman; White Cloud, Kansas 66094.
- Iowa Business Committee (Oklahoma), Chairman; in care of Shawnee Agency, Federal Building, Shawnee, Oklahoma 74801.
- Isleta Pueblo Council, Governor; in care of United Pueblos Agency, P.O. Box 1667, Albuquerque, New Mexico 87103.
- Jemez Pueblo Council, Governor, P.O. Box 78, Jemez Pueblo, New Mexico 87024.
- Jicarilla Apache Representative Tribal Council, Chairman; Jicarilla Apache Tribal Office, Dulce, New Mexico 87528.
- Kiabab Tribal Council, Chairman; Kiabab Band of Palute Indians, P.O. Box 323, Fredonia, Arizona 86022.
- Kalispel Community Council, Chairman; Kalispel Tribal Office, Usk, Washington 99180.
- Kashia Band of Pomo Indians (See Stewart's Point).
- Kaw Tribal Council, Chairman; in care of Pawnee Agency, Pawnee, Oklahoma 74058.
- Keweenaw Bay Tribal Council, President; in care of Great Lakes Agency, Ashland, Wisconsin 54806.
- Kialagee Creek Business Committee, Town King; in care of Okmulgee Agency, P.O. Box 671, Okmulgee, Oklahoma 74447.
- Kickapoo Tribal Council (Kansas), Chairman; in care of Horton Agency, Horton, Kansas 66439.
- Kickapoo Business Committee (Oklahoma), Chairman; in care of Shawnee Agency, Federal Building, Shawnee, Oklahoma 74801.
- Kootenai Tribal Council, Chairman; in care of Northern Idaho Agency, Lapwai, Idaho 83540.
- Lac Courte Oreilles Governing Board, Chairman; Route 2, Stone Lake, Wisconsin 54876.
- LaJolla Tribal Council, Chairman; in care of Riverside Area Field Office, Bureau of Indian Affairs, 6848 Magnolia Ave., Suite 8, Riverside, California 92506.
- Lac du Flambeau Tribal Council, President; Lac du Flambeau, Wisconsin 54538.
- Laguna Pueblo Council, Governor; Laguna Pueblo Office, P.O. Box 194, Laguna, New Mexico 87026.
- Las Vegas Colony Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.
- Laytonville Executive Committee, Chairman; in care of Sacramento Area Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825.
- Lone Pine (See Owens Valley).
- Lovelock Tribal Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.
- Lower Brule Sioux Tribal Council, Chairman; Lower Brule Tribal Office, Lower Brule, South Dakota 57548.
- Lower Elwha Tribal Community Council, Chairman; in care of Western Washington Agency, 3006 Colby Avenue, Everett, Washington 98201.
- Lower Sioux Indian Reservation, Community Council of (Morton), President; in care of Minnesota Agency, P.O. Box 489, Bemidji, Minnesota 56001.
- Lummi Business Council, Chairman; Lummi Tribal Office, Marietta, Washington 98268.
- Makah Indian Tribal Council, Chairman; Makah Tribal Office, Neah Bay, Washington 98357.
- Manchester Community Council, Chairman; in care of Sacramento Area Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825.
- Maricopa (See Ak Chin).



Mescalero Apache Tribal Council, President; Mescalero Apache Tribal Office, Mescalero, New Mexico 88340.

Miami Business Committee, Chief; in care of Miami Agency, P.O. Box 391, Miami, Oklahoma 74354.

Miccosukee Business Council, Chairman; Miccosukee Tribe of Indians of Florida, 6477 S. W. 8th Street, Miami, Florida 33144.

Minnesota Chippewa Tribal Executive Committee—Bois Fort (Nett Lake), Fond du Lac, Grand Portage, Leech Lake, Mille Lac and White Earth, President; 420 Federal Building, Bemidji, Minnesota 56601.

Mission Creek Band Council, President; in care of Riverside Area Field Office, Bureau of Indian Affairs, 6848 Magnolia Ave., Suite 8, Riverside, California 92506.

Moapa Business Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.

Mohave Apache Community Council (Fort McDowell), President; in care of Salt River Agency, Rome 1, P.O. Box 510, Scoussdale, Arizona 85257.

Mole Lake (See Sokaogon Chippewa). Muckleshoot Indian Tribal Council, Chairman; in care of Western Washington Agency, 3006 Colby Avenue, Everett, Washington 98201.

Nambe Pueblo Council, Governor; in care of United Pueblos Agency, P.O. Box 1667, Albuquerque, New Mexico 87103.

Navajo Tribal Council, Chairman; The Navajo Tribe, Window Rock, Arizona 86515.

Northern Cheyenne, The Tribal Council of the, President; Northern Cheyenne Tribal Office, Lame Deer, Montana 59043.

Nez Perce Tribal Executive Committee, Chairman; Nez Perce Tribal Office, Lapwai, Idaho 83540.

Nisqually Community Council, Chairman; in care of Western Washington Agency, 3006 Colby Avenue, Everett, Washington 98201.

Ogala Sioux Tribal Council, (Pine Ridge), President; in care of Pine Ridge Agency, Pine Ridge, South Dakota 57770.

Omaha Tribal Council, Chairman; Omaha Tribal Office, Macy, Nebraska 68039.

Onelda Executive Committee, Chairman; in care of Great Lakes Agency, Ashland, Wisconsin 54806.

Osage Tribal Council, Principal Chief; in care of Osage Agency, Pawhuska, Oklahoma 74056.

Otoe-Missouria Tribal Council, Chairman; in care of Pawnee Agency, Pawnee, Oklahoma 74058.

Owens Valley Board of Trustees, Chairman; P.O. Box 791, Bishop, California 93514.

Pala General Council, Chairman; in care of Riverside Area Field Office, Bureau of Indian Affairs, 6848 Magnolia Ave., Suite 8, Riverside, California 92506.

Palm Springs (See Agua Caliente). Papago Council, Chairman; Papago Tribal Office, Sells Arizona 85634.

Pawnee Business Council, President; in care of Pawnee Agency, Pawnee, Oklahoma 74058.

Picuris Pueblo Council, Governor; Picuris Pueblo Office, P.O. Box 228, Penasco, New Mexico 87553.

Pine Ridge (See Ogala Sioux).

Pojoaque Pueblo Council, Governor; Pojoaque Pueblo Office, Route 1, Box 222A, Santa Fe, New Mexico 87501.

Ponca Business Committee (Oklahoma), Chairman; in care of Pawnee Agency, Pawnee, Oklahoma 74058.

Port Gamble Community Council, Chairman; in care of Western Washington Agency, 3006 Colby Avenue, Everett, Washington 98201.

Prairie Band of Potawatomi Business Committee, Chairman; in care of Horton Agency, Horton, Kansas 66439.

Prairie Island Community Council, President; in care of Minnesota Agency, P.O. Box 489, Bemidji, Minnesota 56601.

Pauma Band Business Committee, Chairman; in care of Riverside Area Field Office,

Bureau of Indian Affairs, 6848 Magnolia Avenue, Suite 8, Riverside, California 92506.

Pueblos (See individual listings).

Puyallup Tribal Council, Chairman; in care of Western Washington Agency, 3006 Colby Avenue, Everett, Washington 98201.

Pyramid Lake Paiute Tribal Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.

Quapaw Tribal Business Committee, Chairman; in care of Miami Agency, P.O. Box 391, Miami, Oklahoma 74354.

Quechan Tribal Council, President; in care of Colorado River Agency, Parker, Arizona 85344.

Quileute Tribal Council, Chairman; in care of Western Washington Agency, 3006 Colby Avenue, Everett, Washington 98201.

Quinault Tribal Council, Chairman; Quinault Tribal Office, Taholah, Washington 98587.

Red Cliff Tribal Council, Chairman; in care of Great Lakes Agency, Ashland, Wisconsin 54806.

Red Lake Tribal Council, Chairman; Red Lake, Minnesota 56671.

Reno Sparks Tribal Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.

Rincon San Luiseno Business Committee, Chairman; in care of Riverside Area Field Office, Bureau of Indian Affairs, 6848 Magnolia Ave., Suite 8, Riverside, California 92506.

Rocky Boys (See Chippewa Cree).

Rosebud Sioux Tribal Council, President; Rosebud Tribal Office, Rosebud, South Dakota 57570.

Round Valley (See Covelo).

Sac and Fox Tribal Council (Sac and Fox of the Mississippi in Iowa), Chief; in care of Sac and Fox Area Field Office, Bureau of Indian Affairs, Tama, Iowa 52339.

Sac and Fox Business Committee (Oklahoma), Principal Chief; in care of Shawnee Agency, Federal Building, Shawnee, Oklahoma 74801.

Sac and Fox Tribal Council (Kansas and Nebraska), Chairman; in care of Horton Agency, Horton, Kansas 66439.

Saginaw-Chippewa Tribal Council (Isabella), Chief; in care of Great Lakes Agency, Ashland, Wisconsin 54806.

Salt River Pima-Maricopa Community Council, President; Route 1, P.O. Box 907, Scottsdale, Arizona 85257.

San Carlos Council, Chairman; San Carlos Apache Tribe, San Carlos, Arizona 85550.

San Felipe Pueblo Council, Governor; in care of United Pueblos Agency, P.O. Box 1667, Albuquerque, New Mexico 87103.

San Ildefonso Pueblo Council, Governor; Pueblo Office Building, Route 1, Box 315A, Santa Fe, New Mexico 87501.

San Juan Pueblo Council, Governor; in care of United Pueblos Agency, P.O. Box 1667, Albuquerque, New Mexico 87103.

Sandia Pueblo Council, Governor; in care of United Pueblos Agency, P.O. Box 1667, Albuquerque, New Mexico 87103.

Santa Ana Pueblo Council, Governor; in care of United Pueblo Agency, P.O. Box 1667, Albuquerque, New Mexico 87103.

Santa Clara Pueblo Council, Governor; in care of United Pueblo Agency, P.O. Box 1667, Albuquerque, New Mexico 87103.

Santo Domingo Pueblo Council, Governor; Pueblo Office, CAP Hdqtrs., Santo Domingo Pueblo, New Mexico 87052.

Santa Rosa Business Committee, Chairman; in care of Riverside Area Field Office, Bureau of Indian Affairs, 6848 Magnolia Avenue, Riverside, California 92506.

Santa Ynez Business Council, Chairman; in care of Riverside Area Field Office, Bureau of Indian Affairs, 6848 Magnolia Avenue, Riverside, California 92506.

Santee-Sioux Tribal Council (Nebraska), Chairman; Santee-Sioux Tribal Office, Niobrara, Nebraska 68760.

Seminole Tribal Council (Florida), Chair-

man; Seminole Tribe of Florida, 6073 Stirling Road, Hollywood, Florida 33024.

Seminole General Council (Oklahoma), Chairman; in care of Wewoka Agency, P.O. Box 1060, Wewoka, Oklahoma 74884.

Seneca-Cayuga Tribal Business Committee, Chief; in care of Miami Agency, P.O. Box 391, Miami, Oklahoma 74354.

Shoshone-Banock (See Fort Hall).

Shoshone-Business Council (Wind River), Chairman; Shoshone Tribal Office, Ft. Washakie, Wyoming 82514.

Shoshone Paiute Business Council (Duck Valley), Chairman; in care of Nevada Agency Stewart, Nevada 89437.

Sisseton-Wahpeton Sioux Tribal Council, Chairman; in care of Sisseton Agency, Sisseton, South Dakota 57282.

Skokomish Tribal Council, Chairman; in care of Western Washington Agency, 3006 Colby Avenue, Everett, Washington 98201.

Sokaogon Chippewa Tribal Council (Mole Lake), Chairman; in care of Great Lakes Agency, Ashland, Wisconsin 54806.

Southern Ute Tribal Council, Chairman; Tribal Affairs Building, Ignacio, Colorado 81137.

Spokane Business Council, Chairman; Spokane Tribal Office, Wellpinit, Washington 99040.

Squaxin Island Tribal Council, Chairman; in care of Western Washington Agency, 3006 Colby Avenue, Everett, Washington 98201.

Standing Rock Sioux Tribal Council, Chairman; in care of Standing Rock Agency, Fort Yates, North Dakota 58538.

St. Croix Council, President; in care of Great Lakes Agency, Ashland, Wisconsin 54806.

Stewart's Point Rancheria Community Council (Kashia Pomo), Chairman; in care of Sacramento Area Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825.

Stockbridge-Munsee Tribal Council, President; in care of Great Lakes Agency, Ashland, Wisconsin 54806.

Summit Lake Paiute Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.

Suquamish Tribal Council, Chairman; in care of Western Washington Agency, 3006 Colby Avenue, Everett, Washington 98201.

Swinomish Indian Senate, Chairman; Swinomish Tribal Office, La Conner, Washington 98257.

Taos Pueblo Council, Governor; Pueblo Office, P.O. Box 258, Taos, New Mexico 87571.

Te-Moak Western Shoshone Council, Chief; in care of Nevada Agency, Stewart, Nevada 89437.

Tesuque Pueblo Council, Governor; in care of United Pueblos Agency, P.O. Box 1667, Albuquerque, New Mexico 87103.

Thlopthlocco Creek Business Council, Town King; in care of Okmulgee Agency, P.O. Box 671, Okmulgee, Oklahoma 74447.

Tonkawa Tribal Council, President; in care of Pawnee Agency, Pawnee, Oklahoma 74058.

Trinidad Rancheria Community Council, Chairman; in care of Sacramento Area Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825.

Tulalip Board of Directors, Chairman; Tulalip Tribal Office, Star Route, P.O. Box 870, Marysville, Washington 98270.

Tule River Tribal Council, Chairman; P.O. Box 589, Porterville, California 93258.

Toulumne Rancheria Community Council, Chairman; in care of Sacramento Area Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825.

Turtle Mountain Tribal Council, Chairman; Turtle Mountain Community Center, Belcourt, North Dakota 58316.

Utah and Ouray Tribal Business Committee, Chairman; Ft. Duchesne, Utah 84026.

Umatilla Board of Trustees, Chairman; Umatilla Tribal Office, Pendleton, Oregon 97801.

United Keetoowah Council, Chief; in care of Tahlequah Agency, P.O. Box 459, Tahlequah, Oklahoma 74464.

Upper Sioux Board of Trustees (Granite Falls), Chairman; in care of Minnesota Agency, P.O. Box 489, Bemidji, Minnesota 56601.

Ute Mountain Tribal Council, Chairman; Tribal Office Building, Towaoc, Colorado 81334.

Walker River Paiute Tribal Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.

Warm Springs Tribal Council, Chairman; Warm Springs Tribal Office, Warm Springs, Oregon 97761.

Washoe Tribal Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.

White Mountain Apache Tribal Council, (Fort Apache), Chairman; Whiteriver, Arizona 85941.

Wichita Council, President; in care of Anadarko Agency, Anadarko, Oklahoma 73005.

Wind River (See Arapahoe and Shoshone).

Winnebago Tribal Council, Chairman; in care of Winnebago Agency, Winnebago, Nebraska 68071.

Winnebago Business Committee, Chairman; in care of Great Lakes Agency, Ashland, Wisconsin 54806.

X-L Ranch, Board of Directors, President; P.O. Box 763, Alturas, California 96101.

Yakima Tribal Council, Chairman; Yakima Tribal Office, Toppenish, Washington 98948.

Yankton Sioux Tribal Business and Claims Committee, Chairman; Route 3, Wagner, South Dakota 57380.

Yavapai Apache Community Council, (Camp Verde), Chairman; in care of Truxton Canyon Agency, Valentine, Arizona 86437.

Yavapai Board of Directors (Prescott), President; in care of Truxton Canyon Agency, Valentine, Arizona 86437.

Yerington Paiute Tribal Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.

Yomba Tribal Council, Chairman; in care of Nevada Agency, Stewart, Nevada 89437.

Zia Pueblo Council, Governor; Pueblo Office, San Ysidro, New Mexico 87053.

Zuni Tribal Council, Governor; in care of United Pueblos Agency, P.O. Box 1667, Albuquerque, New Mexico 87103.

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Sac and Fox Tribal Council (Sac and Fox of the Mississippi in Iowa).

##### KANSAS

Citizen Band of Potawatomi Business Committee.  
Iowa Executive Committee (Iowa of Kansas and Nebraska).  
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##### LOUISIANA

Chitimacha Tribal Council.

##### MICHIGAN

Bay Mills Executive Council.  
Hannahville Indian Community Council.  
Keweenaw Bay Tribal Council (L'Anse).  
Saginaw-Chippewa Tribal Council (Isabella).

##### MINNESOTA

Community Council of Lower Sioux Indian Reservation (Morton).  
Minnesota Chippewa Tribal Executive Committee—Bois Fort (Nett Lake), Fond du Lac, Grand Portage, Leech Lake, Mille Lac, and White Earth.  
Prairie Island Community Council.  
Red Lake Tribal Council.  
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##### MISSISSIPPI

Choctaw Tribal Council (Mississippi).

##### MONTANA

Blackfeet Tribal Business Council.  
Chippewa Cree Business Committee (Rocky Boys).  
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##### NEBRASKA

Iowa General Tribal Council.  
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##### NEVADA

Carson Colony Council.  
Duckwater Tribal Council (Duckwater Shoshone).  
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Goshute Business Council.  
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Reno Sparks Tribal Council.  
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Walker River Paiute Tribal Council.  
Washoe Tribal Council.  
Yerington Paiute Tribal Council.  
Yomba Tribal Council.

##### NEW MEXICO

Acoma Pueblo Council.  
Cochiti Pueblo Council.  
Isleta Pueblo Council.  
Laguna Pueblo Council.  
Jicarilla Apache Representative Tribal Council.  
Laguna Pueblo Council.  
Mescalero Apache Tribal Council.  
Nambe Pueblo Council.  
Navajo Tribal Council.  
Picuris Pueblo Council.  
Pojoaque Pueblo Council.  
San Felipe Pueblo Council.  
San Ildefonso Pueblo Council.  
San Juan Pueblo Council.  
Sandia Pueblo Council.  
Santa Ana Pueblo Council.  
Santa Clara Pueblo Council.  
Santo Domingo Pueblo Council.  
Taos Pueblo Council.  
Tesuque Pueblo Council.  
Zia Pueblo Council.  
Zuni Tribal Council.

##### NORTH CAROLINA

Cherokee Tribal Council (Eastern Band of Cherokee).

##### NORTH DAKOTA

Devils Lake Sioux Tribal Council.  
Fort Berthold Tribal Council.  
Standing Rock Sioux Tribal Council.  
Turtle Mountain Tribal Council.

##### OKLAHOMA

Absentee-Shawnee Business Committee.  
Alabama-Quassarte Creek Tribal Town.  
Caddo Business Committee.  
Cherokee Nation (Oklahoma).  
Cheyenne-Arapaho Business Committee.  
Chickasaw Nation.  
Choctaw Nation (Oklahoma).  
Citizen Band of Potawatomi Business Committee.  
Comanche Business Committee.  
Creek Nation.  
Delaware Tribal Council (Absentee).  
Eastern Shawnee Council.  
Fort Sill Apache Tribal Council.  
Iowa Business Committee (Oklahoma).  
Kaw Tribal Council.  
Klalegee Creek Business Committee.  
Kickapoo Business Committee (Oklahoma).  
Miami Business Committee.  
Osage Tribal Council.  
Otoe-Missouria Tribal Council.  
Pawnee Business Council.  
Ponca Business Committee (Oklahoma).  
Prairie Band of Potawatomi Business Committee (Oklahoma).  
Quapaw Tribal Business Committee.  
Sac and Fox Business Committee (Oklahoma).  
Seminole General Council (Oklahoma).  
Seneca-Cayuga Tribal Business Committee.  
Thlopthlocco Creek Business Council.  
Tonkawa Tribal Council.  
United Keetoowah Council.  
Witchita Council.

##### OREGON

Burns-Paiute Business Committee.  
Umatilla Board of Trustees.  
Warm Springs Tribal Council.



## SOUTH DAKOTA

Cheyenne River Sioux Tribal Council.  
Crow Creek Tribal Council.  
Flandreau Santee-Sioux General Business Council.  
Lower Brule Sioux Tribal Council.  
Oglala Sioux Tribal Council (Pine Ridge).  
Rosebud Sioux Tribal Council.  
Sisseton-Wahpeton Sioux Tribal Council.  
Standing Rock Sioux Tribal Council.  
Yankton Sioux Tribal Business and Claims Committee.

## UTAH

Uintah and Ouray Tribal Business Committee.

## WASHINGTON

Chehalis Community Council.  
Colville Business Council.  
Kalispel Community Council.  
Lower Elwha Tribal Community Council.  
Lummi Business Council.  
Makah Indian Tribal Council.  
Muckleshoot Indian Tribal Council.  
Nisqually Community Council.  
Port Gamble Community Council.  
Puyallup Tribal Council.  
Quileute Tribal Council.  
Quinalt Tribal Council.  
Skokomish Tribal Council.  
Spokane Business Council.  
Squaxin Island Tribal Council.  
Suquamish Tribal Council.  
Swinomish Indian Senate.  
Tulalip Board of Directors.  
Yakima Tribal Council.

## WISCONSIN

Bad River Tribal Council.  
Forest County Potawatomi General Tribal Council.  
Lac Courte Oreilles Governing Board.  
Lac du Flambeau Tribal Council.  
Oneida Executive Committee.  
Red Cliff Tribal Council.  
Sokaogon Chippewa Tribal Council.  
St. Croix Council.  
Stockbridge-Munsee Tribal Council.  
Winnebago Business Committee.

## WYOMING

Arapahoe Business Council (Wind River).  
Shoshone Business Council (Wind River).  
[Resident Indian Population, labor force, unemployment (Tabulation of selected item as reported by Agencies)]

Indian population, March 1972, by State and Reservation—Population on and adjacent to Reservation

BIA grand total population.. 533,744

Population reported but not labor force status .. 39,179  
Total in labor force survey.. 494,565

Alaska (Includes all Indians and Natives) Juneau area .. 59,634  
Anchorage Agency .. 17,311  
Bethel Agency .. 12,841  
Fairbanks Agency .. 9,315  
Nome Agency .. 9,161  
Southeast Agency .. 11,006  
Arizona .. 117,515

Navajo area:  
Navajo Reservation .. (131,379)  
Estimated Arizona part (56.5%) .. 75,543

Phoenix area: Colorado River Agency, part (see also Calif.):  
Cocopah .. 441  
Colorado River .. 2,072  
Fort Yuma (Incl. Calif. part) .. (1,290)  
Estimated Arizona part (3%) .. 39  
Fort Apache Agency .. 6,500  
Fort McDowell Agency .. 345  
Hopi Agency:  
Kaibab .. 150  
Hopi .. 6,423

## Papago Agency:

Gila Bend .. 264  
Papago .. 7,073  
San Xavier .. 707  
Pima Agency:  
Ak-Chin (Maricopa) .. 258  
Gila River .. 8,321  
Salt River Agency .. 2,470  
San Carlos Agency .. 4,772  
Thurston Canyon Agency:  
Camp Verde .. 693  
Havasupai .. 370  
Hualapai .. 969  
Yavapai .. 105  
California, total population .. 42,847  
Population reported but not labor force status .. 37,861  
Total in labor force survey .. 4,986  
Phoenix area: Colorado River Agency, part (see also Ariz.):  
Chemehuevi .. 32  
Fort Mohave .. 359  
Fort Yuma (Incl. Ariz. part) .. (1,290)  
Estimated California part (97%) .. 1,251  
Nevada Agency, part (see also Nev.): Woodfords Community 2 and 5 ..  
Sacramento area, California Agency:  
Alturas 5 .. 9  
Cachil Dehe (Colusa) 5 .. 12  
Cedarville 5 .. 8  
Fort Bidwell 5 .. 34  
Grindstone Creek 4 .. 13  
Round Valley 4 .. 340  
Santa Rosa 4 .. 199  
Stewart's Point 4 .. 35  
Sulphur Band 4 .. 85  
Susanville 4 .. 109  
Tule River 4 .. 316  
Tuolumne 4 .. 64  
Other California .. 19,547  
Hoopa Area Field Office:  
Hoopa Valley .. 1,073  
Other Hoopa .. 9,381  
Riverside Area Field Office:  
Cabazon 4 .. 6  
Cahuilla 4 .. 23  
Campo 4 .. 30  
Lajolla 4 .. 23  
Los Coyotes 4 .. 42  
Manzanita 4 .. 7  
Morongo 4 .. 242  
Pala 4 .. 255  
Pauma and Yulma 4 .. 59  
Pechanga 4 .. 21  
San Manuel 4 .. 19  
San Pasqual 4 .. 19  
Santa Rosa 4 .. 7  
Santa Ynez 4 .. 42  
Soboda 4 .. 178  
Sycuan 4 .. 31  
Torres-Martinez 4 .. 42  
Other Riverside .. 8,516  
Palm Springs Office (Agua Caliente) .. 167  
Colorado .. 1,855  
Albuquerque area:  
Southern Ute Agency .. 770  
Ute Mountain Agency (Incl. Utah part) .. (1,374)  
Estimated Colorado part (79%) .. 1,085  
Florida .. 1,511  
Southeast: Miccosukee Agency 4 .. 430  
Seminole Agency:  
Big Cypress .. 343  
Brighton .. 308  
Hollywood (Dania) .. 430  
Idaho .. 5,068  
Phoenix area: Nevada Agency, part (see Nev.):  
Duck Valley (Incl. Nev. part) .. (877)  
Estimated Idaho part (25%) .. 219  
Portland area: Fort Hall Agency, part (see also Utah) Fort Hall .. 2,744

## Northern Idaho Agency, part (see also Wash.):

Coeur d'Alene .. 569  
Kootenai .. 51  
Nez Perce (Lapwai) .. 1,485  
Iowa: Minneapolis area—Sac & Fox Area Field Office .. 561  
Kansas .. 917  
Anadarko area: Horton agency, part (see also Nebr.):  
Iowa (Incl. Nebr. part) 5 .. (260)  
Estimated Kansas part (63%) 5 .. 164  
Kickapoo 5 .. 250  
Potawatomi 5 .. 492  
Sac & Fox (Incl. Nebr. part) 5 .. (21)  
Estimated Kansas part (53%) 5 .. 11  
Other Indian, non-add (Kansas City, Lawrence, Topeka, and Wichita) .. 1  
Louisiana: Total population .. 268  
Population reported but not labor force status .. 268  
Total in labor force survey, Southeast, Choctaw Agency, part (see Miss.) Chitimacha 2/3 .. 268  
Michigan: Minneapolis area, Great Lakes Agency, part (see Wis.):  
Bay Mills (Incl. Sugar Island) 5 .. 1,006  
Hannahville .. 159  
Isabella (Saginaw) .. 450  
Keweenaw Bay (L'Anse & Ontonagon) .. 404  
Minnesota .. 10,802  
Minneapolis area: Great Lakes Agency, part (see Wis.) Winnebago (Incl. Wis. part) .. (1,587)  
Estimated Minnesota part (4%) .. 63  
Minnesota Agency:  
Fon du Lac .. 680  
Grand Portage (Pigeon River) .. 189  
Leech Lake .. 2,846  
Mille Lac .. 748  
Nett Lake (Bois Fort) .. 662  
Southern Minnesota communities:  
Lower Sioux (Morton) .. 104  
Prairie Island (Red Wing) .. 89  
Prior Lake (Shakeopee) .. 59  
Upper Sioux (Granite Falls) .. 55  
White Earth .. 2,546  
Red Lake Agency .. 2,761  
Mississippi .. 3,294  
Southeast: Choctaw Agency, part (see also La.) Choctaw .. 3,294  
Montana:  
Billings area: Blackfeet Agency .. 24,137  
Crow Agency .. 6,216  
Flathead Agency .. 4,208  
Fort Belknap Agency .. 2,833  
Fort Peck Agency .. 1,938  
Northern Cheyenne Agency (Tongue River) .. 5,015  
Rocky Boy's Agency .. 2,683  
Nebraska: Aberdeen, Winnebago Agency .. 1,244  
Omaha .. 2,707  
Santee .. 1,367  
Winnebago .. 357  
Anadarko area: Horton Agency, part (see Kans.) Iowa (Incl. Kans. part) .. 877  
Estimated Nebraska part (37%) .. 96  
Sac & Fox (Incl. Kans. part) .. (21)  
Estimated Nebraska part (47%) .. 10  
Nevada: Total population .. 4,697  
Population reported but not labor force status .. 1,050  
Total in labor force survey .. 3,647

Phoenix area: Nevada Agency, part (see also Calif., Idaho, & Utah):		(Kaw, Otoe & Missouri, Pawnee, Ponca, and Tonkawa).		Port Gamble	454
Battle Mountain & city	159	Shawnee Agency:		Port Madison	254
Elko & city	327	Iowa	133	Shoalwater	25
Ely & city	159	Kickapoo	570	Skokomish	316
Dresslerville	152	Potawatomi	1,371	Squaxon Island	304
Duck Valley (Incl. Idaho part)	(877)	Sac & Fox	935	Other STOWW, non-add (Chinook, Cowlitz, Stillaquamish, Sulattle, Jamestown, Clallam, and Marletta-Nooksack)	
Estimated Nevada part (75%)	658	Shawnee	807	Yakima Agency	7,408
Duckwater	78	Other Indians, Reservation not specified	1,378	Wisconsin	7,434
Fallon (Palute) & Colony	224	Muskogee area:		Minneapolis area:	
Fort McDermitt	378	Ardmore Agency (Chickasaw)	5,850	Great Lakes Agency, part (see also Mich. and Minn.):	
Goshute (Incl. Utah part)	(157)	Miami Agency:		Bad River	525
Estimated Nevada part (61%)	96	(Eastern Shawnee, Miami, Quapaw, and Seneca-Cayuga):		Lac Courte Oreilles	689
Moapa River	138	Okmulgee Agency (Creek)	15,177	Lac du Flambeau	945
Pyramid Lake	414	Osage Agency	3,368	Mole Lake	135
South Fork (Te-Moak) & Odgers Ranch	93	Tahlequah Agency (Cherokee)	21,414	Onelda	1,980
Walker River	437	Talihina Agency (Choctaw)	10,849	Potawatomi	214
Yerington (Campbell Ranch) & colony	290	Wewoka Agency (Seminole)	3,115	Red Cliff	421
Yomba	44	Oregon		St. Croix	444
(Carson—157, Las Vegas—105, Lovelock—117, Reno Sparks—564, Ruby Valley—40, Summit Lake—1, Winnemucca—41, Nev. Public, Domain Allotments—25 2/3)	1,050	Portland area	2,718	Stockbridge-Munsee	557
New Mexico	81,718	Umatilla Agency	873	Winnebago (Incl. Minn. part)	(1,587)
Albuquerque area:		Warm Springs Agency:		Estimated Wisconsin part (96%)	1,524
Jicarilla Agency	1,928	Burns-Paiute	130	Wyoming	4,435
Mescalero Agency	1,970	Celilo Village	32	Billings area, Wind River Agency	4,435
Northern Pueblos Agency 6	5,411	Warm Springs	1,683	Aberdeen area	48,455
Incl. Nambe, Picuris, Pojague, San Ildefonso, San Juan, Santa Clara, Taos, & Tesuque.		South Dakota		Albuquerque area	30,385
Ramah (Navajo Community)	1,471	Aberdeen area:		Anadarko area	23,215
Southern Pueblos Agency:		Cheyenne River Agency	4,308	Billings area	28,572
Acoma	1,944	Crow Creek Agency	1,230	Juneau area	59,634
Cochiti	431	Flandreau School and Reservation	267	Minneapolis area	20,816
Isleta	1,783	Lower Brule Agency	701	Muskogee area	61,703
Jemez	1,448	Pine Ridge Agency	11,353	Navajo area	133,487
Laguna	2,464	Rosebud Agency	7,488	Phoenix area total population	(50,195)
Sandia	198	Sisseton Agency	2,434	Population reported but not labor force status	1,300
San Felipe	1,347	Standing Rock Agency (Incl. N. Dak. part)	(4,690)	Total in labor force survey	48,895
Santa Ana	376	Estimated South Dakota part (53%)	2,486	Portland area	26,374
Santo Domingo	1,851	Yankton Agency	1,338	Sacramento area total population	(40,955)
Zia	464	Utah	6,176	Population reported but not labor force status	37,611
Zuni Agency	5,155	Albuquerque area:		Total in labor force survey	3,344
Navajo area:		Ute Mountain Agency (Incl. Colo. part)	(1,374)	Southeast total population	(9,953)
Alamo (Puertocito)	948	Estimated Utah part (21%)	289	Population reported but not labor force status	268
Canoncito	1,160	Navajo area:		Total in labor force survey	9,685
Navajo Reservation	(131,379)	Navajo Reservation	(131,379)	Alaska	59,634
Estimated New Mexico part (40.1%)	51,369	Estimate Utah part (3.4%)	4,467	Arizona	117,515
North Carolina	4,880	Phoenix area, Uintah and Ouray Agency:		California total population	(42,847)
Southeast, Cherokee Agency	4,880	Skull Valley	62	Population reported but not labor force status	37,861
North Dakota	14,249	Uintah and Ouray	1,292	Total in labor force survey	4,986
Aberdeen area:		Nevada Agency, part (see Nev.):		Colorado	1,855
Fort Berthod Agency	2,750	Goshute (Incl. Nev. part)	(157)	Florida	1,511
Fort Totten Agency (Devil's Lake)	1,990	Estimated Utah part (39%)	61	Idaho	5,068
Standing Rock Agency (Incl. S. Dak. part)	(4,690)	Portland area, Fort Hall Agency, part (see Idaho), Wahsackie	5	Iowa	561
Estimated North Dakota part (47%)	2,204	Washington	18,802	Kansas	917
Turtle Mountain Agency	7,305	Portland area:		Louisiana total population	(268)
Oklahoma (Represents former reservation areas)	83,895	Colville Agency	2,994	Population reported but not labor force status	268
Anadarko area, Anadarko Agency:		Northern Idaho Agency, part (see Idaho) Kalispel	129	Michigan	2,019
Kiowa, Comanche & Apache and Fort Sill Apache	6,355	Spokane Agency	581	Minnesota	10,802
Wichita	3,030	Western Washington Agency:		Mississippi	3,294
Concho Agency (Cheyenne & Arapaho)	4,200	Hoh	39	Montana	24,137
Pawnee Agency	3,413	Lummi	1,445	Nebraska	2,707
		Makah	571	Nevada total population	(4,697)
		Nooksack Public Domain	564	Population reported but not labor force status	1,050
		Puyallup	171	Total in labor force survey	3,647
		Quilleute	250	New Mexico	81,718
		Quinault	1,021	North Carolina	4,880
		Swinomish	337	North Dakota	14,249
		Tulalip	630	Oklahoma	83,895
		STOWW (Small Tribes of Western Washington):		Oregon	2,718
		Chehalis	185	South Dakota	31,605
		Lower Elwah	247	Utah	6,176
		Muckleshoot	467	Washington	18,802
		Nisqually	338	Wisconsin	7,434
				Wyoming	4,435



	Fiscal year 1972 BIA funds	Percent of total
<b>Aberdeen area:</b>		
Cheyenne River Agency.....	\$3,361.1	1.5
Pierre Agency.....	1,249.8	.6
Flandreau Agency.....	1,680.5	.7
Fort Berthold.....	2,051.6	.9
Fort Totten Agency.....	1,565.8	.7
Pine Ridge Agency.....	7,023.5	3.1
Rosebud Agency.....	2,534.2	1.1
Yankton Agency.....	475.0	.2
Sisseton Agency.....	1,200.3	.5
Standing Rock Agency.....	3,009.1	1.3
Turtle Mountain Agency.....	4,837.9	2.1
Wahpeton Agency.....	1,236.7	.5
Winnebago Agency.....	1,458.7	.6
Crow Creek Agency.....	904.4	.4
Lower Brule Agency.....	943.8	.4
<b>Anadarko area:</b>		
Chillicothe.....	2,019.8	.9
Haskell.....	3,949.6	1.7
Horton Agency.....	293.2	.1
Concho Agency.....	658.0	.3
Anadarko Agency.....	1,257.1	.6
Pawnee Agency.....	474.3	.2
Shawnee Agency.....	447.1	.2
Fort Sill.....	983.0	.4
Riverside.....	1,197.3	.5
Concho.....	980.9	.4
<b>Billings area:</b>		
Blackfeet Agency.....	2,403.2	1.1
Crow Agency.....	1,980.6	.9
Flathead Agency.....	3,061.7	1.4
Fort Belknap Agency.....	1,275.7	.6
Fort Peck Agency.....	1,848.4	.8
North Cheyenne.....	1,759.1	.8
Wind River.....	1,896.6	.8
<b>Juneau area:</b>		
Achorage Agency.....	1,810.3	.8
Bethel Agency.....	6,766.5	3.0
Fairbanks Agency.....	4,107.3	1.8
Nome Agency.....	4,567.8	2.0
Mount Edgumbe.....	3,420.3	1.5
Wrangell.....	1,120.3	.5
Southeast Agency.....	1,181.6	.5
<b>Albuquerque area:</b>		
Albuquerque School.....	1,660.5	.7
Albuquerque Area.....	2,614.0	1.2
San Juan Pueblo Agency.....	5,141.9	2.3
North Pueblo Agency.....	2,236.1	1.0
South Ute Agency.....	1,211.8	.5
Ute Mountain Agency.....	683.6	.3
Jicarilla Agency.....	2,044.8	.9
Mescalero Agency.....	1,123.7	.5
Zuni Agency.....	1,300.1	.6
Ramah Navajo Agency.....	697.8	.3
<b>Navajo area:</b>		
Shiprock Agency.....	9,174.3	4.0
Tuba City Agency.....	11,860.9	5.2
East Navajo Agency.....	11,769.3	5.2
Chinle Agency.....	10,417.5	4.6
Fort Defiance Agency.....	11,303.8	5.0
<b>Portland area:</b>		
Chemawa Indian School.....	2,474.8	1.1
Colville Agency.....	1,829.8	.8
Fort Hall Agency.....	2,336.6	1.0
North Idaho Agency.....	1,209.4	.5
Umatilla Agency.....	466.3	.2
Warm Springs Agency.....	1,619.5	.7
West Washington Agency.....	2,492.7	1.1
Yakima Agency.....	2,334.4	1.0
Spokane Agency.....	685.4	.3
<b>Minnesota area:</b>		
Sac & Fox Field Office.....	67.3	0
Red Lake Agency.....	1,207.3	.5
Minnesota Agency.....	1,197.9	.5
Great Lake Agency.....	1,174.0	.5
<b>Muskogee area:</b>		
Five Civilized Tribes.....	2,477.8	1.1
Ardmore Agency.....	251.1	.1
Miami Agency.....	143.4	.1
Sequoyah School.....	1,160.4	.5
Osage Agency.....	410.8	.2
Okmulgee Agency.....	472.9	.2
Tahlequah Agency.....	757.5	.3
Talihina Agency.....	490.0	.2
Wewoka Agency.....	336.3	.1
Seneca School.....	597.0	.3
Carter Seminary.....	336.9	.1
Eufaula School.....	267.9	.1
Jones Academy.....	570.5	.2
<b>Phoenix area:</b>		
Colorado River Agency.....	3,867.5	1.7
Fort Apache Agency.....	3,613.4	1.6
Nevada Agency.....	4,761.4	2.1
Papago Agency.....	3,776.6	1.7
Salt River Agency.....	1,139.5	.5
Phoenix Indian School.....	2,384.8	1.1
Pima Agency.....	3,219.5	1.4
San Carlos Agency.....	4,197.6	1.8
Uintah/Ouray Agency.....	1,245.9	0.6
Hopi Agency.....	3,649.2	1.6
Truxton Canyon Agency.....	1,344.0	0.6
California Agency.....	1,179.6	0.5
Hoopa AFO.....	1,273.3	0.6
Palm Springs.....	117.6	0.1
Riverside AFO.....	924.4	0.4

Source: IADC printout, Apr. 17, 1972.

Mr. JACKSON. Mr. President, I support the amendment to H.R. 14370 offered by the distinguished Senator from Montana (Mr. METCALF). I consider his proposal to be one of the most important legislative proposals affecting Indian reservations to come before this body in many years.

The westward expansion and settlement of the Nation over the years led to serious disruption and dislocation for many tribal groups. You know the story—Indian tribes were ultimately settled on reservations where many continue to reside today. Their existence is characterized by abject poverty and all of its unfortunate social and economic manifestations.

Although faced with what appears to be insurmountable problems, Indian people today are waging a courageous effort to improve their well-being. Such efforts of reservation Indians to improve their livelihood are centered through their tribal governments, which are quasi-municipalities authorized by Federal law. These efforts, coupled with many of the social and economic programs authorized by landmark legislation enacted by Congress during the Kennedy-Johnson era, are beginning to produce positive results on Indian reservations and in Indian communities. However, all but a few of the tribal governments are in dire need of financial aid to enable them to fulfill their governmental responsibilities to their respective members.

We have an opportunity before us to join with the many dedicated tribal leaders and officials who are trying earnestly to make their communities a better place for their people to live. We can accomplish this by including tribal governments in the revenue sharing proposal being considered by the Senate.

By including tribal governments in the revenue sharing program, we will provide them with additional financial resources to allow them to perform certain governmental functions for their members on the same basis State and local governments serve other citizens. It is contemplated that tribal governments would finance the following with funds from the revenue-sharing program:

First. Maintenance and operating expenses for public safety, environmental protection, and public transportation.

Second. Capital expenditures for sewage collection and treatment, refuse disposal systems and public transportation.

In addition, the funds allocated to tribal governments could be utilized for general governmental obligations. I consider the Metcalf amendment to H.R. 14370 to be an equitable method for in-

cluding Indian tribes in this important measure.

The Senate recently approved my bill, S. 3157, the Indian Self-Determination Act of 1972. This measure authorizes Indian tribes to contract for the control and management of certain Federal programs which heretofore have been under the complete direction of Federal officials. The inclusion of Indian tribes in H.R. 14370 coupled with S. 3157 will mean that our commitment to the concept of Indian self-government is not merely rhetoric but that we intend to give tribal governments the tools to achieve meaningful self-development.

I am pleased to support Senator METCALF's important amendment.

Mr. MUSKIE. Mr. President, I am pleased to join Senator METCALF in sponsoring an amendment to the Federal revenue-sharing bill, H.R. 14370, to assure the allocation of such funds to American Indian tribes.

My own State of Maine has two Indian tribes, the Passamaquoddy and Penobscot Tribes, which should be permitted to benefit from the much-needed fiscal relief provided by this bill. The two tribes, living on three reservations, carry out many governmental responsibilities—such as excise tax collection, administration of schools, law enforcement, and housing—carried out by non-Indian communities. It would be unfortunate, indeed, if the tribes were not to be treated in the same manner as Congress intends for other units of local government.

Moreover, Maine's Indian tribes continue to suffer from a particularly burdensome form of administrative discrimination at the hands of Federal agencies. Because the U.S. Department of the Interior has not yet acknowledged the same trust responsibility for the Penobscots and Passamaquoddies that it exercises with respect to Federal Indian reservations, all but a few Federal agencies choose not to treat Maine's Indians on a par with Indians located in other parts of the country. The failure of the Federal Government to acknowledge its obligation has been challenged in the courts, but a resolution will not be achieved in the near future.

I am, therefore, pleased that this amendment will apply equally to all Indian tribes which perform governmental functions, regardless of their present status with the U.S. Bureau of Indian Affairs.

Mr. STEVENS. Mr. President, I support amendment No. 1357, proposed by the Senator from Montana (Mr. METCALF), and which I have cosponsored. The amendment would provide for the allocation of a certain percent of the revenue-sharing funds to Indian tribes which perform governmental functions.

The proposed revenue-sharing legislation now under discussion provides for the payment of Federal appropriations to State and local governments throughout the Nation. As I understand it, the original goal behind the revenue-sharing concept was to help States and local governments better meet their financial responsibilities in providing basic social

services to the citizens of our Nation. However, both the House-passed bill and the bill reported out of the Senate committee have excluded American Indian tribes from the funding provisions of the bill.

It must not be forgotten that the present population on Indian reservations numbers about 488,000 persons. Of course, this total does not include the numbers of Alaskan Natives, the vast majority of which do not live on reservations, but rather in small villages throughout the State. Thus, a significant number of Americans have clearly been excluded from the beneficial provisions of this bill.

Federal funds which come onto Federal reservations from the Bureau of Indian Affairs and other Federal agencies are by and large not administered by local tribal governments. Although some tribes have in recent years been awarded some BIA contracts for providing some governmental services, these instances have been few. In short, Indian self-government is not today a reality.

States, cities, and counties provide almost no government services to Indians living on Indian reservations within the boundaries of such entities. Therefore, these Indians would receive no benefits from the funds allocated to these local governments by the revenue-sharing bill.

Congress has recognized the governmental responsibilities of Indians by providing specific statutory authorization for the organization of tribal governments under 25 U.S.C. 476. In addition, Congress has provided for the eligibility of tribal governments, along with other local governments, for participation in a wide variety of Federal programs, including the Economic Opportunity Act, the Public Works Economic Development Act, the Emergency Employment Act of 1971, the Omnibus Crime Control and Safe Streets Act, and the Juvenile Delinquency Prevention and Control Act. Thus, in the past, Congress has clearly indicated that tribal governments ought to be considered local governments and are to be authorized to carry out many of the same governmental functions as are the local governments of cities, towns, and counties.

Furthermore, Mr. President, there are vast emergency needs on Indian reservations and in Alaskan Native villages which are not being met today by the Indian tribes themselves nor by any other governmental unit. For example, on the vast majority of tribal reservations, the respective States lack criminal jurisdiction except for offenses committed by one non-Indian against another. Indian tribal governments, on the other hand, are predominately responsible for enforcing and trying misdemeanors and petty offenses. This is the case throughout 96,000 square miles of reservation territory in the lower 48.

In addition, in my State of Alaska, there are vast areas, far larger than the Indian territory in the lower 48, in which small Native villages are the only functioning local governmental units. Nevertheless, appropriations for reservation law and order from the BIA for fiscal year 1972 were only \$7,729,000. Of this amount, only \$1,336,500 was actually

made available to tribes to run tribal law enforcement programs. The BIA itself has officially recognized that existing law enforcement programs on Indian reservations do not begin to meet the current needs and demands for such services—CONGRESSIONAL RECORD, February 28, 1969, S. 2105.

Public transportation is another area in which Indian tribes today lack sufficient funds to meet the pressing needs for better roads and public transportation facilities. In 1971 there were only 1,400 miles of bituminous paved roads and 1,800 miles of gravel surface roads on reservations—A. Sorkin, "American Indian and Federal Aids," 1971.

Mr. President, this body itself recently confirmed once again its intent to assist the Indian people of our land. In this very Congress, the Senate passed S. 3157, entitled "The Indian Self-Determination Act of 1972." One of the basic goals of this act was to restore to Indian tribes the ability to govern themselves as much as possible. However, the continued poverty and lack of financial resources of the American Indians makes this promise an empty one.

The unique problems of Alaska's Native population must also be considered in the discussion of this amendment. Alaskan Natives today number nearly 60,000. The vast majority of these Americans live in remote villages far from non-Native cities and towns. Because they are so removed, Alaskan Native villages must provide many of the basic governmental services for themselves. In addition, there are a few reserves, such as the Metlakatla Indian Reserve on Annette Island, which clearly provide vital governmental services such as police protection. Alaskan Native villages are specifically mentioned in this amendment and would, therefore, be better able to provide important governmental services for themselves, if the amendment is adopted.

By the provisions of this amendment, twenty-four one hundredths of 1 percent of the total amount appropriated under the revenue-sharing bill would be set aside for allocation to the Indian tribes and Alaska Native villages which perform governmental functions.

I strongly support this amendment because it would give Indian tribes and Alaska Native villages a fair share of the Federal financial assistance which will be expended to every other local government in the United States by the provisions of the bill. In addition, the incorporation of this amendment into the bill would recognize and encourage self-government on the part of Indian tribes. Thus, the Indian people would be able to have a greater control over their own futures.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California to the amendment of the Senator from Montana.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana as amended by the amendment of the Senator from California.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. STEVENS and Mr. BUCKLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I do not have an amendment but I would like to ask the chairman a couple of questions. I shall be very brief.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. I do not have an amendment prepared but I have been very interested in the differences in the House bill, the Senate bill, and the administration bill. I wonder if I might ask my good friend, the Senator from Louisiana, if he could enlighten me as to why the administration bill would give my State \$8.6 million, the House bill would give my State \$6.6 million, and I find that the committee bill in the Senate would provide \$6.2 million.

The States of Maryland, Delaware, New York, and the District of Columbia and my State have the honor of being in the position where the Senate, while adding \$1 billion, actually would receive less money than they would under the administration bill or the House bill.

I understand this is the intent of some of the amendments here, but before I add to the amendments pending I wonder if the chairman could enlighten me as to why this would happen in those five jurisdictions.

Mr. LONG. The difference is not great as the Senator pointed out, not in the overall context of the bill. The result occurs by reason of the uniform application of a formula wherein in the State of Alaska the per capita income is relatively high and the tax efforts would appear to be relatively low. That is a mathematical set of figures that come to us based on the per capita income and it is also based on the relative tax effort compared to the per capita income.

It may be that Alaska has a peculiar problem relating to the fact that per capita income is high, and so is the cost of living. I know there is a problem in that regard.

Mr. STEVENS. I understand the Committee on Finance did not look to income tax but property tax. Our effort on income tax is one of the highest in the Nation.

Mr. LONG. We looked at all taxes. It would even include, I would say to the Senator, for example, a severance tax which the State of Louisiana levies on oil and gas produced in that State. That would be taken into account just as the property tax would be taken into account.

Mr. STEVENS. We have similar taxes. I know our income tax is higher than the income tax for Louisiana. I cannot understand it. For example, the District of Columbia and Maryland end up receiving less money under the Senate bill than they would under the administration bill or the House bill.

Mr. LONG. It is very simple. We take population and then multiply that by the relative tax effort. The tax effort is computed by taking the population, according to the census figures. If one takes the total tax that is levied in the State, divided by the total personal income of



the citizens of that State, that is the tax effort. Then you take the per capita income, but you take it in an inverse fashion, so that the higher the per capita income the lower is the amount the State would receive. The lower the per capita income, the higher the amount the State would receive. So, that factor benefits the State of Mississippi more than any other State because of the misfortune of the State of Mississippi that the per capita income is the lowest of any State in the Nation. So, by taking those factors into account, the tax effort multiplied by per capita income, and then multiplying that by the population of the State, one arrives at the distribution formula.

Mr. STEVENS. This is one of the reasons I wanted the matter to be specified by the chairman. It seems to me there is a problem, and the same is true in the District of Columbia.

We have a very high cost of living, as the Senator knows. We have a very high income to meet that cost of living. In fact, Federal employees, as the Senator knows, receive a 25-percent cost-of-living allowance on top of their salaries.

It seems to me that if one uses these figures in an area such as Alaska, or, again, right here in the District of Columbia, we are bound to end up in an inverted ratio because of the fact that we do have the per capita incomes we have, and it has no relation, if we are using the tax effort, to the actual figures of need, as far as the State or local governments are concerned. Their needs are higher than those of a similar size and population anywhere else in the country. We should receive more revenue sharing, because while our income is greater, the cost of living is from 25 to 50 percent greater, and we end up with less.

Mr. LONG. Unfortunately, the cost-of-living figures are not uniformly available throughout the United States. We have them for certain areas, but we do not have the cost-of-living figures for the United States uniformly throughout the States. These cost-of-living figures exist mostly for certain urban areas across the United States. Those figures do not exist in a fashion in which we could apply them uniformly across the United States. So those of us on the committee, and even those of us in the Senate at this point, are not in a position to use a set of figures that does not exist. If we tried to use those figures, we would be in the unfortunate position of having some figures for certain places and none for other places.

It may be that one could find some cost-of-living index that applied to the State of Alaska. I regret to say it could not be applied elsewhere. Even in Alaska, I am informed, there are localities for which we would not be able to provide cost-of-living figures. So it is a fact that could well be argued for consideration, but when one seeks to advance it, he cannot provide the figures within his own State to put it into application.

Mr. STEVENS. I find it interesting that, as between the committee bill—and I am sure the committee has done a very fine job and has worked hard on it—and the administration proposal, there are

only two areas in the country losing money under the bill. One is Alaska, which loses \$2.4 million, and another is the District of Columbia, which loses \$2.5 million. In other words, the difference between the administration proposal and the committee bill, in terms of fairness throughout the whole country, is \$4.9 million to bring about equity. Now, why should we lose \$2.4 million because of the fact that the committee has brought about equity for 48 other jurisdictions?

Mr. LONG. I am sure the Senator knows that the Senate bill contained \$1 billion of additional funds beyond that which was in the House bill, and if we put the two bills on the same comparable basis, there are 2 States that would not gain by comparing one bill with the other bill. Without the \$1 billion for social services there would be a substantial number—I think about 17 or 18 that would not gain. But with the \$1 billion added to it, by uniformly applying the formula of the committee bill as against the House bill, there appear to be four States, plus the District of Columbia, that would receive less money.

I am not going to argue with the Senator and support an argument that a State be assured of as much money as it received under the House bill, because I personally think—and I think the Finance Committee also thinks—that the formula derived by the House cannot be supported by any stretch of the imagination as an amendment to the administration's original suggestion.

In other words, if we take the Administration's original proposal, and look at the way the money has been shifted in the House, it is my feeling, and it is the majority view in the committee, and I am confident it is the majority view in the Senate, the shifting of funds, as compared with what the administration recommended, was a distribution, in effect, that "those who have get." It was a movement to see that the rich get richer and the poor get poorer. It was a way to enrich the rich by skinning the poor. That would also be the logical reaction of the President of the United States speaking for the entire United States, a man who served here as a Senator from California, who came here elected as a citizen of New York, two of those States that would benefit the most.

If we compare the proposal with what the House did, we see it was a shifting of money from the poor to the rich, and that is not in accordance with the way this Government has traditionally operated. It has operated on the theory that the rich should help the poor, rather than the other way around, so that those who are most able to pay, pay the most and those who are least able to pay, pay the least. That philosophy is justified.

I wish this formula reflected more funds for the State of Alaska. I do not see any way in my mind that that logically can be brought about by any uniform set of figures or any uniform application of principles, and I am one who has objected to the application of the double standard.

The reason why Alaska would appear to have less from this particular bill, Senator, has to do with the fact that the

average per capita income in the United States is \$3,134, according to the chart which I have in my hand, and the average in Alaska is \$3,765. That is where the Senator's problem is.

Mr. STEVENS. I agree, if the Senator will yield, but the difficulty is that with that average of \$3,765 of pay, it costs from 25 to 50 percent more to live in Alaska than to live in Louisiana. Therefore the average person is receiving the equivalent of \$2,000 as compared with the national average of \$3,100. The Senator is taking the per capita income without regard to the cost of living. Even the additional cost of living allowance is not deductible and is taxable. So a person ends up at the high end of income and the low end of revenue sharing, when it should be the reverse.

Mr. LONG. I find Alaska did not do as well in the Senate bill as compared with the House bill because the House placed great emphasis on an income tax, and Alaska has a high income tax relative to the rest of the States, and the Senate Committee took the view that we would simply consider all taxes rather than singling out any special tax for consideration.

I would like to have seen Alaska do better under this bill than it does. There are a lot of other matters in which Alaska could fare better. I know the Senator from Louisiana had the privilege of serving on the Interior and Insular Affairs Committee at the time the Alaskan statehood bill was agreed to, and he sought to see that Alaska would receive a very high share of revenues from Federal lands and also receive a large allocation of lands, as much as anybody would recommend, within the then Territory of Alaska.

Mr. STEVENS. If I may say to the Senator from Louisiana—

Mr. LONG. It is my understanding, though I am no expert on it, that Alaska at the present time is holding about \$1 billion of funds derived from oil revenues about which there seems to be some problem, and if we can find a way to resolve the problem, this Senator would be happy to cooperate.

In fact, if there were any way I could do it, I would be happy to forgo any share of revenue sharing the State of Louisiana might get if we could just get as favorable consideration of the oil we are producing in our tidelands as Alaska receives with regard to oil being produced on public lands in the great State of Alaska.

Mr. STEVENS. I might say to my friend from Louisiana, I am sorry that that is not the case. None of the wells are even drilled yet because of the lawsuits against them. The money is being whittled away every year because of demands against it. We do not have \$900 million in the bank; we have about \$600 million. We cannot lease the lands, due to the fight over the pipeline.

Mr. LONG. That is just the point I am getting to. I serve on the Commerce Committee with the Senator from Alaska, and I am a Member of this body, just as is the Senator from Alaska. We know there are other things that are important to Alaska that make this dif-

ference we are talking about in this bill pale into insignificance. There are problems involving that great less developed State, with a group of highly admirable and courageous frontier citizens who stand as our first line of defense, in many respects, against foreign enemies; and insofar as it is within the capability of this Senator as a member of the Senate Finance Committee or any other committee, or of the Senate generally, to help solve some of those great problems, such as those involved in the development of the resources of the great State of Alaska or the transportation of those resources to markets where they can be properly used for the overall economy and to help the Nation's balance of payments, this Senator stands ready to cooperate, and certainly will.

I believe the Senator will find that what those things mean to the State of Alaska, even if you are thinking only in terms of revenue to the State government, are so enormous by comparison to the small difference between the House bill and the Senate bill on this item, that this difference is really not important. And frankly, if there is some way we can work it out in conference, I will take the highest figure for Alaska.

Mr. STEVENS. I apologize to the Senator from New York for the encroachment. I say to the Senator from Louisiana that the difference we are talking about is \$33.7 million out of \$6 billion. We are getting down to the fourth decimal point in percentages of 1 percent, in terms of the five jurisdictions that are lower under this bill than under the other two versions of the bill, but I would hope there would be some way we could equalize that, so that those of us who want to support revenue sharing could go home, look our people in the face, and say, "We got you as good a deal as any other State."

Mr. LONG. I say to the Senator, I regret to report that Alaska does not make out as well under this bill as the others. That is because of the uniform application of a formula. There is a different formula in the House bill. We have to work out some way to reconcile the differences between the House approach and the Senate approach. I assure the Senator from Alaska that before this bill comes back from conference—and as far as the Senate conferees are concerned, I think I will be the manager—I shall undertake to see that we individually consider the Alaskan problem, to see how any compromise can be worked out with regard to Alaska, in view of what the Senator has stated, and the fact that I knew to begin with that the facts and figures do not reflect the high cost of living in Alaska, which exceeds that of any other State of the Union. There is probably more equity, as I say, for increasing the figure on Alaska than any other State, though I do not see how, with the formula we have, we can do it. When we start working out our differences with the House of Representatives in conference, if we can work it out, as I am concerned, so that Alaska winds up with the House figure rather than the Senate figure, that will be just fine with the Senator from Louisiana.

Mr. STEVENS. I thank the Senator from Louisiana. I appreciate his comments.

#### AMENDMENT NO. 1469, AS MODIFIED

Mr. BUCKLEY. Mr. President, I call up my amendment No. 1469. I send to the desk a copy of the amendment which contains certain modifications I have made.

The PRESIDING OFFICER. The clerk will report the amendment as modified.

The assistant legislative clerk proceeded to read the amendment.

Mr. BUCKLEY. I ask unanimous consent that further reading of the amendment be dispensed with.

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

Mr. BUCKLEY's amendment (No. 1469, as modified) is as follows:

On page 34, beginning with line 18, strike out through the matter between lines 3 and 4 on page 73, and insert in lieu thereof the following:

#### "TITLE I—SHIFTING AMOUNTS COLLECTED FROM INDIVIDUALS AS FEDERAL INCOME TAXES TO THE STATES"

##### "SEC. 101. SHORT TITLE.

"This title may be cited as the 'Revenue Shifting Act'.

##### "SEC. 102. CREDIT FOR TAXES TO BE SHIFTED TO THE STATES.

"(a) Part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by redesignating section 42 as 43, and by inserting after section 41 the following new section:

##### "SEC. 42. CREDIT FOR TAXES TO BE SHIFTED TO THE STATES.

"(a) GENERAL RULE.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 7 percent of the taxpayer's basic income tax.

"(b) BASIC INCOME TAX.—For purposes of this section, the term "basic income tax" means the tax imposed by section 1, 3, or 1201 (b) for the taxable year, reduced by the sum of the credits allowable under—

"(1) section 33 (relating to foreign tax credit),

"(2) section 37 (relating to retirement income), and

"(3) section 38 (relating to investment credit).

"(c) EXCEPTION.—The credit provided by subsection (a) shall not be allowed to an individual for a taxable year for which he is a nonresident of the United States for the entire taxable year.

"(b) The table of sections for such subpart is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 42. Credit for taxes to be shifted to the States.

"Sec. 43. Overpayments of tax."

"(c) The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1971.

##### "SEC. 103. SHIFTING OF TAX COLLECTIONS TO THE STATES

"(a) Subtitle A of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new chapter:

#### "CHAPTER 7—SHIFTING OF INCOME TAX COLLECTIONS TO THE STATES

"Sec. 1601. Additional tax to be paid over to States.

"Sec. 1602. Payment to the States.

"Sec. 1603. Allocation between State and local governments.

"Sec. 1604. Nondeductibility of taxes in computing taxable income.

"Sec. 1605. Separate designation on income tax return.

#### "SEC. 1601. ADDITIONAL TAX TO BE PAID OVER TO THE STATES.

"(a) IMPOSITION FOR YEARS BEGINNING BEFORE JANUARY 1, 1974.—In addition to other taxes, there shall be imposed for the taxable years beginning after December 31, 1971, and before January 1, 1974, on the income of every individual who is a resident of any State during the taxable year, a tax equal to 7 percent of the taxpayer's basic income tax for the taxable year. If any part of the basic income tax is allocable to a State which has requested that a different rate than 7 percent be applied, then the tax on the portion of the basic income tax allocable to such State shall be computed at such different rate. Such request for a different rate of tax shall be recognized only if made by the legislature of a State with the concurrence of the Governor of such State and notification of the desired rate is transmitted to the Secretary before the beginning of the taxable years to which it is to apply.

"(b) IMPOSITION FOR YEARS BEGINNING AFTER DECEMBER 31, 1973.—In addition to other taxes, there shall be imposed for any taxable year beginning after December 31, 1973, on the income of every individual who is a resident of any State, at the rate requested by such State, a tax on the basic income tax of such individual for such taxable year. Such request for the rate of tax to be imposed shall be recognized only if made by the legislature of a State with the concurrence of the Governor of such State and notification of the desired rate is transmitted to the Secretary before the beginning of the taxable years to which it is to apply.

"(c) BASIC INCOME TAX.—For purposes of this chapter the term "basic income tax" has the meaning given to such term by section 42(b).

"(d) RESIDENCE.—If an individual is a resident of more than one State during a taxable year, he shall be treated for purposes of this section as a resident only of the State in which he resided during such year for the longer period of time.

"(e) ASSESSMENT.—The additional tax imposed by this section shall be assessed and collected in the manner prescribed in this title with respect to the tax imposed by chapter 1.

#### "SEC. 1602. PAYMENT TO THE STATES

"(a) IN GENERAL.—The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, an amount to each State equal to the amount of basic income tax collected from residents of that State.

"(b) PAYMENTS.—As soon as feasible after the close of each calendar quarter, the Secretary or his delegate shall make an estimate with respect to each State of the amount collected during the calendar quarter under section 1601 as basic income taxes allocable to such State, and the Secretary shall pay over to such State that estimated amount for the use and benefit of each State. Proper adjustment shall be made to amounts subsequently paid over to each State to the extent prior estimates were in excess of or were less than the amount actually collected under section 1601 as the basic income taxes allocated to each State.

#### "SEC. 1603. ALLOCATION BETWEEN STATE AND LOCAL GOVERNMENTS

##### "(a) IN GENERAL.—

"(1) AMOUNTS RECEIVED BEFORE JANUARY 1, 1974.—Under such regulations as the Secretary or his delegate shall prescribe, the State government shall be entitled to retain for its own use and benefit one-third of any amounts received by that State under section 1601 of any amounts received by that State under section 1602 before January 1, 1974,



and shall distribute the remaining two-thirds of such amounts to local governments in accordance with the provisions of this section.

"(2) AMOUNTS RECEIVED AFTER DECEMBER 31, 1973.—Amounts received by a State under section 1602 after December 31, 1973, shall be distributed in accordance with the provisions of this section unless the State provides otherwise by law.

"(b) ALLOCATION AMONG COUNTY AREAS.—The amount to be allocated to the units of local government within a State for any fiscal year shall be allocated among the county areas located in that State so that each county area will receive an amount which bears the same ratio to the total amount to be allocated to the units of local government within that State as—

"(1) the population of that county area, multiplied by the general tax effort factor of that county area, multiplied by the relative income factor of that county area, bears to

"(2) the sum of the products determined under paragraph (1) for all county areas within that State.

"(c) ALLOCATION TO COUNTY GOVERNMENTS, MUNICIPALITIES, TOWNSHIPS, ETC.—

"(1) COUNTY GOVERNMENTS.—The county government shall be allocated that portion of the amount allocated to the county area for the fiscal year under subsection (a) which bears the same ratio to such amount as the adjusted taxes of the county government bear to the adjusted taxes of the county government and all other units of local government located in the county area.

"(2) OTHER UNITS OF LOCAL GOVERNMENT.—The amount remaining for allocation within a county area after the application of paragraph (1) shall be allocated among the units of local government (other than the county government and other than township governments) located in that county area so that each unit of local government will receive an amount which bears the same ratio to the total amount to be allocated to the units of local government within that county area as—

"(A) the population of that local government, multiplied by the general tax effort factor of that local government, multiplied by the relative income factor of that local government, bears to

"(B) the sum of the products determined under subparagraph (A) for all units of local government within the county area (other than the county government and other than township governments).

"(3) TOWNSHIP GOVERNMENTS.—If the county area includes one or more township governments, then before applying paragraph (2)—

"(A) there shall be set aside for allocation under subparagraph (B) to such township governments that portion of each amount allocated to the county area for the fiscal year which bears the same ratio to such amount as the sum of the adjusted taxes of all such township governments bear to the aggregate adjusted taxes of the county government, such township governments, and all other units of local government located in the county area, and

"(B) that portion of each amount set aside under subparagraph (A) shall be allocated to each township government on the same basis as amounts are allocated to units of local government under paragraph (2).

If this paragraph applies with respect to any county area for any fiscal year, the remaining portion allocated under paragraph (2) to the units of local government located in the county area (other than the county government and the township governments) shall be appropriately reduced to reflect the amounts set aside under subparagraph (A).

"(A) ENTITLEMENT.—

"(1) IN GENERAL.—Except as otherwise provided in this paragraph, the entitlement

of any unit of local government for any fiscal year shall be the amount allocated to such unit under this subsection.

"(B) MAXIMUM AND MINIMUM PER CAPITA ENTITLEMENT.—Subject to the provisions of subparagraphs (C) and (D), the per capita amount allocated to any county area or any unit of local government (other than a county government) within a State under this section for any fiscal year shall not be less than 20 percent, nor more than 145 percent, of two-thirds of the amount received by the State under section 1602, divided by the population of that State.

"(C) LIMITATION.—The amount allocated to any unit of local government under this section for any entitlement period shall not exceed 50 percent of the sum of (1) such government's adjusted taxes, and (2) the intergovernmental transfers of revenue to such government (other than transfers to such government under this section).

"(D) ENTITLEMENT LESS THAN \$200, OR GOVERNING BODY WAIVES ENTITLEMENT.—If (but for this subparagraph) the entitlement of any unit of local government below the level of the county government—

"(i) would be less than \$200 for any fiscal year, or

"(ii) is waived for any fiscal year by the governing body of such unit,

then the amount of such entitlement for such year shall (in lieu of being paid to such unit) be added to, and shall become a part of, the entitlement for such year of the county government of the county area in which such unit is located.

"(5) ADJUSTMENT OF ENTITLEMENT.—

"(A) IN GENERAL.—In adjusting the allocation of any county area or unit of local government, the State shall make any adjustment required under paragraph (4) (B) first, any adjustment required under paragraph (4) (C) next, and any adjustment required under paragraph (4) (D) last.

"(B) ADJUSTMENT FOR APPLICATION OF MAXIMUM OR MINIMUM PER CAPITA ENTITLEMENT.—Each State shall adjust the allocations made under this section to county areas or to units of local government located within it in order to bring those allocations into compliance with the provisions of paragraph (4) (B). In making such adjustments any necessary adjustments with respect to county areas shall be made before any necessary adjustments with respect to units of local government are made.

"(C) ADJUSTMENT FOR APPLICATION OF LIMITATION.—In any case in which the amount allocated to a county government or to a unit of local government within a county area is reduced under paragraph (4) (C) by the State, the amount of that reduction—

"(1) in the case of a unit of local government (other than a county government), shall be added to and increase the allocation of the government of the county in which it is located, unless (on account of the application of paragraph (4)) that county government may not receive it, in which case the amount of the reduction shall be added to and increase the allocation of the government of that State; and

"(2) in the case of a county government, shall be added to and increase the allocation of the government of that State.

"(D) Adjustment for application of minimal allocation or waiver.—In any case in which the amount of the allocation to a unit of local government is reduced under paragraph (4) (D), the State shall allocate that amount in accordance with the provisions of that paragraph.

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

"(1) UNITS OF LOCAL GOVERNMENT.—The term "unit of local government" means the government of a county municipality, township, or other unit of government below the State which is a unit of general govern-

ment (determined on the basis of the same principles as are used by the Bureau of the Census for general statistical purposes).

"(2) CERTAIN AREAS TREATED AS COUNTIES.—In any State where, for part or all of its geographic area, the next unit of local government below the State government is a city or other unit, the geographic area of which unit shall be treated as a county area (and such unit shall be treated as a county government) with respect to that portion of the State's geographic area.

"(3) TOWNSHIPS.—The term "township" includes equivalent subdivisions of government having different designations (such as "towns"), and shall be determined on the basis of the same principles as are used by the Bureau of the Census for general statistical purposes.

"(4) UNITS OF LOCAL GOVERNMENT LOCATED IN LARGER ENTITY.—A unit of local government shall be treated as located in a larger entity if part or all of its geographic area is located in the larger entity.

"(5) ONLY PART OF UNIT LOCATED IN LARGER ENTITY.—If only part of a unit of local government is located in a larger entity, such part shall be treated for allocation purposes as a separate unit of local government, and all computations shall, except as otherwise provided in regulations, be made on the basis of the ratio which the estimated population of such part bears to the population of the entirety of such unit.

"(6) BOUNDARY CHANGES, GOVERNMENTAL REORGANIZATION, ETC.—If, by reason of boundary line changes, by reason of State statutory or constitutional changes, by reason of annexations or other government reorganizations, or by reason of other circumstances, the application of any provision of this section to units of local government does not carry out the purposes of this subtitle, the application of such provision shall be made, under regulations prescribed by the Secretary or his delegate, in a manner which is consistent with such purposes.

"(d) GENERAL TERMS.—For purposes of this section—

"(1) POPULATION.—Population shall be determined on the same basis as resident population is determined by the Bureau of the Census for general statistical purposes.

"(2) INCOME.—Income means total money income received from all sources, as determined by the Bureau of the Census for general statistical purposes.

"(3) PERSONAL INCOME.—Personal income means the income of individuals, as determined by the Department of Commerce for national income accounts purposes.

"(4) DATES FOR DETERMINING ALLOCATIONS AND ENTITLEMENTS.—Except as provided in regulations, the determination of allocations and entitlements for any fiscal year shall be made as of the April 1 immediately preceding the beginning of such year.

"(5) INTERGOVERNMENTAL TRANSFERS.—The intergovernmental transfers of revenue to any government are the amounts of revenue received by that government from other governments as a share in financing (or as reimbursement for) the performance of governmental functions, as determined by the Bureau of the Census for general statistical purposes.

"(6) DATA USED; UNIFORMITY OF DATA.—

"(A) GENERAL RULE.—Except as provided in subparagraph (B), the data used shall be the most recently available data provided by the Bureau of the Census or the Department of Commerce, as the case may be.

"(B) USE OF ESTIMATES, ETC.—Where the Secretary or his delegate determines that the data referred to in subparagraph (A) are not current enough or are not comprehensive enough to provide for equitable allocations, he may use such additional data (including data based on estimates) as may be provided for in regulations.

"(e) GENERAL TAX EFFORT FACTOR OF COUNTY AREA.—For purposes of this section, the general tax effort factor of any county area for any fiscal year is—

"(1) the adjusted taxes of the county government plus the adjusted taxes of each unit of local government within that county area, divided by

"(2) the aggregate income (as defined in paragraph (2) of subsection (d)) attributed to that county area.

"(f) GENERAL TAX EFFORT OF UNIT OF LOCAL GOVERNMENT.—For purposes of this section—

"(1) IN GENERAL.—The general tax effort factor of any unit of local government for any fiscal year is—

"(A) the adjusted taxes of that unit of local government, divided by

"(B) the aggregate income (as defined in paragraph (2) of subsection (d)) attributed to that unit of local government.

"(2) ADJUSTED TAXES.—

"(A) IN GENERAL.—The adjusted taxes of any unit of government are—

"(1) the compulsory contributions exacted by such government for public purposes (other than employee and employer assessments and contributions to finance retirement and social insurance systems, and other than special assessment for capital outlay) as such contributions are determined by the Bureau of the Census for general statistical purposes,

"(2) adjusted (under regulations prescribed by the Secretary or his delegate) by excluding an amount equal to that portion of such compulsory contributions which is properly allocable to expenses for education.

"(B) CERTAIN SALES TAXES COLLECTED BY COUNTIES.—In any case where—

"(1) a county government exacts sales taxes within a unit of local government and transfers part or all of such taxes to such unit without specifying the purposes for which such unit may spend the revenues, and

"(2) the Governor of the State notifies the Secretary that the requirements of this subparagraph have been met with respect to such taxes,

then the taxes so transferred shall be treated as the taxes of the unit of local government (and not the taxes of the county government).

"(g) RELATIVE INCOME FACTOR.—For purposes of this section, the relative income factor is a fraction—

"(1) in the case of a State, the numerator of which is the per capita income of the United States and the denominator of which is the per capita income of that State;

"(2) in the case of a county area, the numerator of which is the per capita income of the State in which it is located and the denominator of which is the per capita income of that county area; and

"(3) in the case of a unit of local government, the numerator of which is the per capita income of the county area in which it is located and the denominator of which is the per capita income of the geographic area of that unit of local government.

For purposes of this subsection, per capita income shall be determined on the basis of income as defined in paragraph (2) of subsection (d).

"SEC. 1604. NONDEDUCTIBILITY OF TAXES IN COMPUTING TAXABLE INCOME.

"(a) The tax imposed by section 1601 to the extent the rate does not exceed 7 percent shall not be allowed as a deduction to the taxpayer in computing taxable income under chapter 1. To the extent the rate of tax imposed by section 1601 with respect to any State exceeds 7 percent, it shall be deductible in the same manner and to the same extent as a State income tax of the type referred to in section 164.

"(b) If any of the tax imposed on an individual under section 1601 for a taxable

year is computed at a rate less than 7 percent, then any income taxes paid by such individual to such State for such taxable year shall be disallowed as a deduction in computing taxable income under chapter 1 in the amount by which the tax under section 1601 for such taxable year was reduced by the request of such State for a rate lower than 7 percent.

"SEC. 1605. SEPARATE DESIGNATION ON INCOME TAX RETURN.

"Any tax imposed under section 1601 with respect to any State and collected by the Secretary or his delegate shall be shown on the same return as the tax imposed by section 1 or section 3 with respect to a taxpayer, but shall be shown separately on such return and clearly designated as a tax collected for a State and not for the United States."

"(b) The Secretary of the Treasury shall furnish to the Congress not later than 90 days after the date of enactment of this Act a report setting forth the steps he has taken to implement the tax shifting program established by the amendments made by this Act, together with recommendations for revising the withholding tables contained in section 3402 of the Internal Revenue Code of 1954 to reflect the tax under chapter 7 of such Code, and such other recommendations, including recommendations for additional legislation, as he deems necessary to enable him to carry out that program."

On page 112, in the matter appearing after line 15, strike "sharing with State and local governments a portion of the revenues derived from Federal individual income taxes" and insert "the shifting to the States of Federal income tax collections from individuals".

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. BUCKLEY. I am glad to yield to the assistant majority leader.

Mr. ROBERT C. BYRD. I ask unanimous consent that time on this amendment be limited to 1 hour and 15 minutes, 45 minutes to be under the control of the Senator from New York (Mr. BUCKLEY) and 30 minutes to be under the control of the distinguished manager of the bill, the Senator from Louisiana (Mr. LONG). That would mean that the vote on this amendment would occur about 6 o'clock. Does the Senator wish the yeas and nays?

Mr. BUCKLEY. Yes, I would like to ask for the yeas and nays.

Mr. ROBERT C. BYRD. It will probably be necessary to get more Senators in for that, but we will put them on notice.

Mr. BUCKLEY. Mr. President, I yield myself such time as may be necessary.

My modifications are simple ones. On pages 2, 3, 4, 18, and 19, I substitute the figure 7 for the figure 5.64, and the date December 31, 1971, for the date December 31, 1972. This is in order to make my amendment conform as closely as possible with the Senate bill, as I shall explain later.

This amendment represents an attempt to correct certain deficiencies in general revenue sharing, while still preserving the essential objectives of this legislation. President Jackson pointed out one of the problems inherent in general revenue sharing in the following excerpt from a message which he sent to Congress in 1833 vetoing a bill which would have shared surplus funds in the Federal Treasury with the States:

I am quite sure that the intelligent people of our several States will be satisfied, on a

little reflection, that it is neither wise nor safe to release the members of their local legislatures from the responsibility of levying the taxes necessary to support their State governments and vest it in Congress, over most of whose members they have no control.

This goes to the heart of the principle of accountability. But there is also another larger problem inherent in the bill now under debate which is of a much more recent vintage than the days of President Jackson; otherwise I am sure that he would have brought it to the attention of Congress at that time. That has to do with the habit of the Federal Government of attaching strings any time it returns funds to the States—of attaching monumental strings to the transfers of moneys from the Federal Treasury, which is another hazard which is built into the whole concept of general revenue sharing, though I do appreciate the extent to which the Finance Committee has attempted to weed them out.

My amendment seeks to introduce accountability at least at the State level, while assuring that the immediate availability of funds contemplated in the Revenue Sharing Act will in fact be available to State and local governments.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. BUCKLEY. This will be accomplished, this providing of direct State accountability, while at the same time providing for the funds which are needed on an emergency-urgent basis by our besieged State and local governments. This will be done by substituting the concept of revenue shifting which is contained in a bill I introduced in the Senate in April of last year, now known as S. 1577, and substituting the revenue-shifting features of that earlier bill for the revenue-sharing features in the bill now under debate, while preserving the provisions of the present bill for the allocation of funds among the various units of government within a State. In other words, I preserve in my amendment the pass-through provisions in the Senate bill.

The basic concept of my alternative has been adopted for a system now in effect in Canada for the division of personal income tax collections between the dominion and provincial governments. It involves a substitution of a sharing of the Federal personal income tax base and collection facilities for a sharing of the Federal Government's revenues. Its effect is to shift to the States a portion of the personal income taxes now being collected by the Federal Government. If combined with the Finance Committee pass-through provisions, as is the case with my amendment, the revenue-shifting concept will accomplish the principal objectives of the Senate proposal while avoiding its weaknesses.

The amendment will do so in the following manner:

First, it will effect an across-the-board reduction in Federal personal income tax collections by the amount which is to be shifted from the Federal Government to State and local governments.

Second, it will at the same time direct



the Internal Revenue Service to collect on behalf of each State, from its residents, an amount equivalent to 7 percent of the Federal tax collection which in the aggregate will amount to the approximate figure which the Senate bill proposes to distribute to State and local governments.

Third, it authorizes each State to direct the Internal Revenue Service to reduce, increase, or eliminate the amount of the State's share to be collected on its behalf.

Fourth, it requires that tax returns for the Federal and State tax collections be made on a single or joint form in which it is clearly indicated which portion of an individual's tax is being raised on behalf of the Federal Government and which on behalf of the State.

This, Mr. President, is exactly the procedure which is followed in Canada at the present time. A single income tax form is filled out. If you happen to live in the Province of Ontario, it says that so much is being collected for the Dominion of Canada and so much is being collected for the Province of Ontario.

I believe that the revenue shifting alternative has the following advantages over the bill in its current form:

First, because the States have the power to direct the Internal Revenue Service to increase, reduce, or eliminate the amounts to be collected on their behalf, they retain full responsibility for and authority over the taxation of their citizens for State and local needs. No precedent is set for Federal bailouts for States which may have overextended themselves.

Second, because the personal income tax form filed with the Internal Revenue Service will specify how much of the tax is being collected for the Federal Government and how much for the State, the taxpayer is spared the illusion that money transferred by the Internal Revenue Service to his State is somehow Washington's money and not his own.

Third, the revenue shifting proposal avoids making the States dependent on the Federal Government for another substantial source of income, and therefore avoids the danger of ultimate Federal dictation.

Once the plan is in operation, its cost to the Federal Government will be negligible, amounting, as it will, to just the cost of transferring to each State the amount collected on behalf of the State and its political subdivisions. Thus, the system once established would not be endangered by future congressional economics.

Mr. President, I want to point out one final feature about my amendment before I yield the floor. It comes into immediate effect and it involves what might be called the presumption that each State will wish to participate; because only in this way can we immediately create the flow of money which is desperately needed by many of our State and local jurisdictions.

However, at the end of 1974—from that point forward—if the Federal Government is to continue to act in the capacity of agent for collection of the levy against the citizens of each State, each State

must take positive action in making the necessary directions to the Internal Revenue Service. In other words, this is not a system which will continue indefinitely without positive State action. This, in my judgment, is necessary to cause the States to examine what is going on and to cause them to assume full responsibility for the future operation of the system.

In sum, therefore, my amendment would be in the broad context of the general revenue-sharing proposal as contained in the Senate bill. It would meet the emergency situation. It would contain the passthrough provisions to make sure that municipalities and counties and other areas of local government have direct access to the funds involved so as to meet their pressing problems—all during the 2-year period after this year, during which time the States and localities can come to grips with a reordering of their own internal tax structure to make sure that each unit of government has responsibilities and a tax structure which are mutually compatible.

Finally, it establishes, automatically and immediately, the piggy-back structure which is, of course, a feature of the measure before the Senate. It will accomplish all those things, but it will do so in a manner which will preserve full accountability, in a manner in which the citizens of each State know they are being taxed in order to support the general needs of their State and local communities.

Mr. President, I reserve the remainder of my time.

Mr. LONG. Mr. President, what we have here is a complete substitute for the revenue-sharing bill. It is an interesting thought, and it certainly is worth considering. We on the committee did think about it, and the general approach was explored by thoughtful members of the Ways and Means Committee.

The approach of the Senator is to reduce the Federal tax and make it possible for a State to increase its income tax by at least the same amount. This, of course, is not revenue sharing, and the Senator does not call it that. He would call it revenue shifting.

Compared to the bill before the Senate, it has advantages and disadvantages, one advantage being, of course, that the State is levying a tax itself and if the State does not impose the tax the relief goes to a taxpayer of that State. Under this plan the State is encouraged to levy an increase its income tax, so that it would receive revenue which the Federal Government loses. In the final analysis, where this happens its taxpayers lose nothing.

On the other hand, when one looks at the disadvantages, it does not permit one of the advantages of revenue sharing advocated by the President and by the Finance Committee and which, so far, has been supported by the Senate, and that is the concept that we are one Nation and that the Federal Government is the wealthiest of any government and has the greatest capacity to raise revenue of any government, and that the wealthiest sections of the Nation should shift some of their income for the benefit of the

poorer sections on a revenue-sharing basis. Where we have revenue sharing within the States—I know this is how it is in Louisiana, Maryland, and elsewhere—generally speaking, we collect taxes uniformly on an income tax basis or on an excise tax basis.

Then the distribution formula usually tries to favor those who have the greatest need. Of course, that is not a part of the Senator's proposal, because the States that have the high per capita income or the high-income taxes would benefit the most and, compared to the committee bill, the States that have the low-income taxes would benefit the least. We cannot achieve, with the Senator's approach, the one thing, which is revenue sharing. That is collect the most revenue from those who are best able to pay and provide the most help to those who need it the most. That is not possible under the Senator's concept.

Also, the proposal is a complete substitute. I suspect, Mr. President, that if the Senate wanted to adopt this amendment, which is really in the nature of a substitute, one might say, if the Senate were sincere about it and did not want to kill the revenue-sharing bill but to adopt the approach of the substitute, I honestly believe that the Senate would find, without ever having intended to do so, that it would kill the bill. I say this because I see no ground to compromise this in conference.

If we went to conference with the House on it, as we know, someone wins and someone loses. How can the House in honor surrender a revenue-sharing bill to a tax-shifting bill?

For that matter, how could the Senate conferees, in good conscience, vote to surrender in conferring a tax-shifting bill to a revenue-sharing bill?

So that it is simply like trying to cross cats with dogs or airplanes with oranges. They are so far apart, there is no way we can compromise them.

About the only conceivable approach would be to say, "Well, let us try to make it half a revenue-sharing bill and half a tax shifting bill." I do not think the Senate would want to do that. The Senate has about decided, I think, that it will engage in this 5-year experiment in revenue sharing. If so, I would think that the kind of approach the Senator has here is one that should merit study, thought, and examination by governmental groups and study groups throughout the country, and that it should be considered as an alternative proposal in the event the country is not satisfied with revenue sharing after we have had 5 years of experience with it.

I do not think we should agree to it as a substitute. It is a tax-shifting bill. This is a revenue-sharing bill. Therefore, I believe that the amendment should not be agreed to.

Mr. BENNETT. Mr. President, will the distinguished Senator from Louisiana yield me 5 minutes?

Mr. LONG. I yield 5 minutes to the Senator from Utah.

The PRESIDING OFFICER (Mr. GAMBRELL). The Senator from Utah is recognized for 5 minutes.

Mr. BENNETT. Mr. President, in the

revenue-sharing bill we are applying to the States the principle that has been applied within the States for many years to the cost of education. In my State, we call it equalization, a means by which the school services available in the poorest little community are approximately equal to those available to the metropolitan centers, which means, inevitably, that the richer and the larger areas have to contribute to the income of the poorer communities.

Now, as I understand the amendment proposed by our good friend from New York (Mr. BUCKLEY), it says in effect, "We will give you back a percentage of what you are willing to tax yourself for."

In other words, there is no sharing outside the boundary of a particular State. It puts very heavy emphasis on the tax effort, the higher tax effort, that is, the more we get back, and it ignores the other qualifications that we have written into our formula.

I think that the word "sharing" carries in it by implication this concept of equalization. The rich will share with the poor.

The chairman indicated some practical problems. Let me emphasize again that there are some States in the Union whose constitutions forbid them to levy on income tax. So, if we adopt the amendment, we will force those States to change their tax systems. I do not think that we are prepared to do that.

I agree with the chairman that this is a different approach. It may be worth considering as a replacement for revenue sharing, based on the experience we may have with it over the next 4 remaining out of 5 years that the bill covers. But I do not think it should be written as a substitute on the floor of the Senate without any committee hearings, without the States and communities most directly affected having an opportunity to measure the effects of the program on their States and bringing this information to the committee.

I think the committee should be aware of it. I think we should be prepared to consider it, when it comes time to review this whole principle again, but I think it would be tragic to throw away the work of the Ways and Means Committee of the House and the Finance Committee in the Senate, plus the study that has been given the problem downtown, and embark on a completely new point of view.

Mr. President, I should like to underline something the chairman said—

I do not know how we could take this to conference. I do not know what we could do with it in conference.

Therefore, I think that the Senate should reject it as a substitute and let us go forward with the program that we have so long and so diligently worked to prepare.

Mr. HARRY F. BYRD, JR. Mr. President, will the Senator from New York yield?

Mr. BUCKLEY. How much time does the Senator require?

Mr. HARRY F. BYRD, JR. I should like to ask the Senator from New York several questions. Say 5 minutes.

Mr. BUCKLEY. Mr. President, I yield the Senator from Virginia 5 minutes.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 5 minutes.

Mr. HARRY F. BYRD, JR. Mr. President, may I ask the distinguished Senator from New York whether I have the proper understanding of his proposal. Is it correct that the money which the Federal Government feels it can spare, so to speak, and send back to the localities under the so-called revenue-sharing proposal of the Senator from New York, would go not to the States or to the localities but would go to the taxpayers of the various States in the form of a tax credit or tax reduction unless the legislature of a particular State were to pass legislation providing that that amount of money would be taken over by the State? Is that about what the proposal of the Senator is?

Mr. BUCKLEY. It is not quite correct. That would be the long-term effect of the amendment. However, recognizing the fact that there is an existing emergency, which I think we are all interested in trying to help out with, and recognizing the fact that State legislatures are not in session every year, my proposal starts out with the presumption that the States will not have this money returned to the States unless the States take positive action to direct the Internal Revenue in the matter, in which case their revenue would benefit by the reduction, in this case about 7 percent.

In this connection, I would like to clear up what I believe is a misconception of what I propose.

This is not a tax credit proposal as that term is usually understood; namely, one in which there would be an offset against Federal tax liability up to a certain amount representing payments paid to the State. For whatever esoteric reason it involves, the advocates of this amendment would seem to be very knowledgeable in income tax affairs. They felt that the word "credit" would be appropriate to use rather than "income tax deduction." And that is automatic, it goes across the board, irrespective of what may or may not be paid to the State.

Mr. HARRY F. BYRD, JR. The 7-percent credit or reduction which would be a special term used—

Mr. BUCKLEY. We should call it a 7-percent reduction of the Federal personal income tax rate.

Mr. HARRY F. BYRD, JR. The 7-percent reduction in personal and corporate income tax rate—

Mr. BUCKLEY. Not corporate, just personal. They would have to compute the rate under the present schedule and reduce that by 7 percent.

Mr. HARRY F. BYRD, JR. Under the Senator's proposal, the taxpayers would have an opportunity to obtain a 7-percent reduction in their taxes.

Mr. BUCKLEY. If their States did not request this money to be collected on their behalf. However, if the States did request that it be collected on their behalf, or failed to take initial action, then clearly the State has got the responsibility for that 7 percent.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BUCKLEY. Mr. President, I would be glad to yield the Senator an additional 5 minutes.

The PRESIDING OFFICER. The Senator is recognized for an additional 5 minutes.

Mr. HARRY F. BYRD, JR. So, the choice that the able Senator from New York has given the Senate today, as I see it, is whether the money which the Federal Government will send back to the States will go to the individuals of that State or to the State itself.

Mr. BUCKLEY. The Senator is correct.

Mr. HARRY F. BYRD, JR. The choice would be left to the State legislature to determine.

Mr. BUCKLEY. That would be the effect.

Mr. HARRY F. BYRD, JR. The Senator from Virginia regards this as a very interesting and novel approach and one that is well worth considering. If the Federal Government has so much money and is in such good shape that it can take an average of \$6 billion a year and send it back to the localities and the States, then, if we are going to do that, it seems to me that what we ought to do is to send it back to the source from which it came; namely, the individual taxpayers of the States.

The Federal Government's permitting a reduction of 7 percent in the income taxes to be paid the individual citizens would mean that the States that are indeed in need and those States whose legislatures are willing to vote a 7-percent tax, would have an opportunity to that 7 percent itself and use it for State purposes. However, if a State does not so act, the money would go to the benefit of individual citizens in the State.

I like the approach of the Senator from New York. I personally do not feel that there is enough money in the Federal treasury to be sending it back to the localities and the States. However, if a majority of the Congress feels—and evidently it does—that we are so running over with funds and that our financial position is in such wonderful shape that we can dispense with 7 percent of the tax take, then I prefer to see that 7 percent go back to the source from which it came; namely, the individual taxpayers.

I commend the distinguished Senator from New York. I shall support the proposal.

Mr. JORDAN of Idaho. Mr. President, would the Senator yield for a question?

Mr. BUCKLEY. I would be glad to yield to the Senator from Idaho.

Mr. JORDAN of Idaho. Mr. President, most of the witnesses who appeared before the Finance Committee during our hearings said that the Federal Government had preempted the tax sources by their highly progressive income taxes. Many of them said, as has been stated here, that they have constitutional prohibitions against a State income tax.

Is it not true that the proposal of the Senator from New York would offer to the State the Federal income tax as a vehicle and the Internal Revenue Service as a collection agency to overcome their chief objection; namely, the fact that the Federal Government has preempted the tax sources with their highly progressive income taxes?



Mr. BUCKLEY. The Senator is completely correct. The Federal Government would in effect be sharing the personal income tax base and the collection facilities. The highly efficient collection facilities of the Internal Revenue Service would enable the States which were to participate in this program to save themselves the cost if they are on an income tax base of duplicate services.

Mr. JORDAN of Idaho. Mr. President, I thank the Senator. We had one or two witnesses who testified that they were forced to come to the Federal Government for relief. One State had a referendum on revenue. Measures which were passed by the legislature were defeated by referendum of the people, because the people were not willing to vote more taxes for themselves at the State and local level. They had no recourse but to come to the Federal Government.

Does the Senator believe that is good government?

Mr. BUCKLEY. I believe quite to the contrary that this is an attempt to run an end run around the people most directly concerned with the levels of government and services within a given State.

Actually, within my own State, we have been having a successful tax revolt. Taxes have risen to a point where the State legislature has forced a reexamination of State programs and forced very meaningful economies rather than go through the onus of raising taxes. I think under the credit proposal which is advocated strenuously by officials across the State, New Yorkers will over a 5-year period be paying to Washington in personal income taxes \$450 million more than they will be receiving back.

My proposal is totally neutral between the have-nots and the haves, and it would enable the citizens of New York to make that decision, but more importantly, it would say that this shell game could not be placed on them. They would know the exact amount of money they are paying for State and local services.

Mr. JORDAN of Idaho. I like the aspect of the Senator's bill that provides some State responsibility and some flexibility in the State as to the amount of piggy-back taxation they choose to levy on themselves. I think it goes without saying that all of the 50 States and the 38,000 political subdivisions of government can find a use for all of the money that is given to them with no strings attached. Does the Senator have any doubt about that?

Mr. BUCKLEY. None whatever.

Mr. JORDAN of Idaho. I think the Senator brought out a very worthwhile suggestion. It is quite altogether different than revenue sharing because it is, as the Senator described it, revenue shifting. It has much to commend it. The one fault I would find is that it provides no sense of equalization whatever.

Mr. BUCKLEY. I am glad the Senator raised that point because it is a point that was raised earlier by the chairman. I was going to discuss it myself and I might as well do so now. We all understand that because of the differences that do exist in the relative affluence of Americans, some States may not have the capacity to raise the reve-

nue needed to make sure their children have, for example, an equal educational opportunity, as those in more affluent States. I believe these differences are more than adequately coped with through our system of categorical grant programs, and in the proposed system of special revenue sharing, where we take areas of special concern and utilize the revenue sharing procedure in order to shift money from the "have" States to the "have not" States.

But for whatever reason, those States in the Union which today feel the greatest sense of urgency and need happen to be the more affluent States. I have a feeling this has resulted in part because of so many dislocations resulting from the categorical grant programs which have mandated all kinds of responsibilities which have been particularly heavy on industrial States, and this is a load which will only become worse under the Senate distribution formula.

But I believe general revenue sharing should be neutral while other special revenue sharing and categorical grant programs will be the method for equalization, which my friend from Utah mentioned earlier.

Mr. JORDAN of Idaho. Many witnesses who appeared before the committee testified that grants in aid were the reason for their downfall. The fact is there are 400 or more specific grants in aid having to be matched at the State and local levels and the State and local levels have become impoverished to the point and to the extent they were not able to raise any more revenue.

But the question I ask the Senator is: Is there anything in his bill—I know there is nothing in the bill of the Committee on Finance—that would repeal or cut back any of the 400-odd specific grant-in-aid programs?

Mr. BUCKLEY. No, nothing in my bill would accomplish that. But I am anxious that this bill come to grips with the special revenue proposal, which would have the effect of collapsing many of those programs into a broad program, which would not have the effect of forcing them to spend money for a project which in their opinion they felt was inferior.

Mr. JORDAN of Idaho. What I like about the Senator's proposal is that it is not likely to be escalated over the years to come, except as States initiate the program. What is \$5 or \$6 billion in this session will be \$20 or \$25 billion 10 years from now. That is the way these things have of growing, but it seems to me the Senator's proposal would for all time put a stop to that kind of escalation that there is in the proposal we have before us.

Mr. BUCKLEY. I agree with the Senator that that would be the effect. Accountability would be maintained and people would know who is responsible.

Mr. JORDAN of Idaho. I thank the Senator.

Mr. HARRY F. BYRD, JR. Mr. President, will the Senator yield to me for 4 minutes?

Mr. BUCKLEY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Sen-

ator from New York has 15 minutes remaining.

Mr. BUCKLEY. I am delighted to yield 4 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator is recognized.

Mr. HARRY F. BYRD, JR. Mr. President, in 1950, as a member of the Virginia Senate, I introduced legislation which subsequently became known as the automatic tax reduction law. The principle of that, it seems to me, is somewhat similar to the principle of the revenue shifting proposal offered by the Senator from New York.

The principle of the Virginia automatic tax reduction law is this. The legislature may appropriate however much money it deems necessary to operate the State government, but if it takes from the taxpayers more than is necessary to operate the government, then after leaving a reasonable cushion in the State treasury the additional amount over and above the amounts necessary to run the government would then be automatically returned to the taxpayers in the form of a tax reduction, and that tax reduction, if it occurred, would be automatic in the next year's tax bill on a percentage basis.

Under that law the Virginia taxpayers for 4 years received a reduction in taxes. I do not remember the exact figures, but in 1 year it was as high as 20 percent, in another year it was 12 or 14 percent, in another year it was 8 or 9 percent, and in another year it was around 10 percent. That was when the State government took from the taxpayers more money than the legislature said was necessary to operate the government.

Now, we come to the present situation which is almost similar to the one I reported in Virginia 22 years ago, but the difference is that the Federal Government is not running a surplus. Indeed, it is deeply in debt, and not only is it deeply in debt but it is running heavily in smashing deficits. But that does not deter me from supporting the Senator's proposal when I have to compare it with what would be done if his proposal is not adopted, because if his proposal is not adopted, despite all of these deficits, despite the heavy debt, then the same amount of money; namely, 7 percent of the total tax collections, will be sent back to the States and the localities.

I do not think the Government is in a financial position to do that, but if we are going to do it I think it should go back to the people themselves, the individual taxpayers, the same as it would have under the Virginia automatic tax reduction law. It occurred to me a few minutes ago that there is a similarity between the proposal offered by the able Senator from New York and the one which the Virginia Legislature enacted some years ago. I think there is a considerable similarity between the two, and I certainly like the approach that if the Federal Government says that we have too much money and are going to give some of it back to the States and localities, then the place to give it back is the place from which it came; namely, from the pockets of the hard working men and women of our Nation.

I thank the Senator.

Mr. BUCKLEY. I thank the Senator for his remarks.

I certainly believe that, at the least, if my proposal does not create the way for more cutbacks, it will prevent future proposals for automatic increases, so the taxpayers would end up in the same place.

Mr. HARRY F. BYRD, JR. That would be a great improvement over what we have today.

Mr. BUCKLEY. Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has 11 minutes remaining.

Mr. BUCKLEY. I yield myself 5 minutes.

First of all, I should like to address myself to some remarks made by the chairman of the committee, the Senator from Louisiana, and the Senator from Utah.

As I explained earlier in my colloquy with the Senator from Idaho, my proposal is totally neutral as between the States on the matter of distribution. As I said earlier, I believe that the other legislation which we have at the Federal level—the categorical grant programs, and later, hopefully, the special revenue programs—has the effect of recognizing that the poorer States are not in the same position to provide essential quality services as are the wealthier and the more affluent States, and therefore the idea of the use of the Federal Government as a means of that redistribution is perhaps totally valid. But we are not talking about money for education in this bill or money for necessary sewer systems or money for urban development. We are talking about revenues to be distributed for general governmental services.

Second, it was mentioned that the constitutions of some States do not permit the imposition of income taxes, and that my proposal would force those States to enact income tax legislation of their own. Quite the contrary. If any State does not feel it wants to impose an income tax on its own citizens directly or indirectly, it is totally free to advise the Internal Revenue Service that it does not wish to participate in revenue shifting, in which event its citizens will have the direct benefit of a 7-percent reduction in their Federal tax payments, which would leave a certain amount of cash in the State to be collected in the form of sales tax, use tax, or some other form of taxation which that particular State finds to be preferable.

I certainly appreciate the argument by the distinguished Senator from Utah that the revenue sharing proposal proposes to do at the Federal level what States themselves are doing, namely, the process of equalization, subsidizing the poor areas, so that there would be approximately the same amount spent for education of a child irrespective of where he goes.

I would like to make two comments with respect to that, namely, that the Federal Government is in the process of equalizing, through the categorical grant programs, and, second, one of my concerns about the general revenue-sharing proposal as a long-term institutionalized

device is the remoteness of the Federal Government from the taxpayer and the voter. The kind of accountability that makes sense, that is in fact operable in terms of pressures which citizens can mobilize to hold the line on expenditures or hold the line on increases in taxes, can be applied at the State level even if some of the State money is going to subsidize their local municipalities, but these same pressures cannot be mobilized at the Federal level.

With respect to the problems which the adoption of my amendment might pose in conference, I would like to point out that it does incorporate two principal features of both the House and the Senate bills, namely, a system of allocation of funds to be distributed as between the State and local levels of government, and, second, a so-called piggy-back structure. These two proposals in the House bill could certainly be modified to accommodate the revenue shifting proposal.

In summary, Mr. President, I would just like to recite my principal points. We are in process of enacting a brand new approach to the financing of State and local governments which sets aside the principle of accountability by removing the taxing authority too far from the eyes of the voters to enable them to apply the necessary judgment to determine whether or not they are willing to tax themselves in order to pay for local bridges, roads, paths—you name it.

Second, we do have a state of emergency, and my proposal would end up in distributing the same amount of money to the States and localities as would the Senate version. Admittedly, mine does not provide any redistribution from so-called rich States to so-called poor States, but I would expect that if one goes to the testimony given before the Finance Committee, he will find many of the requests were coming from those from the richer States, not the poorer States. It is a question of reallocation; it is not a question of basic availability of funds with which we need to cope.

The PRESIDING OFFICER. The Senator's time has expired. The Senator has 5 minutes remaining.

Mr. BUCKLEY. Mr. President, I yield myself such time as I may need to conclude.

I recognize that in this concept there is a significant departure from the basic concept enshrined in legislation before us. However, it accomplishes the same things, but in a manner that will not be as disruptive of the concept of federalism. I, therefore, urge the adoption of the amendment.

Mr. LONG. Mr. President, as I said before, the proposal offered by the Senator from New York would, I believe, be repugnant to those States that do not have an income tax. It seeks to coerce them into enacting an income tax which, so far, these States have steadfastly insisted they should not be coerced into adopting or be required to levy an income tax unless, in the judgment of its citizens, they should decide to do so.

Furthermore, the proposal would tend to benefit many States that do have income taxes, the States with a higher

than average per capita income, and it would tend to penalize States with less than the average per capita income.

Furthermore, and probably worse, I feel that we would have no revenue-sharing bill, because, in my judgment, as the Senator from Utah has pointed out, there is nothing to compromise.

If we go to conference with the House of Representatives with the bill they adopted and the Senate sends over another, that is a complete substitute, that is not even a distant cousin to it, there is just nothing to talk about, nothing to compromise on. It would be like trying to say that one goes to the conference table with a dog and the other goes to the conference table with a cat, so the one says, "The only logical way we can make this thing work is just to chop these two in half and put the hind end of the cat on the front end of the dog, and that way come up with a cross between the two."

The difficulty is that the animals are so far apart in nature that by the time you put a part of one on a part of the other, they are necessarily in conflict.

I think, Mr. President, that if this amendment were agreed to, and those of us in the Senate conference were true to our duty to the Senate, which would be to bring in a bill which is not a revenue-sharing bill but a tax-shifting bill, and the House conferees were true to the House of Representatives in their duty to bring back a revenue-sharing bill, there would probably be no bill. I think there is that much difference between the two approaches.

So I hope, Mr. President, that this substitute will not be agreed to.

It lacks one basic factor that even Governor Rockefeller proudly proclaimed when he appeared before the committee, and that was that the States with the highest per capita income—and he was testifying for a State which had a relatively high per capita income—like New York would not get back as much as they were putting out. The amendment would change that, although Governor Rockefeller, of the same State represented by the able and distinguished Senator, would be first to concede that it was fair that New York should be willing to contribute more than it took back.

That would not be the case under this type of proposal. The effect of distributing income in such a fashion that the poor get some help at the expense of the rich would be dispensed with under this proposal, and that phase of it, I think, would not even appeal to the Governor of the great State from which the Senator hails.

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

Mr. LONG. I yield.

Mr. BENNETT. It seems to me there is another difficulty here that has been touched upon but not spotlighted. That is that under this proposal, the State legislators, and let us add the Governors, would have to say to the people of the States, "There is a potential 7-percent reduction in your income tax, but we have to take it away from you."

The revenue-sharing bill is based on the idea that money can come to the



States with a minimum of difficulty for the State tax collecting and State spending units. But under this proposal, I think Senators would find the greatest political difficulty you can conceive of in going to the State legislatures and saying, "You vote to take this tax cut away from the people." I do not think they would get away with it.

Mr. LONG. Mr. President, this type approach could not have escaped the attention of the administration of President Nixon in considering the possibilities of what could be done to help the States along this line, because this is very similar to the Canadian system.

I would say this: If we can make revenue sharing work, it has far more justice, fairness, and equity about it if you believe, as most of us believe, that the wealthier should lend a hand to those who are less wealthy.

If we cannot make revenue sharing work, then it may very well be that we would have to dispense with that concept. But I would like to try revenue sharing, to see if it can be made to work, and I hope this amendment will be rejected.

Mr. BUCKLEY. Mr. President, I was extremely interested in the spotlight thrown by the Senator from Utah, which was to say, "Let us make it easier to take; let us not let the people know exactly where this money is coming from."

I would say that the maximum of difficulty is consistent with the maximum of accountability. I think one of the problems we have run into in this country is that we have found devices like withholding, and so on, which make too few citizens realize exactly how much they are paying for the governmental services they are receiving.

Mr. President, I yield back the remainder of my time.

Mr. LONG. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. GAMBRELL). All remaining time having been yielded back, the question is on agreeing to the amendment (No. 1469), as modified, of the Senator from New York (Mr. BUCKLEY). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Texas (Mr. BENTSEN), the Senator from North Dakota (Mr. BURDICK), the Senator from Nevada (Mr. CANNON), the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from North Carolina (Mr. ERVIN), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Oklahoma (Mr. HARRIS), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Washington (Mr. MAGNUSON), the Senator from Arkansas (Mr. MCCLELLAN), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Mexico (Mr. MONTOYA), the Senator from Utah (Mr. MOSS), the Senator from Maine (Mr. MUSKIE), the Senator from Rhode Island (Mr. PASTORE), the

Senator from Rhode Island (Mr. PELL), the Senator from West Virginia (Mr. RANDOLPH), and the Senator from Alabama (Mr. SPARKMAN) are necessarily absent.

I also announce that the Senator from Iowa (Mr. HUGHES) is absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON), the Senator from Rhode Island (Mr. PASTORE), the Senator from West Virginia (Mr. RANDOLPH), and the Senator from Alabama (Mr. SPARKMAN) would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Tennessee (Mr. BROCK), the Senator from New Hampshire (Mr. COTTON), the Senator from Hawaii (Mr. FONG), the Senator from Oregon (Mr. HATFIELD), the Senator from Kansas (Mr. PEARSON), the Senator from Ohio (Mr. SAXBE), and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

Also the Senator from Colorado (Mr. ALLOTT), the Senator from Maryland (Mr. BEALL), the Senator from Wyoming (Mr. HANSEN), the Senator from Iowa (Mr. MILLER), the Senator from Ohio (Mr. TAFT), the Senator from Connecticut (Mr. WEICKER), and the Senator from North Dakota (Mr. YOUNG) are necessarily absent.

If present and voting, the Senator from Iowa (Mr. MILLER) and the Senator from South Carolina (Mr. THURMOND) would each vote "nay."

On this vote, the Senator from Oregon (Mr. HATFIELD) is paired with the Senator from Colorado (Mr. ALLOTT). If present and voting, the Senator from Oregon would vote "yea" and the Senator from Colorado would vote "nay."

The result was announced—yeas 6, nays 55, as follows:

[No. 409 Leg.]

YEAS—6

Buckley	Dominick	Roth
Byrd,	Goldwater	
Harry F., Jr.	Jordan, Idaho	

NAYS—55

Alken	Gravel	Packwood
Allen	Griffin	Percy
Baker	Gurney	Proxmire
Bayh	Hart	Ribicoff
Bennett	Hartke	Schweiker
Bible	Hruska	Scott
Boggs	Humphrey	Smith
Brooke	Incuye	Spong
Byrd, Robert C.	Jackson	Stafford
Case	Javits	Stennis
Chiles	Jordan, N.C.	Stevens
Church	Long	Stevenson
Cook	Mansfield	Symington
Cooper	Mathias	Talmadge
Curtis	McGee	Tower
Dole	McIntyre	Tunney
Edwards	Metcalf	Williams
Fannin	Mondale	
Gambrell	Nelson	

NOT VOTING—39

Allott	Fong	Moss
Anderson	Fulbright	Mundt
Beall	Hansen	Muskie
Bellmon	Harris	Pastore
Bentsen	Hatfield	Pearson
Brock	Hollings	Pell
Burdick	Hughes	Randolph
Cannon	Kennedy	Saxbe
Cotton	Magnuson	Sparkman
Cranston	McClellan	Taft
Eagleton	McGovern	Thurmond
Eastland	Miller	Weicker
Ervin	Montoya	Young

So Mr. BUCKLEY's amendment was rejected.

AMENDMENT NO. 1490

Mr. HARTKE. Mr. President, I have an amendment at the desk which I ask the clerk to report.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The text of the amendment is as follows:

On page 84, line 3, after the comma following the word "State", add the following phrase: "or in the case of a transportation employee subject to the provisions of subsection (f) (9) such tax applies only if more than 50 percent of such individual's wage or other business income for the taxable year is derived from sources within such State."

On page 92, line 7, after the word "tax," add the following new sentences: "Determination of whether an employee earns more than 50 percent of his compensation for withholding purposes may be based upon a declaration filed for such purposes by an employee with his employer. Reliance by the employer upon said declaration shall relieve said employer of payment of any and all taxes, penalties, and interest that may be imposed for failure to withhold on the compensation of such employee."

Mr. HARTKE. Mr. President, this amendment deals with the question of transportation employees. It reaffirms the position taken by the Senate heretofore on how transportation employees would have their withholding taxes handled.

The chairman of the Finance Committee and the Senator from Utah (Mr. BENNETT) see no objection to the amendment. It is germane. It is in conformity with the general principles enunciated by the Senate heretofore.

Mr. LONG. Mr. President, the amendment is germane to title II of the bill. It is a problem that we would probably have taken care of in committee had the Senator raised it at that point.

In view of the fact that it is germane to the purposes of the bill and that the Senate has passed it before and there is undoubted merit to it, and we do not want transportation workers to be taxed on their income in four different States. Therefore in an effort to resolve this problem I would be happy to support the amendment and I hope that the Senate will agree to it.

I have discussed this with the Senator from Utah (Mr. BENNETT), the ranking member on the committee who is necessarily absent at this moment, and he agrees that this is an amendment we should take to conference and try to persuade the House to accept it.

Mr. HARTKE. I thank the Senator from Louisiana.

The PRESIDING OFFICER (Mr. GAMBRELL). The question is on agreeing to the amendment of the Senator from Indiana (Mr. HARTKE), No. 1490.

The amendment was agreed to.

Mr. STEVENSON. Mr. President, in his 1971 State of the Union address President Nixon rather grandly proclaimed a new American Revolution. General

revenue sharing, we learned, was to be the first shot in that revolution. But it is not a revolution; it is not even a new idea.

In 1837 Congress voted to distribute a surplus in the Federal Treasury to the States according to their electoral vote. President Jackson sent a strongly worded protest in which he said:

If the necessity of raising taxes be taken from those who make the appropriations and thrown upon a more distant and less responsible set of public agents, who have the power to approach the people by an indirect and stealthy taxation, there is reason to fear that prodigality will soon supersede those characteristics which have thus far made pride and confidence to the state governments as the mainstay of our Union and liberties.

Jackson did not prevail. The revenue was shared, and much of it was squandered.

State and local officials are as a group as responsible as Federal officials. Jackson simply recognized that to separate tax raising from tax spending invited political profligacy.

One hundred years after President Jackson's message, President Eisenhower's prestigious Commission on Intergovernmental Relations—the Kestenbaum Commission—reexamined the concept of revenue sharing and found it wanting for the same reason. The Commission stated:

On the state and local side, a policy of unconditional subsidies with no matching requirements would be likely to undermine the sense of financial responsibility. The tendency would be for states and localities to look more and more to the national government to perform the disagreeable task of extracting money from the taxpayer.

Never before this time has revenue sharing even been considered in times of high Federal deficits. The most recent surge of interest began in 1964 when Walter Heller, the chairman of the President's Council of Economic Advisers, proposed it as a means of combating fiscal lag. Dr. Heller feared that economic growth would provide the Federal Government with ever-increasing tax revenues for which it would have insufficient uses. The result would be a growing Federal budget surplus acting as an unnecessary and undesirable break on the economy. So Dr. Heller proposed revenue sharing as the remedy. Now the remedy is proposed for a disease which does not exist. It is the automatic budget deficit rather than the budget surplus which now threatens a rational economic policy.

Revenue sharing today is promoted as a means of bailing out State and local governments that are hard-pressed for funds. As a former State legislator and former State treasurer, I concede to no Member of this body a greater concern for the financial welfare of State and local governments, nor do I concede to any Member a larger determination to be of assistance.

But general revenue sharing is not the best way to aid State and local governments. For many years the Federal Government has used its pervasive and, on the whole, progressive Federal tax system to help State and local governments cope with their problems. The States, in fact, already receive about 22 percent

of their revenues from the Federal Treasury.

General revenue sharing would scatter Federal aid among all States and local governments with little regard to need. But all States and localities do not have the same needs. The financial crisis falls primarily upon our major cities. Actually, when compared to the cities, the Nation's other municipalities and the States are in relatively good financial shape as a group. The Brookings Institution estimates that by fiscal 1976 all States and local governments will spend only \$9.4 billion more than they take in. With the cities in serious condition, that must mean that most other local jurisdictions are in relatively good condition. And collectively they are in better financial condition than the Federal Government which ran a deficit of about \$23 billion in fiscal 1972 and faces a deficit of \$38 billion for fiscal 1973.

In this situation the Federal Government is a rather frail-looking Santa Claus. It has no revenues to share; only a large deficit.

If one had to generalize about which level of government is most in need and hardest hit by rising demands against its resources—for health, environmental protection, education, child development, welfare reform, defense—it might well be the Federal Government. \$30 billion in 5 years spent for general revenue sharing is \$30 billion more in taxes, or more in deficits, or less in spending for national needs, including many which would be of direct benefit to the States and localities.

The Federal Government has a duty to set national priorities for the expenditure of Federal funds. It must seek the highest return for the Federal dollar. It cannot do that under general revenue sharing. Revenue sharing would set no priorities at all—it would abrogate that responsibility of the Federal Government, and of Congress in particular. It is particularly ironic that revenue sharing should be seriously considered at a time when the call for reordering our national priorities is being increasingly heard.

The \$5.3 billion for general revenue sharing in the first year might better be used to fund a federally administered and financed welfare program. Welfare reform would be of tremendous financial benefit to the States. It could save as much as \$1 billion a year in administrative costs alone. And it could also help cope with a national affliction. It could help stem the continuing migration from rural America into an already crowded urban America.

Or \$5.3 billion could fund a new program of general aid to education, conditioned upon effective State plans to equalize educational opportunity, and take up the burden from local property taxpayers.

It could fund a comprehensive national child development program. It could go a long way toward combating the pollution of our rivers, or funding a national program for the support of health maintenance organizations.

The sum of \$5.3 billion for general revenue sharing scattered willy nilly across the political landscape, with precious little regard to need or purpose, will ac-

complish none of these things. And it will be a drop in the bucket so far as providing fiscal relief to State and local governments is concerned. It will not bring relief from State and local taxes. Total State and local spending amounts to some \$150 billion a year. At that level, \$5.3 billion will have all the impact—to quote our late Senator Dirksen—"of a snowflake falling upon the mighty bosom of the Potomac." The \$5.3 billion would be soaked up instantly, with no appreciable effect on local tax rates, nor on the quality of State or local services. Spent on welfare reform, to cite one example, it would mean financial relief for those States most in need—and for humans most in need.

I would not be so concerned if I thought it was only a temporary program for the financial relief of States and localities. But I know better. General revenue sharing is the camel getting its nose under the tent. We would not be seriously considering general revenue sharing today if it were not for the election year pressures of thousands of mayors, county officials, Governors, and the administration. If the Congress starts revenue sharing under such pressures, it will not be able to stop it against even greater pressures. The States and localities will be dependent upon the Federal Treasury. Mayors and Governors will be able to spend the taxpayers' money at will without accepting the political responsibility for collecting the taxes. That responsibility will be left to the Federal Government. Who can doubt that mayors and Governors able to spend the Federal Government's revenues will look to it for more and more? Indeed, who amongst us could expect them to look to the taxpayers for revenues when they can look to the Federal Government instead? Already we are confronted with amendments aimed at increasing the revenues shared with States and localities. They are only the beginning.

It is said that revenue sharing will restore power to the people. That slogan—more power to the people—has been proclaimed by such unlikely bedfellows as Richard Nixon and Abbie Hoffman. It deserves some scrutiny.

In our system the real power which the people bring to bear is applied at the ballot box. It is a power which the people use intelligently and well. It is a power which politicians thoroughly understand and respect. It is a most apparent, real and essential power of the people—to hold their public servants clearly accountable. It is a power which will be diluted, not strengthened, by revenue sharing. The taxpayer could not get a straightforward accounting for all of his Federal dollars. I believe the Federal Government has an obligation to account for each and every dollar which it raises by taxing the income of American families. Providing Federal tax dollars to other governments to use for any purpose is plainly inconsistent with that duty of accountability.

The people will be robbed of power at the State and local level, too. Without the need to collect all the taxes they spend, State and local officials will not have the same incentive to justify their



spending. And under this plan the States and localities will become increasingly dependent upon the Federal Government for their financial sustenance. As they became more dependent, they would become, not revitalized, but more vulnerable. Though I doubt the Federal Government could, as a practical matter, ever exercise the power, it would have a stranglehold over State and local governments. As they look increasingly to the Federal Government for funds rather than to their own initiative, they will become increasingly impotent.

If there are any goals that fill me with enthusiasm they are the goals of bringing new strength and vitality to State and local governments, eliminating waste and redtape, maintaining the accountability and therefore the integrity of public officials. Revenue sharing flies in the face of those goals. Redtape is as much, or more, an affliction at State and local levels. Revenue sharing provides no incentive to reform State and local government. It provides every incentive to spend for the sake of spending. It would embalm the status quo at a time change, by all accounts, is much in order.

I do not question the integrity, the conscience and ability of State and local officials. But if I have learned anything in government, it is that there are many problems mere money cannot solve. For all the preoccupation of politicians with money—more money to solve more problems—money just isn't enough. What is needed is not just money, but ideas and decisions and reforms, and actions to insure that we use our money well. At best, revenue sharing would subsidize business as usual, and that would be a disservice not only to the governments in question but to the taxpayers who foot the bill. At worst, in the case of governments which function badly, revenue sharing would be like presenting a fast new car to a motorist with a history of reckless driving.

There are better ways—far better ways—to help State and local governments than through general revenue sharing. First and most obvious, the Federal Government could aid State and local governments most effectively by promoting economic vitality. A full employment economy would yield to the States and localities an increase in revenues far greater than revenue sharing would bring. But like other diminished national responsibilities, general revenue sharing would diminish the power of the Federal Government to effectively manage the economy. As the Federal revenues committed to general revenue sharing rise inexorably with the demands and the needs of State and local governments, the Federal Government would surrender its control over the expenditure of more of its revenues. To the extent it does so, it would also diminish its ability to carry out a sound fiscal policy.

The Congress could restructure and expand Federal aid programs in ways that encourage State and local reform, and at the same time meet national responsibilities. I have already mentioned general aid to education, welfare reform, pollution from the air and water which cross State and local boundaries and in-

centives to child development centers and HMO's.

We could take the best from revenue sharing and from the grant-in-aid approach. We could learn from the past, not reject it. And make no mistake about it, that's what we are faced with. We are asked to reject grant-in-aid across the board. These are not the new revenues for general revenue sharing President Nixon promised. As the Federal Government gets into general revenue sharing it will get out of the grant-in-aid programs. Already OMB is impounding grant-in-aid funds in anticipation of revenue sharing. Mr. Ehrlichman is talking about dismantling great society programs as revenue sharing takes effect, mentioning Model Cities by name. The administration tried to substitute rural revenue sharing for some 11 successful Federal programs for rural America, including the Extension Service. With high expenditures, high deficits and a promise, repeated yesterday, of no new taxes, it would have no choice but to phase the Government out of grants for model cities, water and sewer facilities, mass transit, law enforcement, and schools, as it phases the Government into revenue sharing.

I would be the last to strenuously defend all present grant-in-aid programs. Too often they are unnecessarily complex. Many of them are less effective than they could be. But they can be changed for the better, waste and red tape eliminated. We could encourage local initiative and innovation and, at the same time, permit far more local discretion. We could at the same time maintain our Federal responsibilities, provide the States and localities with incentives to reform, as well as with money. This may sound like pie in the sky. It is not. The Senate has already done it in the case of the community development title of the 1972 housing bill. Grant-in-aid programs were consolidated into a new single block grant community development program. What was done then could be done in other cases.

I find little support among the people for general revenue sharing. Its support is from mayors and local officials and the Nixon administration. I sympathize with those officials and want to help in ways that are consistent with my obligations to uphold the Constitution and serve the people. I cannot help by supporting general revenue sharing, and I fully expect the wrath of the people when they find that the Federal Government has increased their taxes, or the Federal debt, to give away \$30 billion for which it can no longer account. The wrath will be felt everywhere, but especially in needy States like my own which is already severely shortchanged by the Federal Government. In per capita Federal expenditures Illinois ranked 48th among the 50 States and the District of Columbia in fiscal 1971—the most recent year for which figures are available. Under revenue sharing, the citizens of Illinois would contribute \$365.7 million to the Federal Government in order to receive back only \$250.9 million. That is not a very good bargain. And it would not be much better under the administration's formula or the House formula.

The bargain for Illinois and other needy States is made worse by the reduction of the Federal grants for social services. To compensate for its reduction the Finance Committee added \$1 billion to the annual \$5.3 billion in revenue sharing to make an annual total of \$6.3 billion. Of the additional \$1 billion Illinois would receive \$65.25 million, but the reduction in grants for social services will cost Illinois \$151.5 million for a net loss of \$86 million. That means the total net loss to Illinois from this revenue-sharing bill will be \$201.3 million each year—\$114.8 million from the excess of Illinois taxes over revenue-sharing receipts and \$86 million from the loss of social service grants. We deserve better in Illinois from a Federal Government to which we generously contribute—and so do many other States.

In summary, general revenue sharing will not give power back to the people. It will rob the people of power. It will not eliminate redtape, because the Federal Government does not monopolize redtape. It will not reduce taxes; it more likely will increase taxes and drive the Federal Government further into debt. It will not help us to solve problems; it will diminish the ability of government at every level to meet our real needs according to rational priorities. It is not temporary; it will become a permanent and evergrowing drain upon the Federal revenues. Far from encouraging local initiative and innovation, it will discourage it. It would maldistribute Federal funds, shortchanging the needy and rewarding the others. And besides, and to say the very least, there are better ways to help State and local governments.

A well-functioning federal system demands that the Federal Government assume the costs of services which are essentially national in character. It is such costs—particularly in welfare and education—that are now breaking the backs of some State and local budgets. It is time to move forward with welfare reform and general aid to schools. It is time to help the States and localities with ideas and incentives, as well as with money. It is always time to be responsible for the expenditures of the taxes we collect. If the Federal Government raised revenues beyond its needs, then it would be time to cut Federal taxes and make it easier for State and local governments to raise theirs, but not, even then, to give away the Federal revenues.

#### LEGISLATIVE PROGRAM

Mr. GURNEY. Mr. President, if I may have the attention of the distinguished acting majority leader, I should like to inquire of him what the program will be for the remainder of the day and the remainder of the week.

Mr. ROBERT C. BYRD. Mr. President, in response to the distinguished Senator from Florida, there will be no more rollcall votes today. The Senate will complete its business shortly and will go over until Monday.

Mr. GURNEY. I thank the Senator.

Mr. BAKER. Mr. President, will the Senator from West Virginia yield so that

I might ask a further question in that respect?

Mr. ROBERT C. BYRD. I am happy to yield to the Senator from Tennessee.

Mr. BAKER. I wonder whether the distinguished acting majority leader could give me any more information about when we might expect to proceed with consideration of the antibusing bill which passed the House on August 18.

Mr. ROBERT C. BYRD. The distinguished majority leader addressed himself to that matter last evening and, I think, quite thoroughly. He indicated at that time that it was the intention of the joint leadership to continue with the revenue sharing bill until it was completed and then to stay with the interim agreement until disposed of. The interim agreement is the unfinished business, and it will be temporarily laid aside on Monday and will remain in a temporarily laid aside status throughout the day. It is hoped that by coming in at 10 a.m. on Monday, beginning with the revenue sharing bill by 10 minutes after 10, let us say, and going until reasonably late in the day, the Senate will complete action on the revenue sharing bill. If it does not complete action on the revenue sharing bill on Monday, it will be the intention of the leadership to temporarily lay aside the interim agreement on Tuesday until such time as the revenue sharing bill is disposed of.

It will be the intention of the leadership, following disposition of the revenue sharing bill, to make the interim agreement the first and second track items until that measure is finally disposed of.

Now the distinguished majority leader made that clear on yesterday. He indicated a clear understanding of the feelings of Senators on both sides of the question which has again been raised by the distinguished Senator from Tennessee. The distinguished majority leader also indicated that the joint leadership would strive to find some way to negotiate this matter. He suggested that the bill be referred to the appropriate committee, the Committee on Labor and Public Welfare for, say, a period of 1 week, after which it would be reported back to the Senate.

The distinguished Senator from New York (Mr. JAVITS) indicated a willingness to discuss the proposal with the chairman of the committee, the distinguished Senator from New Jersey (Mr. WILLIAMS). The Senator from New York indicated, however, that he would not want to discuss this with the chairman of that committee until the interim agreement and the revenue-sharing bills had been disposed of.

May I say, in summation, that I can add nothing to what the distinguished majority leader has said, except to reiterate what he said. I have done that, for the most part.

I am sure that once the revenue sharing bill has been disposed of and the Interim Agreement bill has also been disposed of, the distinguished Senator from New York (Mr. JAVITS) will contact his associates on both sides of the aisle to see if they can reach some understanding on the proposal the distinguished majority leader has advanced.

May I say further that the distinguished majority leader and I have talked with the proponents of the bill and we have found them to be willing to enter into a unanimous-consent agreement as to time on the bill. The Senator from New York indicated that he would talk with his associates to see whether they would be willing to enter into a time agreement. But, as I have stated, he has since made it clear that he cannot reach any understanding with them until these two main measures have been disposed of.

I know that the distinguished majority leader will do everything possible that he can to accommodate all Senators, as he always does.

The pressures are great upon the leadership at this time. An effort is being made to adjourn sine die by September 30, 1972. The leadership fully understands that the Senator from Tennessee and his associates want action taken on the bill before the Senate adjourns sine die; but beyond saying that the revenue sharing bill will be disposed of first and the interim agreement next, I can add nothing, except to recall the words of the distinguished majority leader on yesterday, that he had not, at that point, discussed the matter with the distinguished Republican leader, but it was his intention to do that. I know that if he has not done so, even at this hour, he will yet get to it.

The leadership is mindful, of course, of the eagerness of the proponents of the bill to get some action on the bill. Speaking as a Senator from the State of West Virginia and not as a member of the leadership, I favor the bill. However, I have additional responsibilities. And I would like to see orderly procedures followed. I would be in favor of sending the bill to a committee and hoping that it would be reported back within a reasonable length of time. However, I am not binding myself to that procedure at this point.

Mr. BAKER. Mr. President, I take this opportunity to thank the distinguished acting majority leader for his very helpful information on what the activities of the Senate will be for the next several days. I must say that on yesterday I found it necessary to be in Tennessee and was not present to hear the colloquy between the distinguished assistant Republican leader and the majority leader. I have read that very carefully in yesterday's RECORD. I think that progress is being made in trying to find some way to make H.R. 13915 the pending business before the Senate.

In any event, I very much hope so. I will not belabor the issue nor prolong this colloquy very long. I merely want to say that I think that this is an extremely important issue. It is important that we have our day in the Senate to consider this matter. I hope that no one thinks we are engaging in parliamentary gambits for the sake of advantage. Rather, it is solely for the purpose of getting our opportunity to consider this antibusing bill, H.R. 13915, in the Senate on its merits.

Mr. President, I might say that this morning I had an opportunity, together

with the Senator from Texas (Mr. TOWER), to visit with the President on this and other issues. At that time the President indicated to me that he understood and fully approved of our effort to have a chance to vote on this issue in the Senate now, or at least before sine die adjournment.

The President authorized me to repeat what he said. He said that it is imperative that the Senate turn to the consideration of this bill before the Senate adjourns sine die.

Mr. ROBERT C. BYRD. Mr. President, the distinguished assistant Republican leader on yesterday stated that the administration fully supports this bill. And I think that this should indicate to Senators on both sides of the aisle that this is a joint leadership responsibility, not a responsibility that falls solely on the majority leader or his assistant. It is a joint leadership responsibility. I think that Senators should direct their questions from time to time concerning this matter to the leadership on the other side of the aisle also.

The majority leader suggested, moreover, on yesterday that the bill might possibly be referred to a committee with the proviso that it be reported back to the Senate and made the pending business as of November 10, immediately following the election. There were expressions of objection to this suggestion from both sides of the aisle. I say this just to reiterate that the majority leader on yesterday made at least two proposals whereby some way might be found to get this bill before the Senate utilizing orderly procedures and that the Senate might then work its will.

The majority leader is striving his best to reach some agreement. I emphasize that it is a joint leadership matter. And the majority leader has indicated that he intends to talk with the minority leader. And he will do that. But he has indicated that we must finish the revenue-sharing bill and the joint resolution on the Interim Agreement before we go on to anything else.

The minority leader is cognizant of the pressures coming from both sides of the aisle on this bill. I know that he will do whatever he can. However, I think he fully covered the prospects yesterday.

Mr. BAKER. Mr. President, I thank the acting majority leader.

I would like to say quickly two things and then I will yield to the Senator from Texas who was also present at this conference.

I compliment the joint leadership for their efforts to find accommodation in this respect. I hope that they will continue their efforts in this respect to try to find a way to bring the matter before the Senate in an orderly way rather than trying to motion it up or offer it as an amendment or follow some other procedure. It is proof of our good faith in this respect.

I recognize that this is a joint leadership effort. And I am sure that the Senate realizes that we will try as long as there is hope to find some accommodation.

It ought to be a further measure of our good faith in this respect that the



President was willing to declare, as he did today, his support of the effort to bring this matter before the Senate and his support for the bill, H.R. 13915.

This is in no way a criticism of the leadership. It is simply my supplication that we continue to try to do this, and it is my hope that we find an orderly way in which to bring this matter before the Senate.

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

Mr. BAKER. I yield.

Mr. TOWER. Mr. President, I thank the Senator from Tennessee for bringing this matter up. I certainly associate myself with his remarks. I was privy to the President's conversation this morning. And the President said the same thing to us, both jointly and separately and individually, which indicates to me his level of concern, which I think is very positive and very emphatic, to the effect that this bill should be completed by the Senate before we adjourn sine die.

I would like to say for my part, and this is not to imply a criticism of the leadership at all, but we want to emphasize our deep and abiding interest in this so that we have assured the leadership that this is a matter on which we want to have our day in court, and I address myself in that regard to the minority leadership as well as the majority leadership, that it is really something that is of such deep concern to people in the country that we would be remiss and, I think, would be derelict if we failed to consider this matter before we adjourn sine die.

Mr. BAKER. I yield to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I thank the Senator for yielding to me. I shall be very brief. I thank the Senator for bringing up this matter. I, too, thank our valuable assistant leader for his very fine work.

I think this is a matter of priority. We are trying to get through. I am willing to cooperate in getting through, but in getting through I mean to consider these bills, including the antibusing measure because we will not be through until we do.

I do not have any power to bring up a bill here. We depend on the leadership and we have very trustworthy leadership. I believe they will keep on and that they will get it up.

I cannot recall that I ever voted to bring up a bill unless a motion was made by the leadership. I propose to continue that pattern, if I can. But feeling as I do, this has priority equal to any item remaining on the calendar—as absolute legislation, unless the debt ceiling bill would outrank it. But as far as I am concerned, this is a “must” bill.

This is not a threat or anything of that nature but I would be compelled to go as far as necessary to make a motion, but I do not want to do that at all. I hope we do not have to.

I thank the Senator from West Virginia.

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

Mr. BAKER. I am happy to yield to the Senator from Alabama.

Mr. ALLEN. I thank the Senator from Tennessee for yielding to me at this time. I wish to commend him for the leadership he is exerting in an effort to bring this bill to a vote, up or down, here in the Senate. I believe we owe it to the people of this country that the Senate and each individual Member of the Senate should have the opportunity to work its will on the bill and to express by voting their views on the bill.

I participated in the colloquy last evening and I commend the distinguished assistant majority leader for his fairness and his support of this bill, and for his sincere efforts to seek to get the bill up for consideration in the Senate. The facts as he outlined them are accurate in every detail. I would like to add this further statement, though.

When he spoke of the majority leader suggesting that the bill be referred to committee with instructions to report back in 10 days, and then let the bill go on the calendar, which would be exactly where it is now, objection was voiced at that time by the Senator from Alabama and other Senators on the floor because if we had that procedure we would be where we are now and there would be no assurance whatever we would get a vote. The suggestion was made on the floor, that would probably be satisfactory, to refer the bill to a committee with instructions to report back in 10 days, provided that at that time the bill would immediately become the unfinished business, and the pending business, because it is believed that in 10 days the Senate will not have disposed of all of the must legislation that will have to be passed, and if we could refer the bill to committee, get it back in 10 days, there would be at least four or five must bills that would follow this bill, and in that way we would get a vote.

But the suggestion being made is that we wait until after revenue sharing is disposed of and Senate Joint Resolution 21 is disposed of, and then let the distinguished Senator from New York and his associates get together to decide what they might want to do. Time is slipping away, and the distinguished Senator from West Virginia, the distinguished assistant majority leader, said we want to get away from here by the first of October, but if we go the route he is suggesting we will not get action on this bill.

This thought occurs to me and I would like to propose this to the assistant majority leader. If the leadership does not wish to make the motion to bring up the bill, which I assume would be accepted, and there would be no debate on it—if the leadership did not want to give its prestige, in the virtue of following what he calls established procedure with respect to bringing bills up for consideration, would be later on possibly, and at this time take under advisement, the possibility that the leadership, the majority leader and the assistant majority leader, or the Republican leader, might make the motion to bring the bill up for consideration and state to the Senate the force and prestige of the leadership, as such, was not necessarily behind the mo-

tion, but in order to let the majority of the Senate decide what business the majority wanted to consider, to give the Senate an opportunity to express its will on this important question, it occurs to the Senator from Alabama that might be a possible answer to the question.

If a majority of the Senate wants to consider this bill, I feel sure the joint leadership would not want to withhold a bill from consideration by the Senate. I would like to make that suggestion to the distinguished assistant majority leader.

Mr. BAKER. Mr. President, may I say that I appreciate the response of the acting majority leader. I am grateful for the leadership of the Senator from Alabama. I believe the colloquy would be better served if I yield the floor.

I yield the floor.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield to me?

Mr. ALLEN. I yield.

Mr. ROBERT C. BYRD. Mr. President, I think we ought to clear the air. There is no evidence of any intention on the part of the joint leadership to keep the Senate from working its will on this bill. I would like to start there. I think the majority leader yesterday indicated that, by his proposals, he was seeking to find a way whereby the Senate would work its will on the bill. But it is very, very difficult to find that way.

The proposal to send a bill to a committee with instructions that it be reported back and placed on the calendar and made the pending question at a time specified and then become the unfinished business was one suggestion that would be readily objected to. Such proposal would require unanimous consent, but the leader made the proposal. On the other hand, a proposal that it be sent to a committee and reported back within a week or 2 weeks would be objected to unless it also carried with it the concomitant proviso that it be scheduled for action at a certain time. So, this puts the leader between a rock and a hard place. Either way he goes, he will meet with an objection.

I do appreciate the Senator's suggestion that in the event the leadership would not want to call up the bill, some other Senator might be designated to do so.

Mr. ALLEN. The Senator from Alabama suggested that the leadership make that motion, showing that the leadership is not necessarily behind the motion, but that it is being offered as a vehicle for the Senate to express its will on whether or not it wanted to consider this legislation.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield further?

Mr. ALLEN. I yield.

Mr. ROBERT C. BYRD. I believe the Senator suggests a procedure based on a premise which I am not yet ready to concede, that being that the leadership is unwilling to face up to its responsibility at some point in time and call a bill up for action of the Senate. I have never yet found the majority leader to be unwilling, regardless of his own position on a given issue, to let the Senate have its way, and I do not think we will find him unwilling in the future.

I also appreciate what the Senator from Mississippi said, that he would be very, very reluctant to move, in the absence of a motion by the leadership, to bring this bill before us. I hope all Senators will take that suggestion to heart. I have indicated my support of this bill, but I would be adamantly opposed to it if any Senator took it upon himself arbitrarily to assume the prerogative of the leadership and to call this bill or any other bill up before the Senate. I would hope that no Senator would do that, because the leadership has not, by any word or by any action, indicated an unwillingness to come to grips with this matter. But we do have to take things in their turn.

We have the revenue-sharing bill up now as a second-track item. We have the interim agreement up as the unfinished business. These matters have been before the Senate for some time, and I do not think it is unreasonable for the leadership to expect to complete both of these matters before pursuing any other matter except conference reports and unobjected to items.

My reference to the Senator from New York, and his contacts with his associates for their reaction on both of these matters, was but a reference to what the Senator from New York himself said on yesterday.

So I hope that Senators will not press the leadership too hard at this point. The leadership is doing the best it can do. It is aware of the pressures on Senators. It is aware of their wishes. It is aware of the importance of this bill. It is aware of the controversial aspects of it. It is aware of the feelings on both sides of the aisle and on both sides of the question. The leadership is going to try to work with all Senators. The majority leader said he was going to discuss this with the minority leader. The majority leader also said he felt there was room for negotiation, for a way to bring the bill before the Senate. He can do no more at this time.

I personally want to see the bill before the Senate. I want to see the Senate work its will. As far as I am personally concerned, the days of extended filibusters are, for the most part, past, but the days of reasonable debate are still with us, and should always remain. If the Senate wants, by motion, to commit the bill, fine. I may vote against such motion. If it wants to table the bill, fine. I would vote against such motion. If it wants to vote the bill down, fine, although I would not agree with its judgment. I am for the bill, but I also have responsibilities that I must undertake to assume here, and I can only speak as I have, and I do not want to repeat myself. If Senators will just be patient and will work together, converse with their associates, the leadership—the joint leadership—will do the best it can, and that is all I can say.

Mr. ALLEN. I thank the distinguished Senator for his fairness and for his very obvious desire to get this bill up for consideration, but these matters that he speaks of here, that he would be glad to see the Senate work its will on the bill, that he would be glad to see it given an

opportunity to table the bill if it desires to do that, or to pass the bill, or to commit the bill—none of those things can be done, I submit, unless it is first called up for consideration. So that is a condition precedent to taking those actions the distinguished Senator is talking about.

The Senator from Alabama is just like the Senator from Mississippi in being reluctant, from the floor, to move to proceed to the consideration of this bill, and that is the reason why he and the distinguished Senator from Tennessee (Mr. BAKER), and the distinguished Senator from Texas (Mr. TOWER), and the distinguished Senator from Michigan (Mr. GRIFFIN), and the distinguished Senator from Mississippi (Mr. STENNIS), and many other Senators have been urging the leadership to state that they are going to call this bill up before we adjourn.

Now, if it is made to appear that the only way the bill is going to be called up is if a unanimous-consent agreement can be reached with respect to it, I think we might just as well forget about its being called up, because there is not going to be a unanimous-consent agreement. That is why I brought this up. I feel that way in view of the attitude of the distinguished Senator from New York in wanting to wait until other business is disposed of before he even starts conferring on the matter of whether or not unanimous consent will be obtained to have a vote, and, of course, there is no possibility whatsoever that a unanimous-consent agreement will be reached.

I think at some point the leadership is going to have to decide whether it is going to be willing to call up this bill for consideration, and call it up ahead of certain of the "must" bills that are on the calendar. Otherwise there would be no occasion for calling it up, because it is quite obvious that it would be filibustered to death.

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

Mr. ALLEN. I yield.

Mr. BAKER. I have only one brief word to add to the colloquy at this time to further clarify my point so that the leadership understands I am not impugning their motives or intentions or desire to have the Senate proceed in an orderly way to consider the bill.

One of the things that has disturbed me, and I believe others, is the repetition from time to time in the press and otherwise that this bill is of low priority. I do not think this bill is of low priority. I think it is of the very highest priority, and I believe the President of the United States thinks it is of the highest priority. I believe that the Senator from Michigan (Mr. GRIFFIN)—who conferred with the President just this week, as well, and who spoke eloquently on it, and who this afternoon is on his way back to Michigan; otherwise he would be here—believes it is of the highest priority.

By the same token, I recognize and understand the burdens of the leadership and of the joint leadership in trying to accommodate themselves to a way of bringing this matter up. I think I can say that the joint leadership understands that some of us—the Senator from Alabama, the Senator from Tennessee, the

Senator from Michigan, and other Senators—have a very contrary view on this, and I am sure the Senator from Michigan has a different view of it. But the Senator from Tennessee wants to make sure that the joint leadership understands that, in our view, this is not a matter of low priority, but a matter of the very highest priority, and hope that we will be able, under the leadership's arrangement, to have an early vote on this matter. But, one way or the other, if it is humanly possible, it is my intention to see that we have a vote in some way before this Congress adjourns.

Mr. ALLEN. I thank the Senator from Tennessee. I agree wholeheartedly with his remarks. I state again I appreciate very much the sincerity of the leadership and appreciate so much the efforts of the distinguished assistant majority leader and the distinguished majority leader to see that the Senate is given an opportunity to vote on this bill prior to adjournment, prior to the general election. I thank the distinguished Senator from West Virginia.

Mr. ROBERT C. BYRD. Mr. President, the leadership has not indicated that this is a matter of low priority. I have seen nothing to that effect in anything that the majority leader has stated. I have heard nothing to that effect in anything that he has stated. I myself have said nothing to that effect. I do not think the distinguished Republican leader or his distinguished assistant has said anything to that effect.

So I think, again to clear the air, it should be stated that there is no feeling on the part of the leadership that this is a matter of low priority.

In listing the must bills in yesterday day's Whip Notice, it may be that I gave the impression that all measures not so listed were not of high priority. But that list of seven measures, including conference reports, was not meant to exclude all others.

For example, the HEW appropriation bill was not listed, yet, I consider that a must bill also.

The administration places a high priority on this bill to which the Senators have been addressing themselves. The leadership is aware of their feeling, and I personally would hope—though I realize that Senators are acting within their rights, and I know that they are greatly concerned lest time run its course and no action be taken on this bill, and I will be just as cooperative and patient as I can as often as they wish—but I would hope we would not have to have a daily repetition of this dialog, Mr. President.

The leadership is going to do everything it can to find some way to accommodate all Senators in all important matters. The majority leader, in proposing various unanimous-consent procedures yesterday did not mean to imply that those were only avenues that the leadership would consider. He was, however, seeking to find a way that everyone could agree upon. If unanimous consent cannot be obtained, the majority leader will understand that, and the leadership will act accordingly.

But we all recognize the difficulties



that are involved in getting this measure to the floor, feelings being what they are on both sides of the question. If some way can be found by unanimous-consent to come to grips with it, I do think that is the better course. If no way can be found, that is something else. But even a motion to call the bill up would be debatable, unless it were made at the close of morning business and before the morning hour has closed, yet, if there were other unfinished business, such unfinished business would displace this bill and it would again go back on the calendar at the close of the morning hour. If there were no unfinished business, and this antibusing bill were motioned up during the morning hour, it could be done without debate, and of course, it would keep its place and, at the close of the day, would become the unfinished business.

Once it is brought up, the motion to refer the bill would be debatable. In fact, only a motion to lay it on the table would not be debatable. So there are many roadblocks along the way. I know all Senators recognize this, but I think it should be stated for the record as to why the majority leader was probing, seeking to find a way, that might meet with the approval of all Senators, to get this bill to the committee and then get it back on the calendar.

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

Mr. ROBERT C. BYRD. Yes.

Mr. ALLEN. This has been, I believe, the fourth straight day that the leadership has been questioned as to its plans with respect to the bill. I believe on the first occasion the distinguished Senator from Tennessee (Mr. BAKER) made inquiry, and the distinguished majority leader pointed out at that time that the bill had just been ordered to the calendar and was not yet on the calendar, and that was certainly a satisfactory answer.

Then the next day the distinguished Senator from Tennessee again asked the question, and, as the junior Senator from Alabama recalls it, the majority leader stated that he hoped to confer with the Republican leader, and that some effort would be made along that line.

Then last evening we had a very friendly and, I feel, satisfactory colloquy as to the leadership's plans, and then again this evening we have had a satisfactory colloquy.

I can certainly understand that the leadership does not enjoy being quizzed each day as to its plans, but I am wondering if it would be reasonable to request or to inquire of the distinguished assistant majority leader if it would be a reasonable request to make that after the revenue sharing bill has been disposed of, and after some final action has been taken with respect to Senate Joint Resolution 241, before any other item is made the pending business, or would it be unreasonable, for those who are interested in getting this bill up for consideration, to inquire of the leadership what their plans might be with respect to the bill.

Mr. ROBERT C. BYRD. Mr. President, I do not mind taking my turn at bat in this regard, and I do not mind doing it again and again, may I say to the dis-

tinguished Senator. The only reason I made the comment that I made was that the situation today has not changed from what it was yesterday, when the distinguished majority leader indicated that it was the intention of the leadership to first complete action on the revenue-sharing bill and on the Interim Agreement before proceeding to other major business. That was the only reason why I suggested, hopefully, that we would not have to do this over and over again every day. I did not mean to reflect upon any Senator, because I understand the concern of the Senators, and, frankly, I feel just as strongly as they do about this foolishness called busing to bring about an arbitrary racial balance in the public schools. But I see no point in every day, every day, every day asking the leadership what can be done, because the leadership cannot see any further today than it could see yesterday. We are no further along now than we were yesterday, except that action has been taken on some amendments to the revenue-sharing bill.

No, it would not be unreasonable, answering the able Senator from Alabama, for any Senator to inquire of the leadership at that time or any other time, whether or not action has been completed on the revenue-sharing bill.

Mr. ALLEN. But after action has been completed on the revenue-sharing bill and the nuclear arms agreement, before another matter is made the pending business, would it be unreasonable for us at that time to make inquiry?

Mr. ROBERT C. BYRD. It would not only not be unreasonable, it would be appropriate.

Mr. ALLEN. I thank the Senator.

Mr. ROBERT C. BYRD. I know that the majority leader will be working with all Senators, and so will I. We will be striving to accommodate them. I would hope, may I say, that the President, having stated his support of this measure publicly and privately, would do all that he could on his side of the aisle, to bring the measure to some kind of disposition. But he has his problems on that side of the aisle, just as he has sometimes on this side of the aisle.

Mr. BAKER. Mr. President, the colloquy has probably continued as long as it should at this hour, but I confess that I cannot resist the temptation to respectfully disagree with the remarks of the distinguished acting majority leader to the effect that nothing is different today than it was yesterday.

The President of the United States, under the constitutional form, is not a Member of this body and has no vote, although he once did. The President of the United States has no authority, by statute or indirectly, over the leadership on either side of the aisle. The President of the United States, as far as I know, did make a new statement that I felt it my obligation and opportunity to relay to the Senate of the United States, to the effect that this bill should be brought before the Senate and the Senate should act on it before it adjourns sine die.

The President of the United States has a very distinct interest in when Congress adjourns sine die and what functions and duties it performs before it does so.

I have no resentment that I find in my colleagues no sense of distinction between the situation yesterday and that today, but it seems to me that there is a distinction, and a very important one, and I hope that there is an element of leadership, not in the generic sense but in the figurative sense, in the President's expression of his support for this bill and his desire that Congress act before it adjourns. It is for that reason that I do not have any apology for once again inquiring of the status of the matter and suggesting that this new development may have some further effect on how we proceed apace with the consideration of this matter.

I once again commend the leadership on both sides of the aisle, especially the acting majority leader for his patience and even his endurance, because this has been a long colloquy. I think we have established a lot of points of view and a lot of attitudes. But one thing that has emerged from it, I believe—and if I am wrong, I hope I will be corrected—is the representation that the leadership, insofar as the distinguished acting majority leader can speak for it, and I believe he can, will continue to attempt to find an orderly way to present this matter to the Senate.

Beyond that, these factors also have emerged:

There is support for this bill by many Members of the Senate and by the President of the United States. There is a sense of urgency about this bill which has now been repeatedly expressed. There is a keen desire by many of us and even a determination that it be heard and disposed of one way or the other before the adjournment to go home.

I respectfully believe that all those are additional developments different and distinct from the situation as it existed yesterday.

Mr. ROBERT C. BYRD. Mr. President, I will not belabor the discussion longer. I think it has about run its course so far as any usefulness is concerned.

However, my reference to there having been no change was with respect only to the status of legislative business and the legislative program. I think that the Senator will agree with me that there has been no change in the legislative situation from what it was yesterday. Yesterday, we had not finished the revenue sharing bill. Today, the Senate has not yet completed action on that bill, and the Senate still has before it, down the road somewhere, the interim agreement.

Second, the President's pronouncement of today was nothing new to me. I am sure it was nothing new to the Senator. I thought the President had made eminently clear a long time ago as to where he stood on this bill. If this is a new pronouncement, then I have been reading the newspapers wrong.

Third, I hope I have been helpful but I do not think I have said anything that went beyond what the distinguished majority leader stated on yesterday. I have tried to state what I think his position was at that time, and I am sure that that is what it is still today.

Mr. President, I have nothing further.

Mr. BAKER. I have nothing further, except to say to the acting majority leader that I have great confidence in his determination to see that we get a vote, and on that I will rest.

Mr. ROBERT C. BYRD. I thank the distinguished Senator from Tennessee and the distinguished Senator from Alabama. They are both not only persevering but also very patient and cooperative, and they always are most courteous. The leadership knows it has their understanding as well as the understanding of other Senators.

#### ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY, SEPTEMBER 11, 1972

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Monday next, after the two leaders have been recognized under the standing order, 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 FOR RECOGNITION OF SENATOR RIBICOFF ON TUESDAY, SEPTEMBER 12, 1972

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Tuesday next, immediately following the remarks of the two leaders under the standing order, the distinguished Senator from Connecticut (Mr. RIBICOFF) be recognized for not to exceed 15 minutes.

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

#### ORDER OF BUSINESS ON MONDAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Monday, at the conclusion of the transaction of routine morning business, the Chair lay before the Senate H.R. 14370, the revenue-sharing bill; and that the unfinished business, the interim agreement, Senate Joint Resolution 241, be temporarily laid aside and remain in a temporarily laid aside status until the close of business on Monday or until the disposition of H.R. 14370, whichever is the earlier.

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

#### QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The 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.

#### PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for Monday is as follows:

The Senate will convene at 10 a.m. After a period for the transaction of routine morning business, not to exceed 15 minutes, with a 3-minute limitation on statements therein, the Senate will resume consideration of the revenue sharing bill—by no later than 10:15 a.m.

The interim agreement, being the unfinished business, will remain in a temporarily laid-aside status throughout the day, until the close of business or until the revenue sharing bill is disposed of, whichever is the earlier.

No time agreement has been entered into on the revenue-sharing bill or amendments thereto.

Yea-and-nay votes will occur on amendments to the revenue sharing bill throughout the day, and every effort will be made to complete action on the revenue-sharing bill on Monday. This may require a reasonably late session, but I think it important to dispose of this bill, if at all possible, on Monday, in order that the Senate may resume its consideration of the unfinished business, the interim agreement on offensive weapons, on Tuesday.

Much work lies ahead before adjournment, and we will have to labor long and late.

#### ADJOURNMENT UNTIL 10 A.M. MONDAY, SEPTEMBER 11, 1972

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. on Monday next.

The motion was agreed to; and at 6:56 p.m. the Senate adjourned until Monday, September 11, 1972, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate September 8, 1972:

##### IN THE COAST GUARD

The following-named officers of the Coast Guard for promotion to the grade of lieutenant:

Claude W. Brock	Steven E. Hungness
Edward S. Olszewski, Jr.	Richard E. Burke, Jr.
Michael F. Herman	Christopher G. Kreiler
Randall R. Winn	Gregory H. Magee
Wayne R. Gronlund	Robert L. Pokress
Timothy J. Cenna	Donald R. Shrader
Warren E. Colburn, Jr.	James E. Smith, Jr.
Howard C. Waters	David D. Frydenlund
James T. Doherty, Jr.	Jay M. Snyder
Gregory L. Shaw	John F. Stumpff
Robert W. Henry	James D. Garrison
Charles W. More	Stuart N. White
Benjamin B. Peterson	Donald H. Debok
Paul J. Prokop	John F. McGowan
Gerald L. Hale	Frederick N. Wilder
George F. Hetland, Jr.	Michael E. Moore
Paul H. Garrity	Robert C. Olsen, Jr.
James W. Gynther	Eric W. Miller
Robert J. Wenzel	Joseph J. Clarke
William K. Bissell	Charles W. Wadey
Michael J. Mierzwa	Mark A. Revett
Alexander J. Hindle, Jr.	James L. Robinson
John R. Kissinger, Jr.	Andrew W. Anderson
Richard F. Gupman	Phillip W. Hawkins
James D. Hull	Larry F. Wheatley
Michael Billingsley	Robert C. Belote
David H. Humphreys	Richard J. Losea
Stanley L. Renneker	Elwood E. Stoeger
Thomas R. Lynch	Daniel L. Carney
Daniel D. Ryan III	William R. Jurgens
	Dale H. Gebhardt
	Paul J. Bodenhofer

Richard C. Vlaun	Ronald E. De Mello
George A. Flanagan	Douglas B. Brown
Frederick J. Schmitt	Gerald L. Ranes
Ronald J. Greto	Michael L. Duvall
George M. Williams	Lee S. Rumley
Jeffrey E. Robbins	Loren J. Chidester
Robert M. Acker, Jr.	James A. Moon
Charles A. Huber, Jr.	David A. Desiderio
Joseph F. Flayer	John H. Nicholson
Glenn P. Obrien	Robert L. Council
Robert S. Illman	Rodger R. Logan
Andrew L. Gerfin, Jr.	James P. Wysocki
William R. Bowen	Kenneth S. Shepard, Jr.
James E. Hartney	Dale K. Friden
David B. Anderson	Charles D. Phillips
Darryle M. Waldron	James W. Moon
Peter A. Lenes	William J. Missal
Mark D. Present	Michael D. Slovek
Bruce D. Wintersteen	Jon W. Hall
Palmo M. Rodriguez	Stanley E. Breedlove
Theodore G. White III	William K. Sinn, Jr.
Mark L. Lavache	Eckhard E. Magsig
Timothy W. Josiah	Harold F. Wagner
Robert C. Gravino	James W. Smith
John F. Curtis	Laurence P. Minott, Jr.
Richard C. Barlow	Curtis J. Crumpley
Thomas R. Hamlin	Charles L. Fenning
Thomas R. Hamblin	Albert R. Maggard
Wenceslaus D. Kinal	Willard R. Cox
John K. Miner	Newton L. Bennett
Charles H. Hill	Larry W. Fulkerson
George D. Bond II	James C. Perry
Frederick R.	Frank E. Lange
Adamachak	James A. Murphy
Barry P. Kane	Dean G. Roath
James B. Buckley III	Salvador Romo, Jr.
Russell A. Askey	Zacarias S. Chavez
Bruce E. Griffiths	Merritt E. Hall
David H. Blomberg	Franklyn C. Rogers, Jr.
Roderick A. Schultz	Ralph O. Deloatche
Richard L. Hilliker	George J. Whiting
Donald R. Grosse	Leo T. Weyenberg
George N. Naccara	Guy Taylor, Jr.
Chester M. Sprague	John Perez
James W. Pennington	Carl E. Wolcott
Gregory J. Labas	Daniel E. Norman
James D. Burk	Thomas W. Pearson, Jr.
Harold F. Watson	Edward J. Beder, Jr.
Robert W. Thorne	Michael F. Flessner
Robert E. Donnee	Harold W. Henderson
Thomas E. Rutenberg, Jr.	David J. Reichl
David C. Dubois	James Q. Neish, Jr.
Gary L. Pavlik	Thomas E. Bernard
Fred W. Pryor	Robert E. Pearce
Gerald H. Kemp	
Bruce A. Bergmann	
Robert T. Glynn	

The following-named temporary officers to be permanent commissioned officers in the Regular Coast Guard in the grade of lieutenant (junior grade):

Claude W. Brock	Laurence P. Minott, Jr.
Edward S. Olszewski, Jr.	Curtis J. Crumpley
Gerald L. Ranes	Charles L. Fenning
Michael L. Duvall	Albert R. Maggard
Lee S. Rumley	Willard R. Cox
Loren J. Chidester	Newton L. Bennett
James A. Moon	Larry W. Fulkerson
David A. Desiderio	James C. Perry
John H. Nicholson	Frank E. Lange
Robert L. Council	James A. Murphy
Rodger R. Logan	Dean G. Roath
James P. Wysocki	Salvador Romo, Jr.
Kenneth S. Shepard, Jr.	Zacarias S. Chavez
Dale K. Friden	Merritt E. Hall
Charles D. Phillips	Franklyn C.
James W. Moon	Rogers Jr.
William J. Missal	Ralph O. Deloatche
Michael D. Slovek	George J. Whiting
Jon W. Hall	Leo T. Weyenberg
Stanley E. Breedlove	Guy Taylor Jr.
William K. Sinn, Jr.	John Perez
Eckhard E. Magsig	Carl E. Wolcott
Harold F. Wagner	Daniel E. Norman
James W. Smith	Thomas W.
	Pearson Jr.
	Robert E. Pearce

The following-licensed officer of the U.S. Merchant Marine to be a permanent commis-



sioned officer in the Regular Coast Guard in the grade of lieutenant (junior grade):

Richard M. Mushet

The following-named Coast Guard Reserve officers to be permanent commissioned officers in the regular Coast Guard in the grade of lieutenant:

Paul D. Bridges	Dennis L. Morrissey
Michael K. Cain	Richard L. Murphy
David E. Cole	John T. Okon
John R. Huddleston	James T. Robertson
Frederick G. Koehnke	Steven R. Sipes
	David W. Young

#### IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

#### To Be General

Major. Gen. Alexander Meigs Haig, Jr., XXXX-XX-X... Army of the United States (colonel, U.S. Army).

#### IN THE NAVY

The following-named officers of the Navy for permanent promotion to the grades indicated:

#### Captain LINE

Abbott, John  
Abromitis, William, Jr.  
Alderman, Edward Lane  
Aldrich, Robert Gene  
Allmann, Richard Raymond  
Alt, Walter Louis  
Alvis, John Hubbard  
Anderson, Robert Jay  
Arnold, Henry Duff  
Arnold, William Stevens M.  
Atkins, A. J. Martin  
Baird, Orlie Gordon  
Bajus, John Clair  
Balch, Allen Horace  
Balmforth, Stanford Clewort  
Barie, Arthur Harper  
Barr, Max Danton  
Barrow, John Curtis  
Bates, Richard Ward  
Becker, Jerry Thomas  
Beckwith, Reynolds  
Benson, Francis Wyse, Jr.  
Bernstein, Karl Joseph  
Bezore, Eugene  
Bilderback, Oral John  
Birdwell, Carl, Jr.  
Boeing, Charles Edward  
Boh, Edward R., Jr.  
Bolan, Charles Daniel  
Borlaug, Paul Vincent  
Bouffard, Edward Normand  
Bowdey, Floyd Davis  
Bowers, William Warren  
Boyd, Richard Charles  
Boykin, Rhodes, Jr.  
Brady, Robert Edward  
Briggs, Edward Samuel  
Brozena, John Michael  
Brunson, James Sylvester  
Bryant, Harry Foster, Jr.  
Buckmaster, Albert Taylor  
Buechler, Robert George  
Butler, Dempsey, Jr.  
Butler, James Douglas  
Callaghan, William M., Jr.  
Campbell, Richard Bruce  
Capone, Lucien, Jr.  
Charter, Charles Curtis  
Castle, Ernest Carl  
Chalbeck, John Arvid  
Chambers, Horace B., Jr.  
Chessman, Samuel Richard  
Christensen, Charles S., Jr.  
Clark, Glenwood, Jr.  
Claytor, Richard Anderson  
Cobb, Warrington Crane  
Congdon, Robert Newton  
Conolly, Robert Carhart, II  
Cook, Karl Frederick  
Coontz, Robert Joseph

Cordray, Richard Palmer  
Cornell, Kenneth Eugene  
Cowperthwaite, John K.  
Crawford, Wayne Halburton J.  
Crosby, Howard Sydney  
Crumpton, John Rives, Jr.  
Cuddy, Thomas William  
Daniel, William Allen  
Danis, John Farwell  
Davis, George Harold  
Davis, John Meredith  
Davis, Thomas Edwards  
Day, Edward Roy, Jr.  
Dearolph, David Edwin  
Debold, Joseph Francis  
Dejarnette, Hugh Malcolm  
Demyttenaere, Jules Henry  
Derrick, Arthur Calvin  
Dixon, John Curtis, Jr.  
Donlon, John Michael  
Dorenkamp, Kurt Francis  
Dotson, William Cole  
Drain, John Emery  
Duck, John Charles  
Duncan, Robert Dewey  
Dyer, Gerald Wesley  
Eareckson, Frederick Leif J.  
Edmundson, James Edward  
Egan, Henry William  
Ekelund, John Joseph  
Emerson, David Frederick  
Engel, Paul Huber  
Enney, Kenneth Eugene  
Ennis, Robert  
Erikson, Warren Wilber  
Eustace, Robert Joseph  
Evans, Delmar Howard, Jr.  
Everngam, John Lester, Jr.  
Featherston, Frank Hunter  
Fenlon, Leslie Knapp, Jr.  
Fenno, Eric Neil  
Fielding, Teddy Roosevelt  
Finke, Eugene Irving  
Foster, James Roger  
Fowke, Benjamin Bernard  
Fowler, Alfred Noel  
Fraenke, Fred Augustus W., Jr.  
Freytag, David Robert  
Fritzke, Herman Ernest, Jr.  
Fullinwider, Peter Lansing  
Galloway, Richard Earl  
Ghormley, Ralph McDougall  
Goehring, Bernard Edward  
Goldman, Roy Edwin  
Gracey, Jack Lynn  
Grady, Morris Reed  
Graham, Horace Edward  
Graham, Warren Curry, Jr.  
Grayson, Roy Ray  
Guthrie, William Sherrod  
Hall, Donald Perry  
Hamlin, David Richard  
Hamm, Warren Clement, Jr.  
Harding, Norton Crew, Jr.  
Harris, Wade Hampton  
Hart, George Louis  
Haskell, William Charles  
Hawkins, William Howard  
Hays, Ronald Jackson  
Henderson, Donald  
Hibbs, Alvin Stanley  
Hickey, Charles Francis  
Hofford, John Labbee  
Hofo, Leslie Calvin  
Hopkins, Thomas Matthews  
Howard, Alfred Mann  
Ince, Eugene St. Clair, Jr.  
Jacobbsen, George Eugene, Jr.  
Jenista, James Francis, Jr.  
Jenks, Albert Leroy, Jr.  
Jepson, John Arthur  
Johnston, Richard Carter  
Jones, Gerald Robert  
Josephson, John Vernon  
Kanakanui, William A., Jr.  
Karschnia, Paul Theodore  
Katcher, Martin Joseph  
Kaufman, Norman Lewis  
Kay, Howard Norman  
Kearney, John Robert  
Keller, Harry Stetson, Jr.

Keller, Jack Elmer  
Keller, Robert George  
Key, Harry Newton, Jr.  
Kilcline, Thomas John  
Kint, John Richard  
Klapka, Edward John  
Klaue, Joseph Edward  
Klein, Peter Frederick  
Klemm, Vernon Paul  
Klemm, Wilbur Clayton  
Kneale, James Edward  
Knoizen, Arthur Kenneth  
Koach, John Henry  
Koval, Francis Peter  
Kraus, Walter John  
Kremidas, William Samuel  
Kriser, Louis  
Krueger, Otto Earll  
Lamb Chris Wilson  
Laney, Edward Veloras, Jr.  
Larson, Norman Oscar  
Law, Jason Pierce  
Leary, Ramon William  
Lebert, William Arthur  
Lechner, Thomas Fletcher  
Lesperance, Albert Phillip  
Linder, James Benjamin  
Lindsey, Wesley Elvin, Jr.  
Lisanby, James Walker  
Loheed, Hubert Bradford  
Longino, Hugh Ellen, Jr.  
Loomis, Thomas Alvin  
Lowry, Charles Hamilton, Jr.  
Lynch, William Hanna  
Madison, Douglas William  
Magee, Jack Edmunds  
Mallard, John Boyd, Jr.  
Mandeville, Robert Clark, Jr.  
Marr, Harold Lloyd  
Marshall, John Eno  
Martin, Charles Elliott  
Martin, William L. III  
McArthur, Kenneth Vincent  
McCallum, Elmer Austin, Jr.  
McConeghy, John Knox, Jr.  
McCreight, Major Israel III  
McDonald, Ewing Raiford  
McDonald, Jack Herbert  
McDonald, Robert Patrick  
McFarland, Milton Clay  
McFarland, Ralph Irel  
McGinnis, Thomas Patrick  
McLain, Roy William, Jr.  
McNulty, Gerald  
McVoy, James Leonard  
Meanix, William Henry, Jr.  
Messere, Edward James  
Miles, Lee Coulter  
Miller, David Bruce  
Miller, Edmund Anderson  
Miller, Raymond Lee  
Miller, Roger James  
Mohlenhoff, William  
Mohrhardt, Robair Ferris  
Monroe, Robert Rawson  
Moore, Donald Edsel  
Moore, Robert Sheppard  
Morgan, Joseph Richard  
Morin, James Brendon  
Mulligan, James Alfred, Jr.  
Mumma, William Leland  
Munday, Donald Francis  
Murphy, James Francis  
Myrick, James Egerton  
Neely, Guy Morton, Jr.  
Neidinger, Carl Christian  
Nelson, Andrew Gibson  
Nelson, Frederick Louis  
Newgard, Douglas Lloyd  
Nicholson, Richard Earl  
Noel, Lionel Maclean  
Norman, Robert Dean  
Norris, William Joseph  
Nugent, Thomas Henry, Jr.  
Nutt, Thomas Owen, Jr.  
Nystrom, Bruce August  
O'Connell, William Robert  
O'Keefe, Patrick Gordon  
Orrill, John William  
Otth, Edward John, Jr.  
Page, George Leslie  
Page, Louis Covington, Jr.

Palazzolo, Anthony Louis  
 Paul, Milton Owen  
 Paulis, Joseph John, Jr.  
 Peck, Paul Arthur  
 Pennington, Otis Greene  
 Platzek, Eugene Hakon  
 Porter, Kenneth Albert  
 Post, Harry Junior  
 Poullot, Jean Raymond  
 Provost, Robert Delphin  
 Pstrak, Theodore Wesley  
 Purdy, Harlan Ralph  
 Ralston, Wesley Lynn  
 Read, William Lawrence  
 Reichert, Herbert Emil  
 Reid, Charles Eckford, Jr.  
 Reiher, Eugene Joseph  
 Resch, Earl Frederick  
 Riedl, Harold Albert  
 Rigsbee, John Taylor  
 Ripley, Robert Kenyon  
 Roberts, Gerald Grey  
 Robertson, Keith Halvah  
 Robins, Clarence Oliver  
 Rogers, Edward Brien, Jr.  
 Roman, Paul Douglas  
 Romley, Richard Mansfield  
 Ross, Donald Scott  
 Rubey, Ervin Burdett, Jr.  
 Sander, Richard Elmer  
 Sanders, Ernest Duke  
 Sandon, Kenneth Merle  
 Satterthwaite, Fred Christy  
 Schaufelberger, Albert A., Jr.  
 Schnorf, Richard Arthur  
 Schorz, Ernest Henry  
 Schwoeffermann, Robert E.  
 Scott, James Hernandez  
 Scoville, Jack  
 Shapiro, Sumner  
 Shepherd, Burton Hale  
 Shick, George Barton, Jr.  
 Shine, Eugene Francis, Jr.  
 Sisson, Jonathan Anthony  
 Sizemore, William Gene  
 Skinner, Glenn Eugene, Jr.  
 Skinner, William Allan  
 Sleeper, Sherwin James  
 Slusser, Richard Cowden  
 Smith, Carl Ray, Jr.  
 Smith, Charles Ross, Jr.  
 Smith, George Francis  
 Smith, Gerald Francis  
 Smith, Gordon Hatfield  
 Smith Homer Leroy  
 Smith, James Herbert Basil  
 Smith, Leon Wayne  
 Smith, Paul Edwin  
 Snodgrass, Cornelius S., Jr.  
 Snyder, Francis Maurice  
 Somers, Robert William  
 Sourbeer, Emory Reed, Jr.  
 Southworth, Harrison Badger  
 Sparks, Donald Eugene  
 Spencer, Ralph Glover  
 Stolpe, Richard Henry  
 Stringfellow, Reid  
 Stuyvesant, William Robert  
 Sundberg, John Paul  
 Swanson, Charles Albert L.  
 Swanson, Charles Oscar  
 Swanson, Peter Scott  
 Switzer, James Ruppert  
 Synhorst, Gerald Emmet  
 Thiele, Karl Revere  
 Thomson, Alexander Dingwall  
 Thomson, Richard Gordon  
 Tissot, Ernest Eugene, Jr.  
 Tolbert, Robert Red  
 Townsend, Mariand Wesley, Jr.  
 Tripp, Paul Russell  
 Vaughn, Robert Edward  
 Vongerichten, Robert Louis  
 Vosseler, Warren Paul  
 Walker, Charles Melvin  
 Walker, John Robert  
 Walters, Robert Levi  
 Ward, James Frederick, II  
 Watkins, Frank Thomas, Jr.  
 Webber, James Hamilton  
 Webster, Dean Edwin

Wentworth, Thomas Foote, Jr.  
 Whitmore, Charles Abbott  
 Wholey, Lloyd Carter  
 Whyte, James Darst  
 Wiener, Richard A.  
 Wilhite, Alan Shepard  
 Williams, James Edward  
 Williams, James Sidney  
 Wilson, James Creighton  
 Wilson, Ralph Ensign, Jr.  
 Wirt, William Otto, Jr.  
 Wissler, John George  
 Wold, John Clark  
 Wolff, John Meyer  
 Wolford, Richard Stephen  
 Wood, Thomas Barkley, Jr.  
 Woodard, David Jackson  
 Woods, Edwin Elmore, Jr.  
 Woodworth, Charles Milton  
 Wynn, James Henry, III  
 Young, Randall Wayne  
 Yowell, Grover McClelland  
 Zettel, Marcus Alvin

## SUPPLY CORPS

Anderson, William B., Jr.  
 Anweiler, Calvin Richard  
 Bassing, Bernard Edward  
 Bliss, Roger Crane  
 Borchert, William Henry  
 Butler, Herbert Fuller, Jr.  
 Carmer, Elwood Arthur  
 Chadwick, William Arthur  
 Chagin, George Ireneus  
 Chester, Francis Joseph  
 Crozier, Wayne Raymond  
 Culwell, Charles Louis  
 Daniel, James Cordie  
 Dasovich, Michael  
 Dauchess, Edward Geddy  
 Dunbar, Robert Francis  
 Emery, William McLeod  
 Hassenger, William Edward  
 Herndon, Paul Clifford  
 Higgins, Everett Chipman  
 Ingram, Thomas Jackson, III  
 Kocher, Edward Mitchell  
 Kulczycki, Alfred Severin  
 Levine, Alan Yale  
 Linthicum, Walter Eugene  
 Malone, Francis Edward  
 McEneaney, John Edward  
 Mehaffey, Donald Colver  
 Murphy, George Arnold  
 Murphy, Ralph Frederick, Jr.  
 Nicol, Robert Glenn  
 Owens, Andrew Jenkins  
 Piazza, Thomas Joseph  
 Puleo, Joseph Andrea  
 Roberts, Calvin Watkins  
 Sharp, Herbert Cecil  
 Smith, Charles McKinley  
 Tapp, James Garner  
 Woodworth, Fred Irving, Jr.

## CHAPLAIN CORPS

Boyd, George Truett  
 Carnes, John Harold  
 Cohill, John William  
 Doermann, Martin John  
 Frank, Joseph Aloysius  
 Hill, Rodger Freeman  
 Ivers, Victor Joseph  
 Jones, Edward Stoddard  
 McDonald, Leo Jones  
 Metzger, Ernest Walter  
 Moye, Thomas Edward  
 O'Connor, John Joseph  
 Osman, Robert Elwood  
 Richardson, Edward Lawrence  
 Saeger, Alfred Robert, Jr.  
 Seiders, Marlin David  
 Symons, Harold Frederick

## CIVIL ENGINEER CORPS

Anderson, Richard Ernest  
 Bartley, Delmar Alexander  
 Clements, Neal Woodson  
 Day, Francis William  
 Dobson, John Frederick  
 Dunn, Robert Henry Peter  
 Fluss, Richard Merrill

Galloway, James Eugene  
 Graessle, Howard David, II  
 Howe, Charles Marvel  
 Loomis, Raymond Wesley  
 Marquardt, Walter Ernest, Jr.  
 Nelson, Robert Henry  
 Parsons, John Emory, Jr.  
 Swecker, Claude Eugene, Jr.  
 White, Lawrence Martin  
 Wittschlebe, Donald William  
 Wynne, William Edward

## JUDGE ADVOCATE GENERAL'S CORPS

Andry, Walter Gilbert  
 Bates, George Marshall  
 Robertson, John West

## DENTAL CORPS

Atkinson, Ray Keith  
 Baird, Daniel McDade  
 Bohacek, Joseph Robert  
 Cowen, Charles Edgar, Jr.  
 Cullom, Robert Douglas  
 Davy, Arthur Leroy  
 Demaree, Neil Clements  
 Freeburn, Harold Edgar, Jr.  
 French, Gordon Keith  
 Garman, Thomas Albert  
 George, Raymond Eugene  
 Glasser, Harold Nathaniel  
 Heinkel, Erwin Jay, Jr.  
 Hylton, Roscoe Paton, Jr.  
 Janus, John Tadeus  
 Lyons, James Junior  
 McKean, Thomas Wayne  
 McWhorter, Howard Brooks  
 Moore, Frank Burgwin  
 Nolf, Robert Stephenson  
 Oenbrink, Philip George  
 Pennell, Ernest Merle, Jr.  
 Perand, Steven William  
 Sazima, Henry John  
 Shreve, William Burt, Jr.  
 Smith, Scott McDonald  
 Thomas, Julian Johnson, Jr.  
 Thompson, Robert Gene  
 Tow, Herman Dale, Jr.  
 Westcott, Maurice Edward  
 Woody, Wilton Gerald

## MEDICAL SERVICE CORPS

Arm, Herbert Gunther  
 Broulik, Frank  
 Green, Irving Joseph  
 McWilliams, Joseph Gleason  
 Schwab, Albert John  
 Werner, Gordon Wilfred

## NURSE CORPS

Brennan, Mary Patricia  
 Cornelius, Dolores  
 Upchurch, Ouida C.

## LINE

## Commander

Adams, Billy Joe  
 Adams, John Lewis  
 Adams, Thomas Curtis  
 Agnew, William Franklin  
 Alles, John William IV  
 Alderson, Donald Marr, Jr.  
 Alexander, Howard Wills  
 Alexander, Sherman George  
 Alexander, William Howard  
 Allen, Bill Reed  
 Allen, Galen Bruce  
 Allen, John Elton  
 Allen, Richard Owen, Jr.  
 Allen, William Dale  
 Allison, William Rush, Jr.  
 Anderson, Erns Moses  
 Anderson, Jerry Paul  
 Anderson, Richard William  
 Anderson, Robert George  
 Andrews, Bobie  
 Androski, Frank Nicholas  
 Anthony, Philip David  
 Apple, John Dubell, Jr.  
 Arcelle, Mark, Jr.  
 Arthur, Glenn Neal, Jr.  
 Artuso, Michael Anthony  
 Audilet, Garland Ottis  
 Augustyniak, Edward John  
 Ausley, Joe Henry, Jr.



Awbrey, Roy Dale  
 Baals, John Robert  
 Bader, Allen Louis  
 Bailey, Donald Cheney, Jr.  
 Baker, Robert Cathcart  
 Baker, Walter Fay  
 Baldwin, John Ashby, Jr.  
 Ballinger, Robert MacQueen  
 Bannon, John Matthew  
 Barber, James Alden, Jr.  
 Barnes, James Albert  
 Barnett, Charles Edward  
 Barr, Ronald Lloyd  
 Barrish, Paul David  
 Bartholomew, James Harold  
 Bartley, Robert Harold  
 Bate, Ronald Dick  
 Bates, Glenn Dale  
 Bates, Walter Frank  
 Batzler, John Richard  
 Bauder, James Reginald  
 Bauman, John Morton  
 Bausch, Francis Adam  
 Beach, Milton David  
 Bechelmayer, Leroy Robert  
 Beck, Richard Edward  
 Benediktsson, Philip Wrenn  
 Bennett, Raymond D.  
 Bergstrom, Kenneth Iver  
 Bethany, Jesse Elroy  
 Betts, Roger Sherman  
 Beversdorf, Donald William  
 Beving, Duane Ubbe  
 Beyl, David Dean  
 Biegel, Herbert Karl  
 Biggs, Robert Randall  
 Bigney, Russell Everett  
 Biles, George Emery  
 Bird, Ralph Gordon  
 Birdsall, David Milton  
 Bishop, Michael Edward  
 Bixby, Harry Llewellyn, Jr.  
 Black, Cole  
 Blackmar, Fredrik Seward  
 Blair, Peter Steele  
 Blanchard, James Williams, Jr.  
 Blanchard, Ralph William, Jr.  
 Blandford, James Robert  
 Blankenship, James M., II  
 Bley, John Earl, Jr.  
 Bloom, Donald Darl  
 Blount, Donald Wilfred  
 Blum, Brandon Benn  
 Blythe, Russell Mark  
 Bodensteiner, Wayne Dean  
 Boelter, Dan Alvin  
 Bolt, Ronald Lee  
 Bond, John Roger  
 Booth, Peter Blake  
 Borden, Archie Daine  
 Borden, Douglas Hills, Jr.  
 Boslaugh, David Lee  
 Bossart, Edmund Belfour, Jr.  
 Bovey, Paul Elliot  
 Boyd, Richard Mallory  
 Brace, Robert Lawrence  
 Bracken, Leonard Anothony, Jr.  
 Bradley, Bedford Carlton  
 Brady, Frederick Leo, Jr.  
 Brady, Joseph Gerald  
 Braun, Peter Joseph  
 Breeding, Leslie Edward  
 Breland, Edgar Allen  
 Brennan, John Francis, Jr.  
 Brennan, Richard Joseph  
 Briggs, Donald Rae  
 Brisbois, Marshall Bartlette  
 Bronson, Hiram Sherman, III  
 Brooks, Charles Gordon Wayne  
 Browder, Edward Hughes  
 Brown, Donald Bruce  
 Brown, Leo Paul  
 Brown, Nicholas  
 Brown, Ora Davis, III  
 Brubaker, Joseph Devenny, Jr.  
 Brunick, Gerard Patrick  
 Buck, Harry John  
 Buck, Wallace Alfred  
 Bullard, Jerry Lynn  
 Burch, William Joseph  
 Burgess, Harold Ernest, Jr.

Burke, Francis Joseph  
 Burke, Thomas Jerome, Jr.  
 Burke, William Carter  
 Burkel, John Faubel  
 Burns, John Anthony  
 Burrows, Donn Talbott  
 Butts, Richard Franklin  
 Buzzard, Robert Dow  
 Cacciavio, John David  
 Cajka, Anthony Charles  
 Camacho, Richard George  
 Cameron, Jim Foster  
 Campbell, Richard Hue  
 Campbell, Ronald Kent  
 Canada, Donald Edward  
 Cann, Thomas Peter  
 Carcaba, John Hubert  
 Carlson, Dudley Louis  
 Carlson, Leland John  
 Carmichael E. Inman  
 Carr, James McLeod, Jr.  
 Carre, David Morey, Jr.  
 Carrigan, Richard Conrad  
 Carry, Allan Harry  
 Carson, James Thompson  
 Carter, Powell Frederick, Jr.  
 Caruso, Amedeo Brooke  
 Casey, Ronald Charles  
 Caston, Terry Glynn  
 Caswell, David White  
 Catola, Stanley Guy  
 Cellar, Charles Joseph, Jr.  
 Chaney, Conner Francis  
 Chang Ming Erh  
 Channell, Ralph Norman  
 Charneco, Carlos Mario, Jr.  
 Chase, Henri Bertram, III  
 Chase, Warren Pritchett  
 Chatham, Walter Lewis  
 Chester, Scott Albert  
 Chitty, Charles Morton, Jr.  
 Christensen, Howard Earl  
 Christmas, Walter Barroll  
 Christopher, Richard Vernon  
 Chumley, Sylvester George  
 Clark, Arthur Ray, Jr.  
 Clark, Robert C.  
 Clark, Robert Eugene  
 Clark, William Edward, Jr.  
 Clausen, Carroll Eugene  
 Clement, Carl Clarence, Jr.  
 Cliff, Gene Lee  
 Clifford, Norman  
 Cloud, Bruce Larry  
 Clower, Claude Douglas  
 Coakley, Stephen Anders  
 Cobb, Emsley Foster  
 Cobb, George William  
 Cockfield, David Wellington  
 Coffey, Roger Lee  
 Cole, Charles William, Jr.  
 Coleman, Charles Louis  
 Coleman, Douglas Connor  
 Coll, William Anthony  
 Colley, Richard Thomas  
 Collier, Neuland Craig  
 Colville, Robert Eugene  
 Combs, Lawrence Lee  
 Conley, David Jack  
 Connell, Earl Wayne  
 Connell, Philip John  
 Connelly, James Henry, Jr.  
 Conway, James McNarney  
 Cook, Charles Fred  
 Cook, John Henry, III  
 Cooke, Vincent Edward  
 Cooley, David Leo  
 Coons, Henry Albert  
 Cooper, Daniel Leander  
 Cooper, Estill Allen, Jr.  
 Cooper, Ross Ellston  
 Copeman, Thomas Henry, Jr.  
 Corcoran, Martin Francis  
 Corsi, Joseph Anthony  
 Cotsonas, John Peter  
 Courtney, Warren Paul, Jr.  
 Covey, Edward John  
 Cowles, Robert Roger  
 Cox, Henry  
 Crafton, Robert Wiley  
 Craig, John Edward, Jr.

Crain, Carroll Owen, Jr.  
 Crater, George Howard, Jr.  
 Creech, Worley Yates, Jr.  
 Crowell, George Thomas, Jr.  
 Crowson, Christopher Gale  
 Crummer, James Frederic  
 Cumming, Richard S., III  
 Curry, Thomas Hugh  
 Cyr, Byron Alton  
 Dage, Jerry Don  
 Dahill, Edward Everett, III  
 Daloia, John, Jr.  
 Daniels, Hal Brent  
 Darling, David Donald  
 Darnell, Jack  
 Dartnell, William Howard  
 Daugherty, Donald Newton  
 Daus, Rudolph Halouk  
 Davis, George Wilmot, Jr.  
 Davis, Harry Leland  
 Davis, Norman Edward  
 Davis, Robert Gene  
 Dawson, Albert Lee  
 Day, Earl Franklin  
 Deal, James William  
 Dean, Robert Victor  
 Dean, Ronald Irwin  
 Deangelo, Mark Jeremiah  
 Dearie, Cyril Glennon  
 Debroder, Glen George  
 Dechant, John Abner  
 Degroff, James Lewis  
 Delano, George Broughton  
 Delgiudice, David  
 Dennison, Daniel Chase  
 Dennison, James Richard  
 Denunzio, Nicholas James  
 Deshler, William Albert  
 Desteiguer, John Rodolph  
 Devalois, Edwin Watson  
 Deweese, Everette Dale  
 Dickerson, Kenneth Alvin  
 Dietz, Warren Carlton  
 Dilloro, Lucio  
 Dingle, James Wesley, Jr.  
 Dixon, Max Wayne  
 Doerr, Peter James  
 Donovan, Ian Eric Michael  
 Doonan, Robert John  
 Dopazo, Anthony John  
 Dore, Stanley Milburn, Jr.  
 Dorow, William Richard  
 Dorsey, James Francis, Jr.  
 Dougherty, Gerald Patrick  
 Dowd, Gregory Patrick  
 Duffy, Francis Joseph  
 Dunbar, Fredric Alan  
 Duncan, John Gard  
 Dunleavy, Richard Michael  
 Dunmire, Rance Dwayne  
 Dunn, Joseph James  
 Dunnam, William Lawrence  
 Durbin, Robert Henry, Jr.  
 Earnest, Charles M.  
 Eason, William Gaberial  
 Easterbrook, Charles W., Jr.  
 Eaton, Robert Hamblen  
 Eaves, James Sylvester  
 Eckert, John David  
 Edberg, Walter Olaf  
 Edmunds, Donald Calhoun  
 Edson, Charles Thomas  
 Edwards, James Clifford  
 Edwards, Leslie Richard  
 Edwards, William Francis  
 Egerton, James White  
 Ehret, James Daniel  
 Ehrman, Robert Gronau  
 Elder, William Norman  
 Elie, Gayle Owen  
 Elinski, Michael Jr.  
 Eller, James Borden  
 Elliott, Charles Paul  
 Emery, Robert Edward  
 Emery, Thomas Rogers Merrill  
 Englert, Robert James  
 Erie, Carl Richard  
 Ervin, Billy Maxwell  
 Eskew, Perry Rogers, Jr.  
 Estes, Edward Dale  
 Estocin, Michael John

Etheredge, Teddy Bryan  
 Evans, Frederic Hiege  
 Evans, James Allen  
 Evans, James Joseph  
 Evans, Richard Paul  
 Evans, Ronald Ellwin  
 Eyler, Armand Tise, Jr.  
 Fairbanks, Wayne Kent  
 Fairchild, Joseph Donald  
 Fall, Robert Henry, III  
 Fancher, Allen Prude  
 Fantry, William Thomas, Jr.  
 Farino, Francis Joseph  
 Featherston, Rex William  
 Felkins, Charles Gerritt  
 Fend, Clarence Edwin, Jr.  
 Fenzl, George John, Jr.  
 Ferrarini, Richard Lewis  
 Fetterman, John Henry, Jr.  
 Fieser, Arnold Kerp  
 Fillingane, Hulon Perry  
 Fink, Siegfried Alfred  
 Fiore, Adolph Andrew  
 Fischer, Herman Valentine, Jr.  
 Fitch, Edward Stephan  
 Fitzgerald, Maurice Dwight  
 Fitzsimmons, Eugene Winfield  
 Fitzsimmons, Harry Stine, Jr.  
 Fitzwilliam, Peter Kaufmann  
 Fladager, Myles Edwin  
 Flanary, Thomas Neale, II  
 Flanigan, John Edwin, Jr.  
 Flatner, Charles Randolph  
 Fleming, James Thomas, Jr.  
 Fleury, Clement Edward  
 Flick, John Paul  
 Flight, John William, Jr.  
 Flory, Richard Lee  
 Flower, John Richard  
 Flowers, Walter Raymond  
 Flynn, John Joseph, Jr.  
 Flynn, William James  
 Foley, Harvey Daryl  
 Foote, Everett William  
 Ford, James Nolan  
 Forest, Robert Edwin  
 Fortenberry, Thomas Nlle  
 Fox, Everts Cranston, Jr.  
 Frank, Vernon Eugene  
 Franzen, Richard Douglas  
 Frazier, Donald Lee  
 Frederick, Peter Griffith  
 Fredrick, Russell Earl  
 French, Maynard Delmar  
 Fries, Charles Leslie  
 Frichtenicht, Richard Del  
 Froehlich, Kenneth Ronald  
 Froid, James Carl  
 Fudala, Ernest Matthew  
 Fuld, Charles Louis  
 Fulk, Gerald Albert  
 Fullerton, Frank Eugene  
 Funck, James Richard  
 Furlong, George Morgan, Jr.  
 Gaffrey, Leo Joseph  
 Galinsky, Jerome James  
 Gallotta, Richard Arnold  
 Gammell, Clark Morten  
 Garber, Cecil Erskin  
 Garman, Glen Ernest  
 Garrow, Jack Alfred  
 Gasser, Thomas Albert  
 Gates, Richard Lee  
 Gauthey, Jules Richard  
 Gelke, John Joseph  
 Gerhan, Charles Frederic, Jr.  
 Gerl, Neil Dudley  
 Giacchino, Louis Frank  
 Gibson, James Carson, Jr.  
 Giedzinski, Henry Burton  
 Gilbert, Donald Bruce  
 Gilchrist, Craig Gillis  
 Gilchrist, Richard Bruce  
 Gilfry, Mason Clark  
 Glasgow, Billy Reese  
 Glasson, William Albert, Jr.  
 Glenn, William Archer II  
 Gluse, Michael Robert  
 Goben, Robert Dean  
 Goewey, Lee Edward  
 Golanka, Stanley Richard

Goodall, Thomas Alfred  
 Gooding, Charles Lewis, Jr.  
 Goodwin, Bruce Gorrell  
 Gordon, Stewart Raoul  
 Grady, Michael Thomas  
 Graf, Howard Frank  
 Grafius, Guy Albert Boyer  
 Graham, Joel Howard  
 Grandjean, Charles Albert  
 Grant, Edwin Hendrie, Jr.  
 Grant, Freeman Augustus, Jr.  
 Granum, Roger Barnes  
 Greathouse, Edwin Allen  
 Green, Gerald Edward  
 Greenhalgh, William T., Jr.  
 Greenhaw, Karl Jennings, Jr.  
 Greco, James Michael  
 Griffin, James Lloyd  
 Griffin, Robert Francis  
 Griffing, Edward Perry  
 Grimes, Laurence Hill, Jr.  
 Grove, Ronald Ray  
 Grozen, Paul Barton  
 Grunenwald, John William  
 Guerra, Albert Henry  
 Guille, Sherred Leslie  
 Guimond, Gordon Ray  
 Hager, Donald Gene  
 Hague, John Douglas  
 Hahne, Dayton Roy  
 Haines, Collins Henry  
 Hale, Frederick William  
 Hall, Joe Lee  
 Hall, Robert Alton  
 Hall, Roy Vinson  
 Hall, Thomas Joseph  
 Hamilton, David Gray  
 Hamilton, Edward Allan  
 Hamilton, Harry Dean  
 Hamilton, Robert Barry  
 Hamlin George Ames, Jr.  
 Hamman, Kenneth Ashley  
 Hammon, Colin Paul  
 Hammond, Leroy Lawrence  
 Hanley, William Lester, Jr.  
 Hansen, Herbert Loye  
 Hanson, Deroy Lewis  
 Hanson, Donald Charles  
 Hanson, Edwin Eugene  
 Harden, Thad Harold  
 Harmony, Lee Donald, Jr.  
 Harper, Elwood Nicholas  
 Harris, Robert Henry  
 Harscheid, David George  
 Hartley, Donald Hugh  
 Hartsaw, David Randolph  
 Harvey, Neil Leavitt  
 Harvey, Richard Morris  
 Hasch, Ralph Henry  
 Haskell, Hugh Brasher  
 Hastogils, Anthony Anastes  
 Hatch, Ross Riepert  
 Hayman, Douglass F., Jr.  
 Hazle, Hugh Alan  
 Heath, Edmund Walter  
 Hebert, Donald Francis  
 Heckman, Donald Clair  
 Hendricks, George Harvey  
 Hendricks, Richard Alan  
 Hennessey, John Patrick  
 Henry, Albert Luther, Jr.  
 Henry, William Frew  
 Hepworth, Robert William  
 Hernandez, Diego Edyl  
 Herring, Paul Everett  
 Herzog, Louis Landon  
 Hettinger, Louis Paul  
 Hickey, John Alan  
 Hill, Raymond Willard  
 Hine, Paul Melvin, Jr.  
 Hine, Raymond William  
 Hine, William Grigsby  
 Hinger, Carl Kenneth  
 Hinton, Robert Marshall  
 Hodge, William Robert  
 Hodgkinson, John Thomas  
 Hodgskiss, William Lawrence  
 Hoffman, Chauncey Frazier  
 Hohenstein, Clyde Gilbert  
 Holderness, Robert Thomas, Jr.  
 Holland, John Olene

Holland, William Jeremiah, Jr.  
 Hollandsworth, Paul Firm, Jr.  
 Hollinshead, William Gerald  
 Holloway, Lowell John  
 Holmes, Richard Bevan  
 Honsinger, Vernon Chapin  
 Hood, Joseph Williams, Jr.  
 Hoover, Harry Allen  
 Horne, Hainyard Liston, Jr.  
 Hosler, Charles Stone  
 Hoskins, Perry Don  
 House, Wayne, Jr.  
 Howard, Charles Brinson  
 Howells, David Allen  
 Hoyes, Donald James  
 Hudson, Joe Alan  
 Huggins, Harry Leard  
 Hughes, John W.  
 Hughes, Richard McBurney  
 Huhn, Samuel Peter  
 Hullander, Robert Arel  
 Humphreys, David William  
 Hunley, Charles Carey  
 Hunt, Herman Lamar  
 Hutton, James Leo  
 Hyatt, Robert Gregory  
 Ives, Clarence Dean  
 Jaeger, Robert Hamilton  
 James, Harry Rees, III  
 James, William Eastman, Jr.  
 Jardine, Edward Fell, Jr.  
 Jarwin, Raymond John  
 Jaudon, Johns Phillips  
 Jauss, Charles Walter  
 Jefferis, Lawrence Richard  
 Jenkins, John Cecil  
 Jensen, Richard Stanley  
 Jeremiah, David Elmer  
 Johannesen, Allen Carl  
 Johe, Richard Edwin  
 Johns, Clifford Murdock  
 Johnson, George Lynn  
 Johnson, Grant Reed  
 Johnson, James Edward  
 Johnson, Jerome Lamarr  
 Johnson, John Roux  
 Johnson, Roger David  
 Johnson, Thomas James  
 Johnson, Virgil John  
 Johnson, William James, Jr.  
 Johnston, Donald Hendrie, Jr.  
 Jones, Gerald Leon  
 Jones, Harry Wilson  
 Jones, Jerry Elmer  
 Jones, Roycroft Clifton, Jr.  
 Jourden, Bud Alton, Jr.  
 Jumper, Eugene Albert, Jr.  
 Jumper, Vernon Lee  
 Jurgensen, Kenneth Ivan  
 Kaag, William Carroll  
 Kaiser, Donald Stephen  
 Karlen, James Herbert  
 Katzman, Marvin Stewart  
 Keaney, Mark Joseph  
 Keast, Paul Hugh  
 Keegan, Arthur Edwin  
 Keiser, Robert Burns  
 Keith, Clyde Robert  
 Keller, Constantine C., III  
 Kellerman, Donald Wayne  
 Kelso, Frank Benton, II  
 Kemp, Ernest Eugene  
 Kenaston, George Warren  
 Kennington, William Arthur  
 Keough, Edward Patrick  
 Kerrigan, Robert Joseph  
 Ketchum, William Harold  
 Kiefaber, Thomas Gilbert  
 Kinert, John Henry  
 King, Ural Wilson  
 Kingston, Edward Andrew  
 Kingston, John James, Jr.  
 Kinney, Ben Jack  
 Kinney, Charles Herbert  
 Kirby, Alexander Griswold, Jr.  
 Kirkpatrick, John Henry  
 Klein, Harry Lawrence  
 Klugman, Dale Roger  
 Knaus, Vincent Leo  
 Knef, Andrew Leo  
 Kobler, Robert Henry



Koch, Richard Jost, Jr.  
 Koehler, Robert Lee  
 Koester, Earl Courtney, II  
 Kohn, Edwin Rudolph, Jr.  
 Kolaras, Demosthenes Nicolas  
 Kopfman, Theodore Frank  
 Kordek, Walter Anthony  
 Kralik, Simon Cornelius  
 Kramer, James Bernard, Jr.  
 Kramer, Rex Willard, Jr.  
 Krienke, Henry Paul  
 Krogh, David Eugene  
 Kronzer, Joseph John, Jr.  
 Krueger, Richard Gordon  
 Kruger, Allen Ladon  
 Kucera, Ronald Cornell  
 Kuligowski, Theodore Joseph  
 Kuplinski, Stanley Joseph  
 Lacy, William Anthony  
 Lake, Rodney Dale  
 Lambert, Russell Gale  
 Lamotte, Francis John  
 Langley, Thomas Rhodes, Jr.  
 Lanning, Richard James  
 Lapham, Joseph Gregory  
 Larison, John Dereamer, Jr.  
 Larsen, James Lawrence  
 Lattig, Edward Charles  
 Laurance, James Douglas  
 Lavalley, William Francis  
 Lawhon, Eugene Marshall  
 Lawniczak, George Edward, Jr.  
 Lawrence, Donald William  
 Lawson, Ramsay  
 Layn, Samuel Warren  
 Leaver, John Murray, Jr.  
 Leblanc, James Bernard  
 Lee, Leonard Murray  
 Lees, Forrest Alexander, Jr.  
 Lengel, Robert Charles  
 Leo, Leonard  
 Leopold, Robert Koller  
 Lewey, Ira Dale  
 Lewin, Theodore Edwin  
 Lewis, John Robert, Jr.  
 Lewis, Norman Hunter  
 Lighton, Paul Guy  
 Lightsey, James Leroy  
 Lilienthal, Donald Herman  
 Lincoln, John Robert  
 Lindquist, Donald Eugene  
 Lindsey, Austin Monroe  
 Linehan, Donald Baldwin  
 Locke, William James  
 Lockhart, John Vangundia  
 Looby, Robert Joseph  
 Loos, Donald George  
 Loscavio, John Michael  
 Lotton, Donald Eugene  
 Loudon, Richard Southwick  
 Lowe, William Lee  
 Lowery, Willis Eugene  
 Lown, Paul Clinton  
 Lull, Edward Warren  
 Lund, Eugene Patrick  
 Lund, John Robert  
 Lundquist, Donald Raymond  
 Lusk, Charles Theron  
 Lynch, Hugh Francis  
 Lynch, Robert Benedict, Jr.  
 Lyons, William Preston  
 MacCabe, Van Lorin  
 Mack, John Allen  
 MacKenzie, Joseph David  
 Mackin, Louis Berchman, Jr.  
 MacKinnon, Malcolm III  
 MacLean, Robert Evers  
 MacQuarrie, Gary Lincoln  
 Majors, William Tyree  
 Maloney, John Joseph  
 Manes, William Cunningham  
 Manthorpe, William H. J. J.  
 Marquis, Ronald Alfred  
 Marryott, Ronald Frank  
 Marsh, Lloyd Paul  
 Martin, Donald  
 Martin, Donald Lee  
 Masalin, Charles Ero  
 Masterson, Leo Sylvester  
 Mathews, Richard Louis  
 Matson, Bruce Walter

Matt, George Edward, Jr.  
 Matthews, John Barry  
 Matzner, Rudolph, Jr.  
 Mauldin, James Howard  
 Mautino, Richard Louis  
 McBride, Michael Alexander  
 McCabe, George John  
 McCaffery, Robert Arthur  
 McCann, Joseph Daniel  
 McCarthy, Charles Joseph, Jr.  
 McCauley, William Frederick  
 McClellan, Gordon  
 McClenahan, Tom Porter  
 McClure, Dale Raymond  
 McClure, John Samuel  
 McCracken, David Jerome  
 McCrimmon, Douglas Robert  
 McDaniel, Eugene Barker  
 McDermott, John Gregory  
 McDivitt, Ronald Merrell  
 McDonnell, John Richard  
 McEachen, Angus Douglas, III  
 McGarry, John Gordon  
 McHugh, John Thomas  
 McIntire, Wilton Henry  
 McIsaac, Alban Thompson  
 McKay, Richard Dale  
 McKenzie, John Henry, Jr.  
 McKeown, Thomas Joseph, Jr.  
 McKissock, Donald James  
 McLaren, Alfred Scott  
 McLellan, Charles Anthony  
 McNish, John Edward  
 McRae, James Francis  
 McVoy, Robert Paul  
 Mecaughy, Robert William  
 Medwedeff, Channing Winn  
 Meloy, Robert Todd  
 Melton, Wade Inzer  
 Meltzer, Herbert Sidney  
 Mengle, Kenneth Joseph  
 Mercer, William Charles  
 Meyer, J. D.  
 Meyer, William Frederick  
 Michaels, Danny James  
 Mieldazis, Richard Jerome  
 Miesse, Walter Thurman  
 Mikitarian, Samson  
 Miles, Dewitt Charles, Jr.  
 Miles, Robert Warren  
 Miller, Forrest Ray  
 Miller, James Theodore  
 Miller, John Albert  
 Miller, Justin Albert, Jr.  
 Miller, Robert Howard  
 Miller, Robert Neils  
 Miller, Wendall Ernst  
 Milligan, Jack Roland  
 Minnich, Donald Elsworth  
 Minton, David Carson, III  
 Mirise, Kerry Winston  
 Miyagawa, George Robert  
 Moats, Lewis Dale  
 Mobley, Arthur Scott  
 Montgomery, George Cannon, Jr.  
 Moody, Dewitt Hugo  
 Moore, Gene Ronald  
 Moore, Harold Arthur, Jr.  
 Moore, Harrison Mathew  
 Moore, Nelson Eugene  
 Moore, Paul Michael  
 Moore, Robert Wendell  
 Moran, Thomas Joseph  
 Morano, Anthony  
 Moravec, Henry Joseph, Jr.  
 Morrison, Robert McKay  
 Mortimer, Edmund Craig  
 Moss, David Lee  
 Moxley, Donald Franklin  
 Mozler, Richard Anthony  
 Multer, Richard Philip  
 Munger, Burton Lorenzo  
 Munsey, Malcolm Harvey  
 Munsey, William David  
 Murray, Frank Sager  
 Murray, Paul Anthony  
 Murton, David Blair  
 Mustin, Henry Croskey  
 Myers, Charles Elmore  
 Myers, Robert Upshur  
 Myers, William Kennedy, Jr.  
 Nagel, L. D.

Narmi, Ronald Eugene  
 Nash, Gordon Clifford Jr.  
 Nelson, Roger Eastman Jr.  
 Nelson, Sven Donald  
 Neuhaud, Henry Harrison  
 Newbegin, Robert G. IV  
 Newbury, Alfred Covell  
 Newell, Byron Bruce Jr.  
 Newman, Alvin Simmerman  
 Nicholson, Harry Evans  
 Nicholson, Herbert Henry J.  
 Nicholson, Robert Cornell  
 Nixon, Robert Theodore  
 Nofziger, Larry Blayne  
 Norrington, Charles Gilbert  
 North, Henry Carlton Jr.  
 Notargiacomo, Joseph Mormino  
 Nyquist, John Walfrid  
 Oberle, Ronald Joseph  
 O'Brien Charles Moulton Jr.  
 O'Connell Daniel Edward  
 O'Donnell, Daniel Tanner  
 O'Connell, Robert Lee  
 O'Connor, William Joseph M.  
 Oehlbeck, Edward William  
 Ogden, Edward George  
 O'Kelly, James Robert  
 Olmstead, Stanley Edward  
 Olsen, Walter Edwin  
 Olson, Albert William Jr.  
 Olson, Ross Stuart  
 Onhaizer, Jerry Eugene  
 Ord, Donald Charles  
 Orrik, David Neil  
 Osborn, Harold Nelson  
 Osborn, Oakley Ernest  
 O'Toole, Walter Daniel Joseph  
 Overbay, William Albert  
 Overman, William Jackson Jr.  
 Oyler, Donald Richard  
 Palmer, Philip Maynard  
 Parker, Elton Council Jr.  
 Parks, Charles Lowry  
 Paschall, Allan Porter  
 Pasquinielli, Francis Chris  
 Patton, James Matthew  
 Paul, Roy Chamblee  
 Peckham, Daniel Edgar  
 Peek, Robert Franklin  
 Peirce, William Bernard  
 Pellock, Lyle Edward  
 Perolat, John Joseph  
 Perry, Albert Joseph  
 Pesenti, Francis Vincent  
 Peters, Richard Anthony  
 Peters, Vernon William  
 Peterson, John Rodger  
 Peterson, Karl Lawrence  
 Peterson, Richard Alan  
 Petri, Gordon Louis  
 Petrich, Horst Alfred  
 Pfeiffer, Paul Nelson  
 Phillips, George Lincoln Jr.  
 Phillips, George Sylvester  
 Phillips, Richard Wayne  
 Phillips, Ronald Morris  
 Picciuolo, Stephen A. D.  
 Pierce, John Taylor  
 Pillow, George Ellis Jr.  
 Pirie, Robert Burns Jr.  
 Pitzon, John Russell  
 Pizzo, Philip Jerry  
 Plowman, Herschel Leigh  
 Plumly, Charles Moulton  
 Poe, Benjamin Lewis, Jr.  
 Pollmann, Eugene Lawrence  
 Potter, Thomas Benjamin, Jr.  
 Powell, John Hood  
 Powell, Wendell Wynne  
 Powell, William Charles  
 Powers, Edward Francis, Jr.  
 Powers, John Bernard  
 Pray, William Lawrence  
 Prentice, Gordon Roberts  
 Presley, Jack Cole  
 Pressly, George Byrne  
 Prokop, Phil George  
 Proper, Vance Devere  
 Pugliese, William Nicholas  
 Purdy, Dale Claude  
 Pyle, Roger Gail

Quinn, James Edward, Jr.  
 Quinn, Robert Nicholas, Jr.  
 Rabuck, Leo Vincent  
 Radler, David Howard  
 Ransom, James Patterson, II  
 Ratliff, William Earl  
 Rausch, Leonard Marcene  
 Rebello, Kenneth Roland  
 Redhage, James Leroy  
 Redington, Jerome Joseph  
 Reed, Calvin Clarke  
 Reed, Richard Leon  
 Reese, Russell Robert  
 Reid, Gerald Eugene  
 Reise, Thomas Lage  
 Renard, John Walter  
 Renner, Lorraine Edward  
 Rentschler, Richard Lee  
 Reszetar, Stephen Walter  
 Rettig, Godfrey Aloysius  
 Rhodes, William Kennedy, Jr.  
 Rice, Robert Porter  
 Rice, Robert Vernon  
 Rich, Willis Scott  
 Richardson, Fred Douglas, Jr.  
 Ricketts, Myron Vernon  
 Ring, Stewart Andrew  
 Rinkel, Richard Alton  
 Roberge, Francis Dee  
 Roberts, John William  
 Roberts, Ned Cooper  
 Roberts, Wilson Jennings  
 Robins, John Richard  
 Robinson, Clifford Vincent  
 Roche, Peter Augustus  
 Rockwell, William Andrew  
 Roe, John Emory, Jr.  
 Rollins, Everett Freemont, Jr.  
 Roth, James Frank  
 Ruland, Donald Oliver  
 Rush, William Herbert  
 Ruthrauff, Clifford Burns  
 Ryan, Gerald Frederick  
 Saavedra, Robert  
 Sackett, Dean Reynolds, Jr.  
 Sage, Robert Allen  
 Salo, Lennart Reino  
 Saltz, Newell Joe, Jr.  
 Sample, Chester Gilbert  
 Samuelson, Charles Roger  
 Sanders, Carl Herman, Jr.  
 Saunders, Richard Edward  
 Saunders, Wesley Whitin  
 Saville, Robert Earl  
 Sayers, Samuel Lee  
 Scarborough, John Roger L.  
 Schade, Eric Herman, Jr.  
 Schaedel, Joseph Andre  
 Schafer, Alfred Edgar  
 Schaffert, Richard William  
 Schatz, Robert George  
 Scheyder, Ernest John  
 Schilling, George Frederic  
 Schmitt, Robert William  
 Schrader, Harry Christian, Jr.  
 Schreadley, Richard Lee  
 Schultz, Earl Edward  
 Schulze, John Milton, Jr.  
 Schwartz, Robert James  
 Scott, George Wilkinson  
 Scott, Gary Lee  
 Scott, Phillip John  
 Scott, Thomas Paul  
 Scruggs, Richard Mitchell  
 Seacat, Ralph Lafon  
 Searight, Murland Wesley  
 Seely, James Michael Gleason  
 Seesholtz, John Richard  
 Segal, Robert B.  
 Seibert, Markley Royer  
 Shafer, Richard William  
 Shanahan, Thomas Edward  
 Sheets, James Robert  
 Shelton, Donald Charles  
 Shine, Thomas, Jr.  
 Shinn, Robert Allen  
 Shipley, Carl Norman  
 Short, Benjamin Francis  
 Short, John Sutter  
 Shulick, John, Jr.  
 Shumaker, Robert Harper  
 Slevart, Robert Gilbert  
 Sigmund, Arle Christian A.  
 Silberstein, George William  
 Sill, John Richard  
 Simmering, Larry King  
 Simon, Roger Oscar  
 Simpson, George Thomas K.  
 Sirch, Richard Walter F.  
 Skelly, Arthur Richard  
 Skorupski, Stanley Sidney, Jr.  
 Slack, Stephen Roger  
 Slayton, Marshall Thomas  
 Sleeman, Charles Frederick  
 Slingerland, Raymond David  
 Slough, John Hall  
 Smetheram, Herbert Edwin  
 Smith, Barton Leroy  
 Smith, Charles Robert  
 Smith, Cyril Philip  
 Smith, Delvin Wellington, Jr.  
 Smith, Dickinson Miller  
 Smith, Edward George  
 Smith, John Peter  
 Smith, John Ward  
 Smith, Marvin Gifford, Jr.  
 Smith, Paul David  
 Smith, Paul John  
 Smith, Richard John William  
 Smith, Robert Louis  
 Smith, Ronald Elmer  
 Smith, William Cody  
 Smith, William Dee  
 Smith, William Logan  
 Soriano, Joseph Ronald  
 Sousa, Manuel Benevides, Jr.  
 Sousae, Jack Frederick  
 Spellman, Fred George  
 Spencer, Barry Williamson  
 Spencer, Lane Leroy  
 Spisak, Thomas James  
 Spoto, Victor Samuel  
 Stallings, Arthur C., Jr.  
 Steenstra, George Adam  
 Stehle, Leroy Robert  
 Stembel, David Maynard, Jr.  
 Stephens, Gordon Leroy  
 Stephenson, Paul Dean  
 Stetz, Elias Joseph  
 Stevens, James Reginald  
 Stevens, William  
 Stevenson, Connelly David  
 Stewart, John Elliott  
 Stock, Merlyn Luvern  
 Stocking, Sigurd Irvin  
 Stoneback, Charles Keith  
 Stott, George Winfield, Jr.  
 Strange, Robert Cooper  
 Stratton, Richard Allen  
 Straw, Donald George  
 Streitt, John Brent  
 Striffer, Willard C., Jr.  
 Stromeier, Anthony Joseph  
 Strong, Henry Hooker, Jr.  
 Stuart, Charles Joseph, Jr.  
 Stuart, Donald Bennett  
 Stuntz, Harley Lorraine, III  
 Sullivan, William Kenneth  
 Sumner, Donald Morbeck  
 Sutherland, Paul Edward, Jr.  
 Swan, William Ralph  
 Swanson, Harlan David, Jr.  
 Swinnerton, Ronald Hugh  
 Sympson, William Goebel A., Jr.  
 Talbert, Joseph Truitt, Jr.  
 Talbot, Merrill Lee  
 Tallman, John MacDonell  
 Tansey, Eugene Albert  
 Taylor, James Marlin  
 Taylor, John Edward  
 Taylor, Lawrence Hammond, Jr.  
 Taylor, Lewis Holland  
 Taylor, Patterson Corwin  
 Taylor, Robert Charles, Jr.  
 Teachout, David Stanley  
 Tettelbach, Fredrick Morley  
 Thearle, William James  
 Theodores, Pete J.  
 Thomas, Richard Lee  
 Thomas, Spencer Joseph  
 Thune, John Renwick  
 Thurber, John Davis  
 Thurneysen, Jon Sebastian  
 Tibbitts, Barrick Frank  
 Tibbs, John Calvin  
 Tietgen, Charles Augustus, Jr.  
 Timberlake, David Winburn  
 Tinker, Charles Leroy  
 Titus, Edward Dufour, Jr.  
 Todd, James Forrest  
 Tomion, Jack Walter  
 Toncray, James Roblee  
 Toupin, Ernest Joseph, Jr.  
 Tracy, William Kenwood  
 Treiber, Maurice Lamar  
 Tsantes, George, Jr.  
 Tucker, Edwin Byron  
 Tucker, James Earl  
 Tucker, James Walter  
 Tucker, John Edward  
 Turley, John William  
 Turner, Edmund Lewis  
 Turner, Robert Charles  
 Turner, Warren Dale  
 Tuttle, Jerry Owen  
 Ullman, Robert Walter  
 Underwood, Fred Shurlock  
 Ustick, Richard Coghlan  
 Vanmetre, James Merle  
 Vanoy, William Edsell  
 Vaught, Gerald Curtis  
 Vehorn, Raymond Chester  
 Vestal, Leroy Norwood  
 Vilhauer, Levern Theodore  
 Wages, Clarence Jordan, Jr.  
 Waggoner, Donald Lee  
 Walden, William Allan  
 Wales, George Edward  
 Walker, John Alexander, Jr.  
 Walker, William Edward  
 Wallace, Richard Jay  
 Walsh, Lawrence Patrick  
 Walsh, William Albert  
 Walter, Dale Jerome  
 Walter, Joseph James  
 Waltzer, Jacob  
 Warburton, Thomas George  
 Ward, Compton Eugene  
 Wardell, William Laclair, Jr.  
 Watson, Jerome Francis  
 Way, Edward Richard  
 Ways, Raymond Arthur  
 Weaver, John Clark  
 Weber, Burtland Bane  
 Weber, Gustave Albert, Jr.  
 Weber, Richard Michael  
 Webster, Hugh Larimer  
 Webster, John Allen, Jr.  
 Weidman, Russell Howard  
 Weil, Calvin Marshall  
 Weir, Richard William  
 Wernimont, Donald Joseph  
 Westall, Kenneth Wayne  
 Westbrook, Donald Herman  
 Westbrook, Darrel Edwin, Jr.  
 Wheeler, James Russell  
 White, Billy Jerl  
 White, Jack Martin  
 White, Richard Farrell  
 White, Robert Clarence  
 White, Trentwell Mason, Jr.  
 Whittaker, Robert Leroy  
 Wicke, James Odum  
 Wickstrand, Don Raymond  
 Wiggins, Larry Curtis  
 Wigley, Lawrence Stewart  
 Wilkinson, Edward A., Jr.  
 Wilkinson, Thomas Addison R.  
 Wilkinson, Wilfred Paul, III  
 Williams, David Edward  
 Williams, Forrest Roger  
 Williams, Gerald George  
 Williams, Richard Ellis  
 Williamson, John Patrick, Jr.  
 Willis, James Langley, Jr.  
 Wilson, Billy Joe  
 Wilson, Gordon Balch  
 Wilson, John Raymond, Jr.  
 Wilster, Gunnar Finn  
 Windsor, Arthur David  
 Winiker, David Ramsay  
 Winn, John Curtis, Jr.  
 Winter, Richard Arthur



Wise, Stephen Ames  
Witherspoon, Beverly Wilson  
Wolfe, Glen Curtiss  
Wolfe, Robert Eugene  
Wolfe, William Fonce  
Wolkensdorfer, Daniel Joseph  
Wood, Forrest Hester  
Wood, John Dillion, Jr.  
Woodlief, Frank Lyon  
Woods, Herbert Pierson  
Woolam, John Edson  
Woolnough, Robert Monroe  
Wright, Frederick Edward  
Wright, Harry Wallace  
Wright, Joseph Martin P., Jr.  
Wuthrich, Richard Eli  
Wyly, James Robert, Jr.  
York, Howard Leslie  
Young, Howard Irvin  
Young, Leonard Robert  
Yurso, Joseph Francis  
Zaborniak, Walter John  
Zadd, Charles Joseph  
Zagortz, Leonard A., Jr.  
Zipf, Otto Alfion  
Zipperer, William Ray  
Zirbel, William Donald  
Zselezsky, Emil Jacob  
Zwick, Stephen Louis

## SUPPLY CORPS

Allen, Samuel Beverly, Jr.  
Ardizzone, Joseph Charles  
Ault, William Upshur  
Barnett, Andrew Flowers, Jr.  
Beals, Donald Abner  
Bedenbaugh, Jack Randall  
Bedford, Arthur Gordon  
Biddison, Ted Allen  
Bilka, Joseph Lee  
Blake, James Fred, Jr.  
Bolke, Robert John  
Bonnett, Herschel Julius  
Bosco, Clement, Jr.  
Brookes, Jack Everett  
Brotherton, Curtis William  
Brown, Troy Lee  
Buehler, Cyril Henry  
Bulluck, Edgar Glenn  
Burns, Richard Carroll  
Causbie, Edgar Shelby  
Clark, Bryan Lester, Jr.  
Clark Davis Leo  
Collier, William George  
Cornett, Fred Orville  
Crutchfield, Franklin Derry  
Davis, Robert Wythe  
Dolloff, Robert Henry  
Douglass, Jerry Burdette  
Eaton, Thomas Edward, Jr.  
Ellis, Richard William  
Estes, Arthur, Jr.  
Fidd, Joseph Adam  
Fitzpatrick, Edmond John, Jr.  
Flach, Lynn Roger  
Frampton, Robert Traylor  
Fries, Paul Albert, Jr.  
Fulks, Logan Gerald  
Gaddis, Carl Kline  
Gallaher, James Harley  
Gerstenberger, Wayne Walter  
Graesle, Ernest Joseph  
Hamilton, John Francis  
Hamilton, Michael Horace  
Harmon, Robert Grant  
Hayes, Lester Davies, Jr.  
Haynsworth, Hugh Charles, III  
Higgins, Ernest Carter M.  
Hinds, Duane Eldred  
Hirschy, Henry Eugene, Jr.  
Holder, James Rearick  
Hummel, Don Franklin  
Hurst, Harvey Richard  
Jones, Channing Edenfield  
Jones, Rial Cooper  
Kaiser, Robert Albert  
Killoran, Joel David  
Kitko, John August  
Kruse, William Ernest  
Kunkle, John Harris  
Lampton, George Harold  
Langer, Gerald Delane

Larsen, Henry Owen  
Leal, Milford Anthony  
LeBlanc, Joseph Ferdinand, Jr.  
LeMay, Jerome Sidney  
Locke, Olive Clyde  
Loveday, William George, Jr.  
Luther, James Robert, Jr.  
Mara, Ray Anthony  
Martin, William James  
McFarland, Wayne Blair  
McGarvey, John James  
McKinnon, Daniel Wayne, Jr.  
McLaughlin, Richard Barr  
Mead, George Whitefield, III  
Meyers, Walter Thomas  
Miller, David Oliver  
Mitts, Joseph Patrick  
Moe, Albert Gerhard  
Morgan, Richard Escott  
Murphy, Joseph John  
Murray, Robert Ervin  
Newcomb, Frank Norman  
Olinger, Richard Stroup  
Olson, Gene Paul  
Pace, Earl Harris  
Perkins, James Oscar  
Pistolessi, Vincent James  
Prokop, Jan Stuart  
Rader, Farrell Jewitt  
Ranieri, Richard Anthony, Jr.  
Raymond, James Arthur  
Reed, Dale Holmes  
Rounds, Richard Norman  
Ruese, Edward Frederick, II  
Schaaf, Alvin David, Jr.  
Shaughnessy, John Michael  
Smith, Franklin Dean  
Smith, John Allen, Jr.  
Sojka, Casimir Emil  
Sorensen, Jackie Ray  
Speer, John Warren  
Stanton, James Michael  
Stone, Donald Roben  
Sullivan, Patrick Daniel  
Szwed, James Alexander  
Tannone, Rocco Joseph  
Tauriello, Frank Sebastian  
Taylor, Robert Roe  
Tobin, Isidore Lartigue, III  
Tokay, Ronald Nayland  
Turcotte, William Eugene  
Van Houten, Richard Edward  
Vannaman, Thomas Leslie  
Viriden, Frank Stanley  
Vogel, Carl Philip, Jr.  
Walters, Robert Alan  
Washburne, William Kendall  
Webb, Carl Ray, Jr.  
Webb, James Richard  
Webster, John Calvin  
White, James Arthur  
Whitman, Earl Kenneth  
Wildman, John Eugene  
Williams, Robert Louis  
Willis, John James  
Wilson, Richard Frederick  
Wright, Walter Frederick, Jr.  
Youngblood, Norbert Vincent

## CHAPLAIN CORPS

Alexander, Don Charles  
Davis, Lex Lavern  
Fallon, Edward Francis  
Gately, Robert Emmet  
Gaughan, Geoffrey Edward  
Goffrier, Robert Read  
Haney, John Clifford, Jr.  
Jerauld, Philip Eldredge  
Kelly, Henry Thornton  
Klapperich, Owen Bernard  
Lecky, Hugh Franklin, Jr.  
MacCall, Harry Franklin, III  
Maritato, Victor Joseph  
McDermott, Thomas James  
McGonigal, Richard Allin  
McKee, Billy Jack  
Murphy, Michael Andrew  
Parker, Joe Howard  
Parrish, Whitney Wilkes  
Patton, Da-rell Paul  
Paulson, Gordon Earl

Pitts, Charles Harold  
Running, Paul Harrisville  
Tatum, Robert Dale  
Voth, Murray Howard  
Westlund, Orville Andrew  
Willson, William George

## CIVIL ENGINEER CORPS

Ahrens, William Norman  
Andress, Hyneman Miller  
Baggs, Charles Chaplin  
Bair, William Alois  
Bradt Miller, Paul Hart  
Brockwell, Sterling M., Jr.  
Burdick, William Elton  
Burton, Joseph Thomas, Jr.  
Ceretia, Ralph Michael, Jr.  
Collins, Allan Wayne  
Conner, Donald Lee  
Crosson, William Edward  
Deady, Ralph Earl  
Dickpeddle, John Irvine  
Dobler, Leland Reed  
Donaldson, Jacques Edward  
Ford, James Edward  
Glover, William Frank  
Goodman, Robert Francis  
Grinke, Walton James  
Groff, James Burton  
Kartalis, Andrew  
Keppel, Henry Edward, Jr.  
Kramer, Robert Leon  
Lowe, Stephen Douglas  
MacDonald, Malcolm John  
McHugh, Robert Joseph, Jr.  
McPartland, Eugene Joseph  
Mlekush, Matt Clarence  
Myers, Russell, Jr.  
Newcomb, Frank Miall  
Oliver, Phillip, Jr.  
Petersen, Norman William  
Phenix, Robert Preston  
Popowich, Clyde Van Wye  
Quinn, Robert Emmet, Jr.  
Ruff, Lowell Howard, Jr.  
Schade, Robert Ashton, Jr.  
Schumann, James Frederick  
Shafer, Willard George  
Shanley, John Joseph, Jr.  
Shumate, James William  
Skrinak, Vincent Michael  
Smith, Ralph Aubrey, III  
Stallman, Thomas Frank  
Tate, Thomas Neal  
Weir, James Weldon, Jr.  
Wels, John Maximilian  
Westberg, Robert Joe  
Wilson, Robert Burns

## JUDGE ADVOCATE GENERAL'S CORPS

Abernathy, Kenneth Lee  
Ake, Charles Paul  
Fasanard, Michael Francis, Jr.  
Fulton, Elbert Martin, Jr.  
Keeney, David Joseph  
McMillan, Edward Webb  
Palmer, William Ronald  
Pinsonneault, Richard James  
Redding, Robert Marshall  
Toms, James Edwin

## DENTAL CORPS

Albers, Delmar Dean  
Anderson, John Willis R.  
Box, John Marvin  
Butler, William Dickinson  
Chapman, Thom Hoffman  
Connole, Peter William  
Crawford, Benton Earl, Jr.  
Crawford, John Daniel  
Daughtry, Max Berry  
Devos, Brice Jay  
Eastwood, Gerald Winston  
Foley, John Morrison  
Gaston, David Lee  
Gourley, James Vincent  
Grisius, Richard Joseph  
Guarnieri, Lewis John  
Hansen, Duane Alan  
Harris, Ronald Kenneth  
Hart, Gerald Lee  
Hatrel, Paul Poincy  
Hillenbrand, Ronald Edward

Johnson, Charles Murphy  
 Johnson, James Irving  
 Kellner, Frank Herbert  
 Kennedy, Paul Thomas  
 Koch, Robert Wayne  
 Lindsay, John Sheldon  
 Mason, Billie Mack  
 McMurdock, Robert C., Jr.  
 Montgomery, Steve  
 Moore, Dorsey Jerome  
 Morse, Ronald Prescott  
 Osetek, Edward Marion  
 Reisman, Paul Joseph  
 Rochford, Philip  
 Rudolph, Jerome J.  
 Shoemaker, O. L.  
 Smith, David Joseph  
 Stepnick, Robert James  
 Stevens, John Theodore  
 Tracy, Norman Hutchinson, Jr.  
 Trainor, John Edward  
 Walkowiak, Gene James  
 Werning, John Thomas  
 Williams, John Peter

## MEDICAL SERVICE CORPS

Bailey, Jack Stanford  
 Barboo, Samuel Harvard, Jr.  
 Barker, Samuel Dorris  
 Boone, Harry Melbourne, Jr.  
 Coulson, Harold Harvey  
 Devane, James Joseph  
 Devine, Robert George  
 Fletcher, William Emory  
 Floan, Kenneth Franklin  
 Fowler, Ephraim Everett, Jr.  
 Fussell, Edsel Martin  
 Gallagher, Thomas Joseph  
 Hawkins, Kenneth Lee  
 Myers, James Ivan  
 Nichols, Lloyd Barden  
 Palmer, Jack Junior  
 Passaglia, Martin, Jr.  
 Pittington, Francis Calvin  
 Pribnow, James Frederick  
 Ramirez, Gale  
 Sims, John Lawson  
 Spahn, James Anthony, Jr.  
 Stallings, Orlando  
 Tanner, Millard Franklin  
 Whitlock, William Ellis  
 Wilcox, James George

## NURSE CORPS

Barker, Elizabeth Anne  
 Bednowicz, Eleonore Ann  
 Bove, Mary Louise  
 Butler, Phyllis Ann  
 Carleton, Ethel Rosalie  
 Conley, Mary Lewis  
 Davis, Kathryn Ada  
 Dunn, Dorothea Jean  
 Effner, Dorothy Jane  
 Elsass, Phyllis Jean  
 Fisher, Mildred Kathleen  
 Fitzgerald, Helen Maureen  
 Florence, Mary Elizabeth  
 Gampper, Mary Elizabeth  
 Gendron, Marie Marguerite T.  
 Hanes, Wave Jacqueline  
 Higgins, Helen Blanche  
 Hinckley, Colleen  
 Honish, Josephine Dolores  
 Humphreys, Regina Benigna  
 Jacques, Nancy Joann  
 Jennings, Patricia Slater  
 Jones, Bernice Elfreda  
 Jones, Ellen Jane  
 Jones, Kathaleen Rae  
 Liakos, Angeline G.  
 Lorch, Elizabeth Ann  
 MacDowell, Nancy Ann  
 Mack, Beverly Theresa  
 Maznio, Helen Rose  
 Merritt, Patricia Ann  
 Nicholson, Anna Beatrice  
 Nickerson, Lois Elva  
 Perreault, Madelon Miller  
 Portz, Patricia Jean  
 Robichaud, Pauline Helen  
 Rowe, Constance Helen

Ryder, Dorothy Jane  
 Shaw, Joan Sandra  
 Shemanski, Magdalene Lindsay  
 Slater, Beverly Jean  
 Spence, Ruth Gwennell  
 Steinocher, Anne Marie  
 Walker, Helen Jean  
 Walker, Marilyn Jean  
 Wilson, Ruth Ann

## Lieutenant commander

## LINE

Abbott, Peter Darby  
 Abernathy, William Kenneth  
 Ackley, Frederick Roberts J.  
 Adams, Lloyd Harlan  
 Adler, Gerrold Thayer  
 Ahern, James William  
 Albrecht, Carl John  
 Albro, Jimmy Hugh  
 Alden, Michael Gene  
 Alexander, Dale Eugene  
 Alexander, Edward Eugene Jr.  
 Allen, Robert Alfred  
 Alverson, William Robert  
 Ames, Arthur Paul  
 Amidon, David Michael  
 Anckonie, Alex, III  
 Anderson, Carl Allan  
 Anderson, Donald Ralph  
 Anderson, Gordon Ray  
 Anderson, Harlan Dewayne  
 Anderson, Thomas King  
 Andrilla, Joseph John  
 Arner, William Stanley, Jr.  
 Arnett, Rexford Raymond, Jr.  
 Arnold, Frederick James  
 Arnold, James Joseph, Jr.  
 Art, Raymond John  
 Asafaylo, Richard James  
 Ascher, David Clark  
 Atwood, Barry McFarlin  
 Austin, David Vedder  
 Austin, Jack Burger  
 Austin, Paul Bliven  
 Bachman, Frank Donald  
 Backman, Wallace Wayne  
 Bains, Carroll Duaine  
 Baker, Robert Ellsworth, Jr.  
 Balaun, Jack Eugene  
 Ball, Ronald Fredric  
 Ball, Stuart Franklin  
 Barker, Francis Oscar  
 Barnes, Vernon Travis  
 Barnaby, Kenneth Allen  
 Barnes, Fletcher James, III  
 Barnes, John Orville  
 Barnhart, Don Henry  
 Barnum, Gary Lee  
 Barrett, James Henry  
 Barton, Donald Ira  
 Battaglia, Carmen Charles  
 Battaglioni, Arnold Robin  
 Battenburg, John Allen  
 Batts, William Henry, Jr.  
 Beasley, Robert Hewett, Jr.  
 Beaton, Robert Richard  
 Beatty, Thomas Johnny  
 Beecher, Norton Julius  
 Beggs, Richard Keith  
 Bell, Joe Latimer  
 Bell, John Mitchell  
 Berkite, Ronald Betts  
 Bessire, Robert Paul  
 Biddle, Maxwell Douglas, Jr.  
 Binczak, Joseph Francis  
 Bishop, David King  
 Black, Donald Lovering  
 Black, Eugene Henry  
 Black, Robert Steven  
 Bleakley, Andrew, Jr.  
 Blecha, Ferdinand Arthur  
 Bloch, Vernon Charles  
 Blose, Larry Eugene  
 Blount, Charles Walter  
 Bobst, Larry Sherman  
 Bockler, James MacCallum  
 Boissenin, William Charles  
 Bolinger, Charles William  
 Boltz, Norman Donald

Bond, Thomas Henry  
 Borde, Paul Patrick  
 Boshoven, Robert Lee  
 Boswell, Lexie Benette  
 Botkins, Harold Wayne  
 Bowers, John Martin, Jr.  
 Bowley, George Andrew  
 Boyd, David Harry  
 Boyle, Alonzo Robert  
 Boyle, Patrick Lawrence  
 Bozzo, Peter Robert  
 Bradberry, Benton Lawrence  
 Bradshaw, William Franklin  
 Brainerd, George Edward  
 Branch, Daniel Bernice, Jr.  
 Breeding, Donald Curtis  
 Brockhausen, Frederick C., Jr.  
 Broglio, John Dominic  
 Brons, John Clemons  
 Brown, Larry Jay  
 Brown, Michael Jack  
 Brown, Robert Cooper  
 Bruce, Malvin Davidson  
 Bruce, Rowlett Henry, Jr.  
 Bryant, Cordis Charles  
 Bundarin, John Peter, Jr.  
 Burchett, Jerome Vincent  
 Burke, Lauren Dean  
 Burke, Nolan Robert  
 Burns, John Milton, Jr.  
 Burns, Thomas Morris, Jr.  
 Butterfield, John Alden  
 Byng, Robert Hilliard  
 Cade, James Allen  
 Cadow, William Schuyler, Jr.  
 Cain, Richard Leroy  
 Camilleri, Terrence Joseph  
 Camp, William George  
 Carbone, John Anthony  
 Carlson, William Clifford  
 Carlson, William James  
 Carney, Alvin Ernest, Jr.  
 Carpenter, Stephen Paul  
 Carroll, Michael Dale  
 Carson, Richard Lew  
 Carter, Frederick Whitton J.  
 Cartwright, James Peter  
 Carwin, James Philip  
 Casey, Richard Joseph  
 Castle, Robert Wellington J.  
 Castro, Alexander, Jr.  
 Castrucci, Richard Francis  
 Cater, Charles Edward  
 Ceres, Robert Lawrence  
 Chandler, Thomas Robert  
 Chayer, Robert Leon  
 Cheney, Lynn Francis  
 Cheston, Daniel Murray, IV  
 Chidlow, Douglas Oscar  
 Chidsey, John Warren  
 Christensen, Keith Lawrence  
 Christensen, Merle L.  
 Christian, Richard Allen  
 Ciboci, John William  
 Clapper, Gean Paul  
 Clark, Donald Deford  
 Clark, Jackson Sutton  
 Clark, James Robert  
 Clark, Kent Randolph  
 Clark, Maurice Eugene  
 Clautice, William Gunther  
 Clements, Wilton Raymond  
 Clift, Thomas Alvin  
 Cloutier, Adore Henri  
 Coates, Dannie Richard  
 Coats, Jack Thomas  
 Coffin, Robert Harris, Jr.  
 Colangelo, James William  
 Colbert, Edward William, Jr.  
 Cole, Gerald Lee  
 Colley, Michael Christian  
 Collins, James Edward  
 Collins, John Fletcher  
 Comings, Elmer Cole, Jr.  
 Comiskey, Michael Richard  
 Commons, Patrick Michael  
 Cooper, Michael Bryant  
 Corbelle, Reginald Claude  
 Cordell, Glen Davis  
 Corey, James William, Jr.



Corlett, Norman John, Jr.  
 Cormack, James Peter  
 Corse, Carl Donovan, Jr.  
 Cotton, Robert Vance  
 Coulapides, Anthony Chris  
 Courtney, Wallace Christian  
 Cover, Donald Lee  
 Crandall, Joel Lee, Jr.  
 Crumpacker, John Peter  
 Cullen, Charles Edward  
 Cunningham, Forrest T., Jr.  
 Curling, Fred Boyd  
 Curtin, James Michael  
 Cutler, Lee McLean  
 Dachos, John  
 Dall, Hubert Lee  
 Darling, Frank Robert  
 Davis, Alden Adams  
 Davis, Charles Edward  
 Davis, Francis J.  
 Davis, Grady Washington, Jr.  
 Davis, Joseph Fleming  
 Davis, Walter Jackson, Jr.  
 Dean, Dennis Vale  
 Deffet, Thomas Lewis  
 Delaney, William Frederick  
 Dempsey, Richard Eugene  
 Dempster, Duncan Ferguson  
 Depaul, Anthony William, Jr.  
 Despard, Ronald Arthur  
 Devore, Roger Clinton  
 Dewey, John Crosby  
 Dilley, David  
 Dillich, Jack Hodgen  
 Dirvianskis, Arunas  
 Doan, James Elliott  
 Doan, Robert Thomas  
 Doe, Francis Patrick  
 Donaworth, Jack Morris, Jr.  
 Donovan, David Anthony  
 Donovan, John Joseph  
 Doyle, Ronald Joseph  
 Drake, James Alvin, Jr.  
 Drake, William Baker, Jr.  
 Drew, John James  
 Dunlop, James Murray  
 Dunn, James Vincent  
 Dykes, Robert Andrew  
 Dziedzic, Walter Theodore, Jr.  
 Eaton, Donald Richard  
 Edgerton, Everett William, Jr.  
 Edgerton, Robert Leon  
 Edwards, Richard Franklin  
 Egan, Gerald Edward  
 Ekstrom, John Simonson  
 Elkins, Paul William  
 Elliott, George Milton  
 Ellis, Gary Hugh  
 Ellis, Martin Anderson  
 Engel, Richard Leon  
 Erskine, George Leroy, Jr.  
 Estes, Clifford Donald  
 Estes, John Austin  
 Etchells, Edward Joseph  
 Evans, Lucian Charles  
 Everette, Oliver Giovanna  
 Ewing, Charles David  
 Eyer, James Ellsworth  
 Eyer, Lee Wesley  
 Featherstone, James F.  
 Fernow, William Frank  
 Ferrentino, Peter Stanley  
 Field, Tylor, II  
 Finerty, Martin Joseph, Jr.  
 Finlen, James Rendell  
 Fiorentini, Walter Eugene, Jr.  
 Fischer, George Joseph  
 Fisher, George Edward, Jr.  
 Fisher, Kenneth Holt  
 Fitzgerald, Michael Edward  
 Fitzpatrick, Eugene Edward  
 Flikeid, Jack Robert  
 Flynn, Gerrish Cecil  
 Flynn, Noel Steven  
 Foberg, Raymond Howard  
 Fogg, Robert Farman  
 Fogle, William Jerry  
 Forbes, Raymond Lloyd, Jr.  
 Ford, Joseph Patrick Peter  
 Foster, Ronald Warren  
 Fox, Henry Willard

Freckmann, Fred Henry  
 Freedman, Leonard Arthur  
 Freeman, Melvin Clinton  
 Freymann, David Gerald  
 Fuqua, James Richard, Jr.  
 Gaffey, Roger Roberts, Jr.  
 Gainer, Thomas Henry, Jr.  
 Galbraith, William Ray  
 Garrett, William Bruce  
 Garverick, Charles Micahel  
 Gaskin, Roger William  
 Gath, Bernard Samuel  
 Geist, Gary Quay  
 Gengler, William Nicholas  
 Gershon, Jon Jared  
 Gertner, Charles Adam, Jr.  
 Gill, David Chaloner  
 Gillen, Thomas Edward  
 Gingles, Donald Dimmitt  
 Glaesser, John Steinmetz  
 Goldsmith, Albert Lewis, Jr.  
 Gordon, Robert Carl  
 Gordon, Samuel James  
 Gorham, Milton Reid, Jr.  
 Gorman, Clifford Daniel  
 Gossner, John  
 Grace, Allan Dale  
 Graham, Genie Keith  
 Gray, John Rudyard, Jr.  
 Green, John Harlon  
 Greenwood, Jack Robert  
 Greer, Marshall Raymond, Jr.  
 Greeves, William Joseph  
 Griggs, Albert Linton, Jr.  
 Grise, James Edward  
 Guay, Paul Ernest  
 Guy, William Eldridge  
 Habicht, Roland Franz Herma  
 Haffey, James Michael  
 Hafford, David Arthur  
 Hagenlocker, Richard Henry  
 Hager, Raymond David, Jr.  
 Hale, Thomas Morgan, Jr.  
 Haley, Wayne Jackson  
 Hall, Eugene Mallory  
 Hallmark, Samuel Neil  
 Halverson, David Thomas  
 Hamilton, Griffin Freeman  
 Hammond, Flaye Maxwell, III  
 Hansen, Lyle Frank  
 Hansen, Philip Vane  
 Hansen, Thomas Peter  
 Hardie, James Stewart  
 Hardy, Earl Lee  
 Hargrave, Paul Ernest  
 Hark, Donald Lee  
 Harmuth, Robert Karl  
 Harnden, Richard Lee, Jr.  
 Harrison, Joe Pat  
 Harrison, Robert Glen  
 Harrison, William Lamar, Jr.  
 Hart, David Austin  
 Hart, Edward Melvin  
 Harter, Gary Lee  
 Harvey, Robert Frank  
 Hassler, Thomas Andrew  
 Hawthorne, John Warren  
 Heegeman, James Walter  
 Heiges, John Milton  
 Held, William Earl, Jr.  
 Henderson, Joseph Clarence  
 Henderson, Tomas Graham  
 Hendrickson, Daniel Lucking  
 Herman, Donald Roy  
 Herman, William Alex  
 Heyden, Hanley Edward  
 Hicks, Graham Herndon, Jr.  
 Hicks, William Franklin  
 Higbee, Gerald Mahlon  
 Hildebrand, Wayne Thompson  
 Hill, Charles Edward  
 Hill, Donald Jowitt  
 Hill, Elven James  
 Hill, Nordean Thomas  
 Hilt, John William  
 Hock, Joseph Thomas  
 Hoene, Edward Robert  
 Hoever, Milton Henry  
 Hoey, John Hugh  
 Holden, Jerry Brouce  
 Holds, James Howard

Hollon, William Ray  
 Holmes, Donald Devore  
 Holt, Ben Ford, Jr.  
 Holt, Thomas Marion  
 Honadle, William Joseph  
 Hopcus, Alfred Aloysius  
 Hopkins, Granville John  
 Horn, William Charles  
 Horna, Gerald Francis  
 Houck, Jack Carlton  
 Houley, William Purcell  
 Houston, Jerry Beaman  
 Howard, Marshall Allen  
 Howard, Phillip Sheldon  
 Howell, Terry Lawson  
 Huebner, Richard Foltin  
 Hulson, Roger Paul  
 Hunter, Richard Webster  
 Hupp, Michael Chilton  
 Hurd, Robert Charles  
 Hurley, Michael James, Jr.  
 Huston, Merle Edward, Jr.  
 Hutchison, Charles Howard  
 Hyding, Robert Marlin  
 Ilg, Raymond Paul  
 Inman, Walter Ernest  
 Israelson, Leroy Dean  
 Jacanin, James Michael  
 Jackson, John Peter  
 Jackson, William Edward  
 James, Ulysses Samuel  
 James, Jon G.  
 Jarvis, Thomas Charles  
 Jaskolski, Kenneth Joseph  
 Jensen, Charles Roy  
 Jesberg, Ronald Hans  
 Jessen, Werner Hermann  
 Jewell, Charles William  
 Jockel, Joseph Andrew, Jr.  
 Joe, Lawrence Palmer  
 Johnson, Bernie Franklin  
 Johnson, Robert Cecil, Jr.  
 Johnson, Robert Donald  
 Johnson, Roland Ralph  
 Jones, George Baxter  
 Jones, Gordon Stewart  
 Jones, Wallace Edward  
 Jones, Wayne Alton  
 Jones, William Olmstead  
 Junker, Delvin Wayne  
 Kearns, James Francis  
 Keay, Karl Leroy  
 Keeley, Joseph  
 Keener, Thomas Vernon  
 Kelly, Andrew Maxwell  
 Kelly, Thomas Walter, III  
 Kelly, William Harvey  
 Kennedy, Jerry Fred  
 Keyes, Bradley Nichols  
 Kihune, Robert Kalani Uichi  
 Kiland, Ingolf Norman, Jr.  
 Kimble, Charles Donald  
 Kinch, Judson Mieras  
 King, John Joseph  
 King, Joseph Francis  
 King, Philip Martin  
 Kirk, Robert George  
 Kirzl, John Edward  
 Klein, Donald Gilbert  
 Klementz, Robert William  
 Kletter, David Martin  
 Klorig, William Nash  
 Klosky, Lowell Harold  
 Knight, Richard Dorsey  
 Koehr, James Elmer  
 Koke, Herbert Ervin  
 Kolbenschlag, George Ronald  
 Kopp, Walter Henry Otto  
 Korrell, Harry James F., Jr.  
 Krieger, Charles Bartlett  
 Krol, Richard Martin  
 Kromer, Ronald Charles  
 Krumm, Theodore George, Jr.  
 Kruzic, Victor Carl  
 Kuckelkorn, Josef Simon  
 Laferty, John Denison  
 Lambertson, Wayne Roger  
 Lampman, Charles Roderick J.  
 Lanam, Jackson Morris  
 Langdon, Stewart Douglas

Langemo, James Carroll  
 Laning, Clifford Leroy  
 Larkin, Robert Joseph  
 Larson, Dale Leslie  
 Larson, Robert L.  
 Law, Wilburn Patrick  
 Lazarchick, Frank Theodore  
 Leach, John Phillip  
 Ledbetter, Gary Clifford  
 Leder, John Francis  
 Lee, Arthur Rowland  
 Leeds, John Michael  
 Leeper, James Reed  
 Lehmberg, George Russell, Jr.  
 Leichtweis, Donald Lewis  
 Leon, Hayden Louis, Jr.  
 Lewis, Harry Gene  
 Lewis, John Howard  
 Lewis, Michael Harlan  
 Liebmann, John Erich  
 Lindsay, John Heistand  
 Link, Kent A.  
 Lipman, Joseph Robert  
 Litten, Robert Allan  
 Logalbo, Salvatore Eugene  
 Logan, Wallis M.  
 Long, Thomas Albert, Jr.  
 Loomis, Eugene Oliver  
 Loomis, Robert Charles, Jr.  
 Los, Lawrence Robert  
 Love, Bonnie Ray  
 Lovell, Jack Wendell  
 Lowrey, Donald Farrell  
 Lowther, Donald Erwin  
 Lucas, William Elliott  
 Lyon, Fred Morris  
 MacDonald, Bridgman Angus  
 Mace, James Allen  
 MacFarlane, Byron Noble  
 MacGillivray, Kenneth Austi  
 Manning, Sidney Ellwood  
 Margerum, Gordon William  
 Markowski, David L.  
 Marsh, William Burns, Jr.  
 Marshall, Bruce Cameron  
 Marshall, Walter Wedford  
 Martel, Sinclair Smyth  
 Martin, David Laurence  
 Marvin, Timothy Haigh  
 Masch, Edward Bryant  
 Mason, Albert Thompson  
 Mathews, James Patrick  
 Matisoo, Andres  
 Maynard, Michael Damon  
 Mayo, Norman Alfred  
 McAree, William Bernard, II  
 McConnell, Gary Donald  
 McCord, Howard Emmett, Jr.  
 McCune, George Burton  
 McDaniel, Jerry Patrick  
 McDole, James Eugene  
 McGanka, Steven William  
 McGonegal, William Frederic  
 McGowen, William Rankin  
 McGrath, Edward Gerard  
 McGuire, Larry Wayne  
 McKelvey, Gilbert Harvey  
 McKenne, Donald Charles  
 McKinley, Harold Hammond, Jr.  
 McKinney, Henry Clayton  
 McKinney, William Ellsworth  
 McKnight, Phillip Fielding  
 McLaughlin, James Francis  
 McMillan, Angus Murphy, Jr.  
 McMillen, Michael Lee  
 McMurry, Jerry Charles  
 McCree, James Daniel  
 McVey, Charles John  
 Mercier, William Ernest  
 Meredith, Francis Marion, II  
 Mervine, Lowrie Russell  
 Merz, Arthur  
 Messegee, James Allen  
 Metteer, Donald Gene  
 Meyers, Frederick Paul  
 Michael, Glen Rowell  
 Mikesich, George Henry  
 Miles, Samuel Allen, II  
 Miller, Alan Charles  
 Miller, Alan Samuel  
 Miller, Charles Perry, III

Millican, James Andrew  
 Milligan, Richard David  
 Milwee, William Ivon, Jr.  
 Moellmer, Karl Albert  
 Mohr, Donald Allen  
 Monaghan, Charles W.  
 Monk, William Wade  
 Montgomery, William David  
 Montgomery, William Mead  
 Moon, Henry Reid  
 Moore, Gary Lee  
 Moore, James Sylvan  
 Moran, John Bernard, Jr.  
 Morgan, Henry Anthony, Jr.  
 Morgan, Robert Vernon  
 Moriarty, John Alden  
 Morr, James Francis  
 Morrissey, James Richard, Jr.  
 Mulkern, Kevin Michael  
 Mullen, Ronald Edward  
 Murchison, Lyndon Conway, Jr.  
 Murphy, Arthur Robert  
 Murray, John Francis  
 Naylor, Howard William  
 Neff, Harold Richard  
 Neish, John Freeman  
 Nelson, James Rad  
 Newman, Errett Delano  
 Newman, Irwin Gerald  
 Neyman, George Purviance, II  
 Nicholson, John Woodford  
 Nield, Van King  
 Nielsen, Emanuel Kevin  
 Nissler, Charles Louis  
 Noble, Richard Albert  
 Nolan, Michael Howard Vance  
 Nolan, Thomas Edward  
 Noll, John Frank  
 Nonni, John, Jr.  
 Nordeen, William Edward  
 Nordwall, Bruce David  
 Noreika, Richard John  
 Norrington, Giles Roderick  
 Nourie, John Edward  
 Nunn, Silas Oscar, III  
 O'Boyle, John Robert, Jr.  
 O'Connell, Phillip J., Jr.  
 Olemann, Harlan Daryl  
 O'Hara, Charles Worth  
 Olds, Frederick Arthur  
 Oltmann, Eric John  
 O'Malley, William Joseph  
 O'Neill, Robert Joseph  
 Osburn, David Lowell  
 Ovrom, Allan Alfred, Jr.  
 Owen, William Edwin  
 Owens, James Luther  
 Pafford, John Sharpe  
 Page, David Anderson  
 Paine, John Allison, Jr.  
 Palombo, Robert Alan  
 Pampel, Alban, III  
 Parks, Tom Harper, Jr.  
 Patten, John Richard  
 Patterson, Barry Joseph  
 Patterson, John Wesley  
 Pease, Charles Curtis  
 Peden, Joe Dean  
 Pederson, Charles Lloyd  
 Peiguss, John Kenneth  
 Pellegrini, Charles Augustu  
 Pemberton, Robert Bliss  
 Perkins, Grover Stevenson, Jr.  
 Perkins, Russell Orvis  
 Permenter, Lawrence Flander  
 Peters, Glen Edward  
 Peterson, Charles Everett  
 Phelps, Byron Dean  
 Phillips, Giles Riley  
 Pickett, Walter Curtis, III  
 Pizinger, Lawrence Clifton  
 Pommer, Edward Parker  
 Poole, James Kenneth  
 Popa, Emil  
 Porterfield, Glen Charles  
 Poston, Dwayne Herman  
 Powell, Richard Allen  
 Powers, Philip Hemsley  
 Prendergast, Robert Lewis  
 Pressler, William Raymond, Jr.  
 Price, Harold Rogers

Prose, Nelson Mack  
 Rager, Richard Ronald  
 Raines, William Albert  
 Ramsay, Robert Winton, Jr.  
 Ramsey, James Eugene  
 Rappe, James Dallas  
 Raunig, Donald James  
 Rawcliffe, Leonard Harris  
 Redden, Edward George  
 Rees, Elbert Grant  
 Reeves, Roy Mark  
 Rehfield, Austin Warren  
 Reiber, Harry Eugene  
 Reimann, Lyle Frederick  
 Render, Ronald William  
 Renner, Ernest Arnold  
 Reny, Robert Winston  
 Reppert, Thomas Charles  
 Resare, Ronald Albert  
 Reuther, Clifford Scott  
 Reynolds, James Guy  
 Rhinebeck, George C.  
 Rice, Roy Joe  
 Richards, Tilden David  
 Richardson, Daniel Charles  
 Richardson, Fredric Maury  
 Richardson, William Edwin  
 Richmond, Donald George  
 Richmond, Robert Sutton  
 Richter, Herbert Bailey  
 Richter, John Otto, Jr.  
 Rickman, Wayne Elwin  
 Riddell, Robert Allen  
 Riley, Larry Mac  
 Riley, Michael William  
 Riley, Roy G.  
 Ritchhart, Delbert Arthur  
 Roberts, James Norman  
 Robertson, John Stephen  
 Rogers, George Arthur, Jr.  
 Rogers, Will, Jr.  
 Rollings, Douglas Ernest  
 Roper, John David  
 Rose, Clifford Allison, Jr.  
 Rosenberger, Glenn C.  
 Ross, Lawrence Thomas  
 Roudebush, Jackie Lee  
 Roudebush, Loren Keith  
 Runkle, Roger Kurt  
 Runnels, James Marvin  
 Ruppert, Noel Laurenston  
 Ryals, James Fayne  
 Ryan, Thomas R., III  
 Sagehorn, Robert William  
 Sallada, Robert Vermont  
 Sanchez, Nick Robert  
 Sanders, Tommy Louis  
 Sands, Edward Robert  
 Santos, Alfred Joseph, Jr.  
 Santos, Leonard Bento  
 Sapp, Jerry William  
 Sawhook, James Leith  
 Scanlan, Donald Francis  
 Scent, Raymond Johanson  
 Schellhase, Warren Woodrow  
 Schick, Bruce John  
 Schiffner, Robert Charles  
 Schlaff, Richard John  
 Schmer, Conrad John, Jr.  
 Schneider, Donald Lewis  
 Schneider, Edward Ludwig  
 Schoneman, Elmer Charles  
 Schrag, Larry Phil  
 Schroeder, Donald Lee  
 Schultz, John Julius  
 Schultz, Paul Milton  
 Scott, Lawrence Stuart  
 Scott, William Michael, Jr.  
 Seeley, James Ray  
 Sexton, Harold Patrick, Jr.  
 Seykowski, Donald Walter  
 Shannon, John Patrick  
 Sharp, Grant Alexander  
 Shaver, Robert Anderson  
 Sheler, James Anderson  
 Shelton, Donald  
 Sheppard, Furman Ladow, Jr.  
 Shivik, John Anthony  
 Siebeking, Paul Frederick J.  
 Siegel, William Herbert  
 Siembieda, John



Sigmund, Samuel Wilson  
 Simms, Gordon Hastings  
 Siple, Terrence Eugene  
 Skaggs, Jerold Frank  
 Skiles, Jerry Dwaine  
 Skinner, Frederick James  
 Slater, Charles Edward  
 Slaven, John Knowles  
 Smallwood, Roger Clinton  
 Smith, Albert Joseph, Jr.  
 Smith, Archie Duane  
 Smith, Clyde Christian, Jr.  
 Smith, Gibson Peter  
 Smith, Henry Battle  
 Smith, John Stephen  
 Smith, Peter Daniel  
 Smith, Philip George  
 Smith, Robert Edward  
 Snuffer, Sanford Joe  
 Snyder, Stephen Vanhekke  
 Sobieck, Gerard Alvin  
 Solms, William Richard  
 Somes, Timothy Edmund  
 Sommer, Douglas Frank  
 Sortore, Jadwin Frederick  
 Sprecher, Herbert Edgar  
 Spruell, Alfred Henry, Jr.  
 Stanford, David Leland  
 Stanley, Walter Lane  
 Starck, Robin Lee  
 Steiner, Duane Ray  
 Stevens, Jerry Gordon  
 Stillwell, William Howard  
 Stockwell, James Burgess  
 Stoessl, Leslie  
 Stokoe, James Henry  
 Storey, Cecil Truman  
 Storms, Robert Bruce  
 Strachwitz, Hubert John  
 Strache, James Bruce  
 Stratton, Bobbie Eugene  
 Stratton, Sylvan Duane  
 Strohsahl, George Henry, Jr.  
 Stump, Jerry Dunkin  
 Stutzer, William Thomas  
 Sullivan, David Drury  
 Sullivan, John Loftus  
 Susag, Gary Robert  
 Synstad, Wayne Carl  
 Szczypinski, Walter S., Jr.  
 Taipale, Denis Gary  
 Tamony, Joseph Michael  
 Tarpgaard, Peter Thorvald J.  
 Tate, Kenneth Payden  
 Taylor, Alec Patton, Jr.  
 Taylor, Raynor Andrew Kent  
 Tew, Louis M.  
 Thomas, Carlisle John  
 Thomas, Ronald Ralph  
 Thompson, Alton Kenneth  
 Thompson, Stanley Paul  
 Thresher, Alfred Addison II  
 Tiedemann, Hollie Joseph, Jr.  
 Tilghman, Lewis Spottwood  
 Timby, William Henry  
 Todd, Bennett Edwards, Jr.  
 Tolle, Robert Joseph  
 Tomajczyk, Charles F., Jr.  
 Touchstone, Frederick F., Jr.  
 Toy, George Ervin  
 Tracy, Leslie Ronald  
 Trainer, William Perry  
 Treptow, Harold Clarence  
 Trollope, Richard Glenn  
 Trossbach, Ronald Charles  
 Troungo, Gordon Richard  
 Troyer, David Dee  
 Truax, Daniel Mack  
 Tschida, Robert Matthew  
 Tuggle, Ralph Edward  
 Turk, Eugene John  
 Turner, Tom Dean  
 Turpin, Thomas Jefferson, Jr.  
 Ursitt, Gerald Francis  
 Vanallen, William Maurice D.  
 Vancuren, Russell Fay  
 Vanderslice, John Lester  
 Vaughn, Wendell Dean  
 Verwers, Robert Andrew  
 Vigorito, Thomas Victor  
 Vogt, Larry Gene

Volgenau, Douglas  
 Walker, Arthur James  
 Walker, Harry Craig  
 Walker, John Wimberly  
 Walls, Robert Gilbert  
 Walters, Arthur Kirk, Jr.  
 Wanner, Theodore Michael  
 Ward, John Phillip  
 Ward, Randall Walter  
 Wardlow, Louis Bertrand  
 Warson, Toby Gene  
 Wass, Stanley John  
 Waters, Franklin Delano  
 Webber, Michael Jon  
 Webster, Edward Charles  
 Weikert, John Patrick  
 Welch, Walter Edwin  
 Wellborn, Raymond Burke  
 Wells, Gary Alexander  
 Wendt, George Frederick  
 Wentz, David Radcliffe  
 West, James Franklin  
 Westfahl, Richard Karl  
 Weston, Robert Meck, Jr.  
 Weyers, Maynard Roland  
 Wheaton, William Clarence  
 Wheeler, George Paine  
 Wheeler, James Raymond  
 Whipp, Russell Erwin  
 White, Anthony Walker  
 White, Laurence David  
 White, Steve Carneal  
 Whittle, Delma Hughes, Jr.  
 Wienandt, Melvin Walter  
 Wigfall, George H., Jr.  
 Wilcox, Ronald Chester  
 Wilder, Richard Lynn  
 Wilkins, Perry  
 Williams, Charles Frederick  
 Williams, James Edward  
 Williams, John Henry, Jr.  
 Williams, Robert Allen  
 Williams, Wendell Vance  
 Williamson, Frederick M.  
 Williamson, James Ray  
 Williamson, Mark Humphrey  
 Wilson, James Paul  
 Winarski, Daniel Arthur  
 Winter, Richard Farnum  
 Witham, Alan Elroy  
 Withrosky, James Howard  
 Wolin, Ronald Marshall  
 Woodbury, David Edward  
 Wright, Perry Wayne  
 Wright, Rodger Wallis  
 Wright, William Samuel  
 Wynn, Walter Pierson, Jr.  
 Yeutter, Philip Eugene  
 York, Milton Ward  
 Young, James Thomas  
 Young, Vernon Oran  
 Youngmann, Kenneth Charles  
 Yow, John Samuel  
 Zanzot, Warren Leland  
 Zimmerman, Joseph Gerald  
 Zucker, Channing Moore

## SUPPLY CORPS

Anderson, Floyd Raymond  
 Arundel, Russell Wayne  
 Armour, Robert Charles  
 Billings, Thomas Hadley  
 Blair, Bryan Edward  
 Boltz, Jacob  
 Brand, Herbert Fred  
 Bruton, Lawrence Layne  
 Burden, David Greear  
 Burns, Reuben Donald  
 Christensen, Thomas William  
 Christopherson, Duane Arthur  
 Clark, Richard Melvin  
 Collette, Royal George Cyril  
 Cook, Bennie Wayne  
 Cook, John Morse  
 Cooper, Donald Reid  
 Culbertson, Morris Dean  
 Cunningham, Philip Tracy  
 Crane, Lee Duane  
 Dean, Claire Thomas, Jr.  
 Defrank, Frederick John  
 Dempsey, Edward John

Dempsey, Robert James  
 Desmarais, Normand Donald  
 Dittmore, Carl Alexander, Jr.  
 Drinnon, James Willard, Jr.  
 Eckelberger, James Elton  
 Endzel, Edward Windsor  
 Erickson, Roger Charles  
 Ervine, Donald McClure  
 Farnsworth, David Lee  
 Faul, David Charles  
 Fenwick, Charles Louis  
 Filipiak, Francis Leonard  
 Flammger, Jerome Thomas  
 Fournier, Alexander F., III  
 Francis, Thomas Marlin  
 Gartrell, Cecil Eugene  
 Gau, Lawrence George  
 Gentile, Ronald Philip  
 Gifford, Charles Philip  
 Goodman, James Clement, Jr.  
 Greenhalgh, John Edward  
 Gregorich, Kenneth Joseph  
 Groom, Robert Wray  
 Grossman, Stephen Zelig  
 Hadbavny, John William  
 Halderman, Jerry Jones  
 Hamlin, Rudolph Barry  
 Hardin, Jonathon Jaben, Jr.  
 Harms, Ralph John, Jr.  
 Hay, Vernon Milton  
 Heavener, Richard Wayne  
 Herberger, Charles Elmer  
 Hoffmann, Wilbur Edwin, Jr.  
 Huddleston, Roy Lynn  
 Hulan, Milton Thomas  
 Inman, James Edward  
 Isenhour, Thomas Henry  
 Jacroux, Paul Edward  
 Jarman, Cecil Albert, Jr.  
 Johnson, Jerry Eugene  
 Jordan, James Clyde, Jr.  
 Kelly, James Andrew  
 Kenly, William Richard  
 Kenney, Thomas Roger  
 Kirwan, Kevin Carey  
 Klockow, John Donald  
 Knachel, Robert Eugene  
 Knapp, Emmett Jay  
 Koczur, Eugene  
 Krieg, William Cecil  
 Krummel, John Cary  
 Kubasch, Donley Dale  
 Leber, Theodore Timothy, Jr.  
 Ledwig, Donald Eugene  
 Lee, Richard Henry  
 Leisenring, Richard Porter  
 Ligon, Samuel Joseph, Jr.  
 Mable, Marshall Lewis  
 Machesky, John Michael  
 Maginniss, Christopher M., Jr.  
 March, Frederick William  
 McClanahan, John Purl, Jr.  
 McClurkin, David Keith  
 McGee, Bernard James  
 McGee, William Cozadd  
 McGrath, Joseph Gerard, Jr.  
 Meier, John Douglas  
 Mikkleson, Jerry Dean  
 Miles, Darrell Raymond  
 Monza, Joseph Dominic  
 Moore, James Charles, Jr.  
 Moore, Richard Joseph  
 Morehouse, Stephen Hiram  
 Murphy, Henry Timothy, Jr.  
 Noble, Francis Edward  
 Osborn, James Harold  
 Parker, Jimmie Roscoe  
 Paszly, Alexander Karl, Jr.  
 Percifield, William Lester  
 Peters, Richard Dale  
 Piper, James Young, Jr.  
 Prest, Robert Frank II  
 Ransdell, Maurice Gene  
 Reavis, Peter Augustus, Jr.  
 Robinson, James Edward  
 Roth, Jon Biddle  
 Saidak, Paul Anthony  
 Scaramozzino, Emanuel  
 Schleck, Peter Joseph  
 Schlenker, Robert Louis  
 Selgelid, Larry Curtis

Shiels, John Morse  
 Simon, Jack Edward  
 Solomon, John Henry  
 Spage, Basil Andrew  
 Spratt, Thomas John  
 Staats, Charles Tolbert  
 Steidle, Robert Earl  
 Stevens, Steven Karl  
 Stewart, Robert Brendon  
 Stigliano, Carmen Nicholas  
 Talbot, Patrick Joseph, Jr.  
 Tribble, Arthur Stewart  
 Wadsworth, William Theodore  
 Walker, Samuel John  
 Waller, Billy Glenn  
 Walsh, Martin Joseph  
 Welsh, Gerald Henry  
 Williams, John Preston  
 Williams, Wayne Marshall  
 Withrow, Edward William, Jr.  
 Wright, Joe Baker  
 Yeager, Howard Bailey  
 Young, Adrian Ray

## CHAPLAIN CORPS

Ammons, James Ellery, Jr.  
 Anderson, Philip David  
 Baar, Harold Leroy  
 Campbell, Eli Hoke, Jr.  
 Cox, Joseph Donald  
 Donohue, Thomas Joseph  
 Duke, Robert William  
 Ecker, Robert Joseph  
 Fitzsimmons, David Harlan  
 Grubbs, Roy Dale  
 Hegeman, Arthur Ernest  
 Holland, Kilian Thomas  
 Jayne, Edward Eben  
 Krabbe, Donald Louis  
 Loughman, Kenneth Michael  
 Malliett, Lowell Maurice  
 Mellett, Robert Coleman  
 Peters, Jack Richard  
 Purdham, Aldon Elwood  
 Roberts, Malcolm Harold  
 Turner, Wallace Barry  
 Walker, John Francis  
 Whitsell, John Louis  
 Willard, Melville F., Jr.

## CIVIL ENGINEER CORPS

Austin, Donald Ralph  
 Bell, Warren Miller  
 Bonham, Paul Windsor, Jr.  
 Booth, Robert Midgley  
 Boothe, Allen Perry  
 Bottorff, David Elliott  
 Butler, David Edward  
 Carricato, Michael Jonathan  
 Currie, Wayne Lee  
 Davis, Harry Paul, Jr.  
 Dettbarn, John Lee  
 Ellis, William Edward, Jr.  
 Emsley, Thomas Howard  
 Fraunces, George David  
 Gunther, John Albert  
 Harmon, William Hayne  
 Hayes, Robert Cunningham  
 Hendrick, Larry Francis  
 Horacek, Jerry Lee  
 Ives, Jon Robert  
 Kau, Julian Mang Foo  
 Kintz, John Arthur  
 Lafond, John Allen  
 Larsen, Laurits Michael  
 Lewis, Quentin Edward David  
 Martin, Roger Gene  
 Matthews, William Garfield  
 McCorvey, Donald Laney, Jr.  
 McGee, George Dale  
 Monarch, Delmont Jerome, Jr.  
 Otis, Philip Stewart, Jr.  
 Patterson, Joe Thomas, Jr.  
 Poole, Arthur Seeger, Jr.  
 Preston, Robert Lowell  
 Ricker, Norman Gibson, Jr.  
 Ruth, Allen Richard  
 Schell, William Jack  
 Short, Roy Eugene  
 Stangl, Herbert Eugene  
 Strode, James Donald, Jr.

Thomas, Eugene William  
 Truesdell, Richard Carl  
 Vasilik, Kenneth John  
 Weir, Charles Edwin, Jr.  
 Wells, Howard Allison, Jr.  
 Wilson, Eric Rex, Jr.  
 Wisenbaker, Richard Yancey

## JUDGE ADVOCATE GENERAL'S CORPS

Brant, Kirby Ensign  
 Cronin, George Francis, Jr.  
 Gormley, Matthew Joseph III  
 Hunt, Roger Wayne  
 Pichingson, Donald Jay  
 Schneider, Warren Andrew, Jr.  
 Vanderlugt, Robert William  
 Warwick, Howard Roger, Jr.  
 Ziemniak, Daniel John

## DENTAL CORPS

Albright, Jimmy Edward  
 Barron, Don Morrow  
 Blake, James Harris  
 Bollinger, Thomas Edward  
 Branham, Gerald Brown  
 Branyan, Carl Edward  
 Coykendall, Alan Littlefield  
 Demeyer, John Hilaire  
 Dice, James Earl  
 Emery, Clare Allison, Jr.  
 Felger, Milton Robbert  
 Fjerstad, James Harold  
 Fortman, Kenneth Vernon  
 Frank, Sam Robert  
 Hansen, Oloff Lee  
 Helbel, John Lawrence, Jr.  
 Hensley, Paul Edwin  
 Hicks, Morris Lamar  
 Hirschfeld, William Ernst  
 Ho, Patrick  
 Holtan, James Raymond  
 Julienne, Charles Hunter  
 Knehans, William Edmund  
 Imach, William Edward  
 Lane, Jerry Lee  
 Mathers, James McClurg  
 Mowad, Massoud Gazell  
 Mullins, Harry Charles  
 Nelson, Ronald Thomas  
 Oatis, George William Jr  
 Peru, Charles Blaine  
 Porter, John William  
 Richardson, William Goss  
 Robinson, Gary Charles  
 Ross, George Robert  
 Siegal, Don Edward  
 Streicher, Carl William  
 Vazzana, Lorenzo Stephen  
 Wisser, Robert C.  
 Woodsmall, James T.  
 Young, Raymond Francis, Jr.

## MEDICAL SERVICE CORPS

Anderson, Francis Graham, Jr.  
 Boyle, John Anthony, Jr.  
 Butler, Robert Charles  
 Darr, Kenneth Lee  
 Delaney, Thomas Jeremiah  
 Dewey, William Andrews  
 Faherty, Francis Xavier  
 Ferguson, Donald Richard  
 Fitts, Marvin Lee  
 Furry, Donald Edward  
 Garner, Howard Eugene  
 Godfrey, Walter Albert, Jr.  
 Hammett, Gene Lee  
 Harris, George Stanley  
 Henderson, Jack Tracy  
 Hensle, Harold Reynold  
 Hinds, Robert Bruce  
 Hines, Kenneth Fearin  
 Horan, Daniel John, Jr.  
 Johnson, Ralph Walter  
 Kennedy, Robert Samuel  
 Lawson, Charles William  
 Levandowski, Thaddeus F.  
 Liming, John William, Jr.  
 Lucas, John Richard  
 McCullagh, Robert Francis  
 Mulrennan, John Andrew, Jr.  
 Nelson, Jack Arian

Reeves, Donald Eugene  
 Roper, Charles Austin  
 Schroeder, William Henry  
 Smith, Robert Donald  
 Stell, James Joseph  
 Steinberg, Aaron  
 Teague, Francis Andrew, Jr.  
 Wentworth, Richard Lee  
 Zimmerman, Lonnie Victor

## NURSE CORPS

Banks, Audrey Estelle  
 Barbarick, Donna Louise  
 Chibas, Frances Paula  
 Dunn, Julie Jeanne  
 Emal, Janice Ann  
 Frawley, Shirley Mae  
 Harris, Nancy Ann  
 Johnston, Georgia Fay  
 Knouse, Susan Kay  
 Lockwood, Lavon Ruth  
 Majak, Patricia Louise  
 Martin, Kathleen Phyllis  
 McIntyre, Joan  
 Merrill, Shirley Elaine  
 Mills, Arlene Edna  
 Moyer, Alice Ann  
 Simmons, Betty Ann  
 Sovich, Patricia Ann  
 Spencer, Peggy Ruth  
 Tuttle, Nancy Lea  
 Wallace, Donna Lea

## Lieutenant

## LINE

Adair, Hugh Reeves  
 Adams, Frederick Arthur  
 Adams, Richard Peerson  
 Ahlgren, Roy Carl Eric  
 Aho, Larry Richard  
 Alexander, Charles Homer  
 Allen, Wayne Robert  
 Allman, Stephen Baines  
 Altergott, Dennis Albert  
 Alvarez, David Crosby  
 Amerau, Harold Francis, Jr.  
 Amerault, James Frederick  
 Amidon, Ronald Edwin  
 Anderson, Allan Walker  
 Anderson, David Graham  
 Anderson, David Wiley  
 Anderson, Jimmy Duke  
 Anderson, Michael John  
 Anderson, Russell Frederick  
 Andretta, Robert Anthony  
 Andrews, Edward Keith  
 Argubright, Stephen F., Jr.  
 Arrigo, Roy Joseph  
 Asbell, Richard Carroll, II  
 Ashby, Elton Truxton  
 Ashford, Ervin Alvin  
 Atkins, Raymond Clifford  
 Authement, Charles Francis  
 Auxier, Willie Landon, Jr.  
 Avery, Robert Butner  
 Babb, Phillip Ray  
 Baca, Fidel Leroy  
 Bacon, Robert Peter  
 Bade, Bruce Charles  
 Bagby, John English  
 Bailey, David Laurence  
 Baker, Frederick Edward  
 Baker, Milton Sumner, Jr.  
 Baker, Paul Lawrence  
 Baker, Ronald Boyd  
 Baker, Ronnie Byrle  
 Baland, George Arnold  
 Bancroft, Ronald Mann  
 Bankson, Rodney Alan  
 Barker, Bruce William  
 Barnett, Larry Dean  
 Barrett, Raymond Thomas  
 Barry, John Lewis  
 Barry, Thomas Anthony  
 Barto, Jonney Lynn  
 Bartz, Jarold Maynard  
 Bauman, James Robert  
 Baumann, Carl Vincent  
 Baxley, Warren Candler, Jr.  
 Baxter, Peter Crockett  
 Bayer, Merrick, Jr.



Beal, Richard Frank  
 Beam, David Mitchell  
 Beam, Sherrill Wayne  
 Beard, Garnet Chapman, Jr.  
 Beauchamp, Robert Lewis  
 Becker, Alan Robert  
 Becker, Alfred Edward  
 Beckes, Michael Edward  
 Beery, James Robert  
 Beeson, Thomas Franklin  
 Belanger, Ronald Francis  
 Bell, Robert Alfred  
 Bendetsen, Brookes McIntosh  
 Benson, Burton Lee  
 Benson, Ray Wallace  
 Beougher, Rolland Ben  
 Berger, John Harry  
 Bernard, Alan Christian  
 Berry, Robert Crist  
 Betzner, Hugh William  
 Bieble, Gerald John  
 Biggs, William Martin  
 Binford, Benjamin James  
 Bingham, Clyde Leroy  
 Birch, Barry Stanley  
 Bird, Ronald Stanley  
 Bishop, Ronald Floyd  
 Blackburn, Lewis Bryan  
 Blades, Peter David  
 Blake, David Albert  
 Blakely, Frederick Martin  
 Bliss, Larry Dean  
 Bliss, William Merlin, Jr.  
 Bloch, Paul Stanley  
 Bloomer, John Godfrey  
 Boatright, Billy Carroll  
 Bock, Carl Frederick  
 Bodenhamer, Paul  
 Bolka, David Frank  
 Bollow, George Edward  
 Bond, Rogers Anthony  
 Bontrop, Paul Nichols, Jr.  
 Borchardt, Curtis George  
 Borchers, Doyle John, II  
 Borcik, Paul Robert  
 Bordy, Michael William  
 Boren, Norris Henderson  
 Bostic, Wayne Huston  
 Boston, Glenn John  
 Boswell, Dale Eugene  
 Boughan, David Alan  
 Bourbonnais, Charles Robert  
 Bower, Ammon William, III  
 Bowman, Terry L.  
 Boyter, James Thomas  
 Bozich, Robert  
 Bradbury, Donald Taylor  
 Bradley, Charles William  
 Bradley, Jeffrey Goffe  
 Bradner, Charles Rawles  
 Brady, Bruce Milo  
 Breen, William James  
 Brenner, William Rush, Jr.  
 Brewer, Carl Clifford  
 Bried, Robert Allan  
 Bright, Charles Norman  
 Brittain, Albert Russell, Jr.  
 Brockley, John Patrick  
 Bromberg, Jonathan Pressman  
 Broms, Edward James, Jr.  
 Brouwer, Daniel Conrad  
 Brown, Charles Joseph, III  
 Brown, David Alan  
 Brown, Michael Thomas  
 Brown, Raymond William  
 Brown, Robbins Ely  
 Brown, Robert David, Jr.  
 Brown, Stephen Albert  
 Brown, Wendell Earl  
 Brown, William Michael  
 Browne, Joseph Majett  
 Bruckner, James Winston  
 Bruflat, Arne Brede  
 Brus, Louis Eugene  
 Brush, Frederick James, Jr.  
 Bryant, Robert Bolling  
 Bucciarelli, Eugene Joseph  
 Bucholz, Marvin John  
 Bucholz, Roger Coleman  
 Budnick, Allen James  
 Bunker, Mark Arnold

Bunting, Daniel Charles  
 Burger, James Lambert  
 Burgess, Andrew Lynn, Jr.  
 Burgess, Larry Lee  
 Burke, James Lawrence  
 Burke, Richard Leon  
 Burlingame, Anson M., Jr.  
 Burns, Francis Matthew, III  
 Burns, Walter Francis, III  
 Burrows, Dee Wayne  
 Burt, John Alan  
 Busch, John Robert  
 Bush, Robert Porter, III  
 Bushnell, Francis Martin, Jr.  
 Bushong, Robert Lee  
 Butler, Thomas Harold  
 Butterfield, Richard Stanle  
 Butters, Alvin Lavern, Jr.  
 Byers, Clarence Richard  
 Byers, William Brewster  
 Cain, William Michael  
 Calkins, Franklin W., Jr.  
 Callahan, Jeffrey Edwin  
 Callies, Lee Roy  
 Campbell, James Ray  
 Caplinger, Royce Lee  
 Carlin, Daniel Stephen  
 Carlsen, W. Eugene  
 Carpenter, Melvin R., III  
 Carpenter, Nicholas Mallory  
 Carroll, Charles Edward  
 Carroll, David Lee  
 Carter, Harry Melvin, Jr.  
 Carter, James Jefferies  
 Carter, Lee Scott  
 Carter, Stanley Jerome, Jr.  
 Carty, John Raymond  
 Casavant, Donald Arthur  
 Cashman, David Matthew  
 Cassidy, Tom Kenneth  
 Casteland, Kenneth Michael  
 Catone, Robert Albert  
 Caudell, Willard Glenn  
 Cavaluchi, Robert Andrew  
 Cavanaugh, Francis Patrick  
 Chagaris, Peter James  
 Chalfant, Donald Kenneth  
 Chambers, Richard Leo  
 Champoux, Robert Louis  
 Chancellor, Robert Oren  
 Chapman, Paul Thomas  
 Chassels, Larry William  
 Chenery, Robert Lucius  
 Childs, Jack Manning  
 Christian, Dennis Howard  
 Christman, Robert Harvey  
 Chubb, John Everson, Jr.  
 Churchwell, Ralph Nero, III  
 Cipriano, Roberto  
 Cisek, Peter John  
 Clancy, James Patrick  
 Clark, Donald Bartlett  
 Clark, John William  
 Clark, Robert Hugh, Jr.  
 Clark, Terrell Irvin  
 Clark, William Harry  
 Clary, Raymond Harold, Jr.  
 Clay, Henry Leonard, III  
 Claymore, Peter Gayton  
 Clift, Fred James  
 Clock, Carl Stout, Jr.  
 Coburn, Lewis Laddie  
 Cole, Bernard David  
 Coleman, James Evans  
 Coleman, John Boddie, Jr.  
 Coleman, Randy J.  
 Colgan, Stephen Gregory  
 Collins, John Patrick, Jr.  
 Colyar, Robert William  
 Colyer, Thomas James  
 Coman, Raymond Paul  
 Conder, Robert Aubrey  
 Coneeney, Thomas Joseph, Jr.  
 Conklin, Robert Curtis  
 Conley, William Henry, Jr.  
 Connor, Theodore Patrick  
 Conrad, Harry Stephen  
 Cook, Bradford Clifford  
 Cook, Donald Lee  
 Cook, Gary Newton  
 Cook, John Clark, Jr.

Cook, Oren Francis  
 Cooney, Terence James  
 Cooper, William Patrick  
 Copp, Glenn Arthur Kent, III  
 Corcoran, Joseph Lynn Kevin  
 Cordrey, Robert Ernest  
 Couch, Dale Myles  
 Coughlin, Frank Thomas  
 Cowell, Neil  
 Cox, Norman Otha  
 Coyle, Michael Thomas  
 Craig, James Robert  
 Craig, John Stephen  
 Cranford, John Edwin  
 Creager, Hugh Gunder  
 Creely, Allan John  
 Croll, William Howard  
 Crossen, William Joseph  
 Croteau, Joseph Lloyd  
 Crowder, Thomas Burgess  
 Crowe, Olen  
 Crump, David Allen  
 Cummings, Ronald Leo  
 Curtis, Albert Lawrence  
 Curtiss, Edward B.  
 Cutchin, Richard Lee  
 Cyphers, Arthur B.  
 Czech, Theodore Thomas  
 Czerwonky, Arthur Hugo  
 Dalley, William Randolph  
 Daly, Daniel Anthony  
 Dammeyer, George Howard  
 Damron, John Richard, Jr.  
 Daniel, Johnny Hale  
 Danner, Terrence Nye  
 Dannerth, Richard Carl  
 Darnell, Carlton Henry  
 Das, Adrian  
 Dassler, Frederick W., Jr.  
 Daughtry, George Thomas  
 Daulerio, Paul Peter, Jr.  
 Dauphinals, Paul Adam Jules  
 Davenport, Wortham David  
 Davidson, Bruce Ernest  
 Davidson, Teddy George  
 Davis, Charles William, Jr.  
 Davis, Dickey Parrish  
 Davis, Frank Lawson, Jr.  
 Davis, Norman Ewing  
 Davis, Teddy Michael  
 Davis, Thomas Anthony  
 Davis, Thomas Kevin, Jr.  
 Deaton, James Paul  
 Debenport, David Rogers  
 Decoursey, Donald Warren  
 Deer, Robert  
 Degreaf, Donald James  
 Dematta, Elliott Kenneth K.  
 Denham, Denny Jackson  
 Denton, Jimmy Neil  
 Desrochers, Joseph Omer  
 Desterio, Lawrence E., Jr.  
 Dethomas, John Victor  
 Deweese, Roger Erle, III  
 Dickey, Robert Lincoln  
 Difransisco, Thomas William  
 Dilley, James Earl  
 Dirkx, Peter Cornelius  
 Dobson, Ralph Paul  
 Doctor, Michael Stewart  
 Doherty, Brian Joseph  
 Doherty, Hugh Michael  
 Dolan, James Arthur  
 Dolan, Peter James  
 Dolbec, Richard David  
 Dolgow, Barry Lee  
 Donath, Robert Milton  
 Donndelinger, Paul William  
 Dow, John Irvan  
 Downey, Robert Vincent  
 Drew, Raymond Michael  
 Drumm, R. David  
 Dubois, Snowden Charles  
 Duchock, Charles Jack  
 Dudine, Fabrizio Michael  
 Duermeier, Stephen Paul  
 Dumas, James Walter  
 Dunlap, David Bartlett  
 Dnlap, Steven James  
 Dupont, Francis William, Jr.  
 Durham, Wayne Carlton

Durham, William Rucker  
 Durr, Donald Gordon  
 Duskin, George Harley  
 Dutrow, Samuel Richard, Jr.  
 Dyck, Harry Milton, Jr.  
 Dyer, Donald Alvin  
 Dynes, James Henry  
 Eaton, David Morrison  
 Eaton, George Arthur, Jr.  
 Eckard, Palmer Glenn, Jr.  
 Edwards, Glenn Howard  
 Edwards, James Nathaniel, Jr.  
 Edwards, Michael William  
 Elder, Philip Robert  
 Elliott, Thomas Jene  
 Ensich, John Clyde  
 Enterline, Edward Russell  
 Erickson, William John  
 Ernst, Eric Rodholm  
 Etka, Craig Louis  
 Eutsler, Roland Byerly, Jr.  
 Evans, Charles J.  
 Evans, Gordon John  
 Eversole, Thomas Young  
 Ewing, Kent Walker  
 Ewing, William David  
 Fahy, Andrew Wilson  
 Faller, Theodore Henry  
 Faltisco, Joseph Edward  
 Faricy, John Jerome, Jr.  
 Farnsworth, William A., Jr.  
 Farrell, Richard Stephen  
 Farrell, Robert Joseph  
 Farrow, Stephen Richard  
 Farwell, Richard Shaw  
 Fast, Richard Edwin  
 Fausz, James Edward  
 Favaro, Joseph Dominic  
 Fernandez, Wayne Jacinto  
 Ferraro, Francis Domenic  
 Ferry, Francis Joseph  
 Fickenschner, Edward R., III  
 Fillingim, Ronald Louis  
 Fink, Ralph III  
 Finley, Robert Alexandar  
 Fischley, James Hollie  
 Fitch, Patrick Edwin  
 Fitch, Rex Burnham, Jr.  
 Fitzpatrick, William Edward  
 Fitzsimmons, Dale Hilden  
 Flanagan, William John, Jr.  
 Flesher, Larry Gene  
 Fluhrer, Norman Paul  
 Fynn, John Patrick  
 Flynn, Michael Miles  
 Foard, John Stager, Jr.  
 Foland, Richard Paul  
 Folgate, Julius Martin  
 Folk, Reau Estes, II  
 Follett, Scott Charles  
 Folsom, Benjamin Franklin J.  
 Foltzer, Louis Leonard  
 Forbes, George Thomas  
 Forno, David Jerome  
 Forrester, George Steven  
 Fosina, Andrew Joseph  
 Foster, John Barr, III  
 Foster, Thomas Allen  
 Fowler, Norman Clyde  
 Fox, Arthur Dale  
 Foy, Clarence Allan, Jr.  
 Fragomene, Vincent Michael  
 Frasier, Charles Consolvo Jr.  
 Freas, Henry Edward  
 Frigge, William Joseph  
 Fritzsche, Robert Paul, Jr.  
 Fulton, David Samuel  
 Gabrielson, Dale Ellard  
 Galbraith, Peter Marshall  
 Gale, Ernest Frederick, Jr.  
 Galkin, Kenneth Earl  
 Gardiner, Lawrence Edwin  
 Gardner, Richard Wayne, Jr.  
 Garst, Lynn Franklin  
 Garuba, Joseph Anthony  
 Gastar, Stanley Douglas  
 Gaston, Mack Charles  
 Gatcliffe, Thomas Robert  
 Gay, John Phillip  
 Gaylord, William Kendall  
 Gebhardt, Laurence Philbert

Gehman, Harold Webster, Jr.  
 Geigel, Gary Winfield  
 General, John Arthur  
 Genet, Richard Paul  
 Gerst, Anthony Leo  
 Gibson, Elwood Lloyd  
 Giffin, Eugene Riley  
 Gilbert, Gordon Franklin, Jr.  
 Gillett, John Braxton, Jr.  
 Gillogly, Hugh James  
 Girard, Paul Edward  
 Girard, Wallace Edward  
 Gladston, Steele  
 Glaeser, Frederick John  
 Gleason, David Alan  
 Gless, Edwin Henry  
 Gonzalez, Rene Eugenio, Jr.  
 Goodermote, Wayne Keith  
 Goodwin, Michael Roy  
 Gordon, Kenneth Elwood, Jr.  
 Gordon, Leonard  
 Goreham, Bruce Alan  
 Gosselin, Richard Leon  
 Grabowsky, Theodore E.  
 Grace, Robert Francis  
 Grady, John Leo  
 Graf, Clifford Maxwell, II  
 Granat, Gary Christopher  
 Grant, Homer Thomas, Jr.  
 Grause, Francis Patrick  
 Graville, William Nell  
 Greathouse, Earl Richard  
 Green, Shackford Oakley, Jr.  
 Greene, Robert Michael  
 Greenwell, William Manly  
 Griesser, Robert Holt  
 Griffin, Michael Airey  
 Griffin, Richard Nathan  
 Grigsby, Jerry Carson  
 Grimm, Robert Shirey, Jr.  
 Gross, Charles Nicholas  
 Grubaugh, Gene Calvin  
 Guenther, Michael Lyle  
 Gumm, William Eugene  
 Gunn, Lee Fredric  
 Gustafson, Carl Eric  
 Gustavson, Fred Perry  
 Halenza, Judd Gilbert, Jr.  
 Hall, Henry Woolsey, Jr.  
 Hall, John Preston, Jr.  
 Hall, Robert Eric, III  
 Hallwachs, Donald Arthur  
 Hamilton, Charles Dewalt  
 Hamilton, Martin Ridley, II  
 Hamly, Richard Dana  
 Hancock, William John  
 Hand, James Michael  
 Hanke, Robert Richard  
 Hanson, Donald Arthur  
 Harding, Ronald William  
 Harding, Thomas Edward, Jr.  
 Hardt, Lorry Michael  
 Hardtarfer, Alan Edward  
 Hargis, Richard Anthony  
 Harmon, Hollis William  
 Harper, Joseph Cerue  
 Harrell, Joe Wayne  
 Harris, John Paul, III  
 Harrison, James Douglas  
 Harrison, Lloyd, Jr.  
 Harrison, Robert Wesley  
 Hart, Bruce Harold  
 Hart, Robert Harland  
 Hartkopf, Kenneth Walter  
 Hartshorn, Leonard Arthur  
 Hatleberg, Clarence James  
 Haverkamp, Donald Richard  
 Hawkins, Vaughan Austin  
 Hawley, Thomas Peck, Jr.  
 Hawver, Jack Hunter, Jr.  
 Hays, Jack Cornelius  
 Hazazer, Daniel Philip  
 Healy, John Francis, Jr.  
 Heames, Richard David  
 Heckler, Francis Daniel, Jr.  
 Heffernan, Thomas Joseph  
 Held, Billy Lee  
 Heldinger, Phillip  
 Hekel, Uils Dean  
 Henriksen, Robert Allen  
 Hepner, Bruce William

Herranen, Peter Andres  
 Hertzler, Charles Miller  
 Heselton, Leslie R., III  
 Hess, Donald Robert  
 Hickman, Gerald Charles  
 Hill, Daniel Davies  
 Hillier, Donald Rand  
 Hilzer, Ralph Conrad, Jr.  
 Hinds, Howard Huntington, Jr.  
 Hiss, Roger Anthony  
 Hobbs, Charles McAulay  
 Hodgens, Timothy Holdridge  
 Hofstetter, Lawrence Lynn  
 Hogan, John Benedict, Jr.  
 Hoggard, John Hyde  
 Holbert, Warren Lee  
 Hollarn, James William  
 Hollister, Stephen John  
 Honey, Lowell, Ray, Jr.  
 Hooks, Jonathan Thel, Jr.  
 Hoover, Charles Bryon, Jr.  
 Hope, Robert Edward  
 Hopkins, James Robert  
 Hopkins, Ralph Wendell, Jr.  
 Horswell, Charles Edward  
 Horton, Forrest Austin  
 Hoskins, Samuel Britton  
 Hough, Howard Arthur  
 Houser, George Clifford, Jr.  
 Howard, Hugh Wyman, Jr.  
 Howell, Stephen Hunt  
 Howze, Odis William, Jr.  
 Hubbard, Edward Briggs, Jr.  
 Hubble, Hilbert Roland  
 Hudson, John Keith  
 Huff, Gerald Lewis, Jr.  
 Huffines, Charles Wayne  
 Hummel, John Walter  
 Humphrey, Bradford, Jr.  
 Humphreys, Thomas Blake  
 Hunsinger, Robert Eugene  
 Hunt, William Baile  
 Hurley, George Edward, Jr.  
 Hurley, James Albert  
 Husak, Stephen Bruce  
 Huxhold, George Emery  
 Hyde, Joseph Goree  
 Ihle, David Marcus  
 Ingram, Culpepper Fred, II  
 Jaccard, Michael Dandridge  
 Jackson, Richard Alan  
 Jacob, Frank Edward  
 Jacobi, Leslie Martin  
 Jamerson, Clifford Larry  
 James, Jerry Shannon  
 Jarratt, John Marshall  
 Jeffords, John Maxwell  
 Jenkins, Neal Cornell  
 Jensen, Armour Anton, Jr.  
 Jogan, Stephen  
 Johnson, Alan Keith  
 Johnson, Carlton Roy  
 Johnson, Charles Harold  
 Johnson, Donald Winston  
 Johnson, Kenneth Humphrey  
 Johnson, Leland Warren, Jr.  
 Johnson, Myron Theodore, Jr.  
 Johnson, Norman Martin  
 Johnson, Thomas Randall  
 Johnston, David Beatty  
 Johnston, Jasper Brinson, Jr.  
 Jones, Charles William  
 Jones, Charlie Reed, Jr.  
 Jones, David Allan  
 Jones, Dennis Alan  
 Jones, Jeremy Dixon  
 Jones, Phillip William  
 Jones, Raymond David  
 Jones, Richard Thomas  
 Jordan, David Lee  
 Juhl, Clarence Henry  
 Jukoski, Michael Joseph  
 Julian, James Allen  
 Juroff, Kurt Thomas  
 Kahle, Jerold Earl  
 Kallsen, Bruce Donald  
 Kane, Thomas John  
 Katz, Douglas Jeffrey  
 Kearley, John Albert  
 Kearns, Richard David  
 Keiser, Ray Robert, Jr.



Keller, George Joseph, Jr.  
 Kellogg, Paul Joseph  
 Kelly, Charles Leroy  
 Kelly, George William  
 Kemmerer, Frank Edward  
 Kempenaar, Virgil Randall  
 Kennedy, Robert Floyd  
 Kent, George Alan  
 Kenton, Bruce Holladay  
 Kenyon, Morton William  
 Kerry, William Schouman  
 Killion, Robert Allan  
 Klm, Henry Young Hl  
 King, Leon Fleming, Jr.  
 Linlaw, Howard McConneral, J.  
 Kinney, Brian Vincent  
 Kirkpatrick, Howard David  
 Kirkwood, Kenneth Melvin  
 Klaas, Jack Ulrich  
 Klampfer, Rudolph John  
 Kleemann, Henry Martin  
 Klopfenstein, Timothy David  
 Klopfer, William Dale  
 Kmetz, Stephen George  
 Kodalen, Kenneth Cameron  
 Kohler, John Edward, Jr.  
 Koito, Ralph Nicholas  
 Koren, George Duranceau  
 Kosakowski, Robert Anthony  
 Koss, Howard Edward  
 Kozain, William Paul  
 Kramar, Joel David  
 Krieger, David Harry  
 Krieger, Dennis Harold  
 Kristensen, Edward Kristian  
 Krom, Richard William  
 Kruse, Dennis Keith  
 Kruszona, Raymond Robert  
 Kuehn, Ronald Edwin  
 Kukulski, Dennis Reginald  
 Ladd, Edward Harrison, III  
 Lalzure, David Hunter  
 Lambert, Raymond Joseph, Jr.  
 Landry, Robert  
 Lane, Thomas Francis  
 Larguler, Isidore, Jr.  
 Larson, Dean Roy  
 Larson, Gary Lee  
 Larson, Matthew Donald  
 Lasher, William Joseph, Jr.  
 Lassiter, Rex Don  
 Lauer, Joseph James  
 Laughlin, Gary Reed  
 Lautenschlager, Jack  
 Lavarre, Claude Andrews, Jr.  
 Lawler, Curry Montgomery, Jr.  
 Lawless, William Claude  
 Lawrence, Walter Berry  
 Lawrence, William Robert  
 Lazarus, William James  
 Leboeuf, Herve Joseph, III  
 Ledbetter, Douglas Eugene  
 Lee, Howard Frank  
 Lee, Kenneth Arthur  
 Lehmann, Charles Edward  
 Lentz, Frederick Charles, Jr.  
 Leo, Don Garrett  
 Leonard, Brian Robert  
 Leonard, William Douglas  
 Leonhardt, Richard John  
 Lerich, Barry Harold  
 Letton, Winsor, III  
 Lewandowski, Henry Michael  
 Lewis, Jeffrey Lee  
 Lewis, Ronald Bruce  
 Lewis, Ronald Patterson  
 Libbey, Grey Dennison  
 Lien, Paul Richard  
 Lindsey, William English, Jr.  
 Linz, Edwin Raymond  
 Lischke, Erwin Josef, Jr.  
 Listol, Lavern Duwane  
 Livermore, Leroy Walter  
 Loosbrock, Thomas Lee  
 Lopez, Thomas Joseph  
 Lough, Dennis Elliot  
 Ludwig, Carl Levi  
 Luecke, John Michael  
 Lull, Thomas Elwood  
 Lundberg, Marshall Bertram  
 Lyall, Gerald James

MacDonald, Ronald Clark  
 Mackey, William Chambers, II  
 MacMichael, John Lee  
 Maddox, Richard Wallace  
 Madison, William Ross  
 Mager, George Liell, Jr.  
 Magnus, Royal Stapleton  
 Maguire, Edward Sylvester  
 Mahood, James Norton  
 Mairs, Lee Stafford  
 Malchiodi, Michael Anthony  
 Malo, John Allen  
 Maloit, Robert James, Jr.  
 Manlove, Dexter Irving  
 Mapes, John Dennis  
 Marcelly, James Albert  
 Margolis, Sheldon Lee  
 Markowicz, John Charles  
 Marshall, Paul Eugene  
 Martin, Kenneth Mark  
 Martinez, Carlos Manuel  
 Marymont, John Allen  
 Maslowski, James Irwin  
 Massey, Frederick Thomas  
 Matthews, John Edward  
 Matton, William George, III  
 Mattson, James Lee  
 Matyas, Joseph James  
 Maugerl, Peter James  
 Maynard, Robert Paul  
 McAlexander, Elroy Allen  
 McCarthy, Richard Joseph  
 McConagha, David Leigh  
 McConkey, Robert Franklin  
 McCormack, James Elvin  
 McCoy, Norman Kitchens, Jr.  
 McCreary, Richard Allan  
 McCrory, Seaborn M., III  
 McDaniel, Charles Harold  
 McDermott, Michael James, II  
 McDowell, Gary Allison  
 McFarland, Robert Stephen  
 McGaraghan, Michael John  
 McGeorge, Glenwood William  
 McGhee, William Shirley  
 McGlothlin, Larry Wyman  
 McHargue, Gary Robert  
 McHenry, John Walter  
 McIntire, John Gibson  
 McKelvain, Burrell Ray  
 McKillip, Donald Sterling  
 McKinley, John C.  
 McKinney, John Wayne  
 McKinney, Michael Patrick  
 McLaughlin, George  
 McRorie, Darrel Wayne  
 McStravick, Leo Joseph, Jr.  
 McWhirter, Michael Reed  
 Mellin, William Francis, Jr.  
 Mesman, John Francis  
 Messman, Harold Eugene  
 Meyer, Herman Joseph  
 Meyer, James Roger  
 Mickelson, Paul Fredrick  
 Milam, Lonzo Oliver  
 Miles, Kenneth Kinard  
 Milham, Russell Owens  
 Miller, Charles Robert, III  
 Miller, Dennis Lee  
 Miller, Donald Charles  
 Miller, Gary Raymond  
 Miller, Harry James, Jr.  
 Miller, Ivan William  
 Miller, John Elliott  
 Miller, Lawrence Everett, Jr.  
 Miller, Paul David  
 Mills, Michael John  
 Millward, John Emery  
 Milner, Scott Fullerton  
 Minderlein, James Lloyd  
 Mitchell, John Bullard, Jr.  
 Mitchell, Thomas Arthur  
 Mixner, Frank Lewis  
 Mladineo, Stephen Victor  
 Moni, Wayne John  
 Moninger, Edward George, Jr.  
 Monroe, Vanstephen  
 Montgomery, David James  
 Moore, Kenneth Alfred, Jr.  
 Moore, Patrick Nolan  
 Moore, Raymond Edward, III

Moore, Richard Lee  
 Moore, Thomas Stephen  
 Moran, Thomas Edward  
 Morell, Ronald William  
 Morford, James Richard, III  
 Morgan, Edward Lee  
 Morgenfeld, Thomas Albert  
 Moritz, Dennis Michael  
 Morris, Henry Thomas, III  
 Morris, Thomas Edward  
 Morse, Robert Sanford  
 Moscovis, Michael John  
 Moser, Ronald Bryant  
 Mosher, Richard Lee  
 Mowbray, James Francis  
 Moyer, Clyde Toone, III  
 Mueller, David Louis  
 Mullowney, Penn Evans, Jr.  
 Murphy, Francis Joseph, Jr.  
 Murphy, Lawrence T.  
 Murphy, Thomas Patrick  
 Murray, William Robert, Jr.  
 Murrell, Gregory Lee  
 Musitano, John Raymond  
 Myers, Kenneth Randall  
 Myrick, James Albert  
 Nahr, Ernest Vincent, Jr.  
 Naro, Edward Louis  
 Nash, John Thornton  
 Neal, David Lewis  
 Neal, Joseph Francis Hiller  
 Nelson, Barron Craig  
 Nelson, Bruce Emerson  
 Nelson, Donald Charles  
 Nelson, Jerome Allen  
 Nelson, Jerome George Samne  
 Nelson, Paul Lawrence  
 Nelson, Thomas Schewe  
 Newlon, Arthur William, Jr.  
 Newman, Martin Harvey  
 Nichols, Gordon McGlohon, Jr.  
 Nichols, Timothy Bradley  
 Nicholson, Michael Jeffrey  
 Niemiec, Edward Joseph, Jr.  
 Noble, Vernon Haven  
 Noce, Robert Stephen  
 Norman, Robert James, Jr.  
 Norris, Lewis Harold  
 Norton, Douglas Marvin  
 Norwood, Richard Leon  
 O'Brien, Peter Anthony  
 O'Connor, Peter Edward  
 Oehlenschlager, John Gary  
 Offenber, Jerome William  
 Ogrinz, Alexander John, III  
 O'Hanlon, James Patrick  
 O'Harrow, Patrick Ralph  
 Ohlander, Ronald Bert  
 Olen, Harley Martin  
 Olson, Gregory Allen  
 Olson, Jack Lieland  
 O'Neill, David Lynn  
 Onorato, James Raymond  
 Ostertag, James Joseph  
 Oswald, John Stephen, II  
 Owen, Harry Clinton, III  
 Oxenrider, Eugene Leroy  
 Padgett, John Elliott  
 Padgett, Norman Ray  
 Palmer, Jerry Dale  
 Parish, Roger David  
 Park, Carl Sheldon, Jr.  
 Parkinson, Keith Lee  
 Parkinson, Robert  
 Parodi, Richard Steven  
 Parrett, Gaylord Swayne, Jr.  
 Patch, Frank Henry  
 Pate, David Brantley  
 Patridge, Delmar Edward  
 Pattarozzi, Norman John  
 Paulsen, Paul Edward  
 Faust, John Michael  
 Pawlas, Robert Wayne  
 Payton, James Eugene  
 Pearson, Taylor Peter  
 Pennington, Arthur James  
 Peoples, Philip Murray  
 Peschka, Jerome Aloysius, Jr.  
 Peters, Dennis Harold  
 Petersen, Richard James  
 Peterson, Charles Edward

Peterson, Michael Curtis  
 Petitjean, George Henri R.  
 Petre, Preston Olivier  
 Pfaff, George Leland  
 Phaneuf, David Roland  
 Pierce, Quinten Alan, Jr.  
 Pierson, Richard Linnell  
 Pike, Dennis Stanley  
 Pilcher, Imon Lester  
 Pilger, Eric Christian  
 Pilling, Donald Lee  
 Pine, Donald William  
 Pinkston, Larry Michael  
 Ploof, Elden Louis, Jr.  
 Plowman, James Edwin  
 Plum, Jerry Earl  
 Pollock, John Corse, III  
 Pool, Willard Owen, Jr.  
 Poole, William James  
 Pou, Robert Leroy  
 Powers, William Thomas  
 Pratt, Edmund Lee, Jr.  
 Preato, Thomas John  
 Previty, William Harry  
 Prickett, Frederick G., Jr.  
 Prior, Charles Albert  
 Proctor, James Richard  
 Prydybasz, Andrew Michael J.  
 Puccini, Donald Emil  
 Purdy, Robert Franklin, Jr.  
 Quist, Alfred Benson  
 Rackowitz, Marion Rex  
 Railsback, Donald Charles  
 Ramsey, William Russell  
 Randall, Richard Francis  
 Rantschler, Robert Dale  
 Reade, John Moore IV  
 Reason, Joseph Paul  
 Reckner, James Richard  
 Redenbaugh, Roger Wayne  
 Redus, William Clyde  
 Reed, Phillip Lance  
 Refo, Carter Beaumont  
 Reiniger, Peter David  
 Renager, Burton Whitmon, Jr.  
 Reser, Gerald Harrison, Jr.  
 Reynolds, Gary William  
 Rezeau, Gary Lance  
 Rhodes, Donald Ray  
 Ricabaugh, George Glenn  
 Rice, Peter Adolph  
 Richardson, Clarence Lee  
 Richardson, Terence Edward  
 Rieber, Christopher  
 Riedel, Charles Thornton  
 Riley, Robert Handley  
 Rinker, Ronald Lee  
 Riordan, Francis Peter  
 Ritzman, William Floyd  
 Roach, Charles Alan  
 Roberts, David Lee  
 Robertshaw, Donald George  
 Robertson, William Neal Lee  
 Robinson, David Walter  
 Robinson, Paul Matthew  
 Robinson, Peter Stone  
 Rogers, Kevin George  
 Rogers, Paul Frederick  
 Roletter, George Joseph, Jr.  
 Rooney, James William  
 Roorbach, James Arthur, III  
 Rosintoski, Lawrence John  
 Rossley, William Frank  
 Roth, Patrick Henry  
 Rouse, James Richard  
 Roy, James Codori  
 Ruben, Richard Charles  
 Rudolf, Chester Davis, III  
 Rugolo, Ralph Ignatius  
 Rumbley, Daniel Lee  
 Rummier, David Clark  
 Runberg, John Eynar, Jr.  
 Runyon, William Ellis  
 Rush, Stephen Kenneth  
 Rushing, John Michael  
 Ryan, James Paul  
 Ryder, Dan Herold  
 Sack, Brian Phillip  
 Sadler, Clint Densmore  
 Sadler, Lester Hardy  
 Saenz, Roland Ashley  
 Safley, Gordon Wayne  
 Saft, Burton Manly

Sale, Charles Latane, Jr.  
 Salonen, John Olof  
 Sandway, Karl Martin  
 Sanger, John Phillip  
 Sapp, Charles Nim, Jr.  
 Saul, Carlton Wayne  
 Savage, Eugene Maurice  
 Scales, James Roper, Jr.  
 Scarborough, Oscar D., III  
 Scardigno, Peter Francis  
 Schaar, Brian Warren  
 Schafer, Robert Earl  
 Schalde, John Arthur  
 Schildknecht, Kurt  
 Schineller, Frederick J., III  
 Schmidt, Kenneth Anthony  
 Schmidt, Knute Menge, Jr.  
 Schmoker, Alan Elliott  
 Schneider, Paul Thomas  
 Schnier, Kenth Leon  
 Schoening, Frederick Stephe  
 Schofield, Lee Neal  
 Scholl, Clifford William, Jr.  
 Scholl, Russell Charles, Jr.  
 Schrock, Edward Lee  
 Schroeder, Arthur John  
 Schroeder, Stanley Francis  
 Schultz, Roger Frederic  
 Schulz, Robert Kenneth  
 Scigulinsky, Kenneth Frank  
 Scobee, Mitchell Odell  
 Scott, Michael Robert  
 Scott, Norman Stuart  
 Scott, Thomas Balrner, III  
 Scott, Thomas Fletcher, Jr.  
 Scruggs, Robert Nealy, Jr.  
 Seaquist, Larry Ray  
 Secrest, David Emmett Heaume  
 Sedgwick, Dean Lance  
 Sehlín, Donald Barry  
 Seim, Wayne Allen  
 Setser, Raymond Howard, Jr.  
 Seyl, Stephen Joseph  
 Seymour, Harry Augustus, Jr.  
 Shackelford, Harry Louis, Jr.  
 Sharkey, Edward Raymond, Jr.  
 Sharp, Erwin Arthur  
 Sharp, Walter Eugene  
 Shaw, Michael Gilbert  
 Shea, John Anthony, Jr.  
 Shealy, William Pierce  
 Sheldon, Gerald Ernest  
 Shipway, John Francis  
 Shoemaker, Stephen Collier  
 Shuman, Paul Dennis  
 Siebe, Alan Edward  
 Siegel, William Morris  
 Sigrest, Paul Burton  
 Simkins, Gary Bede  
 Simms, Richard Galen  
 Simpson, John Drury, Jr.  
 Simpson, Richard John  
 Simpson, Thomas Elroy  
 Sipe, Allan Keith  
 Sipe, Edman Leon  
 Sirmans, Russell Emerson  
 Sisung, Russell Albert  
 Skidmore, William Harvey  
 Skoog, Mark Chester  
 Slaasted, Richard Michael  
 Sloane, Richard Tobias  
 Small, Robert Frank  
 Smereczniak, David Afton  
 Smith, Bernard John  
 Smith, Eldin Dean  
 Smith, Franklyn Pickard  
 Smith, Gary Allen  
 Smith, J. Palmer  
 Smith, James Frank  
 Smith, Jerry Livingston  
 Smith, Jessie Mack  
 Smith, Johnny Frank  
 Smith, Robert Allen  
 Smith, Terry Duane  
 Smith, William Clifford  
 Smithson, William Bruce  
 Snider, William Allen  
 Snow, John Pickett, Jr.  
 Snyder, Darrell Paul, Jr.  
 Snyder, John Harrison  
 Snyder, Paul John  
 Soderman, Arne Paul  
 Soley, Francis Edward

Soucek, Philip Merrill  
 Spangler, Carl Rodney, Jr.  
 Sprague, Jay Woodrow  
 Sprague, Thomas Oren  
 Springer, Robert William  
 Spurgeon, Dennis Ray  
 Stallings, Tellmon Scott  
 Stanfield, Robert Alan  
 Stark, James Reynolds  
 Starkey, Robert Laird  
 Starnes, Jimmy  
 Steenburgh, Frederick Leroy  
 Stein, John Howard, Jr.  
 Stein, Paul Philip  
 Steiner, Clifford  
 Stephan, Charles Royal  
 Stevens, David Michael  
 Stevenson, Clyde Melvin  
 Stevenson, John Wayne  
 Stewart, George Calvin  
 Stewart, Lawrence Letulle  
 Stewart, Malcolm Wayne  
 Stewart, Michael Edward  
 Stewart, Van Nelson  
 Stickler, Bernard Thomas  
 Stocktonidus, Lewis  
 Stoddert, Robert William B.  
 Stoll, Peter Steven  
 Stone, William Charle  
 Stout, Richard Gordon  
 Stringer, John Lloyd  
 Stromberg, Merle Jon  
 Strong, Bradley Scott  
 Strong, David Walker  
 Strum, Richard Ralph  
 Stryer, Thomas Bruce  
 Stuckey, Robert William  
 Stuckl, Laurence Valdimir  
 Stueck, Phillip Gary  
 Sudigala, John Phillip  
 Sullivan, James Edward  
 Sullivan, James Joseph  
 Sullivan, Jerry Michael  
 Sullivan, Timothy Bernard  
 Sullivan, William James  
 Sussilleaux, John Francis  
 Sutton, Larry Paul  
 Swanson, Barry Grant  
 Tabor, James Byron  
 Tana, Yasuto  
 Tassin, Terry Jude  
 Taylor, Billy Glen  
 Taylor, James Louis  
 Tedeschi, Ernest Francis, Jr.  
 Tedford, Timothy Wallace  
 Teichgraber, Walter Michael  
 Templin, Charles Leonard  
 Thelen, Frank, III  
 Thiele, James Frederick  
 Thomas, Donald Gene  
 Thomas, Jerry Lee  
 Thompson, Donald Joseph  
 Thompson, Melvin Ellis, Jr.  
 Thorsen, Paul Albert  
 Tilt, Thomas William  
 Tittle, Harold Edwin  
 Tobias, Walter Adam, II  
 Tolbert, Otis  
 Toporoski, Daniel Michael J.  
 Tower, Philip William  
 Tozier, Jack Allan  
 Trione, William Robert  
 Tripp, Philip Burr  
 Trotter, Earl Clay  
 Trowbridge, Lynn Dick  
 Tucker, James Edward  
 Tujague, Ronald Barry  
 Turner, Everett Eugene, Jr.  
 Turner, Jay Scott  
 Turner, Joseph Wayne  
 Uber, Brian Douglas  
 Uhlemeyer, Fredric Laurance  
 Ujlaki, Machael, Jr.  
 Umstead, Marvin Francis, Jr.  
 Urbanek, Keith Arlen  
 Vall, David William  
 Vajda, Thomas Carl  
 Valentine, Paul Martin  
 Vallee, Ronald Armand  
 Valovich, Paul Joseph, Jr.  
 Vanderschroeff, Coenraad  
 Vanderwier, Gerald Michael



Vandyke, John Charles  
 Vanhorn, Gerald James  
 Varnagaris, Kim George  
 Veasey, James Alexander, III  
 Vermilyea, David Whitney  
 Vernon, Larry Jay  
 Vesey, Richard Lane  
 Vetter, Donald Robert  
 Vickery, Wayne Marshall  
 Vidrine, David Matthew  
 Vinroot, Charles Arthur  
 Voelkel, Ronald Edward  
 Vogel, Timothy James  
 Vogt, Frederick Henry  
 Volk, Charles Louis, Jr.  
 Vomastick, John Emil  
 Vorce, Richard Alan  
 Vorwerk, John Alfred  
 Vroom, James Edgar, II  
 Wagner, James Aubrey  
 Wagner, Todd William  
 Walss, Alan James  
 Walker, Donald Edgar  
 Walker, Joseph Scott  
 Walker, Michael George  
 Ward, Robert Alan  
 Warner, Kenton Dale  
 Warren, Edward Ola  
 Warren, Fred Vincent  
 Watkins, Edison Lee, III  
 Watts, McCoy Carlos, Jr.  
 Waylan, Cecil Jerome  
 Weaver, Thomas Stephen  
 Webb, George Jerome, Jr.  
 Webb, Hugh Leonard  
 Webber, John Albin, Jr.  
 Weber, Dennis Richard  
 Weber, Francis Joseph  
 Weeks, Glen Alden  
 Weerts, Gary Lee  
 Weller, George William  
 Weinell, Thomas Robins  
 Welsbrod, David Stephen  
 Weittenhiller, Larry Keith  
 Welborn, Paul Burney, Jr.  
 Welch, Glenn Ernest, Jr.  
 Wendt, William Arthur  
 Wentzel, Kendrick Wayne  
 West, Franklin Griffith, Jr.  
 Westmoreland, Jimmie David  
 Wetherell, David Lee  
 Whitehead, Kenneth Lee  
 Whiteman, Herman Leroy, Jr.  
 Whitmore, John Thomas  
 Wicker, Charles Lewis  
 Wicks, Guy Weaver  
 Wieland, Billie Wayne  
 Wielandt, Frederick Moore  
 Wiggins, Edwin George  
 Wilta, Marlin Dale  
 Wiley, James William  
 Wilhelm, Glennon James  
 Wilkes, Marshall Jackson  
 Wilkins, Frank Scott  
 Wilkinson, John Palen, III  
 Wilkinson, Raymond Ollon, II  
 Will, Thomas Joseph  
 Willenborg, John William  
 Williams, Charles Russell J.  
 Williams, Herbert Bateman  
 Williams, Larry D.  
 Williams, Paul Richard  
 Williams, Richard Arthur  
 Williams, Richard C., III  
 Williams, Walter Dehlwyn, Jr.  
 Wilson, Francis Edward  
 Wilson, George Eugene, Jr.  
 Wilson, John Charles  
 Wilson, Melvin Arthur  
 Wilson, Robert Craig  
 Wilson, Woodrow Owen, Jr.  
 Winn, James Richard  
 Winter, Albert William  
 Winters, Doyle Eugene  
 Witherspoon, William Wall J.  
 Wittig, Arthur Walter  
 Witzenburg, Dennis Leon  
 Wixom, Robert Frank  
 Wojcik, Raymond Thomas  
 Wollett, Donald Harley  
 Wolter, Richard Charles  
 Wong, Henry Kingsy

Wood, Charles Mills, III  
 Wood, Robin Carder  
 Woodring, George B., Jr.  
 Wright, Donald Alexander, II  
 Wright, Douglas Scott  
 Wright, Francis D., III  
 Wright, John Darwin, Jr.  
 Wright, Robert Holcomb  
 Wuthrich, Lawrence Gene  
 Yearwood, John Fouché, Jr.  
 Young, Thomas Richard  
 Young, William Craig  
 Youngblood, Robert Edward  
 Zambie, Henry John, Jr.  
 Zambori, Richard Andrew  
 Zardeskas, Ralph Anthony  
 Zayicek, James Stanley  
 Zettle, Charles Emerson  
 Zimmermann, Richard Paul  
 Ziolkowski, Ronald William  
 Zschock, Charles Wolfgang  
 Zuna, William Frank  
 Zuncich, Joseph Louis  
 Zunic, Ralph Edward  
 Zwirschitz, Gary Wayne

## SUPPLY CORPS

Adelgren, Paul Wayne  
 Agnew, James Edward  
 Anderson, Edward Johnston J.  
 Artherholt, Michael Lee  
 Berreth, Donald Maynard  
 Berzins, Aivars Talis  
 Biggins, James Alfred  
 Bishop, Henry Harold, II  
 Bishop, Phillip Earl  
 Blaschke, Edwin Henry, Jr.  
 Brush, William Edward  
 Burley, Frank Illife, Jr.  
 Cain, John Michael  
 Campbell, Robert Ray  
 Carter, W. J., Jr.  
 Chase, Dana Chester  
 Cheney, James Cowser  
 Christopher, Donald Dominic  
 Cicio, John David  
 Claar, Robert Carroll  
 Clark, Gerald Duane  
 Conti, Carmen Daniel  
 Cook, Frank Cummings, III  
 Cordova, Stephen Malcolm  
 Cosgrove, Patrick Michael  
 Curtis, Glen Dale  
 Dagrosa, Richard Louis  
 Dahlen, David Gordon  
 Davies, Christopher Rae  
 Deloach, Stephen James  
 DeLong, David Loren  
 Derulter, Kenneth  
 Dobkowitz, Richard Paul  
 Dolores, George, Jr.  
 Donato, Robert Casson  
 Dougherty, Stuart Aloysius  
 Douglas, Bruce Leroy  
 Downer, Glenn Ivan  
 Eager, Donald Richard  
 Ebberts, Richard Earl  
 Fabry, Steven Edwards  
 Figueroa, Ernest Luque  
 Fitzgerald, Preston Hodges  
 Fonda, George Andrews  
 Freeman, James Kirk  
 Freiberg, Leonard Sander, Jr.  
 Fuller, John Anson  
 Fyfe, John Kerr, Jr.  
 Gaboury, Paul Albert  
 Gallagher, Patrick Francis  
 Gayton, Lewie Ernest  
 Giardina, Joseph Angelo  
 Gibson, Blair Edwin  
 Glace, Kenneth William, Jr.  
 Graeter, William F., II  
 Gray, Cameron Rathbone  
 Griffin, Leonard Carl, Jr.  
 Gudgen, Richard Abbott  
 Hall, David William  
 Hargus, James William  
 Harper, Charles Henry  
 Hephner, Patrick Jean  
 Hiltbrand, Jon Haden  
 Hobart, Phelps  
 Holland, Donald Reginald  
 Jackson, Alfred C., III  
 Jacot, Jay Foster  
 James, William Byrd  
 Jaquith, Linford Jason  
 Jarrard, Lamar Joseph  
 Jones, Bennie Joseph, Jr.  
 Jordan, Douglas Saunders  
 Kasse, David Ivan  
 Kelley, John Robert, Jr.  
 Ketcham, Richard Dean  
 Kingston, David Tallman  
 Kocor, John Casimir  
 Kohlmann, John Thomas  
 Koppenhaver, Larry Neil  
 Krause, Ben Allen  
 Krause, Donald Edward  
 Krejci, Stanley Leon  
 Lamm, David Vincent  
 Lee, William Thomas  
 Lerner, Kenneth Ward  
 Lessa, Joseph Gerard, Jr.  
 Lewers, Freddie Roy  
 Lewis, Richard Earl  
 Loeffler, Robert Dixon  
 Losquadro, Joseph Pasquale  
 Marino, Stanley, Jr.  
 Marlin, Frederick Russell J.  
 Marshall, Terry Lynn  
 Martin, Kenneth Eugene  
 Martin, Patrick Edward  
 Mate, Gerald Edward  
 Matthews, Winston E. A.  
 Mayer, Carl Michael  
 Mayes, Robert David  
 McCormack, Robert Steele  
 McCosco, Charles Fred  
 McGavran, Samuel Brown  
 McKechnie, Arnold Wilfred J.  
 McLaughlin, Michael John, Jr.  
 McLean, Forrest Thomas  
 McNabney, James Richard  
 McNutt, Lee Francis  
 McPherson, Thomas Dale  
 Meehan, Clement Thomas, Jr.  
 Metzger, Douglas Philip  
 Meyer, Fred Lawis  
 Miller, Barry James  
 Modrowski, Richard Walter  
 Moles, Robert Francis  
 Molishus, Joseph, Jr.  
 Monahan, Frank Joseph  
 Moore, Thomas John  
 Morgan, Edward Aiken, Jr.  
 Myers, William Martin  
 Nelson, Ronald Charles  
 Norton, Ronald Ward  
 Outlaw, George Dedric, Jr.  
 Paulson, John Jacob  
 Payne, David Almon  
 Peiffer, Robert Hurst  
 Pope, Geoffrey William  
 Rapp, Carl Arno  
 Reagan, Joseph Emmett  
 Robertson, Herbert Milton  
 Robinson, Richard D.  
 Ruppman, Heinz Otto  
 Saltsgaver, William Burl  
 Sanchez, Domingo Hall  
 Sanders, Donald Gene  
 Santucci, David Michael  
 Sarfaty, Dennis Paul  
 Schandel, George William  
 Schmidt, Carl August, Jr.  
 Schooley, Robert Allen  
 Schreiber, Dennis Lynn  
 Schultz, Thomas Craig  
 Schutte, Harvey Charles  
 Schutte, Robert Joseph  
 Seuffer, Stephen John  
 Simpson, Raymond Edward  
 Smith, Roger Joseph  
 Solatka, Robert James  
 Stalnaker, Delbert Kenneth  
 Stawitz, William Ernest  
 Sutton, Richard Anthony  
 Sweazey, George Edgar, Jr.  
 Swenson, Donald Wayne  
 Tarantino, David Arthur  
 Tastad, Michael Louis  
 Thiemann, Richard James  
 Thompson, Robert Fay  
 Tonkovich, Thomas Marvin  
 Trimpert, Eugene Charles  
 Tucker, James Thomas

Tucker, Thomas Grady  
Tuggle, Richard Carl  
Turner, Harry Leon, II  
Valenty, Patrick Paul, Jr.  
Vanhaaren, Cary Grant  
Vigrass, David Harry  
Waldron, Andrew John, Jr.  
Walton, William Heritage, Jr.  
Webb, James Michael  
Wheaton, Kenneth Walter  
White, Gordon Rollins, Jr.  
Wiese, Robert Dewey  
Williams, Gary Dean  
Williams, Michael C.  
Williams, Patrick Dale  
Winget, William Peter  
Wise, Clinton Edwin  
Wright, Harry Neil  
Yeatts, Ralph Leroy  
Ziegler, Lee Alan  
Zitzewitz, Robert Frank

## CHAPLAIN CORPS

Cary, Peter John  
Connelly, Albert P., III  
Hannigan, Richard Francis  
Lawrence, Archie Virgil  
Rothermel, Fred Allen

## CIVIL ENGINEER CORPS

Ahl, John Stuart  
Anderson, Robert Harris  
Ariko, John Gerald, Jr.  
Bogert, Richard Paul  
Bohning, Lee Robert  
Brown, Harry John, Jr.  
Cecil, Charles Vinton  
Clare, Joseph Francis  
Conniff, David Denniston  
Conroy, John Francis  
Cook, Roy Herbert, III  
Corcoran, Anthony Edward  
Coston, Oscar Lee, Jr.  
Cugowski, Ralph Marshall  
Dames, Thomas Allan  
Danielson, Marvin Leroy  
Dodson, James William, Jr.  
Donnelly, William Patrick  
Gagen, Robert Edward  
Harada, Theodore Iwao  
Hendrickson, Jack Ellis  
Hilderbrand, William Casey  
Hopper, Mark Andrew  
Johnson, William Eugene  
Kelley, Timothy Charles  
Koski, William Arthur  
Krebs, Gary Lynn  
Laurance, Richard Bruce  
MacDermott, John Theodore  
McBride, Robert Norman  
McTomney, William Paul  
Meeks, Kenneth Wayne  
Milkintas, John Clayton  
Morris, Henry Minard  
Niemeier, William Ray  
Off, Louis Scott  
Pabarcus, John Russell  
Parsons, James Fowler  
Reelitz, Eric Vincent  
Reynolds, George Bernard  
Riggin, Donald Curtis, Jr.  
Sargent, Delon Denny  
Schlesinger, Francis David  
Scott, John Patrick, III  
Sleight, Leon Jay  
Taylor, Ernest Theodore  
Vizza, William Kane  
Walters, Victor Young  
Weston, James Edward  
Woodhull, Roger Blake  
Wright, Hubert Davis, Jr.

## JUDGE ADVOCATE GENERAL'S CORPS

Barr, Philip Conrad  
Decarlo, Nicholas Peter  
Fulkes, Duane Sherman  
Gerken, Robert Thomas  
Granahan, Thomas Francis  
Kahn, Thomas Kenneth  
Kirkham, Steven Dorsey

Neutze, Dennis Richard  
Wylie, Thomas Langford

## DENTAL CORPS

Anderson, Denis David  
Anderson, William Hart, III  
Antimarino, Ronald Francis  
Benz, Richard David  
Billeaud, George Lawrence, I  
Burkey, Richard William  
Butler, Lee Mark  
Campbell, Larry Gene  
Carlson, Curtis Eugene  
Chang Ronald Sai Ngew  
Clausen, Donald John  
Cochran, Michael Alan  
Conlon, Thomas Oliver  
Fleming, James Gerald, Jr.  
Galliani, Robert Edward  
Gartner, Richard Ray, Jr.  
Glass, Ernest Gilbert  
Haasl, Robert James  
Hanst, Michael T.  
Harper, Richard Huber  
Holleen, Michael Charles  
Hwang, William Shaoru  
Johnson, Jerry Kay  
Kennard, John Thomas  
Krueger, Frederic  
Lewis, Doyle Martin  
Lynde, Thomas Ainsworth  
Mathews, David Paul  
Mellonig, James Thomas  
Provencher, Robert F., Jr.  
Pugh, George Spencer  
Riemann, Richard Allan  
Rizas, John Joseph  
Rosenberg, Ronald Maurice  
Santucci, Eugene Thomas  
Schwan, Robert Mathes  
Stauffacher, Richard Karl  
Sweet, Phillip Michael  
Tontz, Russell Clyde, Jr.  
Vosskuhler, Robert Joseph

## MEDICAL SERVICE CORPS

Adams, George Michael  
Ashburn, James Henry  
Baker, George Franklin  
Barr, Kenneth Brian  
Bates, James Francis  
Berghage, Thomas Eugene  
Bondi, Kenneth Robert  
Bookout, Thomas Eugene  
Boyle, Richard Lee  
Carter, Franklin Wood  
Clem, Nicholas Jerry  
Cobet, Andre Benoit  
Collings, Donald Earl  
Connors, Francis Simon  
Cook, Jimmie Charles  
Corley, Richard Annon  
Cota, Richard Jesse  
Cunningham, William F.  
Dalton, James Travis  
Danziger, Richard Ellis  
Dekrey, Charles Ross  
Doptis, Leigh Errol  
Dotson, Robert Melvin  
Evans, Delbert Eugene  
Fisher, Frank D. R.  
Fisher, Stephen Todd  
Foxy, Stanley Alan  
Galbreath, Jerry Dean  
Gaugler, Robert Walter  
Greear, John Fields III  
Gregory, George Harry  
Hall, David Allen  
Herron, Don Montelle  
Hilling, Levi Nelson  
Hodge, Frederick Allen  
Holcomb, Howard Edwin  
House, John Francis  
Hurder, Richard James  
Johnson, Richard Lee  
King, William Goodrich  
Kouns, David Michael  
Lashley, Kenneth Lamar  
Levan, Donald Robert  
Lewis, Larry Allen  
Louy, James William

McCullah, Robert Douglas  
McDonald, John Leroy  
McManaman, Vincent Leo  
McNamara, John Edward III  
Medlock, Thomas Perry  
Milek, Mary Lynn  
Miller, Allen Byrd  
Moy, Michael William  
Mullins, William Franklin  
Murray, John Lee  
Narut, Thomas Edward  
Oglesby, Norman Gabriel  
Olson, James Gordon  
Palmer, Timothy Trow  
Parsons, William Michael  
Pepera, Leroy Joseph  
Platt, Austin Eugene  
Rausch, Jack Lee  
Renfro, Gene F.  
Reysen, Richard Harry  
Riley, Phillip Truman  
Sammons, John Henry  
Schinski, Vernon David  
Schubert, Deane Edward  
Schultz, Warren Walter  
Shaver, Roger Galen  
Sholdt, Lester Lance  
Sippel, John Edward  
Skinner, Howard Lee  
Slipsager, Frederick Andrew  
Smith, James Leroy  
Smith, Lloyd Dean  
Socks, James Frederick  
Spillman, Graham B., Jr.  
Stafford, Erich Estill  
Stefanakos, Thomas Kostas  
Strong, Douglas Michael  
Thome, Carl Donald  
Truman, Patrick Andrew  
Uddin, David E.  
Vickerman, Raymond Harold  
Watko, Laurence Philip  
Wienkers, Charles Francis  
Windholz, Francis Leo  
Woodman, Daniel Ralph  
Wortendyke, John  
Zink, George Arthur

## NURSE CORPS

Coffin, Barbara Ellen  
Colucci, Michael Joseph  
Downs, Robert James  
Gangwer, Constance Wray  
Hay, Mary Kathryn  
Howard, William James  
Iwata, Miki  
Jackson, Charles Ray  
Johnson, Carolyn Ann  
Kelly, Sharon K.  
Kirkpatrick, Sandra Anthony  
Leary, Cornelia Ann  
Lindelof, Sandra Sue  
Lufkin, Janice Mae  
Maffeo, Edith Jane  
Mazzone, Nancy Rose Marie  
McCumber, Susan Anne  
Murrow, Elizabeth Jean  
Polak, Kristen Ann  
Ristow, Betty Ann  
Snyder, Eileen Esther  
Spanier, Bernice Clare  
Spring, Pollyann  
Toepke, Nancy Hull  
Wilke, Joanne Marie  
Stoll, Caroline Jean  
Ulschmid, Margaret Mary

## CONFIRMATIONS

Executive nomination confirmed by the Senate September 8, 1972.

## UNITED NATIONS

The following-named persons to be Representatives of the United States of America to the Twenty-seventh Session of the General Assembly of the United Nations:

Gale W. McGee, U.S. Senator from the State of Wyoming.

James B. Pearson, U.S. Senator from the State of Kansas.



DIPLOMATIC AND FOREIGN SERVICE

Hermann F. Elits, of Pennsylvania, a Foreign Service officer of the class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of Bangladesh.

Viron P. Vaky, of Texas, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Costa Rica.

Frederick Irving, of Rhode Island, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Iceland.

George W. Landau, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Paraguay.

Adm. Horacio Rivero, U.S. Navy, retired, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Spain.

Frank T. Bow, of Ohio, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Panama.

Joseph A. Mendenhall, of Virginia, a Foreign Service Officer of Class one, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Malagasy Republic.

Talcott W. Seelye, of Maryland, a Foreign Service Officer of Class one, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Tunisia.

## EXTENSIONS OF REMARKS

### VETERANS' BENEFITS

#### HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1972

Mr. EILBERG. Mr. Speaker, the young men returning from service in Vietnam and other parts of the world are having a tough time finding jobs and making ends meet if they are going to school.

Part of the problem is the fact that we have not provided them with the benefits they deserve. Hopefully that will be corrected in the near future.

However, there is also a problem of communication. Many of these veterans do not know what benefits are available to them or where to find out what is available.

Recently, the magazine "Changing Times" printed a clear, concise summary of these benefits, along with the necessary qualifications and advice on how and where to apply for them.

At this time I enter into the RECORD this article from the September issue of the magazine.

#### VETERANS: DON'T FORGET THESE BENEFITS

Despite the efforts of the Veterans Administration, too many benefits go unclaimed because veterans or the members of their families don't know about them. Furthermore, some of the provisions have changed to include more people since 1970. If there's any chance you or someone you know might be missing a rightful benefit, better check this rundown.

Education. Anyone released after January 31, 1955, who has served 18 months or more in the armed forces is entitled to 36 months of financial assistance for education. Those with more than 180 days of service but less than 18 months can get a month and a half of financial assistance for each month served.

There are different payment rates if you go to school less than half time or are enrolled in a cooperative program, apprenticeship or other on-the-job training, farm cooperative, correspondence course or flight training. Wives and children of servicemen missing in action or prisoners of war for more than 90 days also can get assistance. Rates of payment depend on the amount of time spent in study, the types of program being taken and the number of dependents you have. As of this writing there are three major bills pending in Congress that would increase the allowances.

Veterans released from active duty after January 31, 1955, have eight years from discharge or until May 31, 1974, whichever is later, to complete their training.

Employment. Your old job must be given back to you if you ask for it, provided it was a fulltime position. If you have been dis-

abled and can't do that job, your employer must find you another job in the organization that's comparable in seniority, status and pay. All benefits, including automatic pay raises and promotions that you would have received, must be given to you. You must apply within 90 days of separation or release from hospitalization. If you have trouble, get in touch with your nearest Office of Veterans Reemployment Rights of the Department of Labor.

If you can't find a job, you may be eligible for unemployment benefits from your state employment service office.

Life insurance. Your Servicemen's Group Life Insurance, with its \$15,000 maximum, is good for 120 days after separation, with no premiums required. It can be converted, regardless of your health, to an individual policy issued by one of the 600 participating commercial companies if you apply and pay the premiums before the end of the 120 days.

Loans. Eligibility for VA-guaranteed home loans is no longer subject to expiration. Widows and wives of prisoners of war or those missing in action also are eligible. Such loans can be used to buy, build, refinance or improve a home, or to buy a mobile home, condominium or farm home.

The VA guarantees a maximum of \$12,500 toward a home loan, which may run for as long as 30 years. Maximum interest rate is currently 7%. Ordinarily, the money doesn't come from the VA. The government simply guarantees the lenders repayment of the amount for which the borrower has qualified. You must find a lender willing to make the deal.

Mobile homes may be purchased for up to \$10,000 with a VA-guaranteed loan at a maximum of 10.75% for 12 years. If the mobile home purchase includes a developed site, another \$7,500 and a total of 15 years may be allowed.

Medical care. VA hospitals that have room will care for a veteran who can't afford private treatment for nonservice disabilities. The VA may also provide medical care for those who are about to enter a VA hospital or who have just left it. Private nursing home care is available in some cases at VA expense.

Pensions. Wartime veterans who become totally disabled from causes unrelated to military duty may be eligible for small, monthly pensions, depending on yearly income. Wartime veterans 65 years old and older are eligible for small pensions, depending on their incomes. So are the widows and children.

State benefits. A number of states have voted various rights and benefits for Vietnam veterans, including pay bonuses and exemption from some property taxes for patients convalescing in VA hospitals. Check with your statehouse.

For personal help. Write, call or visit your nearest VA regional office. Many states have a toll-free telephone service to the VA from communities in the state. Check your directory or the information operator for the listing.

### PRESIDENT NIXON SPEAKS BEFORE THE AMERICAN LEGION

#### HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Friday, September 8, 1972

Mr. SCOTT. Mr. President, President Nixon recently addressed the 54th Annual National Convention of the American Legion in Chicago, Ill. Because I believe his remarks would also be of interest to those who were not in attendance that day, I ask unanimous consent that they be printed in the RECORD.

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

#### REMARKS OF THE PRESIDENT TO THE AMERICAN LEGION

##### THE WHITE HOUSE.

Commander Geiger, my comrades in the American Legion, those who are here from the Legion Auxiliary, all of our very distinguished guests, and all of the past Commanders and others who are distinguished guests here on the platform.

It is indeed a very great honor for me to appear before this convention. It seems that this is my week to appear before conventions. But having first addressed a Legion Convention when I was a junior Senator from the State of California back in the year 1951, I know that we do not discuss partisan politics, so I will not tell you which party nominated me.

What I would like to say today is that, first, I am aware of the magnificent tradition of the Legion, the fact that we think in terms of our country; we recognize that partisan differences really don't matter where the national defense is involved and where the peace and security of America is involved. We are not Republicans, we are not Democrats, we are Americans. And that is what the Legion believes.

My friend Don Johnson, I was saying to Commander Geiger that he was the tallest man who had been Commander of the Legion since Johnson and they are both from Iowa. That is where the corn grows tall.

But in 1965, when he was the Commander and I had the privilege of addressing the convention—incidentally, I appreciated your invitation to come today when I am serving as President. I appreciated it even more when I didn't hold any office in 1965.

Oh that occasion, Don Johnson, as Commander, introduced me. He later, as you know, has become the head of the Veterans Administration. Something has happened that is very important that may not have come to your notice, that we have appointed him as a member of the Cabinet Domestic Council which raises, for the first time in this country, the status of the man in this country with the responsibility for veterans affairs to the position of Cabinet status. That